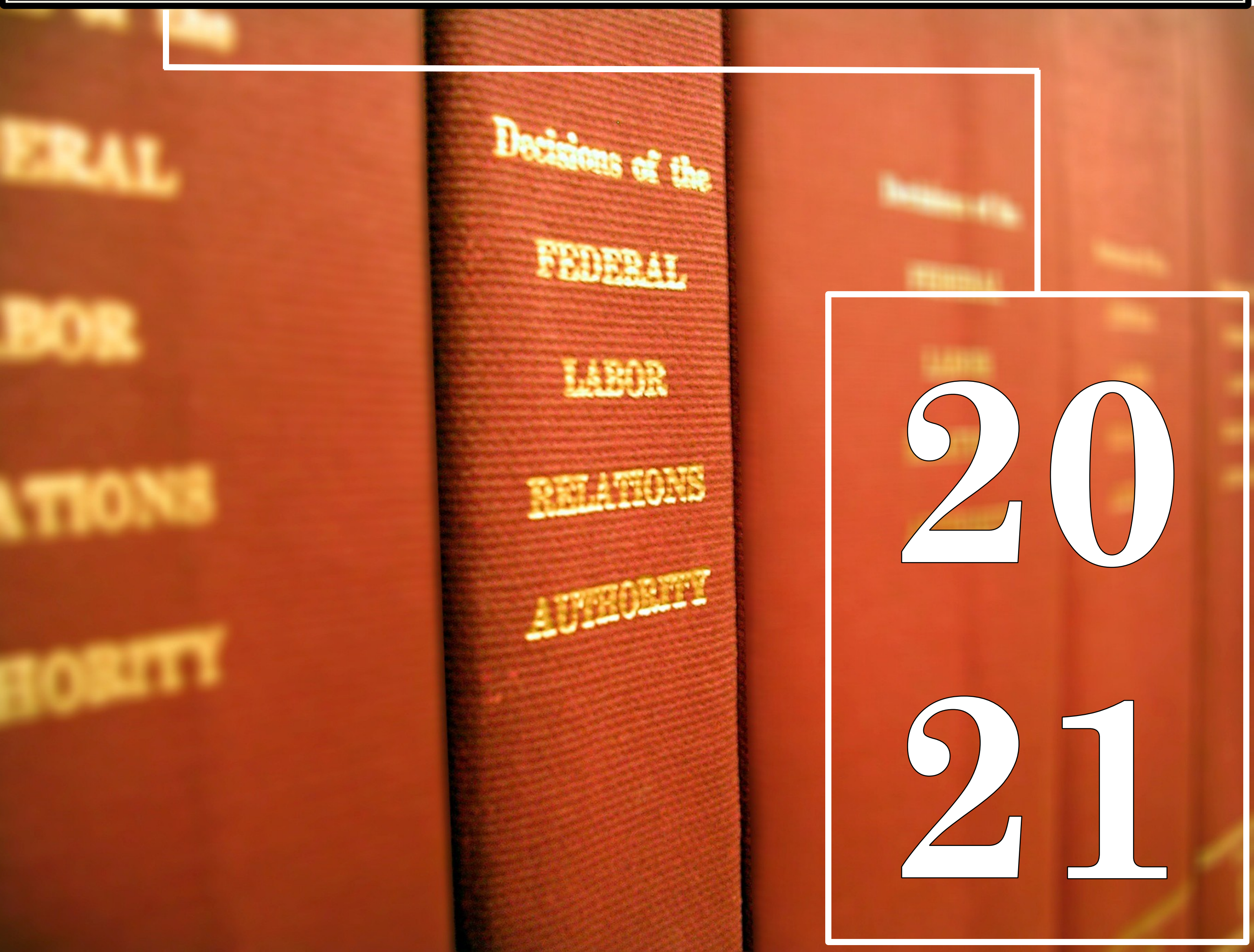
Forty-two years – promoting and protecting
labor-management relations for effective, efficient government

U.S. FEDERAL LABOR RELATIONS AUTHORITY
PERFORMANCE AND ACCOUNTABILITY REPORT



2021

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UNITED STATES
FEDERAL LABOR RELATIONS AUTHORITY

Performance and Accountability Report 2021

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MESSAGE FROM THE CHAIRMAN

I am pleased to submit the Federal Labor Relations Authority (FLRA) 2021 Performance and Accountability Report. FLRA is an independent Federal agency created by Title VII of the Civil Service Reform Act of 1978, also known as the Federal Service Labor-Management Relations Statute (the Statute), 5 U.S.C. §§ 7101-7135. FLRA is a small agency with a large mission: overseeing the labor-management programs of most agencies in the Federal government.

