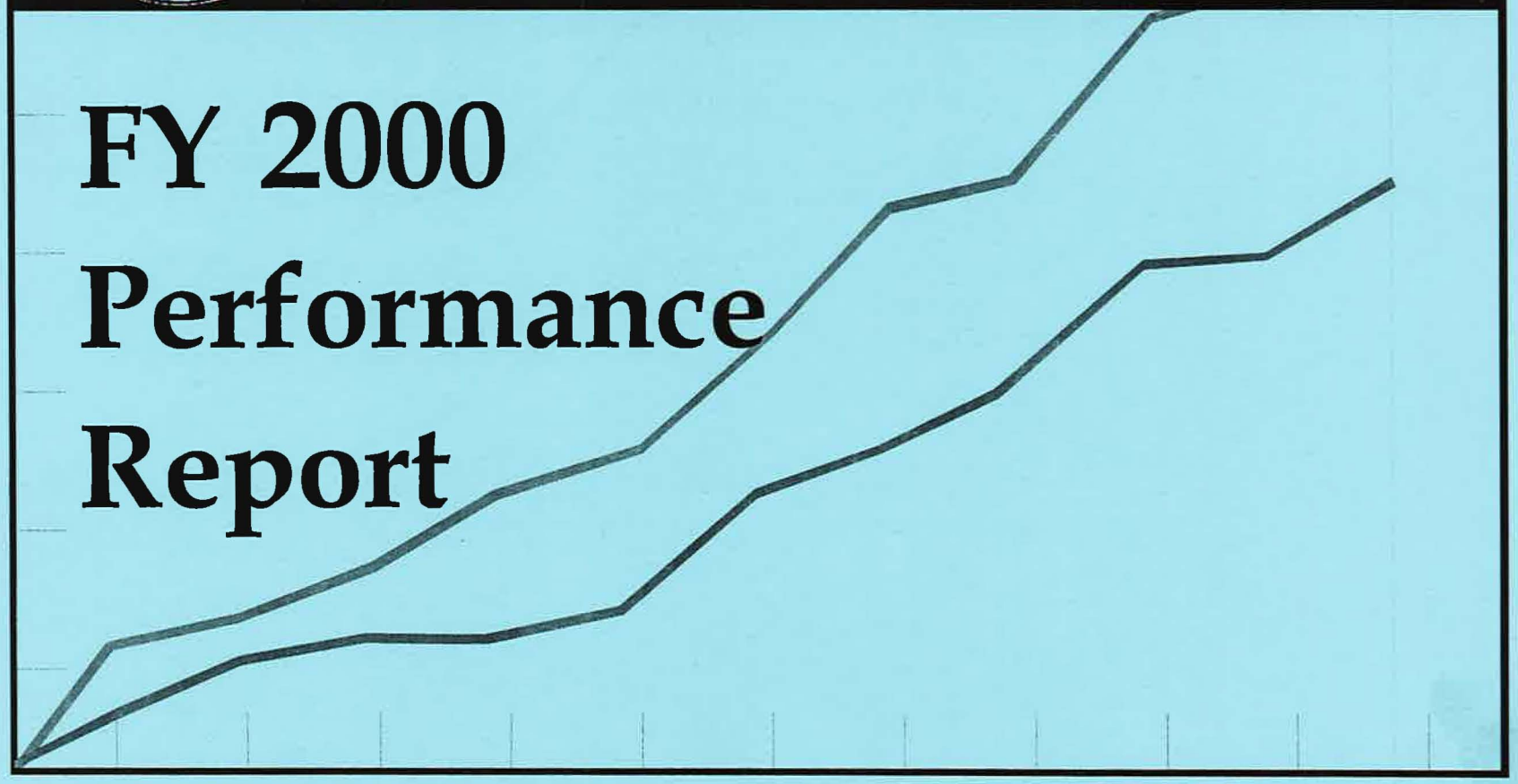
U.S. Merit Systems Protection Board

FY 2000 Performance Report



Merit Systems Protection Board

Fiscal Year 2000

Performance Report

March 31, 2001

TABLE OF CONTENTS

Section **Page**

Mission 1

Guide To FY 2000 Performance Report 2

Performance summary 3

Guide To MSPB Office Functions And Acronyms 10

Budget Activity – Adjudication: $25.9 Million 11
Strategic Plan Goal 1 To consistently provide fair, timely, and efficient adjudication of cases filed with the Board 11
Objective 1 – Issue high quality decisions 11
Goal 1.1.1 11
Maintain/reduce low 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 11
Goal 1.1.2 12
Maintain/reduce low percentage of proposed decisions submitted by headquarters legal offices to the Board that are returned for rewrite 12
Goal 1.1.3 13
Maintain low percentage of remands to the Board from the U.S. Court of Appeals for the Federal Circuit 13
Goal 1.1.4 14
Maintain high percentage of Board decisions unchanged on review by the U.S. Court of Appeals for the Federal Circuit (Court dismisses case or affirms Board decision) 14
Objective 2 – Issue timely decisions at both the regional office and Board headquarters levels 15
Goal 1.2.1 15
Maintain average case processing time for initial decisions issued in regional offices 15

Goal 1.2.2 16
Maintain/reduce average case processing time for decisions on PFRs Issued by the board 16
Goal 1.2.3 17
Reduce average case processing time in the Office of the General Counsel for enforcement cases 17
Goal 1.2.4 18
Reduce number of cases pending at headquarters for more than 300 days 18
Objective 3 – Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued. 19
Goal 1.3.1 19
Use video conference hearings, where appropriate, to reduce case processing costs 19
Goal 1.3.2 20
Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued 20
Objective 4 – Obtain customer input regarding the adjudicatory process 21
Goal 1.4.1 21
Continue to evaluate and implement, as appropriate, suggestions received from customer surveys regarding the adjudicatory process 21
Goal 1.4.2 22
Evaluate suspended case pilot program to determine impact of allowing additional time for discovery and settlement efforts 22
Strategic Plan Goal 2 To make effective use of alternative methods of dispute resolution in Board proceedings and to promote through education, outreach, and other appropriate means the use of alternative methods of dispute resolution and avoidance in the early stages of a dispute 23
Objective 1 – Continue the successful use of alternative dispute resolution (ADR) procedures in MSPB proceedings at both the regional office and Board headquarters levels 23
Goal 2.1.1 23
Maintain rate of settlement of initial appeals that are not dismissed at 50 % or higher 23
Goal 2.1.2 24
Maintain rate of settlement of cases selected for PFR Settlement Program at 25 % or higher 24
Goal 2.1.3 25
Calculate savings in case processing costs attributable to settlement programs 25

Objective 2 – Promote the use of ADR procedures in the early stages of a dispute in order to resolve appealable matters at the lowest practicable level and reduce the costs of conflict....26
Goal 2.2.1....26
Implement voluntary early intervention ADR pilot program....26
Goal 2.2.2....27
Develop a well regarded capability to fully participate in ADR case work, which is used by appellants and agencies, and results in less litigation....27
Goal 2.2.3....28
Conduct outreach focused on agency decision makers, emphasizing the benefits of early use of ADR and providing information on both the Board's ADR initiatives and other ADR processes that are available....28
Objective 3 – Provide governmentwide leadership in the use of ADR to resolve Federal personnel disputes....29
Goal 2.3.1....29
Conduct customer surveys, with OMB approval, to determine awareness of MSPB ADR initiatives and use of MSPB-provided ADR services....29

Budget Activity – Merit Systems Studies: $.9 Million....30
Strategic Plan Goal 3 To provide information, analyses, and recommendations on Federal personnel programs, policies, and initiatives to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management....30
Objective 1 – Conduct governmentwide merit systems studies that provide information on, and analyses of, the state of Federal merit systems and the Federal workforce to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management; and make recommendations for improving the Federal Government's ability to implement and maintain effective human resources management programs, policies, and practices that adhere to the merit system principles....30
Goal 3.1.1....30
Conduct studies of relevant human resources management issues in the Federal Government and issue reports with relevant recommendations....30
Goal 3.1.2....32
Ensure that reports of studies are made widely available, particularly to target audiences, and disseminate findings through such means as personal appearances, personal contacts, publication of

articles by OPE staff, and collaborations with other research organizations to increase impact of studies. 32
Goal 3.1.3 33
Evaluate impact of studies through feedback from customer surveys, including formal surveys every 2 to 3 years, informal surveys (e.g., focus groups), and volunteered feedback (e.g., letters and e-mailed comments) 33
Goal 3.1.4 35
Evaluate impact of studies through other appropriate means, such as tracking implementation of recommendations and tracking references to studies in policy papers, professional literature, and the media 35
Objective 2 – Determine through merit systems studies the extent to which Executive Branch departments and agencies operate in a manner consistent with the statutory merit system principles and the extent to which prohibited personnel practices occur in the Federal workplace 36
Goal 3.2.1 36
Conduct a triennial Merit Principles Survey, including questions intended to determine whether agencies adhere to the merit system principles and the extent to which prohibited personnel practices occur in the workplace, and report findings 36

