United States

Merit Systems Protection Board

Strategic Plan

Fiscal Years 2010 – 2015

February 2010

TABLE OF CONTENTS

Page

Introduction 1

The MSPB Mission 1

Relationship between strategic goals and performance goals 2

Strategic Goal 1: Adjudication 3
- Adjudication performance goals 3
- Adjudication performance indicators/measures 4

Strategic Goal 2: Merit Systems Studies 5
- Merit systems studies performance goals 5
- Merit systems studies performance indicators/measures 5

Strategic Goal 3: Management Support and Organizational Excellence 6
- Management support and organizational excellence performance goals 6
- Management support and organizational excellence performance indicators/measures 6

Means and strategies to be used to achieve the strategic goals 7

Key external factors that could affect goal attainment 7

Evaluations used in preparing this strategic plan 7

Merit Systems Protection Board
Strategic Plan
Fiscal Years 2010 – 2015

Introduction

The Merit Systems Protection Board (MSPB) is an independent, quasi-judicial agency established to protect Federal merit systems and the rights of individuals within those systems. MSPB's role in protecting the merit systems is essential to ensuring the American people that Federal employment decisions are based on law and merit, and that employees are able to serve the public free from management abuse and partisan political pressure. The purpose of this strategic plan is to set out MSPB's updated/revised strategic goals for fiscal years 2010 - 2015. The MSPB is committed to its continued, long-term success in protecting merit and individual employee rights.

This Strategic Plan is the result of review of MSPB's current strategic plan, its performance in the last few years, and projected requirements based on current and future developments in Federal human capital management and their impact on merit systems and individual employee rights. The MSPB consulted with Congress, MSPB employees, and the MSPB Professional Association, and made the plan available on our Website for comment by other stakeholder groups such as agency senior leaders, Federal human resources professionals, Federal employees and management groups, and the public.

The MSPB Mission

The mission of the Merit Systems Protection Board is:

To protect Federal merit systems and the rights of individuals within those systems.

The MSPB carries out its statutory responsibilities and authorities primarily by adjudicating individual employee appeals and by conducting merit systems studies. In addition, the MSPB reviews the significant actions of the Office of Personnel Management (OPM) to assess the degree to which those actions may affect merit.

Relationship between strategic goals and performance goals

To accomplish its mission, the MSPB has established the following strategic goals:

1. To provide fair, high quality, and timely adjudication of cases filed with MSPB and to make effective use of alternative methods of dispute resolution in MSPB proceedings.

2. To conduct studies that support strong and viable merit systems that ensure the public's interest in a high quality, professional workforce managed under the merit principles and free from prohibited personnel practices.

3. To achieve organizational excellence and strategically manage MSPB's human capital, information technology, and other internal systems and processes.

This strategic plan provides the foundation for MSPB's work and forms the basis for its annual performance goals. There are two or more performance goals for each strategic goal. The performance goals are included in the annual performance budgets and are designed to cover the scope of the strategic goal. Quantitative or qualitative performance measures or indicators provide the basis for assessing organizational and individual performance within the agency. A general list of the performance measures or indicators is provided under each strategic goal. While individual agency program offices primarily focus on achieving the performance goals related to one strategic goal, they also contribute to achieving one or more performance goals related to the other two strategic goals.

Strategic Goal 1: Adjudication

To provide fair, high quality, and timely adjudication of cases filed with MSPB and to make effective use of alternative methods of dispute resolution in MSPB proceedings.

Appeals brought by individual employees are heard first by administrative judges (AJs) in MSPB's eight regional and field offices. If an employee or agency is not satisfied with the resolution of the case at this level, either may file a petition for review (PFR) with the full three-member Board at headquarters. The AJ or the Board may also order compliance with final MSPB orders, grant attorney's fees when appropriate, and provide remedies such as consequential and/or compensatory damages as specifically provided by statute. The MSPB has jurisdiction to adjudicate appeals in a variety of areas including, but not limited to:

- Personnel actions such as removals, suspensions, furloughs and demotions;
- Administrative decisions affecting an individual's rights or benefits under the Civil Service Retirement System or the Federal Employees' Retirement System;
- Complaints filed by employees or applicants under the Whistleblower Protection Act (WPA), the Uniformed Services Employment & Reemployment Rights Act (USERRA), and the Veterans Employment Opportunities Act (VEOA); and,
- Cases brought by the Special Counsel, including complaints for disciplinary actions based on Hatch Act violations, other complaints for disciplinary action, and petitions for corrective action based on allegations of prohibited personnel practices.

This strategic goal highlights MSPB's commitment to provide high quality and timely decisions on individual appeals, and to make effective use of a range of dispute resolution services to individuals and to agencies. The MSPB also works to maintain customer satisfaction with its adjudication processes and services including outreach efforts such as those designed to educate stakeholders about MSPB processes.

Adjudication performance goals

1. Issue high quality decisions.
2. Issue timely decisions.
3. Make effective use of alternative methods of dispute resolution in MSPB proceedings.
4. Achieve and maintain customer satisfaction with MSPB's adjudicatory and alternative dispute resolution processes and with adjudication outreach efforts.

Adjudication performance indicators/measures

The MSPB uses the following set of balanced measures to track achievement of its adjudication performance goals. From time to time, the MSPB may report additional measures to highlight specific aspects of performance in a particular year.