To fully understand FLRA's performance in 2021, it is important to provide some context. In the years leading up to 2021, FLRA experienced many challenges. FLRA budgets were sharply reduced. Over 25 percent of the regional offices (two out of seven) were closed. Nearly 40 percent of the staff, including some of the most experienced and skilled staff, left the Agency, and few of those positions were backfilled. Employee morale plummeted, with FLRA dropping, over four years, from one of the top three best places to work to one of the bottom two, under the Best Places to Work in the Federal Government® small-agency rankings.

Additionally, FLRA was without a General Counsel (GC) or Acting GC for over 3 years, which meant, among other things, that FLRA could not issue unfair-labor-practice (ULP) complaints. FLRA also eliminated the highly successful and vitally important Collaboration and Alternative Dispute Resolution Office (CADRO), which provides mediation, training, facilitation, and workplace-relationship services to FLRA parties. Eliminating CADRO resulted in fewer cases being settled and a growing case backlog before FLRA's three-Member, decisional component (the Authority). At the same time, the Authority and the OGC saw increases in case-filing rates, and an unprecedented number of requests for policy statements or guidance. As a result of these challenges, the Authority and the OGC began 2021 with significant case backlogs, including unprecedented backlogs in the OGC.

But, in 2021, FLRA made meaningful progress with respect to all of these challenges. In January, President Biden named me Chairman, and I immediately re-recognized FLRA employees' exclusive representative, the Union of Authority Employees. In March, President Biden appointed an Acting GC, which enabled the issuance of ULP complaints. To hear those complaints, FLRA's Office of Administrative Law Judges began holding virtual trials, a necessity in the COVID-19 era. The Authority began reducing its case backlogs, closing more cases in 2021 than it had closed in 5 years, and ending 2021 with a significantly smaller number of pending cases than in 2020. I restored CADRO and brought a number of seasoned professionals back to the Agency. I also made a priority of employee morale improvement, which I hope will be reflected in FLRA Federal Employee Viewpoint Survey results. President Biden appointed ten Members of the Federal Service Impasses Panel, whom I swore in on September 14. And, finally, President Biden nominated a GC and two Authority Members, including me.

In short, to quote President Biden, FLRA began to "build back better" in 2021. And that is important, because FLRA's ability to perform its mission well can improve other agencies' abilities to perform their own missions. As both the Statute and President Biden's

Executive Order 14025, Worker Organizing and Empowerment recognize, “experience in both private and public employment indicates that the statutory protection of the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them . . . safeguards the public interest, . . . contributes to the effective conduct of public business, and . . . facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment.” And, as President Biden’s Executive Order 14003, Protecting the Federal Workforce observes, “Career civil servants are the backbone of the Federal workforce, providing the expertise and experience necessary for the critical functioning of the Federal Government.”

More than ever, the FLRA should lead in making federal labor-management relations work. I am firmly committed to this goal. And I am proud to have the honor to serve as FLRA Chairman and continue to work alongside its incredibly resilient and resourceful employees.

Ernie DuBester

Ernie DuBester
Chairman and Chief Executive Officer
Federal Labor Relations Authority

MANAGEMENT'S DISCUSSION AND ANALYSIS

Background and Mission

The U.S. Federal Labor Relations Authority (FLRA) is responsible for establishing policies and guidance regarding the labor-management-relations program for 2.1 million non-Postal, Federal employees worldwide, approximately 1.2 million (60 percent) of whom are represented in 2,200 bargaining units. FLRA was created by Title VII of the Civil Service Reform Act of 1978, also known as the Federal Service Labor-Management Relations Statute (the Statute).

The Agency's genesis dates from the issuance of Executive Order 10988 by President Kennedy in 1962, which established the first government-wide, labor-management-relations program within the Federal Government. In 1970, President Nixon established the Federal Labor Relations Council, by Executive Order 11491, to administer the Federal labor-management-relations program and to make final decisions on policy questions and major disputes arising under Executive Order 10988. Executive Order 11491, as amended, was the basis for President Carter' proposal to Congress to create FLRA as an independent agency.