Budget Activity - Management Support: $3.1 Million 37
Strategic Plan Goal 4 To strengthen the MSPB's internal systems and processes to support a continually improving, highly effective and efficient organization with the flexibility to meet program needs 37
Objective 1 – Develop and implement a MSPB strategic plan, with appropriate annual performance goals, objectives and measures, to direct individual and organizational efforts 37
Goal 4.1.1 37
Develop and submit strategic plan and performance plans that meet the requirements of GPRA and are satisfactory to OMB and the Congressional committees with jurisdiction over the MSPB; assess performance in relation to performance goals 37
Objective 2 – Allocate resources in support of mission requirements with flexibility to meet changes in workload and agency priorities 39
Goal 4.2.1 39

Coordinate requirements of all offices, determine priorities, and allocate appropriated funds so that mission requirements are met; make interim changes as necessary to respond to changes in workload and other external factors 39
Objective 3 – Develop and implement an integrated and updated automated agency-wide case management system to assist in effective case processing, management, and program evaluation 40
Goal 4.3.1 40
Implement new case management system (Law Manager) as part of information technology initiative 40
Objective 4 – Develop and implement electronic case filing to allow appellants and agencies to file and receive documents electronically 41
Goal 4.4.1 41
Continue implementation of electronic case filing, as part of information technology initiative, so that parties will be able to file and receive case documents electronically by October 2003, as required by the Government Paperwork Elimination Act (GPEA) 41
Objective 5 – Improve electronic access via the Internet and other available resources to MSPB case-related decisions, procedures and guidance 42
Goal 4.5.1 42
Make final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information available on the MSPB Web site; provide information to customers in electronic form when requested 42
Objective 6 – Identify, test, and implement, as appropriate, new technologies that will increase efficiency, reduce costs, and improve customer service 44
Goal 4.6.1 44
Stay abreast of changes in technology and continue to assess all agency operations to determine where new or improved technologies have the potential to increase efficiency, reduce costs, and improve customer service; analyze costs and benefits; implement where practicable 44
Strategic Plan Goal 5 To develop the MSPB's human resources to ensure a continually improving, highly effective and efficient organization with the flexibility to meet program needs 45
Objective 1 – Recruit, train, and retain skilled, highly motivated employees to effectively and efficiently accomplish the MSPB mission 45
Objective 2 – Ensure that all employees and components of the MSPB work well together and integrate their efforts to accomplish the MSPB mission 45

Objective 3 – Promote efficient and effective accomplishment of the MSPB mission by providing a work environment with workplace policies and programs that enable MSPB employees to excel....45
Goal 5.1....46
Strengthen the employee development and management development program by increasing the opportunity for details between offices and identifying candidates for professional development programs....46
Goal 5.2....47
Allocate sufficient resources to employee training so that all employees can receive the training identified in the Individual Development Plans (IDPs)....47
Goal 5.3....48
Conduct a biennial legal conference for MSPB administrative judges and headquarters attorneys....48
Goal 5.4....49
Continue to provide a family-friendly workplace, including AWS schedules and flexiplace arrangements....49
Goal 5.5....50
Address succession planning (within the context of merit-based selections for positions) in office business plans....50

Merit Systems Protection Board
FY 2000 Performance Report

MISSION

The Merit Systems Protection Board (MSPB) is an independent quasi-judicial agency established to protect Federal merit systems against partisan political and other prohibited personnel practices and to ensure adequate protection for employees against abuses by agency management. The Board carries out its statutory mission principally by:

- Adjudicating employee appeals of personnel actions over which the Board has jurisdiction, such as removals, suspensions, furloughs, and demotions;
- Adjudicating employee complaints filed under the Whistleblower Protection Act, the Uniformed Services Employment & Reemployment Rights Act (USERRA), and the Veterans Employment Opportunities Act;
- Adjudicating cases brought by the Special Counsel, principally complaints of prohibited personnel practices and Hatch Act violations;
- Adjudicating requests to review regulations of the Office of Personnel Management (OPM) that are alleged to require or result in the commission of a prohibited personnel practice—or reviewing such regulations on the Board's own motion;
- Ordering compliance with final Board orders where appropriate; and
- Conducting studies of the Federal civil service and other merit systems in the Executive Branch to determine whether they are free from prohibited personnel practices.

GUIDE TO FY 2000 PERFORMANCE REPORT

In September-October 2000, the MSPB made substantial revisions to its Strategic Plan, FY 2001-FY2006, and its Performance Plan for FY 2001 and FY 2002. The previously submitted versions of the Strategic Plan and the Performance Plan for FY 2000 and FY 2001 were developed under the direction of former Chairman Ben L. Erdreich and his Chief of Staff, both of whom left the MSPB when Chairman Erdreich's term ended March 1, 2000. Under the direction of the current Chairman, Beth S. Slavet, and her Chief of Staff, a thorough review of the plans was conducted, and the plans were revised to focus on objectives and goals fundamental to the agency's successful performance of its statutory mission. In addition, all of the goals in the Performance Plan are now organized by objective rather than by MSPB office.

For the sake of consistency with the revised Strategic Plan and Performance Plan, this Performance Report for FY 2000 is presented in the same format as the revised Performance Plan for FY 2001 and FY 2002 rather than in the format of the Performance Plan submitted last year. Where goals included in the Performance Plan submitted last year have been carried over to the revised Performance Plan, the actual results in FY 2000 are reported in relation to those goals. Where goals included in the Performance Plan submitted last year have not been carried over to the revised Performance Plan, no FY 2000 results are reported. For all new goals in the revised Performance Plan, actual results for FY 2000 are reported, where applicable, even though the goals did not appear in the Performance Plan submitted last year.

In the revised Performance Plan, goals for MSPB case processing that depend on statistical measures were established after reviewing case processing data for the preceding 5 years to determine the ranges of results achieved during that period. There are a number of variables that can affect statistical results for case processing, including year-to-year variations in the number of cases processed, the complexity of the issues presented in cases, and variations in MSPB staffing. The revised Performance Plan, therefore, generally establishes case processing statistical goals in terms of a numerical range rather than a specific numerical target.

The revised Performance Plan contains 35 performance goals. Of this number, 9 cannot be applied to FY 2000 results because they are based on new programs or requirements or, in the case of the goals for implementation of a voluntary early intervention alternative dispute resolution (ADR) program, depend on the enactment of authorizing legislation and appropriations. For the remaining 26 performance goals, the FY 2000 results are measured against the targets in the Performance Plan submitted last year where the goals have been carried over to the revised Performance Plan. Where the goals are new, the FY 2000 results are measured against the targets for FY 2001 in the revised Performance Plan. Measuring on this basis shows that the Board achieved its projected results for 24 of the 26 performance goals—for a success rate of 92 percent

PERFORMANCE SUMMARY

The following table provides an overall summary of the MSPB's success in meeting the Performance Goals for FY 2000.