- Percentage of final MSPB decisions unchanged (affirmed or dismissed) on review by the United States Court of Appeals for the Federal Circuit.
- Percentage of cases decided by the Board on Petition for Review (PFR) that are reversed and/or remanded to MSPB judges for a new decision, adjusted for those not due to error or oversight on the part of the AJ.
- Average case processing time.
- Percentage of cases decided within time standards.
- Percentage of cases successfully resolved through settlement and through mediation.
- Customer satisfaction with adjudication and alternative dispute resolution processes and with adjudication outreach efforts.

Strategic Goal 2: Merit Systems Studies

To conduct studies that support strong and viable merit systems that ensure the public's interest in a high quality, professional workforce managed under the merit principles and free from prohibited personnel practices.

This goal emphasizes MSPB's responsibility and authority to protect merit through Governmentwide assessment and oversight. To accomplish this goal, the MSPB conducts independent, objective studies to assess the impact of Federal management laws, regulations, policies, and practices on the Federal merit systems and on the prevention of prohibited personnel practices. The MSPB also reviews the significant actions of OPM to assess how those actions impact the merit systems. In addition, the MSPB shares knowledge gained about merit-based management and appellate issues and processes to assist those who have a role in developing or implementing merit-based policies and practices that impact the Federal workforce.

Merit systems studies performance goals

1. Conduct merit systems studies and recommend improvements to policy-makers and practitioners.

2. Assess the application of merit in the workplace.

3. Achieve and maintain customer satisfaction with merit systems studies products and outreach efforts.

Merit systems studies performance indicators/measures

- Number and scope of MSPB reports and *Issues of Merit* newsletters issued.
- Studies or study recommendations referenced in policy papers, professional literature, legislation and the media.
- Periodically conduct and report on results of merit principles surveys or other surveys to monitor perceptions of merit in the workplace.
- Customer satisfaction with reports, newsletters, Website and outreach efforts.

Strategic Goal 3: Management Support and Organizational Excellence

To achieve organizational excellence and strategically manage MSPB's human capital, information technology, and other internal systems and processes.

This strategic goal emphasizes MSPB's desire to strategically manage its internal programs and achieve organizational excellence in support of the agency's mission. It is essential that MSPB effectively and efficiently manage its human capital, information technology and other internal systems and processes. It is equally important that MSPB is managed in accordance with the merit systems principles, and all the laws and regulations governing Federal management and accountability. In this way, the MSPB is able to carry out its role to protect the Federal merit systems and the rights of individuals within those systems.

Management support and organizational excellence performance goals

1. Attract, develop and retain a high quality, diverse and highly motivated workforce.

2. Effectively use information technology to enhance organizational performance and efficiency, and provide appropriate access to and dissemination of MSPB information.

3. Effectively and efficiently operate financial, budget and other support programs.

Management support and organizational excellence performance indicators/measures

- Effective and efficient operation of management programs.
- Comply with all legal and regulatory requirements.
- Optimal internal customer satisfaction.
- Availability of electronic filing of appeals and pleadings.

Means and strategies to be used to achieve the strategic goals

The MSPB's most valuable asset is the expertise and experience of its employees, supervisors and managers. The MSPB relies on them to develop and implement policies and operational processes to achieve its strategic goals. In order to ensure their continued success, the MSPB strategically recruits and develops its employees to make sure it has the right people with the right skills in the right jobs. The MSPB also makes extensive use of information technology and automated systems in accomplishing all of its goals. To effectively implement these strategies, the MSPB must obtain and effectively and efficiently manage its financial resources.

Key external factors that could affect goal attainment

External factors that could impact MSPB's ability to achieve its goals include agency-specific and Governmentwide changes in the laws and regulations governing the Federal civil service, changes in the Federal workforce, and changes in the way work is accomplished. These factors may affect the number and complexity of appeals and the importance and complexity of merit systems studies. In addition, the availability of budgetary, technical and program resources and the quality of potential job applicants will impact MSPB's ability to obtain and retain a skilled workforce, as well as provide adequate space and technological support to carry out its work. MSPB has no control over these factors, yet must be prepared to fulfill its responsibility to protect the merit systems and individual employee rights. To do this, the MSPB must preserve its critical assets, especially its highly-skilled staff. This will be particularly challenging as the number of employees eligible for retirement continues to increase.

Evaluations used in preparing this strategic plan

The MSPB used a number of formal and informal program assessments in updating and revising its strategic plan. The MSPB routinely collects feedback from its customers and stakeholders via comments from persons who visit MSPB's Website and discussions during outreach events. In fiscal year 2009, MSPB conducted an automated survey of its customers who use the e-Appeal web application. The MSPB also conducted an internal evaluation of its initial appeals and settlement processes in fiscal year 2007.

The MSPB continues to collect and analyze feedback from customers concerning their satisfaction with our products and services. This included an automated customer satisfaction survey for readers of our Issues of Merit Newsletter in 2009. The MSPB anticipates conducting similar program assessments to improve the effectiveness of its adjudication and studies missions. The MSPB used limited external support to obtain information for this strategic plan, and the plan itself was drafted and evaluated by MSPB employees.