



U.S. Merit Systems Protection Board

**Annual Performance Plan
for
FY 2026-2027**

April 3, 2026

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Foreword

The U.S. Merit Systems Protection Board (MSPB) submits this Annual Performance Plan (APP) for fiscal years (FY) 2026-2027, as required by the Government Performance and Results Act Modernization Act of 2010 (GPRAMA). The APP contains information about MSPB, including its scope of responsibilities; its organization and structure; how it brings value to the merit systems, federal agencies, the workforce, and the public; and information about merit system principles and prohibited personnel practices. The APP is based on the MSPB Strategic Plan for FY 2026-2030. It contains performance goals, measures, and targets for FY 2026 (final) and 2027 (proposed), along with a summary of the external trends and internal management challenges that affect MSPB's work, as well as means and strategies to accomplish the set targets. The primary focus for FY 2026 is to process the dramatic increase in initial appeals that began in FY 2025, including probationary termination and reduction in force appeals, in an efficient and effective manner.

The APP has been prepared in accordance with GPRAMA, guidance provided by the Office of Management and Budget (OMB), and other sources. MSPB's Strategic Plan for FY 2026-2030, previous Annual Performance Reports (APRs), APPs, and Annual Reports (ARs) are available on MSPB's website at www.mspb.gov.

MSPB invites customers and stakeholders to send comments on the APP for FY 2026-2027 to:

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Introduction

A highly qualified federal workforce, managed according to the merit system principles (MSPs) and in a manner free from prohibited personnel practices (PPPs) is essential to effective agency performance and public service. The MSPs represent core management practices that help to ensure that the federal government is able to recruit, select, develop, and retain top talent. These principles help reduce staffing costs and improve organizational outcomes. In contrast, PPPs are explicitly prohibited behaviors that undermine MSPs and diminish the efficiency and effectiveness of the federal workforce and the government as a whole.

The Merit Systems Protection Board (MSPB or Board) serves as the guardian of the federal merit systems. The Board was established by Reorganization Plan No. 2 of 1978, which was codified by the Civil Service Reform Act of 1978 (CSRA), Public Law No. 95-454. The CSRA, which became effective January 11, 1979, replaced the Civil Service Commission with three new agencies: the Office of Personnel Management (OPM), which manages the federal workforce; the Federal Labor Relations Authority, which oversees federal labor-management relations; and the Board.

MSPB carries out two primary statutory functions: (1) adjudicating federal employment appeals, and (2) conducting independent, objective studies of the federal merit systems and federal human capital management issues. Pursuant to the CSRA and various other statutes, MSPB adjudicates appeals of adverse actions (e.g., removals, suspensions for more than 14 days, and furloughs), performance-based actions, claims of whistleblower reprisal, veterans' preference matters, claims of discrimination against those who have performed uniformed service, and federal retirement matters.

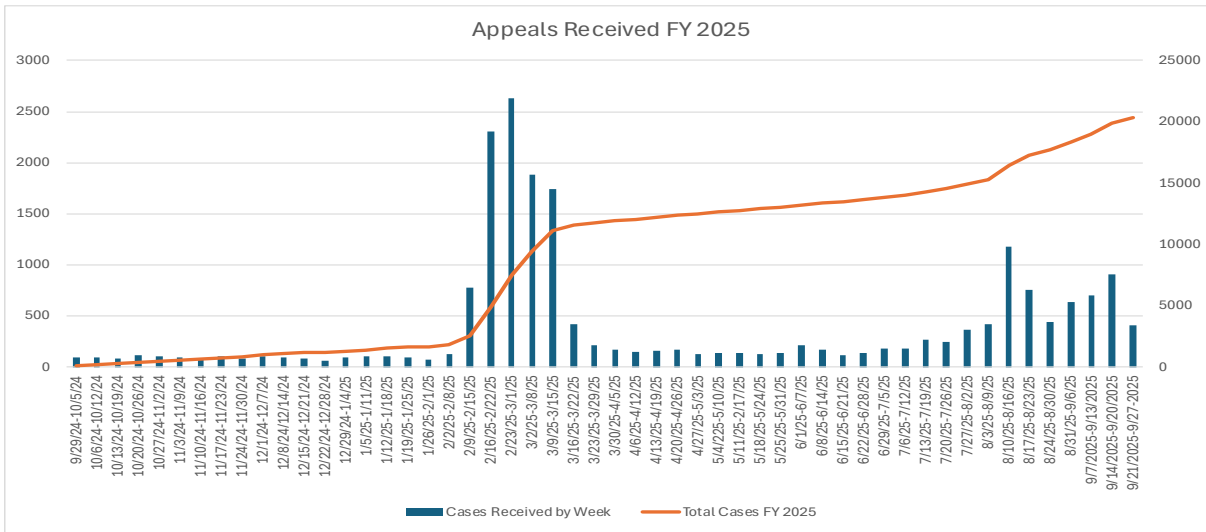
MSPB has a range of customers, partners, and stakeholders that include the President and the Congress who receive our reports on federal merit systems studies and on OPM significant actions, and who look to MSPB as a key component of a healthy civil service. Adjudication customers include those who appear before us, such as appellants, appellant representatives, and agency representatives. Customers and stakeholders who are primarily interested in our merit systems studies and OPM review functions include agency leaders, chief human capital officers, human resources directors and specialists, equal employment opportunity directors and specialists, academics, and other government and non-profit organizations that do work similar to MSPB's studies function, such as the Government Accountability Office.