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Strategic Plan Goal 1 To consistently provide fair, timely, and efficient adjudication of cases filed with the Board			
Objective 1 – Issue high quality decisions			
Goal 1.1.1 – Maintain/reduce low 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	X		
Goal 1.1.2 – Maintain/reduce low percentage of proposed decisions submitted by headquarters legal offices to the Board that are returned for rewrite	X		
Goal 1.1.3 – Maintain low percentage of remands to the Board from the U.S. Court of Appeals for the Federal Circuit	X		
Goal 1.1.4 – Maintain high percentage of Board decisions unchanged on review by the U.S. Court of Appeals for the Federal Circuit (Court dismisses case or affirms Board decision)	X		
Objective 2 – Issue timely decisions at both the regional office and Board headquarters levels			
Goal 1.2.1 – Maintain average case processing time for initial decisions issued in regional offices	X		

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Goal 1.2.2 – MAINTAIN/REDUCE average case processing time for decisions on PFRs ISSUED by the board	X		
Goal 1.2.3 – Reduce average case processing time in the Office of the General Counsel for enforcement cases			X
Goal 1.2.4 – Reduce number of cases pending at headquarters for more than 300 days	X		
Objective 3 – Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued.			
Goal 1.3.1 – Use video conference hearings, where appropriate, to reduce case processing costs	X		
Goal 1.3.2 – Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued.	X		
Objective 4 – Obtain customer input regarding the adjudicatory process			
Goal 1.4.1 – Continue to evaluate and implement, as appropriate, suggestions received from customer surveys regarding the adjudicatory process	X		
Goal 1.4.2 – Evaluate suspended case pilot program to determine impact of allowing additional time for discovery and settlement efforts			X
Strategic Plan Goal 2 To make effective use of alternative methods of dispute resolution in Board proceedings and to promote through education, outreach, and other appropriate means the use of alternative methods of dispute resolution and avoidance in the early stages of a dispute			

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Objective 1 – Continue the successful use of alternative dispute resolution (ADR) procedures in MSPB proceedings at both the regional office and Board headquarters levels			
Goal 2.1.1 – Maintain rate of settlement of initial appeals that are not dismissed at 50 % or higher	X		
Goal 2.1.2 – Maintain rate of settlement of cases selected for PFR Settlement Program at 25 % or higher		X	
Goal 2.1.3 – Calculate savings in case processing costs attributable to settlement programs			X
Objective 2 – Promote the use of ADR procedures in the early stages of a dispute in order to resolve appealable matters at the lowest practicable level and reduce the costs of conflict			
Goal 2.2.1 – Implement voluntary early intervention ADR pilot program			X
Goal 2.2.2 – Develop a well regarded capability to fully participate in ADR case work, which is used by appellants and agencies, and results in less litigation			X
Goal 2.2.3 – Conduct outreach focused on agency decision makers, emphasizing the benefits of early use of ADR and providing information on both the Board's ADR initiatives and other ADR processes that are available	X		
Objective 3 – Provide governmentwide leadership in the use of ADR to resolve Federal personnel disputes			
Goal 2.3.1 – Conduct customer surveys, with OMB approval, to determine awareness of MSPB ADR initiatives and use of MSPB-provided ADR services			X

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Strategic Plan Goal 3 To provide information, analyses, and recommendations on Federal personnel programs, policies, and initiatives to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management			
Objective 1 – Conduct governmentwide merit systems studies that provide information on, and analyses of, the state of Federal merit systems and the Federal workforce to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management; and make recommendations for improving the Federal Government's ability to implement and maintain effective human resources management programs, policies, and practices that adhere to the merit system principles			
Goal 3.1.1 – Conduct studies of relevant human resources management issues in the Federal Government and issue reports with relevant recommendations	**X**		
Goal 3.1.2 – Ensure that reports of studies are made widely available, particularly to target audiences, and disseminate findings through such means as personal appearances, personal contacts, publication of articles by OPE staff, and collaborations with other research organizations to increase impact of studies.	**X**		
Goal 3.1.3 – Evaluate impact of studies through feedback from customer surveys, including formal surveys every 2 to 3 years, informal surveys (e.g., focus groups), and volunteered feedback (e.g., letters and e-mailed comments)	**X**		
Goal 3.1.4 – Evaluate impact of studies through other appropriate means, such as tracking use of recommendations and tracking references to studies in policy papers, professional literature, and the media	**X**		

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Objective 2 – Determine through merit systems studies the extent to which Executive Branch departments and agencies operate in a manner consistent with the statutory merit system principles and the extent to which prohibited personnel practices occur in the Federal workplace			
Goal 3.2.1 – Conduct a triennial Merit Principles Survey, including questions intended to determine whether agencies adhere to the merit system principles and the extent to which prohibited personnel practices occur in the workplace, and report findings	**X**		
Strategic Plan Goal 4 To strengthen the MSPB's internal systems and processes to support a continually improving, highly effective and efficient organization with the flexibility to meet program needs			
Objective 1 – Develop and implement a MSPB strategic plan, with appropriate annual performance goals, objectives and measures, to direct individual and organizational efforts			
Goal 4.1.1 – Develop and submit strategic plan and performance plans that meet the requirements of GPRA and are satisfactory to OMB and the Congressional committees with jurisdiction over the MSPB; assess performance in relation to performance goals	**X**		
Objective 2 – Allocate resources in support of mission requirements with flexibility to meet changes in workload and agency priorities			
Goal 4.2.1 – Coordinate requirements of all offices, determine priorities, and allocate appropriated funds so that mission requirements are met; make interim changes as necessary to respond to changes in workload and other external factors	**X**		

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Objective 3 – Develop and implement an integrated and updated automated agency-wide case management system to assist in effective case processing, management, and program evaluation			
Goal 4.3.1 – Implement new case management system (Law Manager) as part of information technology initiative		**X**	
Objective 4 – Develop and implement electronic case filing to allow appellants and agencies to file and receive documents electronically			
Goal 4.4.1 – Continue implementation of electronic case filing, as part of information technology initiative, so that parties will be able to file and receive case documents electronically by October 2003, as required by the Government Paperwork Elimination Act (GPEA)	**X**		
Objective 5 – Improve electronic access via the Internet and other available resources to MSPB case-related decisions, procedures and guidance			
Goal 4.5.1 – Make final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information available on the MSPB Web site; provide information to customers in electronic form when requested	**X**		
Objective 6 – Identify, test, and implement, as appropriate, new technologies that will increase efficiency, reduce costs, and improve customer service			
Goal 4.6.1 – Stay abreast of changes in technology and continue to assess all agency operations to determine where new or improved technologies have the potential to increase efficiency, reduce costs, and improve customer service; analyze costs and benefits; implement where practicable	**X**		

PERFORMANCE REPORT SUMMARY			
Performance Goals and Objectives	**Met**	**Not Met**	**N/A**
Strategic Plan Goal 5 To develop the MSPB's human resources to ensure a continually improving, highly effective and efficient organization with the flexibility to meet program needs			
Objective 1 – Recruit, train, and retain skilled, highly motivated employees to effectively and efficiently accomplish the MSPB mission Objective 2 – Ensure that all employees and components of the MSPB work well together and integrate their efforts to accomplish the MSPB mission Objective 3 – Promote efficient and effective accomplishment of the MSPB mission by providing a work environment with workplace policies and programs that enable MSPB employees to excel			
Goal 5.1 – Strengthen the employee development and management development program by increasing the opportunity for details between offices and identifying candidates for professional development programs	**X**		
Goal 5.2 – Allocate sufficient resources to employee training so that all employees can receive the training identified in the Individual Development Plans (IDPs).			**X**
Goal 5.3 – Conduct a biennial legal conference for MSPB administrative judges and headquarters attorneys			**X**
Goal 5.4 – Continue to provide a family-friendly workplace, including AWS schedules and flexiplace arrangements	**X**		
Goal 5.5 – Address succession planning (within the context of merit-based selections for positions) in office business plans			**X**

GUIDE TO MSPB OFFICE FUNCTIONS AND ACRONYMS

All offices operate under the direction of the Chairman as CEO and report to the Chairman through the Chief of Staff, who also serves as Chief Information Officer.

ORO Office of Regional Operations – Manages the adjudicatory and administrative functions of the MSPB regional offices. Administrative judges in the regional offices adjudicate cases and issue initial decisions.

ALJ Office of the Administrative Law Judge – Adjudicates complaints filed by the Special Counsel, complaints filed by agencies against administrative law judges, and other assigned cases, and issues initial decisions.

OAC Office of Appeals Counsel – Prepares proposed final decisions for the Board on petitions for review (PFRs) of initial decisions.

OCB Office of the Clerk of the Board – Dockets cases received at headquarters, prepares proposed final decisions for the Board under the Expedited PFR Program, and issues all Board decisions. Operates public information center, including responsibility for the MSPB Web site and other electronic information programs.

OGC Office of the General Counsel – Legal advisor to the Board. Conducts the Board's litigation. Prepares proposed final decisions for the Board in certain assigned cases.