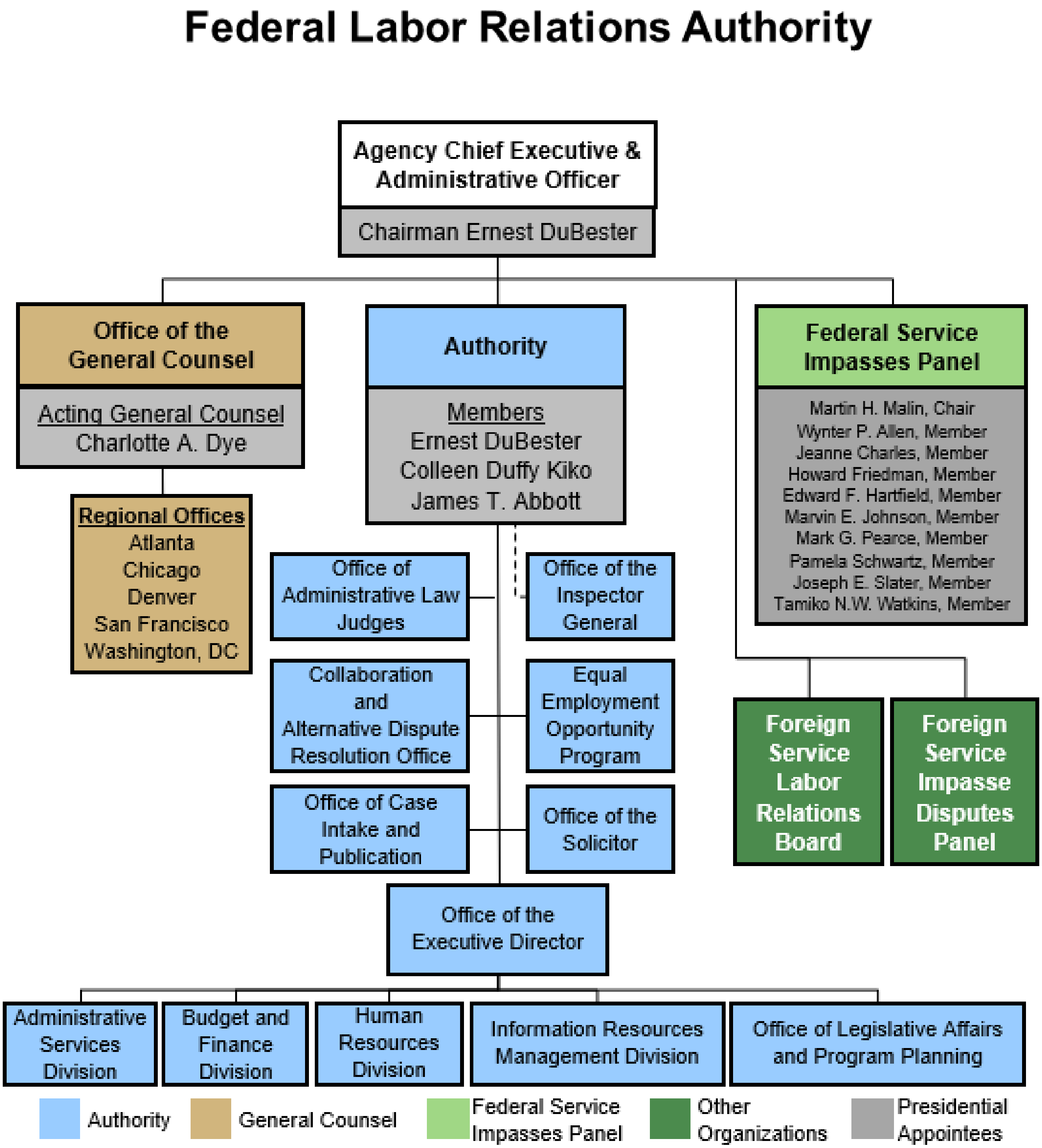
The Statute protects the rights of Federal employees to form, join, or assist a labor organization, or to refrain from such activity, freely and without fear of penalty or reprisal. These rights include acting for a labor organization as a representative and, in that capacity, presenting the views of the organization. Employees also have the right to engage in collective bargaining with respect to conditions of employment through representatives chosen by the employees.

FLRA's mission is to promote stable, constructive labor-management relations in the Federal government by resolving and assisting in the prevention of labor-management disputes in a manner that gives full effect to the collective-bargaining rights of employees, unions, and agencies. FLRA does not initiate cases; all proceedings before FLRA originate from filings by Federal agencies and employees, or labor organizations which represent employees. Although FLRA is a small agency, accomplishing its mission, including timely and quality resolution of labor-management disputes, is essential for program performance government-wide. If a labor-management dispute remains unresolved for too long, then mission accomplishment at the affected agencies likely will suffer. In many ways, FLRA provides the grease for the wheels of government. As such, its vitality is important beyond its size.