Considering MSPB's relatively small size and budget, it provides enormous value to the federal workforce, federal agencies, and the taxpayer. By fulfilling its responsibilities, MSPB supports the President's priorities of [*Reforming the Federal Hiring Process and Restoring Merit to Government Service*](#) and the President's Management Agenda.

External & Internal Challenges Affecting MSPB Operations

Increased Appeal Receipts

Beginning February 9, 2025, MSPB experienced a significant surge in probationary termination appeals and reduction in force (RIF) appeals. The total number of initial appeals received in FY 2025 was 20,335. This unprecedented influx—four times our annual workload—has placed considerable strain on MSPB's resources. The chart below shows the initial appeals received in the regional and field offices (RO/FOs) during FY 2025. The appeals include probationary terminations, RIFs, and other types of appeals.



Hiring Freeze

When the federal civilian hiring freeze began in January 2025, MSPB had 183 employees on board and 16 hiring actions were cancelled or revoked due to the hiring freeze. Currently, MSPB has 163 employees with 18% of MSPB employees eligible for retirement through the end of FY 2027. This reduced staffing level requires making trade-offs, such as detailing staff to offices with the greatest need, and slows case processing and research. MSPB has created an Annual Hiring Plan and is working through the implementation of the new requirements and processes to ensure the appropriate positions are filled in a timely manner.

FY 2026 Furlough

From October 1, 2025 through November 12, 2025, MSPB staff were furloughed due to a lapse in appropriations. This furlough impacted the agency's ability to process cases and to work on initiatives identified in this APP. Therefore, the initiatives identified are adjusted to help ensure performance goals are accomplished.

Means and Strategies Needed to Accomplish MSPB's Objectives

The MSPB Strategic Plan for FY 2026-2030 was written to ensure compliance with statutory requirements. The actions associated with each performance goal listed below may be modified based on current events or changes in workload. Subject to budgetary constraints and the challenges identified above, MSPB will continue to meet its mission.

Strategic Goal 1:

Strengthen adjudicatory excellence by providing understandable, high-quality resolution of appeals through fair, efficient, and transparent adjudication and alternative dispute resolution (ADR).

Strategic Objective 1A:

By the end of FY 2030, further enhance the capabilities and processes associated with adjudication to ensure fair, accurate, and timely decisions in all appeals.

Performance Goals:

1A-1: Efficiently issue decisions on initial appeals.

Target: Close 75% of the oldest 1,000 cases.

1A-2: Efficiently issue decisions on HQ cases.

Target: Close 75% of the oldest cases pending before the Board when there is a quorum of Board members.

1A-3: Maximize the percentage of MSPB cases affirmed on the merits by the U.S. Court of Appeals for the Federal Circuit (CAFC).

Target: 90% affirmance.

Planned Initiatives for FY 2026:

- The Office of Regional Operations will conduct an iterative review of the Quality Review Team's work and standards.
- Evaluate compliance rates for agencies in cases in which the appellant prevails on a petition for enforcement.
- Make approved updates to e-Appeal to add functionality and reporting for initial appeals and HQ Cases.

Proposed Initiatives FY 2027:

- Review and update internal appeals policies and procedures.

Strategic Objective 1B:

By the end of FY 2030, leverage ADR to further improve adjudicatory efficiency.

Performance Goal:

1B: Consistently achieve participant satisfaction with the ADR process.

Target: Obtain OMB approval for the ADR customer survey and implement the survey in FY 2026.