OPE Office of Policy and Evaluation – Conducts the Board's governmentwide merit systems studies. Also conducts customer surveys.

FAM Financial and Administrative Management – Manages the MSPB financial and administrative programs, including budget, procurement, and contracting. Manages interagency agreements with APHIS Business Services for performance of HRM functions and with the National Finance Center (NFC) for payroll and other financial services.

IRM Information Resources Management – Manages the MSPB information technology programs. Principal advisor to CIO on IT matters. Responsible for technical requirements of information technology initiative and electronic information programs.

OEEO Office of Equal Employment Opportunity – Manages the MSPB EEO program.

BUDGET ACTIVITY – ADJUDICATION: $25.9 MILLION

Strategic Plan Goal 1 **To consistently provide fair, timely, and efficient adjudication of cases filed with the Board**		
Objective 1 – Issue high quality decisions		
Performance Goals	**Component**	**Experience**
Goal 1.1.1 Maintain/reduce low 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 **FY 2001 Goal** – 12 % or less **FY 2002 Goal** – 10 % or less	ORO/Regional Offices, ALJ	**FY 1999 Actual** – 15 % **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – 12 %

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. During the preceding 5 years, the percentage of PFRs decided by the Board that were reversed or remanded to MSPB judges ranged from 10 percent to 21 percent. The high end of that range, however, was the result of a reversal in 236 cases that were consolidated for decision. If that anomaly is omitted, the range of PFRs reversed and/or remanded during the 5-year period was from 10 percent to 15 percent. The 12 percent reversal/remand rate in FY 2000, therefore, falls within the expected range. The goals established for FY 2001 and FY 2002 assume that, with continued management attention to this indicator of decision quality in the regional offices, results in the lower part of the expected range can be maintained or improved.

Performance Goals	Component	Experience
Goal 1.1.2 Maintain/reduce low percentage of proposed decisions submitted by headquarters legal offices to the Board that are returned for rewrite **FY 2001 Goal** – 12 % or less **FY 2002 Goal** – 10 % or less	OAC, OGC, OCB	**FY 1999 Actual** – 14 % **FY 2000 Plan** – 13% **FY 2000 Actual** – 9 %

FY 2000 Results

During the preceding 5 years, the percentage of proposed decisions returned by the Board to headquarters legal offices for rewrite ranged from 8 percent to 17 percent. The 9 percent rate achieved in FY 2000 is at the low end of the expected range and may, in part, reflect the fact that there were only two Board members to vote on cases during the last half of FY 2000. Cases returned for rewrite (further action on the proposed decision) include both those the Board sends back with a Rewrite Instruction and those where the Board makes LAN edits (so called because the Board members rewrite or edit proposed decisions using the headquarters local area network) and returns the case to the originating office for review. Rewrites may reflect a disagreement with the proposed decision and/or its analysis, a direction to explore alternative approaches or to conduct further research and analysis, an announcement of a change in policy, or a direction to undertake settlement efforts. The goals for FY 2001 and FY 2002 assume that, with continued management attention to this indicator of decision quality in the headquarters legal offices, results in the lower part of the expected range can be maintained or improved.

Performance Goals	Component	Experience
Goal 1.1.3 Maintain low percentage of remands to the Board from the U.S. Court of Appeals for the Federal Circuit **FY 2001 Goal** – 7 % or less **FY 2002 Goal** – 7 % or less	Board, All Legal Offices	**FY 1999 Actual** – 4 % **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – 4 %

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. During the preceding 5 years, the percentage of final Board decisions remanded upon review by the U.S. Court of Appeals for the Federal Circuit ranged from 3 percent to 6 percent. The 4 percent remand rate achieved in FY 2000 falls within the expected range. The goals established for FY 2001 and FY 2002 assume that results for this indicator of decision quality in the Board's legal offices can be maintained within the expected range.

Performance Goals	Component	Experience
Goal 1.1.4 Maintain high percentage of Board decisions unchanged on review by the U.S. Court of Appeals for the Federal Circuit (Court dismisses case or affirms Board decision) **FY 2001 Goal** – 93 % or greater **FY 2002 Goal** – 93 % or greater	Board, All Legal Offices	**FY 1999 Actual** – 93 % **FY 2000 Plan** – 97 % for regional decisions; 94 % for headquarters decisions **FY 2000 Actual** – 96 %

FY 2000 Results

During the preceding 5 years, the percentage of final Board decisions that remained unchanged (decision affirmed or case dismissed) upon review by the U.S. Court of Appeals for the Federal Circuit ranged from 93 percent to 96 percent. The 96 percent rate achieved in FY 2000 is at the high end of the expected range and reflects normal year-to-year variations. The goals established for FY 2001 and FY 2002 assume that results for this indicator of decision quality in the Board's legal offices can be maintained within the expected range. In the Performance Plan submitted last year, separate FY 2000 targets were set for regional office decisions that become final Board decisions and for decisions issued by the 3-member Board at headquarters. This reflected the approach taken in that plan of establishing goals by office. In the revised Performance Plan, the target for this goal includes all final Board decisions reviewed by the Court, regardless of whether they are regional decisions that become final or decisions issued by the 3-member Board.

Objective 2 – Issue timely decisions at both the regional office and Board headquarters levels		
Performance Goals	**Component**	**Experience**
Goal 1.2.1 Maintain average case processing time for initial decisions issued in regional offices **FY 2001 Goal** – 100 days or less **FY 2002 Goal** – 100 days or less	ORO/Regional Offices	**FY 1999 Actual** – 100 days **FY 2000 Plan** – 105 days **FY 2000 Actual** – 89 days

FY 2000 Results

During the preceding 5 years, the average case processing time for initial decisions issued in the regional offices ranged from 94 days to 108 days. The high end of that range (108 days in both FY 1997 and FY 1998) followed a period of several years in which an influx of appeals involving the Postal Service restructuring caused a backlog to develop. The 89-day average case processing time achieved in FY 2000 is a considerable improvement over the target number in the FY 2000 Performance Plan and represents a return to a more normal processing time. It also reflects innovative approaches to case management in the regional offices, such as the use of video hearings and the issuance of bench decisions, and the continued success of MSPB administrative judges in using alternative dispute resolution (ADR) techniques to settle cases. The goals for FY 2001 and FY 2002 have been established to encourage continued timely case processing that will produce results in the historic range, assuming relative stability in case receipts and regional office staffing.

Performance Goals	Component	Experience
Goal 1.2.2 Maintain/reduce average case processing time for decisions on PFRs Issued by the board **FY 2001 Goal** – 200 days or less **FY 2002 Goal** – 190 days or less	Board, OAC, OGC, OCB	**FY 1999 Actual** – 222 days **FY 2000 Plan** – 210 days **FY 2000 Actual** – 176 days

FY 2000 Results

During the preceding 5 years, the average case processing time for decisions on PFRs issued by the Board ranged from 121 days to 222 days. The low end of that range (in FY 1996) reflects the fact that the Board was able to move a large number of PFRs involving the Postal Service restructuring through the adjudicatory process very quickly; it is not considered a sustainable number. The 176-day average processing time achieved in FY 2000 is an improvement over the target number established in the FY 2000 Performance Plan and reflects management emphasis on reducing the average processing time for cases at headquarters. However, it is also attributable, in part, to the fact that there was a vacancy on the 3-member Board for the last half of the fiscal year. The number of rewrites requested by the Board also affects this goal. The goals for FY 2001 and FY 2002 take into account the actual average processing times of recent years but, at the same time, are intended to provide continued encouragement to the headquarters legal offices to improve case processing times.

Performance Goals	Component	Experience
Goal 1.2.3 Reduce average case processing time in the Office of the General Counsel for enforcement cases **FY 2001 Goal** – 170 days or less **FY 2002 Goal** – 150 days or less	Board, OGC	**FY 1999 Actual** – 206 days **FY 2000 Plan** – Not applicable (revised) **FY 2000 Actual** – 206 days

FY 2000 Results

This is a revised goal. The FY 2000 Performance Plan included a goal for OGC of processing all cases assigned to that office—enforcement cases, requests to review OPM regulations, and other assigned cases—in an average of 153 days. The revised Performance Plan, however, focuses the goal for OGC on enforcement cases. These cases have generally taken longer to process than other cases at headquarters because an enforcement case cannot be closed until the Board makes a final determination that compliance with the Board's order in the original merits case has been achieved. Often, several orders for issuance by the Board must be prepared in the course of the proceeding. During the preceding 5 years, the average processing time for enforcement cases in OGC ranged from 163 days to 206 days, with results at the high end of that range in both FY 1999 and FY 2000. The goals for FY 2001 and FY 2002, therefore, have been established to encourage substantial improvement in the OGC processing time for enforcement cases.