Organizational Structure

FLRA consists of the Authority, the Office of the General Counsel (OGC), and the Federal Service Impasses Panel (FSIP). The Agency also provides full staff support to two other organizations, the Foreign Service Impasse Disputes Panel and the Foreign Service Labor Relations Board.

ORGANIZATIONAL CHART



THE AUTHORITY

The Authority, FLRA's adjudicatory body, comprises three full-time Members appointed by the President with the advice and consent of the Senate. The Members are appointed for fixed, five-year, staggered terms, and one Member is designated by the President to serve as Chairman. The Chairman acts as the Agency's chief executive and administrative officer.

The Authority, first and foremost, is directed to "provide leadership in establishing policies and guidance" related to the purposes of the Statute. Moreover, the Authority is specifically empowered to resolve disputes over the negotiability of proposals made in collective bargaining; decide whether conduct alleged in a complaint constitutes an unfair labor practice (ULP); resolve exceptions to grievance-arbitration awards; and review decisions of Regional Directors in representation disputes over union elections and unit determinations. The Authority Members appoint Administrative Law Judges (ALJs) to hear and prepare recommended decisions in cases involving ULP complaints. The ALJs' recommended decisions may be appealed to the Authority.

Other offices and programs under the Authority's jurisdiction include the Office of the Solicitor, the Office of Administrative Law Judges (OALJ), the Collaboration and Alternative Dispute Resolution Office (CADRO), the Office of Case Intake and Publication (CIP), and the Equal Employment Opportunity Program (EEO). The Office of Inspector General (OIG) stands as an independent entity within the Authority.

OFFICE OF THE GENERAL COUNSEL (OGC)

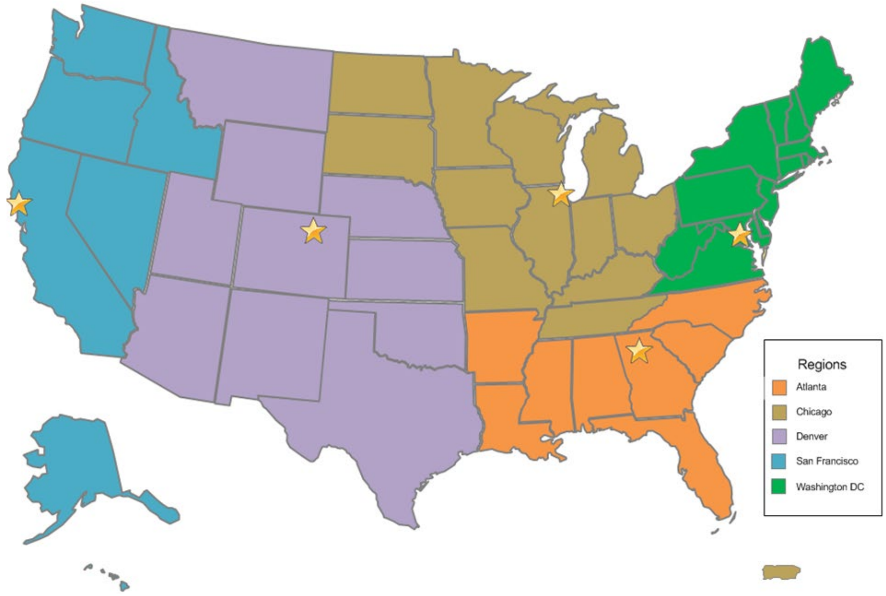
The General Counsel, who is appointed by the President with the advice and consent of the Senate, has separate and independent responsibilities from the Authority. Under the Statute, the General Counsel has sole responsibility over the investigation and prosecution of ULP cases. The General Counsel's determinations in these matters are final and unreviewable. The General Counsel has direct authority over, and responsibility for, all employees in the OGC, including those in FLRA's Regional Offices.

The General Counsel has a small staff at FLRA Headquarters, located in Washington, D.C. Headquarters management provides administrative oversight; develops policies, guidance, procedures, and manuals that provide programmatic direction for the Regional Offices; provides training and education for the parties; and processes appeals from the Regional Offices' dismissals of ULP charges. Each Regional Office is headed by a Regional Director who provides leadership and management expertise for their respective Regions.