Planned Initiatives for FY 2026:

- Comply with the Paperwork Reduction Act by obtaining OMB approval of an information collection request for the ADR survey.

Proposed Initiatives FY 2027:

- Make updates to the ADR process, as necessary, based on feedback from surveys.

Strategic Goal 2:

Enhance the adherence to merit system principles and the prevention of prohibited personnel practices through research and outreach.

Strategic Objective 2A:

By the end of FY 2030, improve the federal workforce's understanding of the merit system principles.

Performance Goal:

2A: Publish MSPB study reports, briefs, or other products.

Target: 4 products annually.

Planned Initiatives FY 2026:

- Publish three products based on the 2023 Human Resources (HR) Workforce Survey.
- Publish one or more *Issues of Merit* newsletters focused on OPM's significant actions in FY 2025.

Proposed Initiatives FY 2027:

- To be determined based on internal planning in FY 2026 and FY 2026 performance results.

Strategic Objective 2B:

By end of FY 2030, increase awareness of MSPB's mission through strategic communication.

Performance Goals:

2B-1: Consistently achieve user satisfaction with MSPB's website.

Target: Obtain OMB approval for the user satisfaction survey and implement the survey in FY 2026.

2B-2: Consistently achieve audience satisfaction with outreach engagements.

Target: Obtain OMB approval for the outreach audience satisfaction survey and implement the survey in FY 2026.

Planned Initiatives FY 2026:

- Comply with the Paperwork Reduction Act by obtaining OMB approval of an information collection request for the website user satisfaction survey.
- Comply with the Paperwork Reduction Act by obtaining OMB approval of an information collection request for the outreach audience satisfaction survey.
- Improve the search functionality of MSPB's website to improve stakeholder access to information about the MSPB appeals process.
- Improve MSPB's digital presence to include greater usage of social media platforms and MSPB's website.

Proposed Initiatives FY 2027:

- Monitor surveys to determine if any changes to strategic communications are necessary.

Strategic Goal 3:

Build organizational capacity and resilience by leveraging technology, advancing data maturity, and improving processes.

Strategic Objective 3A:

By the end of FY 2030, improve information technology (IT) capabilities through enhanced utilization of artificial intelligence (AI) and other relevant IT systems.

Performance Goal:

- 3A: Percentage of MSPB staff actively utilizing AI tools in their work.
Target: 50% of MSPB staff actively use AI tools.

Planned Initiatives FY 2026:

- Implement AI tools to support MSPB's mission and ensure compliance with government-wide policies.

Proposed Initiatives FY 2027:

- Assess implementation of AI tools and adjust or augment as necessary.

Strategic Objective 3B:

By the end of FY 2030, advance enterprise data maturity in accordance with government-wide requirements.

Performance Goal:

- 3B: Percentage of errors in data reports from records systems.
Target: < 30% error rate.

Planned Initiatives FY 2026:

- Complete a comprehensive Data Dictionary for e-Appeal.
- Comply with government-wide requirements for FY 2026.

Proposed Initiatives FY 2027:

- Complete a comprehensive data inventory for MSPB systems and data elements.
- Comply with government-wide requirements for FY 2027.

Strategic Objective 3C:

By the end of FY 2030, leverage available resources to improve services and maximize organizational performance.

Performance Goals:

- 3C-1: Reduce the time to hire.
Target: <80 days.
- 3C-2: Reduce records storage costs.
Target: Reduce records storage costs by 10% annually.

Planned Initiatives FY 2026:

- Review and update HR policies and procedures to align with the Federal Merit Hiring Plan.
- Conduct training for supervisors and employees on new HR policies and procedures.
- Finalize records storage reduction plan.

Proposed Initiatives FY 2027:

- Implement records storage reduction plan.

Performance Measurement

Verifying and Validating Performance Information

MSPB programs broadly affect federal merit systems and federal management, all while generating significant value for federal agencies and the public. To maintain data quality, MSPB has built in checks for completeness, quality control, and verification and validation of performance data using controlled user access, limitations in field data entry, operating guides, and processes for cross-checking and correcting data throughout and at the end of the fiscal year. In FY 2022, MSPB implemented its data integrity policy. In addition to Whistleblower Protection Enhancement Act data, this policy applies to certifying performance data reported in MSPB's APPs, APRs, and ARs. MSPB will expand this policy to other adjudication and performance data, as appropriate. Data integrity, the transformation to 100% electronic adjudication, and new core business applications continually underscore the importance of continuous improvement in performance measurement.



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