Performance Goals	Component	Experience
Goal 1.2.4 Reduce number of cases pending at headquarters for more than 300 days **FY 2001 Goal** – 52 cases or fewer **FY 2002 Goal** – 48 cases or fewer	Board, OAC, OGC, OCB	**FY 1999 Actual** – 77 cases (not including enforcement cases) pending more than one year (365 days) at year-end **FY 2000 Plan** - 50 cases (not including enforcement cases) pending more than one year (365 days) at year-end **FY 2000 Actual** – 53 cases pending more than **300 days** at year-end (target was lowered from 365 days to 300 days midway through FY 2000 and enforcement cases, which generally take longer to process and were not previously included, were added)

FY 2000 Results

The results achieved for this goal in FY 2000 are consistent with the target in the FY 2000 Performance Plan, given that midway through FY 2000, the goal was revised to count cases pending at headquarters for more than 300 days, instead of 365 days, and enforcement cases were added. The goals for FY 2001 and FY 2002 are intended to provide continued encouragement to the headquarters legal offices to improve case processing times.

Objective 3 – Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued.		
Performance Goals	**Component**	**Experience**
Goal 1.3.1 Use video conference hearings, where appropriate, to reduce case processing costs **FY 2001 Goal** – Continue to hold video hearings in appropriate cases **FY 2002 Goal** – Continue to hold video hearings in appropriate cases	ORO/Regional Offices, ALJ, FAM	**FY 1999 Actual** – Video hearings held in appropriate cases **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Video hearings held in appropriate cases

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. The regional offices conducted 113 hearings by video conference in FY 2000 and 128 in FY 1999. Video conferencing equipment was installed in our New York Field Office during FY 2000, bringing the total number of regional and field offices with this equipment to nine. The use of this technology results in savings for both the MSPB and the parties because of reduced travel expenditures. Improved efficiency also results because hearing participants avoid time lost to travel and may return to their jobs immediately after the hearing. The goals for FY 2001 and FY 2002 are intended to encourage continued use of this cost-saving technology, while recognizing that its use may not be appropriate in all cases.

Performance Goals	Component	Experience
Goal 1.3.2 Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued. **FY 2001 Goal** – $2,876 plus percentage increase in operating costs, adjusted for the changes in the number of decisions issued. **FY 2002 Goal** – FY 2001 dollar amount plus percentage increase in operating costs, adjusted for the changes in the number of decisions issued.	Board, All Legal Offices	**FY 1999 Actual** – $2,775 **FY 2000 Plan** – $2,850 **FY 2000 Actual** – $2,876 (adjusted)

FY 2000 Results

This is a revised goal. In the Performance Plan for FY 2000 submitted last year, the projected amount for the average case processing cost in FY 2000 was developed using a simple formula the MSPB has employed in years past—dividing the cost of processing all cases (essentially, the agency's total costs less the amount attributable to the merit systems studies function) by the number of cases processed. While this formula had the virtue of simplicity, it did not account for normal year-to-year variations in the number of cases processed. Such variations affect the average case processing cost because the Board historically does not lay off staff when the caseload goes down nor does it hire additional staff when the caseload is up. To do so would be both inefficient and costly, given the costs and time involved in hiring and training new employees and the costs and morale problems associated with terminating employees. The formula also did not take into account capital outlays such as those for the Board's current information technology initiative, which increase costs in the short-term. The revised goal in the Performance Plan for FY 2001 and FY 2002 calls for holding annual increases in the average case processing cost to no more than the percentage increase in the operating costs that most affect case processing—salaries and benefits, travel expenses, and the cost of court reporting services, adjusted for year-to-year variations in the number of cases processed. For the next several years, an adjustment will also be made to amortize the cost of the information technology initiative. Applying these adjustments to the actual average case processing cost in FY 2000 ($3,050) produces an adjusted average case processing cost of $2,876, which meets the goal of the revised Performance Plan and is less than 1 percent over the $2,850 projected in last year's Plan.

Objective 4 – Obtain customer input regarding the adjudicatory process		
Performance Goals	**Component**	**Experience**
Goal 1.4.1 Continue to evaluate and implement, as appropriate, suggestions received from customer surveys regarding the adjudicatory process **FY 2001 Goal** – Evaluate responses to survey on bench decisions and video hearings and implement suggestions as appropriate **FY 2002 Goal** – Continue to conduct customer surveys and implement suggestions as appropriate	Board, All Legal Offices, OPE	**FY 1999 Actual** – Revised PFR Form in response to suggestions from customer survey **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Conducted survey on experience of parties and MSPB judges with bench decisions and video hearings

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. During FY 2000, the MSPB conducted a survey of all MSPB administrative judges asking for their opinions and experiences regarding the issuance of bench decisions and the use of video conference hearings. In addition, all appellants and representatives who, at the time of the survey, had participated in a case in which a bench decision was issued or a hearing was conducted by video conference were also surveyed. The survey results were analyzed and a briefing was provided to MSPB senior staff and regional directors in FY 2000. The results of this survey will be evaluated in FY 2001 and suggestions for improvements will be implemented, as appropriate. The goal for FY 2002 reflects the fact that continuing solicitation and evaluation of customer feedback is an important element of improved performance. The MSPB is seeking blanket authorization from OMB under the Paperwork Reduction Act to conduct customer surveys.

Performance Goals	Component	Experience
Goal 1.4.2 Evaluate suspended case pilot program to determine impact of allowing additional time for discovery and settlement efforts **FY 2001 Goal** – Continue suspended case pilot program, and begin process of evaluation of pilot, including cost savings, using customer surveys as appropriate; make recommendation as to whether program should be continued, modified, or terminated **FY 2002 Goal** – To be determined, based on FY 2001 results	OPE, ORO/Regional Offices	**FY 1999 Actual** – Not applicable **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Suspended case pilot program implemented

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. The Board launched the suspended case pilot program early in FY 2000. The purpose of the pilot is to evaluate whether allowing extended time for the parties to engage in discovery and settlement efforts can improve the Board's case processing. Through the end of FY 2000 (a 10 ½-month period), administrative judges in the regional offices granted 319 initial 30-day suspensions and allowed additional 30-day extensions in 98 cases (about 1/3 of the cases originally suspended). An evaluation of the program will be conducted in FY 2001, but the initial results suggest that the program facilitates due process while maintaining controls to ensure timely processing of appeals. The MSPB is seeking blanket authorization from OMB under the Paperwork Reduction Act to conduct customer surveys.

Strategic Plan Goal 2
To make effective use of alternative methods of dispute resolution in Board proceedings and to promote through education, outreach, and other appropriate means the use of alternative methods of dispute resolution and avoidance in the early stages of a dispute

Objective 1 – Continue the successful use of alternative dispute resolution (ADR) procedures in MSPB proceedings at both the regional office and Board headquarters levels

Performance Goals	Component	Experience
Goal 2.1.1 Maintain rate of settlement of initial appeals that are not dismissed at 50 % or higher **FY 2001 Goal** – 50 % or higher **FY 2002 Goal** – 50 % or higher	ORO/Regional Offices	**FY 1999 Actual** – 53 % **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – 55 %

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. During the preceding 5 years, the settlement rate for initial appeals that were not dismissed ranged from 50 percent to 55 percent. The settlement rates of 53 percent in FY 1999 and 55 percent in FY 2000 are somewhat higher than the rate of approximately 50 percent that the Board has maintained for over a decade. In its evaluation of the suspended case pilot program (see Performance Goal 1.4.2), the Board will try to determine whether that program contributed to the improved results in FY 2000. The goals for FY 2001 and FY 2002 have been established based on the historic settlement rate of approximately 50 percent.