The Regional Offices, on behalf of the General Counsel, investigate and resolve alleged ULP charges, file and prosecute ULP complaints, effectuate compliance with settlement agreements and Authority Orders, and provide training and alternative dispute resolution services. In addition, through delegation from the Authority, the Regional Offices investigate and resolve representation petitions (REP) and conduct secret-ballot elections. Currently, 40 percent of FLRA staff are employed in the Regional Offices, where all ULP charges and REP petitions are filed.

There are five Regional Offices in Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; San

Francisco, California; and Washington, D.C.



FEDERAL SERVICE IMPASSES PANEL (FSIP)

The Federal Service Impasses Panel is composed of part-time Presidential appointees who are appointed to fixed, staggered five-year terms. The FSIP assists in resolving negotiation impasses between Federal agencies and labor organizations representing Federal employees that arise from collective-bargaining negotiations under the Statute and the Federal Employees Flexible and Compressed Work Schedules Act.

Legacy Strategic and Performance-Planning Framework

As all agencies have this year, FLRA has been developing a new 2022-2026 strategic plan with new goals. This performance reporting is the final reporting under the 2018-2022 Strategic Plan.

FLRA's legacy strategies and goals were designed to optimize the delivery of Agency services. Throughout 2021, FLRA engaged in a continuous assessment of performance through monthly issuance of the "SMART Report".

FLRA's 2021 performance-planning framework was based on the Agency's 2021 Annual Performance Plan, which established the Agency's annual performance goals and measures. The Annual Performance Plan reflects the Agency's commitment to meaningful metrics to assist in assessing performance outcomes, aligning resources, and effectively identifying staffing and training needs. The 2021 Annual Performance Plan, as set forth in the 2021 Congressional Budget Justification, was developed to implement the 2018-2022 Strategic Plan.

Legacy 2018-2022 Strategic Plan

The 2018-2022 Strategic Plan established strategies and goals designed to maximize the delivery of Agency services. In addition, FLRA identified performance goals that allowed the Agency to both monitor progress towards achieving its legacy strategic goals and to recalibrate strategies, as necessary, for maximum mission performance.

This continued FLRA's increased focus on targeted data collection and data-driven leadership and decision-making. Data collected was intended to measure progress against this legacy strategic plan and overall mission performance and effectiveness.

FLRA's 2018-2022 vision was "*Charting the course of Federal-sector labor- management relations through impartial, clear, and timely actions by dedicated and accountable employees."* Three legacy strategic goals, each supported by several legacy strategic objectives, guided FLRA's pursuit of its legacy vision and achievement of its mission.

FLRA developed that legacy strategic plan against a canvas of strengths and challenges that can affect overall mission delivery. The source of FLRA's internal strengths is its skilled workforce guided by the Agency's values of transparency and accountability, along with its increasing focus on the innovative use of information technology (IT) and data-driven analysis. Challenges arose from a tight budget and Presidential-appointee vacancies. The goals and objectives in that plan supported FLRA's mission in light of these strengths and challenges.

FLRA sought to achieve its legacy strategic goals primarily through the timely, high-quality, and impartial review and disposition of cases. Further supporting these efforts in 2021 was FLRA's continued focus on the best use of human capital at historically low FTE levels and internal improvements in IT.

Legacy Goals

Strategic Goal #1	Strategic Goal #2	Strategic Goal #3
Ensure quality, timely, impartial, and consistent investigative and decision-making processes with determinations that are clearly articulated.	Develop and provide tools and resources to enable the parties to prevent or more effectively and efficiently resolve their labor-relations disputes and improve their labor-management relationships.	Manage resources effectively and efficiently, and recognize that a dedicated workforce is critical to the prevention and resolution of labor-relations disputes.

Legacy Strategic Objectives

Strategic Goal #1	Strategic Goal #2	Strategic Goal #3
a. Establish and attempt to surpass (1) case-processing productivity goals, and (2) timeliness measures that are meaningful to the parties.	a. Maintain and expand educational resources on www.flra.gov.	a. Ensure that FLRA's performance-management systems are synchronized with and support the Agency's strategic goals.
b. Ensure excellence in investigations and clearly articulated written work products by establishing and surpassing case-processing quality goals that build upon the Agency's longstanding traditions of impartiality and consistent determinations that are effectively enforced.	b. Identify and offer targeted assistance to parties with significant labor-management challenges.	b. Continue to expand FLRA's technological capabilities to enable employees to deliver mission results more effectively and efficiently.
	c. Maintain and expand the external training programs to enable the parties to better understand their rights and obligations under the Statute.	c. Recruit, retain, and develop a diverse, respected workforce in an environment that fosters employee input and satisfaction and makes the best use of FLRA resources.

