
Office of Employee Appeals

<http://oea.dc.gov>

Telephone: 202-727-0004

Description	FY 2011 Actual	FY 2012 Approved	FY 2013 Proposed	% Change from FY 2012
Operating Budget	\$1,115,574	\$1,359,735	\$1,468,441	8.0
FTEs	11.2	13.0	14.0	7.7

The mission of the Office of Employee Appeals (OEA) is to render impartial, legally sufficient, and timely decisions on appeals filed by District of Columbia government employees. OEA has jurisdiction over appeals in which an employee has been removed as a result of an adverse action for cause, placed on enforced leave for 10 days or more, suspended for 10 days or more, reduced in grade, or subjected to a reduction in force.

Summary of Services

OEA offers District government agencies and employees the following three-part appeal process: mediation, adjudication, and petitions for review. The mediation process allows the employee and the agency an opportunity to resolve their disputes without going through the lengthy and costly adjudication process. The adjudication process results in disputes being resolved by an administrative judge who issues an initial decision and finds in favor of either the agency or employee. The petition for review process provides an impartial review of initial decisions by OEA's Board.

The agency's FY 2013 proposed budget is presented in the following tables:

FY 2013 Proposed Gross Funds Operating Budget, by Revenue Type

Table CH0-1 contains the proposed FY 2013 agency budget compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

Table CH0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change*
General Funds						
Local Funds	1,753	1,116	1,360	1,468	109	8.0
Total for General Fund	1,753	1,116	1,360	1,468	109	8.0
Gross Funds	1,753	1,116	1,360	1,468	109	8.0

*Percent change is based on whole dollars.

Note: If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to **Schedule 80 Agency Summary by Revenue Source** in the **FY 2013 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2013 Proposed Full-Time Equivalents, by Revenue Type

Table CH0-2 contains the proposed FY 2013 FTE level compared to the FY 2012 approved FTE level by revenue type. It also provides FY 2010 and FY 2011 actual data.

Table CH0-2

Appropriated Fund	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change
General Fund						
Local Funds	10.7	11.2	13.0	14.0	1.0	7.7
Total for General Fund	10.7	11.2	13.0	14.0	1.0	7.7
Total Proposed FTEs	10.7	11.2	13.0	14.0	1.0	7.7

FY 2013 Proposed Operating Budget, by Comptroller Source Group

Table CH0-3 contains the proposed FY 2013 budget at the Comptroller Source Group (object class) level compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

Table CH0-3
(dollars in thousands)

Comptroller Source Group	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change*
11 - Regular Pay - Continuing Full Time	883	761	1,008	1,045	37	3.6
12 - Regular Pay - Other	19	86	92	93	1	1.5
13 - Additional Gross Pay	89	13	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	168	157	179	201	22	12.5
Subtotal Personal Services (PS)	1,159	1,017	1,279	1,340	60	4.7
20 - Supplies and Materials	5	18	10	15	5	50.0
31 - Telephone, Telegraph, Telegram, Etc.	6	5	0	0	0	N/A
32 - Rentals - Land and Structures	468	0	0	0	0	N/A
35 - Occupancy Fixed Costs	3	0	0	0	0	N/A
40 - Other Services and Charges	22	40	45	59	14	30.8
41 - Contractual Services - Other	66	31	15	35	20	126.4
70 - Equipment and Equipment Rental	24	5	10	20	10	100.0
Subtotal Nonpersonal Services (NPS)	594	99	80	129	48	60.1
Gross Funds	1,753	1,116	1,360	1,468	109	8.0

*Percent change is based on whole dollars.

Program Description

The Office of Employee Appeals operates through the following 2 programs:

Adjudication – provides mediation sessions, impartial hearings, and adjudication appeals for District government employees who challenge an agency’s final decision on personnel matters.

This program contains the following 3 activities:

- **Mediation** – provides both parties an opportunity to resolve or settle disputes without going through the lengthy and costly adjudication process;
- **Adjudication Process** – provides impartial, fair decisions to employees for timely resolution of their appeal; and
- **Appeals** – provides an impartial review by the Office of Employee Appeals Board of the decisions filed.

Agency Management – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

Program Structure Change

The Office of Employee Appeals has no program structure changes in the FY 2013 proposed budget.

FY 2013 Proposed Operating Budget and FTEs, by Program and Activity

Table CH0-4 contains the proposed FY 2013 budget by program and activity compared to the FY 2012 approved budget. It also provides the FY 2011 actual data.

Table CH0-4
(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012
(1000) Agency Management Program								
(1040) Information Technology	57	55	56	1	0.9	1.0	1.0	0.0
(1085) Customer Service	51	42	43	2	0.9	1.0	1.0	0.0
(1090) Performance Management	9	160	162	2	0.9	1.0	1.0	0.0
(1100) Office of Employee Appeals	551	560	543	-16	6.1	5.5	5.5	0.0
Subtotal (1000) Agency Management Program	668	817	805	-11	8.9	8.5	8.5	0.0
(2000) Adjudication								
(2001) Adjudication Process	349	463	534	-12	2.3	4.5	5.5	1.0
(2002) Appeals	99	80	129	48	0.0	0.0	0.0	0.0
Subtotal (2000) Adjudication	448	543	663	120	2.3	4.5	5.5	1.0
Total Proposed Operating Budget	1,116	1,360	1,468	109	11.2	13.0	14.0	1.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Note: For more detailed information regarding the proposed funding for the activities within this agency’s programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2013 Operating Appendices** located on the Office of the Chief Financial Officer’s website.

