

5 CFR 1201.56

Option C is the best because it would eliminate the need to hold an evidentiary hearing where there is no genuine issue of material fact to be resolved. I assume this will be similar to motions for summary judgment which result in the EEOC dismissing EEO complaints without holding a hearing (otherwise known as a decision on the record). This change will save both the MSPB and federal agencies time and resources otherwise expended on unnecessary hearings.

Thank you for your consideration.

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