LEGACY STRATEGIC GOAL 1:
WE WILL ENSURE QUALITY, TIMELY, IMPARTIAL, AND CONSISTENT INVESTIGATIVE AND DECISION-MAKING PROCESSES WITH DETERMINATIONS THAT ARE CLEARLY ARTICULATED.

The Authority

At the outset, it is important to note that the Authority made tremendous strides towards meeting its case-related goals in 2021. It closed more cases than it had in 5 years, and substantially more cases than it had in 2018, 2019, and 2020. It also ended the year with significantly fewer pending cases (153) than it did in 2020 (217). These significant achievements should help position the Authority to have more case-related performance successes going forward.

Nevertheless, because the Authority entered 2021 with a backlog of 217 cases, the cases that the Authority closed were older. This means that, despite its increased productivity, the Authority did not meet all of its targeted goals regarding case- processing timelines (as will be reflected in the Annual Performance Plan):

- For arbitration cases, the Authority met its 210-day target in only 29 percent (42/143), and its outer 365-day target in only 49 percent (70/143) of arbitration cases.
- For negotiability cases the Authority met its 300-day target in 73 percent (58/79) of negotiability cases, and met its outer 365-day target in 86 percent (68/79).
- For representation cases, the Authority continued to meet the statutory requirement to determine whether to grant review in 100 percent (4/4) within 60 days of filing of an application for review from a Regional Director's determination.
- Where the Authority granted applications for review, it met its 210-day target in 75 percent (3/4) of cases, which achieved the performance goal of 75 percent. However, the Authority and met its outer 365-day target in 75 percent (3/4) of cases, missing the performance goal of 100 percent.
- The few ULP cases in the Authority's inventory are some of the oldest cases in its inventory. As a result, the Authority met its 300-day target and outer 365-day target in only 40 percent of the ULP decisions issued this year (2/5).

Although the Authority set targets to reduce the "average age" of closed cases within each case type by 5 percent, this target is in tension with the Authority's focus on clearing its backlog and issuing the oldest cases in its inventory. Accordingly, the Authority did not hit the 5 percent reduction in any of its four case types.

However, some additional points and context are warranted. Although the Authority did not meet its target of closing 75% of negotiability cases within 300 days, it came very close (73%). And, although the Authority did not meet its goal of closing 100% of its representation cases within 365 days, that is because *one case* went overage, and the Authority issued only four representation cases in 2021 – resulting in a 75% timeliness rate.

Moreover, it is significant that, since the Authority implemented these new performance measures in 2019 – radically changing how it measured timeliness of cases – the Authority has met only four of its goals every year (2019, 2020, and 2021). In 2022, the Authority is committed to reviewing these goals, ascertaining the challenges it has had in meeting them, and assessing whether any adjustments are appropriate and necessary to position both the Authority and its parties for success in the future.

The Office of Administrative Law Judges

The OALJ had three Administrative Law Judges (ALJs) in 2021. These judges conduct hearings and issue recommended decisions on cases involving alleged unfair labor practices (ULPs). Upon the appointment of an Acting General Counsel on March 24, 2021, the OGC recommenced case processing which led to the OALJ recommencing its ULP work. Thus, in 2021 the unprecedented backlog of cases has begun to flow to the OALJ. Judges' unique skill set entails getting those cases that fail to settle into adversarial proceedings in order to bring relief to the parties. While judges can conduct legal research and writing tasks, FLRA has prioritized their limited time to conducting trials in order to bring justice to litigants who have been waiting years for their dispute to be heard and resolved.

In addition to conducting hearings and issuing recommended decisions on cases involving alleged ULPs, ALJs render recommended decisions involving applications for attorney fees filed under the Back Pay Act and the Equal Access to Justice Act. The OALJ – through its Settlement Judge Program administered by the CADRO practitioners – also provides alternative dispute-resolution (ADR) services in ULP complaint cases. Prior years' ADR success rates in ULP cases, averaging more than 82%, provide evidence that the delivery of ADR services in ULP case processing results in more effective and cost-efficient program performance for FLRA, as well as the timely resolution of disputes for its customers.

OALJ production can be compared to identical staff production in comparable years leading up to 2016. Between 2012 and 2015, a normal period without a backlog, OALJ judges cumulatively conducted nearly 27 hearings on average per year. Average decisions per judge over that four-year period was 14 written decisions.