FY 2013 Proposed Budget Changes

The Office of Employee Appeals' (OEA) proposed FY 2013 gross budget is \$1,468,441, which represents a 8.0 percent increase over its FY 2012 approved gross budget of \$1,359,735. The budget is comprised entirely of Local funds.

Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2012 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The initial adjustments in the budget proposal represents changes that should be compared to the FY 2013 CSFL budget and not necessarily changes made to the FY 2012 Local funds budget. The FY 2013 CSFL adjustments to the FY 2012 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

OEA's FY 2013 CSFL budget is \$1,379,374, which represents a \$19,639, or 1.4 percent, increase over the FY 2012 approved Local funds budget of 1,359,735.

Initial Adjusted Budget

Cost Increase: Additional \$46,785 in Local funds to cover the cost of Contractual Services and Equipment purchases.

Cost Decrease: A reduction of \$46,785 in Local funds due to realignment of personal services costs to offset increases to Contractual Services and Equipment purchases.

Additionally Adjusted Budget

Technical Adjustment: Adjustment of Fringe Benefits to restore the District Government contribution for employee health insurance from 72 percent, implemented in the FY 2011 budget, to 75 percent in FY 2013, resulting in an increase of \$4,067 in Local funds.

Policy Initiatives

Cost Increase: \$85,000 in Local funds to support the salary of an Administrative Law Judge position.

FY 2012 Approved Budget to FY 2013 Proposed Budget, by Revenue Type

Table CH0-5 itemizes the changes by revenue type between the FY 2012 approved budget and the FY 2013 proposed budget.

Table CH0-5

(dollars in thousands)

	PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2012 Approved Budget and FTE		1,360	13.0
Fringe Benefit Rate Adjustment	Multiple Programs	13	0.0
Consumer Price Index	Multiple Programs	2	0.0
Personal Services Growth Factor	Multiple Programs	6	0.0
FY 2013 Current Services Funding Level Budget (CSFL)		1,379	13.0
Cost Increase: Contractual Services, Equipment Purchases and Other Services and Charges	Multiple Programs	47	0.0
Cost Decrease: Savings from the realignment of personal services	Multiple Programs	-47	0.0
FY 2013 Initial Adjusted Budget		1,379	13.0
Technical Adjustment: Health insurance contribution	Multiple Programs	4	0.0
FY 2013 Additionally Adjusted Budget		1,383	13.0
FY 2013 Policy Initiatives			
Cost Increase: To support the salary of an Administrative Law Judge position	Adjudication	85	1.0
LOCAL FUNDS: FY 2013 Proposed Budget and FTE		1,468	14.0
Gross for CH0 - Office of Employee Appeals		1,468	14.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Agency Performance Plan

The agency's performance plan has the following objectives for FY 2013:

Objective 1: Render impartial, legally sound decisions in a timely manner.

Objective 2: Timely process appeals that are subject to mandatory mediation.

Objective 3: Maintain a system to allow the public to have access to all decisions rendered by the office.

Agency Performance Measures

Measure	FY 2010 Actual	FY 2011 Target	FY 2011 Actual	FY 2012 Projection	FY 2013 Projection	FY 2014 Projection
Number of initial decisions issued	156	180	188	200	200	200
Number of opinions and orders issued	35	35	50	35	35	35
Mean length of time required to complete adjudications ¹	9.5 months	9.5 months	13 months	13 months	13 months	13 months
Mean length of time required to resolve petitions for review ²	17 months	17 months	11 months	11 months	11 months	11 months
Percentage of cases reversing agency decisions	13.6% ³	Not Available	5.8% ⁴	Not Available	Not Available	Not Available
Percentage of OEA decisions upheld by the D.C. Superior Court and D.C. Court of Appeals	100% ⁵	100%	100% ⁶	99%	99%	99%

Performance Plan Endnotes:

- ¹ The months indicated represent the time from which an appeal is filed with OEA until an initial decision is issued by an Administrative Judge.
- ² The months indicated represent the time from which an appeal is filed with the OEA Board until a final decision is rendered.
- ³ In FY 2010, OEA reversed 26 agency decisions of the 191 total cases decided.
- ⁴ In FY 2011, OEA reversed 14 agency decisions of the 238 total cases decided.
- ⁵ Of the 191 total decisions issued by OEA in FY 2010, the D.C. Superior Court issued 2 decisions upholding OEA. The D.C. Court of Appeals issued 1 decision upholding OEA.
- ⁶ Of the 238 total decisions issued by OEA in FY 2011, the D.C. Superior Court issued 2 decisions upholding OEA. The D.C. Court of Appeals issued 2 decisions upholding OEA.