Performance Goals	Component	Experience
Goal 2.1.2 Maintain rate of settlement of cases selected for PFR Settlement Program at 25 % or higher **FY 2001 Goal** – 25 % or higher **FY 2002 Goal** – 25 % or higher	OAC	**FY 1999 Actual** – 27 % **FY 2000 Plan** – 27 % **FY 2000 Actual** – 24 %

FY 2000 Results

During the preceding 5 years, the settlement rate for petitions for review (PFRs) selected for the PFR Settlement Program at headquarters has ranged from 21 percent to 29 percent. While the settlement rate for FY 2000 was below the target number in the FY 2000 Performance Plan, it is within the expected range, based on experience with the PFR Settlement Program since it was first launched as a pilot program in FY 1994. The goals established for FY 2001 and FY 2002 in the revised Performance Plan use a range as the target rather than a specific number. The range—25 percent or higher—is intended to encourage OAC to work for results at the higher end of the historic range.

Performance Goals	Component	Experience
Goal 2.1.3 Calculate savings in case processing costs attributable to settlement programs **FY 2001 Goal** – By September 30, develop methodology for calculating what case processing costs would have been absent MSPB settlement programs; test methodology using case processing data from past years; develop estimates of cost savings **FY 2002 Goal** – Continue from FY 2001	ORO/Regional Offices, OAC, FAM	**FY 1999 Actual** – Not applicable **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Not applicable

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. Because it is a new initiative, there are no FY 2000 results to report. Beginning in FY 2001, FAM will develop a methodology for calculating the cost savings attributable to MSPB settlement programs, using both case processing data from the MSPB Case Management System (CMS) and agency financial data. Insofar as possible, FAM will also attempt to calculate the savings to Federal agencies attributable to these programs.

Objective 2 – Promote the use of ADR procedures in the early stages of a dispute in order to resolve appealable matters at the lowest practicable level and reduce the costs of conflict		
Performance Goals	**Component**	**Experience**
Goal 2.2.1 If legislation authorizing the MSPB to conduct voluntary early intervention ADR pilot program is enacted in FY 2001 and funds are appropriated for FY 2002: Implement voluntary early intervention ADR pilot program **FY 2001 Goal** – Establish ADR Working Group to identify ADR resources and determine needs with respect to training, outreach, and other implementation matters **FY 2002 Goal** – Establish pilot program, issue implementing regulations, conduct training, conduct outreach, establish criteria for evaluation, accept cases into the program, conduct interim evaluation, and make adjustments in program as necessary	Chairman, All Legal Offices, OPE	**FY 1999 Actual** – Not applicable **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Not applicable

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. Because it is a new initiative and implementation is contingent on authorizing legislation and appropriations being enacted, there are no FY 2000 results to report. As noted in the goal for FY 2001, an ADR Working Group has been established and is preparing for the possible enactment of the authorizing legislation and appropriations.

Performance Goals	Component	Experience
Goal 2.2.2 If legislation authorizing the MSPB to conduct voluntary early intervention ADR pilot program is enacted in FY 2001 and funds are appropriated for FY 2002: Develop a well regarded capability to fully participate in ADR case work, which is used by appellants and agencies, and results in less litigation **FY 2001 Goal** – Not applicable **FY 2002 Goal** – After program has been implemented, review case processing data periodically and evaluate to determine whether program is reducing the number of appeals filed with the Board	Chairman, ORO/Regional Offices, FAM	**FY 1999 Actual** – Not applicable **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Not applicable

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. Because it is a new initiative and implementation is contingent on authorizing legislation and appropriations being enacted, there are no FY 2000 results to report. The goals for FY 2001 and FY 2002 assume that authorizing legislation and appropriations for the pilot program will be enacted in FY 2001 and that implementation of the program will proceed immediately, allowing some evaluation of results in FY 2002.

Performance Goals	Component	Experience
Goal 2.2.3 If legislation authorizing the MSPB to conduct voluntary early intervention ADR pilot program is NOT enacted: Conduct outreach focused on agency decision makers, emphasizing the benefits of early use of ADR and providing information on both the Board's ADR initiatives and other ADR processes that are available **FY 2001 Goal** – Establish ADR Working Group; train initial group of MSPB employees in use of ADR techniques; work with OPM to obtain better access to agency decision makers to discuss benefits of ADR; coordinate outreach on ADR directly with agencies and with OSC, FLRA, and EEOC **FY 2002 Goal** – Incorporate ADR techniques into current settlement programs; within available resources, continue to emphasize benefits of early use of ADR through outreach activities	Chairman, All Legal Offices	**FY 1999 Actual** – Assisted in training agency personnel to recognize and attempt to resolve disputes in their early stages; promoted MSPB ADR initiatives and processes in such forums as the Federal Dispute Resolution Conference, OPM executive training seminars, Public Administration Forum training, Employee Law Institute training, and Federal radio talk show **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Same as in FY 1999

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. It reflects the initiatives the MSPB intends to undertake to continue promoting the use of ADR to resolve Federal personnel disputes, particularly in the early stages of a dispute, if the legislation authorizing the Board to conduct a voluntary early intervention ADR pilot program is not enacted. As noted in the goal for FY 2001, an ADR Working Group has been established and is exploring innovative ways to promote the use of ADR. During FY 2000, the Board participated in ADR activities similar to those in FY 1999, including participation in the FDR Conference and training conducted by the Public Administration Forum.

Objective 3 – Provide governmentwide leadership in the use of ADR to resolve Federal personnel disputes		
Performance Goals	**Component**	**Experience**
Goal 2.3.1 Conduct customer surveys, with OMB approval, to determine awareness of MSPB ADR initiatives and use of MSPB-provided ADR services **FY 2001 Goal** – Not applicable **FY 2002 Goal** – Contingent on enactment of ADR legislation	OPE	**FY 1999 Actual** – Not applicable **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Not applicable

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. Because it is a new initiative, there are no FY 2000 results to report. As reflected in the goals for FY 2001 and FY 2002, the Board intends to defer conducting customer surveys to determine awareness of MSPB ADR initiatives and use of MSPB-provided ADR services until after enactment of the legislation authorizing the voluntary early intervention ADR program so that customers can be surveyed with respect to that program as well as the Board's longstanding programs for settlement of cases after they have been filed with the Board.

BUDGET ACTIVITY – MERIT SYSTEMS STUDIES: $.9 MILLION

Strategic Plan Goal 3
To provide information, analyses, and recommendations on Federal personnel programs, policies, and initiatives to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management

Objective 1 – Conduct governmentwide merit systems studies that provide information on, and analyses of, the state of Federal merit systems and the Federal workforce to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management; and make recommendations for improving the Federal Government's ability to implement and maintain effective human resources management programs, policies, and practices that adhere to the merit system principles

Performance Goals	Component	Experience
Goal 3.1.1 Conduct studies of relevant human resources management issues in the Federal Government and issue reports with relevant recommendations **FY 2001 Goal** – Continue to conduct program of merit systems studies that provide useful data, analyses, and recommendations; publish 4 major reports and 4 issues of newsletter **FY 2002 Goal** – Same as in FY 2001	Board, OPE	**FY 1999 Actual** – Conducted ongoing program of merit systems studies, including issuance of 2 major reports and 4 editions of newsletter, and responses to more than 200 individual and institutional requests for data runs, advisory assistance and other studies-related information **FY 2000 Plan** – Issue 3 major study reports and 4 editions of newsletter **FY 2000 Actual** – Issued 2 major reports and 5 editions of newsletter; responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information

FY 2000 Results

During FY 2000, the performance goal of conducting studies of relevant human resources management issues in the Federal Government and issuing reports with relevant recommendations was met, although only two major study reports were issued rather than the three projected. The reports dealt with the job search experiences of new hires and the lingering effects of two non-competitive hiring authorities under a 20-year old consent decree. Work was also begun on four additional studies, and reports are scheduled for release in FY 2001. The goal for publication of the "Issues of Merit" newsletter was exceeded with the issuance of five editions rather than four. The newsletter contained new data and information as well as a recap of previous MSPB positions and information that are still pertinent in the current environment. The MSPB also continues to receive special requests for studies-related information, data, advice, and analyses from other Federal agencies, congressional staff, academicians, and members of the media. In FY 2000, the MSPB responded to about 250 such requests (in addition to requests for publications).