Since an Acting General Counsel was appointed by President Biden on March 24, 2021, OALJ has been scheduling four to six ULP cases per ALJ for hearing every other week in order to aggressively reduce the backlog. If 150 trials in these cases were necessary, assuming the balance of the initial 494 case backlog settle, it would take three total years to eliminate only the backlog. This number does not include the number of complaints which the OGC will issue on newly filed ULPs. The remaining cases that do not settle before trial are the most complex and litigious. These hearings are to be virtual.

In 2021, the OALJ worked intensely to develop the new system of virtual hearings. These efforts included hiring an FTE with experience garnered in virtual hearings at another labor-related agency.

The OALJ issued 2 decisions in 2021. In addition, 18 cases (of 130 issued by the OGC) were settled post-complaint. With only three judges, the OALJ can expect to issue 43 decisions in 2022. With a fourth judge, as requested for 2022, 56 decisions can be issued. Litigants who have waited over five years to have their cases resolved deserve, in the interest of justice, to benefit from the research and writing of additional attorneys in the OALJ to increase production.

Collaboration and Alternative Dispute Resolution Office (CADRO)

In the last half of FY 2021, FLRA reinstituted CADRO after a hiatus of several years. FLRA's highly successful and vitally important CADRO has been key to FLRA mission performance for most of the past 25 years. CADRO conflict-management experts serve the dual role of efficiently resolving complex, sensitive cases pending before FLRA and delivering training, facilitation, and labor-management relationship services in support of the President's initiative to restore constructive labor-management relationships between federal agencies and unions. Like ADR generally, CADRO has earned significant bipartisan support.

In 2021, CADRO played a crucial role in accomplishing FLRA's performance goal to resolve cases and reduce litigation and its attendant costs. CADRO offers FLRA parties voluntary, confidential mediation to achieve timely resolution of negotiability disputes and arbitration exceptions pending before the Authority, as well as settlement conferences in pre-complaint and post-complaint ULP cases. CADRO dispute-resolution services serve the dual purpose of preventing unnecessary and costly litigation before FLRA and making case processing more effective and efficient.

CADRO was essential to preventing and reducing case backlogs for the Authority and FLRA's ALJs. The multi-year ULP complaint backlog continues to skew the CADRO caseload heavily in that direction. In FY 2021, CADRO staff restarted conducting settlement conferences so as to prevent ULP cases from becoming hopelessly backed up waiting for trial. When CADRO staffers resolve sensitive arbitration exception (appeal) cases and complex legal issues in negotiability cases, Members and their attorneys can adjudicate other matters on the Authority's docket.

CADRO also is an important vehicle through which FLRA exercises leadership in the manner envisioned by the President in his April 26, 2021 Executive Order on Worker Organizing and Empowerment (14025), and his January 22, 2021 Executive Order Protecting the Federal Workforce (14003). During the last half of 2021, CADRO expertly delivered facilitation, training, and fractured-workplace-relationship repair initiatives to more than 500 agency and union representatives. These services were offered to FLRA parties wanting to improve the way they constructively manage workplace conflict and prevent conflict from erupting into destructive disputes. CADRO assisted these FLRA parties to learn how to resolve difficult, pragmatic issues that give rise to the legal disputes before FLRA. These services not only minimized the need for third-party intervention, they enable agencies and unions to begin to fundamentally change their workplace relationships. The result is better mission performance and better quality of work life throughout Government, real evidence that these initiatives work. As a result, the value of CADRO dispute-prevention and dispute-resolution services goes far beyond the staff hours and the taxpayer dollars that it saves by settling disputes.

CADRO's current caseload of negotiability cases and ULPs far exceeds any prior period. Since March of this year, CADRO has received requests to mediate more than 375 disputed language provisions and proposals in negotiability cases. In an 8-month period, that has been almost twice our maximum annual average. About 330 of the language disputes have already been resolved. So far, CADRO is exceeding its historical average of more than 90 percent resolution rate.

CADRO practitioners also staff the Settlement Judge Program in the Office of Administrative Law Judges. About 150 ULP complaints have entered the Settlement Judge Program during the past four and a half months, about twice the number typically seen in an entire year. In 75 percent of those cases, CADRO has already conducted or scheduled an initial settlement conference session. Though still early in the process of working through the multi-year backlog of almost 500 ULP charges, thus far, CADRO is meeting or exceeding the historical target of an 80 percent settlement rate. CADRO is doing its best to prepare for about 250 ULP cases per year for at least the next two fiscal years.