Performance Goals	Component	Experience
Goal 3.1.2 Ensure that reports of studies are made widely available, particularly to target audiences, and disseminate findings through such means as personal appearances, personal contacts, publication of articles by OPE staff, and collaborations with other research organizations to increase impact of studies. **FY 2001 Goal** – Combined total of 50,000copies of studies-related products to be distributed in printed form and downloaded from the MSPB Web site and other Web sites; maintain level of presentations, published articles, and ongoing contacts similar to preceding 2 years; compile list of outreach activities conducted **FY 2002 Goal** – Combined total of 60,000 copies of studies-related products to be distributed in printed form and downloaded from the MSPB Web site and other Web sites; maintain level of presentations, published articles, and ongoing contacts; compile list of outreach activities conducted	OPE	**FY 1999 Actual** – Approximately 15,800 copies of reports and newsletters distributed; estimated 30,000 downloads from the MSPB Web site and other Web sites; approximately 20 formal presentations made to groups; 4 articles by OPE staff published in professional journals; ongoing contacts with appropriate individuals and organizations maintained **FY 2000 Plan** – 31,212 total reports issued in hard copy and downloaded from the MSPB Web site **FY 2000 Actual** – Approximately 12,000 copies of reports and newsletters distributed; estimated 35,000 downloads from the MSPB Web site and other Web sites; over 30 formal presentations made to groups; 3 articles by OPE staff published in professional journals; ongoing contacts similar to FY 1999

FY 2000 Results

The goal for distribution of reports in FY 2000 was substantially exceeded, with at least 12,000 hard copies of reports and newsletters distributed to individuals and organizations at their request and well over 35,000 copies downloaded from the MSPB web site and other Government, non-profit, and commercial web sites. Members of the OPE staff also accepted over 30 requests for public speaking engagements at conferences and other gatherings. In addition, members of the OPE staff authored or co-authored three published articles and were frequently cited in the media as authoritative sources on a wide range of human resources management topics.

Performance Goals	Component	Experience
Goal 3.1.3 Evaluate impact of studies through feedback from customer surveys, including formal surveys every 2 to 3 years, informal surveys (e.g., focus groups), and volunteered feedback (e.g., letters and e-mailed comments) **FY 2001 Goal** – Conduct formal survey that repeats key questions of earlier customer surveys and earns 85 % or higher approval rating; evaluate responses and implement improvement efforts as appropriate **FY 2002 Goal** – Solicit customer feedback through informal surveys and encourage volunteered feedback	OPE	**FY 1999 Actual** – Results of formal customer survey published; results showed 85 % or better agreement on key questions of relevance, usefulness, and practicality of findings and recommendations in studies **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Informal survey results and volunteered feedback remained positive

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. In FY 2000, the OPE staff continued to receive unsolicited positive feedback from a wide variety of individuals and organizations that have found the products of the Board's studies reliable, useful, and relevant. A formal customer survey is planned for FY 2001 that will update the FY 1999 results.

Performance Goals	Component	Experience
Goal 3.1.4 Evaluate impact of studies through other appropriate means, such as tracking use of recommendations and tracking references to studies in policy papers, professional literature, and the media **FY 2001 Goal** – Recommendations in studies are used and opinion makers cite them in policy papers, professional literature, and the media **FY 2002 Goal** – Same as in FY 2001	OPE	**FY 1999 Actual** – MSPB studies continued to have large and positive impact, as measured by references in professional literature, media, and respected research organizations **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Same as in FY 1999

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. Although there are no formal FY 2000 results to report, we would note that an electronic search of almost any widely read publication devoted to public sector human resources management will reveal frequent references to MSPB studies-related data, analyses, and recommendations. A recent search of the database for Government Executive magazine reveals over 140 references to the MSPB—the large majority related to the MSPB studies function. The Office of Personnel Management's strategic plan under the Government Performance and Results Act contains a long list of MSPB studies that OPM used to help formulate its strategic plan. Similarly, the Government Accounting Office reports on Federal HRM or human capital frequently reference MSPB studies. The goals for FY 2001 and FY 2002 in the revised Performance Plan are intended to assist the Board in better evaluating the impact of its studies.

Objective 2 – Determine through merit systems studies the extent to which Executive Branch departments and agencies operate in a manner consistent with the statutory merit system principles and the extent to which prohibited personnel practices occur in the Federal workplace		
Performance Goals	**Component**	**Experience**
Goal 3.2.1 Conduct a triennial Merit Principles Survey, including questions intended to determine whether agencies adhere to the merit system principles and the extent to which prohibited personnel practices occur in the workplace, and report findings **FY 2001 Goal** – Continue analyzing and evaluating results of 2000 Merit Principles Survey; issue report(s) **FY 2002 Goal** – Not applicable – next Merit Principles Survey scheduled for FY 2003	Board, OPE	**FY 1999 Actual** – Not applicable **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Merit Principles Survey conducted; analyzing and evaluating results begun

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. The Merit Principles Survey is conducted on a triennial basis. The results of the "Merit Principles Survey 2000" were compiled in FY 2000, and a comprehensive report is scheduled for release in FY 2001. In advance of the comprehensive report, selected data have been released in the "Issues of Merit" newsletter and have generated considerable interest. Survey data have also been used to support a number of the more than 30 public presentations made by members of the OPE staff in FY 2000.

BUDGET ACTIVITY - MANAGEMENT SUPPORT: $3.1 MILLION

Strategic Plan Goal 4
To strengthen the MSPB's internal systems and processes to support a continually improving, highly effective and efficient organization with the flexibility to meet program needs

Objective 1 – Develop and implement a MSPB strategic plan, with appropriate annual performance goals, objectives and measures, to direct individual and organizational efforts

Performance Goals	Component	Experience
Goal 4.1.1 Develop and submit strategic plan and performance plans that meet the requirements of GPRA and are satisfactory to OMB and the Congressional committees with jurisdiction over the MSPB; assess performance in relation to performance goals **FY 2001 Goal** – Complete and submit revised Strategic Plan (FY 2001-2006); submit Performance Plan for FY 2001 (revised) and FY 2002 that meet the requirements of GPRA and satisfy OMB and Congressional committees with jurisdiction over the MSPB; assess performance (FY 2000 Performance Report) **FY 2002 Goal** – Submit Performance Plan for FY 2002 (revised) and FY 2003 that meets the requirements of GPRA and satisfies OMB and Congressional committees with jurisdiction over the MSPB; assess performance (FY 2001 Performance Report)	Chairman, Chief of Staff, FAM – based on plans developed by All Offices	**FY 1999 Actual** – Submitted FY 2000 Performance Plan (as part of FY 2000 Budget Justification); discussed with OMB **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Submitted revised FY 2000 Performance Plan and FY 2001 Performance Plan; submitted FY 1999 Performance Report; began major revision of Strategic Plan

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. The first Performance Report required by GPRA—for FY 1999—was submitted on schedule in March 2000. In addition, an updated Performance Plan for FY 2000 and the FY 2001 Performance Plan were submitted during FY 2000 in accordance with GPRA requirements. Late in FY 2000, the Board began a major revision to its Strategic Plan and Performance Plan. Drafts of these plans were submitted to OMB in November 2000, with the final plans to be submitted in 2001.

Objective 2 – Allocate resources in support of mission requirements with flexibility to meet changes in workload and agency priorities		
Performance Goals	**Component**	**Experience**
Goal 4.2.1 Coordinate requirements of all offices, determine priorities, and allocate appropriated funds so that mission requirements are met; make interim changes as necessary to respond to changes in workload and other external factors **FY 2001 Goal** – Determine priorities and allocate resources to meet mission requirements and goals of Performance Plan; meet with senior staff regularly to review progress; require senior staff to submit business plans for FY 2002 **FY 2002 Goal** – Determine priorities and allocate resources to meet mission requirements and goals of Performance Plan; meet with senior staff regularly to review progress; require senior staff to submit business plans for FY 2003	Chairman, Chief of Staff, FAM	**FY 1999 Actual** – Resources allocated and mission requirements met **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – Resources allocated and mission requirements met; senior staff required to submit business plans for FY 2001

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. During FY 2000, funds were carefully allocated to provide for the continued efficient performance of the Board's statutory mission, as well as for the continuation of information technology improvements and the relocation of both the headquarters and Washington regional offices. For the first time, office directors were required to submit office business plans. These plans now provide the basis for each office's improvement agenda.

Objective 3 – Develop and implement an integrated and updated automated agency-wide case management system to assist in effective case processing, management, and program evaluation		
Performance Goals	**Component**	**Experience**
Goal 4.3.1 Implement new case management system (Law Manager) as part of information technology initiative **FY 2001 Goal** – Test prototype in May 2001, and make adjustments as necessary, and implement Law Manager by September 2001. **FY 2002 Goal** – Make adjustments as necessary, based on user experiences	Chairman, Chief of Staff, OCB, IRM, FAM	**FY 1999 Actual** – General requirements for new case management system developed; vendors evaluated and Law Manager selected as new case management system **FY 2000 Plan** – Conduct pilot with 20 participants; upon completion of pilot, train all staff in use of Law Manager **FY 2000 Actual** – Detailed requirements finalized and work with vendor begun; first prototype delivered

FY 2000 Results

During FY 2000, the detailed requirements for the new case management system (Law Manager) were finalized, and the first prototype was delivered. Because of a change in contractors for the overall information technology initiative, however, the schedule for implementing Law Manager was delayed. As a result, no pilot was conducted and no training of staff took place during FY 2000. Despite this delay, the Board still expects to implement Law Manager late in FY 2001.

Objective 4 – Develop and implement electronic case filing to allow appellants and agencies to file and receive documents electronically		
Performance Goals	**Component**	**Experience**
Goal 4.4.1 Continue implementation of electronic case filing, as part of information technology initiative, so that parties will be able to file and receive case documents electronically by October 2003, as required by the Government Paperwork Elimination Act (GPEA) **FY 2001 Goal** – Make adjustments in document management system as necessary, based on user experiences; develop requirements for electronic filing by parties **FY 2002 Goal** – Make adjustments in document management system as necessary, based on user experiences; implement pilot electronic filing system	Chairman, Chief of Staff, OCB, IRM, FAM	**FY 1999 Actual** – Detailed requirements developed; vendors evaluated and DocsOpen selected as document management system **FY 2000 Plan** – Implement new document management and document assembly systems **FY 2000 Actual** – Document management and document assembly systems implemented

FY 2000 Results

The FY 2000 goal was met with the implementation of DocsOpen as the document management system and HotDocs as the document assembly system. All staff were trained in the use of these two new systems during FY 2000. Both of the systems are prerequisites to filing and receiving case documents electronically. In FY 2001 and FY 2002, the systems will be modified as needed, based on user experiences. The ultimate goal remains to make electronic filing and receipt of case documents available to the Board's customers by the October 2003 deadline established by the GPEA.

Objective 5 – Improve electronic access via the Internet and other available resources to MSPB case-related decisions, procedures and guidance		
Performance Goals	**Component**	**Experience**
Goal 4.5.1 Make final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information available on the MSPB Web site; provide information to customers in electronic form when requested **FY 2001 Goal** – Continue to provide all information as before on the MSPB Web site and add new information in response to customer needs; continue to provide information to customers in electronic form when requested **FY 2002 Goal** – Continue to provide all information as before on the MSPB Web site and add new information in response to customer needs; continue to provide information to customers in electronic form when requested	Chairman, Chief of Staff, OCB, IRM	**FY 1999 Actual** – The MSPB Web site (launched in 1994) continued to provide access to final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information; information provided to customers in electronic form when requested **FY 2000 Plan** – Average downloads from Web site of 42,000 monthly; distribute 2,000 decisions to publishers electronically **FY 2000 Actual** – Redesigned MSPB Web site launched; continued to provide all information as before, but new search tool for Board decisions included, and link to GPO Access files of Board regulations replaced by MSPB files that are continuously updated as regulations are revised; information provided to customers in electronic form when requested

FY 2000 Results

This is a new goal that is more comprehensive than goals for electronic services that were included in the FY 2000 Performance Plan. It incorporates goals from the FY 2000 Performance Plan related to use of the MSPB Web site by customers and distribution of Board decisions to publishers electronically.

The MSPB Web site currently logs approximately 15,000 hits per day. Almost 30,000 user sessions and 20,000 downloads are recorded each month, with the MSPB Appeal Form, the "Issues of Merit" newsletter, and reports of merit systems studies being the most frequently downloaded items. While the number of downloads is about half the numerical target set in the FY 2000 Performance Plan, the goal as expressed in the revised Performance Plan is clearly being met—Board decisions and a wealth of other information are now available to customers on the Web site. During FY 2000, in anticipation of the final Section 508 IT accessibility standards (published in December 2000), the MSPB continued the process of ensuring that the Web site is fully accessible to customers who use assistive technology. Specific work included: providing alternate accessible versions of documents, educating MSPB staff in the creation of accessible documents, and participating in governmentwide forums and conferences on accessibility. Staff redesigned and posted to the Web site both the MSPB Appeal Form and PFR form in HTML format, with links to relevant regulations and on-screen help. The HTML forms can be completed on a customer's PC, although they must still be printed and either mailed, FAXed, or delivered to the MSPB.

With respect to the electronic distribution of decisions to publishers, the MSPB began such distribution to three publishers in FY 2000; a fourth was added early in FY 2001. A weekly schedule for electronic distribution of decisions issued by both the Board and administrative judges in the regional offices was established and implemented. Because not all publishers have the capability of receiving the decisions in electronic format, some distribution must continue in paper form. The specific numerical target set in the FY 2000 Performance Plan—2,000 Board decisions—was not met because the Board did not issue that many decisions. In the revised Performance Plan, the numerical target has been replaced by a more comprehensive goal of providing information to customers (including publishers) in electronic form when requested.

Strategic Plan Goal 5
To develop the MSPB's human resources to ensure a continually improving, highly effective and efficient organization with the flexibility to meet program needs

Objective 1 – Recruit, train, and retain skilled, highly motivated employees to effectively and efficiently accomplish the MSPB mission

Objective 2 – Ensure that all employees and components of the MSPB work well together and integrate their efforts to accomplish the MSPB mission

Objective 3 – Promote efficient and effective accomplishment of the MSPB mission by providing a work environment with workplace policies and programs that enable MSPB employees to excel

Performance Goals	Component	Experience
Goal 5.1 Strengthen the employee development and management development program by increasing the opportunity for details between offices and identifying candidates for professional development programs **FY 2001 Goal** – Send 6 employees to OPM's Management Development Centers; send 2 employees to Federal Executive Institute (FEI); provide two 3-month details between regional and headquarters offices; continue details to Board members' offices; continue detail for Expedited PFR Pilot Program **FY 2002 Goal** – Send 6 employees to OPM's Management Development Centers; send 1 employee to FEI; continue detail for Expedited PFR Pilot Program; provide other details as practicable	Chief of Staff, FAM, All Offices	**FY 1999 Actual** – 5 employees sent to OPM's Management Development Centers; OAC attorneys detailed on rotating basis to Vice Chairman which gave each employee a broader understanding of the various MSPB organizations and how they interact **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – 6 employees sent to OPM's Management Development Centers; OAC attorneys detailed to Vice Chairman/Acting Chairman on rotating basis which gave each employee a broader understanding of the various MSPB organizations and how they interact; OAC attorneys detailed on rotating basis to OCB for Expedited PFR Pilot Program

FY 2000 Results

This is a new goal that was not included in the FY 2000 Performance Plan. It aims at both continuing and expanding development opportunities for MSPB staff through both outside training opportunities and intra-agency details.

Performance Goals	Component	Experience
Goal 5.2 Allocate sufficient resources to employee training so that all employees can receive the training identified in the Individual Development Plans (IDPs). **FY 2001 Goal** – Allocate $ 265,000 for training in accordance with Individual Development Plans (IDPs) **FY 2002 Goal** – Allocate $ 270,000 for training in accordance with Individual Development Plans (IDPs)	Chief of Staff, All Offices	**FY 1999 Actual** – $ 166,000 spent on training **FY 2000 Plan** – Not applicable (new) **FY 2000 Actual** – $ 178,500 spent on training

FY 2000 Results

This is a revised goal. It establishes a training goal—expressed in increased dollars—for the agency as a whole. In the FY 2000 Performance Plan, training goals were included for some individual offices but no dollar amounts were stated. The allocation for training in FY 2000 was increased by the rate of inflation, but has been increased further for FY 2001, which will allow more staff to take advantage of training opportunities. Office directors are being required to work with their employees to create an individual development plan (IDP) for each employee, and training requirements will be based on the IDPs.