CADRO ended 2021 with only two FTEs and no dedicated administrative support. In its 2022 budget request, FLRA requested funds to restore the third CADRO FTE that was eliminated in 2017. CADRO expects to close more than 300 cases in 2022. That is an unsustainable number for three FTEs. They cannot possibly keep pace with projected requests to resolve backlogged ULP complaints pending before FLRA ALJs in addition to arbitration exceptions and complex negotiability cases containing hundreds of legal disputes pending before the Authority Members. Nor could even three FTEs fully satisfy joint agency and union requests for training, facilitation, and assistance improving essential labor-management relationships, all of which are key to FLRA accomplishing its mission and to support the White House priority to promote stable, constructive labor relations.

The Office of the Solicitor

The Office of the Solicitor represents FLRA in court proceedings before all U.S. courts, including the U.S. Supreme Court, the U.S. Courts of Appeals, and the Federal District Courts. During 2021, the Solicitor's Office litigated numerous cases in the Federal courts, filed briefs supporting Authority decisions and defending the constitutionality of Authority components, and presented oral argument before panels of circuit court judges. After receiving decisions from the courts of appeals, the Solicitor's Office provided timely and thoughtful advice to the Authority concerning the courts' orders. The Solicitor's Office experienced a significant caseload in 2021, which is expected to continue in 2022 as parties seek review of adverse Authority decisions in the courts of appeals under 5 U.S.C. § 7123(a). In addition, parties have increasingly been seeking to circumvent 5 U.S.C. § 7123(a)'s jurisdictional bar by filing many cases in Federal District Court.

The Solicitor also serves as FLRA's in-house counsel, providing legal advice to FLRA components on all facets of Government operations, including ethics, FOIA, privacy, human resources, fiscal law, and the Administrative Procedure Act. It met all reporting and substantive deadlines under those authorities.

The Federal Service Impasses Panel

On February 2, 2021, President Biden called for the resignation of the ten Members of the FSIP. On September 15, 2021, Chairman DuBester swore in ten new Members. In the interim, the work of the FSIP was halted. Thus, case-processing statistics are skewed. The FSIP closed 45 cases in 2021.

In the previous years, the Panel received an average of over 90 or more cases per year. The Panel received 92 filings in 2018, 77 filings in 2019, and 90 new case filings in 2020. In 2021, the Panel received just 68 new filings. With the loss of the Trump Administration Panel in February 2, 2021, FSIP closed far less cases than is typical with a fully-operating Panel. The Panel closed 72 cases in 2019 and 96 cases in 2020. The FSIP closed 45 cases in 2021.

Under these unusual circumstances of 2021, the FSIP met or exceeded all of its timeliness measures for assisting parties in resolving their negotiation impasses.

Office of General Counsel

OGC Overview

The OGC had not had a GC or Acting GC since November 17, 2017. On March 24, 2021, President Biden announced the appointment of Charlotte A. Dye as the Acting General Counsel of the Federal Labor Relations Authority. That appointment allowed complaint and appeal processing to recommence.

With only two professionals, the Deputy General Counsel (DGC) and one Assistant General Counsel (AGC), the OGC-HQ has been able to keep its head just above water by neglecting all things but direct mission-related work.

The OGC Case Law Outline, ULP and REP Case Handling Manuals, and REP Hearing Guide have not been substantively updated since 2015 and were initially created when the OGC had two AGCs to steer this work – positions which assisted the DGC to deal with the operations of the Regional Offices and legal policy for ULP and REP cases.

From February 2021, ULP case filings began to rise exponentially, however, the OGC is conservatively estimating an annual 30% rise in case filings. The OGC conducted approximately 54 training sessions for labor and agencies in 2021, but hopes to double that in the future. An additional AGC will be needed to coordinate this increased level of work.

The OGC Regional Offices play a vital role in facilitating orderly, efficient, and effective change within the Federal Government. Inadequate staffing interferes with the OGC's ability to promptly investigate and resolve ULP charges and REP petitions. Given the high rate of unionization in the Federal Government, work place change frequently requires collective bargaining or a representation proceeding, or both. Indeed, the vast majority of ULP and REP cases are filed in connection with a management-initiated change in conditions of employment.

The pace at which the Regional Offices resolve these ULP and REP cases directly affects the pace of government change. In this regard, the Statute generally obligates management to maintain the *status quo* during negotiations and during the pendency of a representation proceeding. Moreover, the core purpose of the Statute is to promote collective bargaining as a means of fostering improved employee performance, quality of work life, and government operations. Hence, the quality and timeliness of OGC case dispositions and the extent to which OGC agents are able to take full advantage of dispute resolution opportunities also directly impact the effectiveness and efficiency of government change.

The OGC was severely understaffed in 2021 and needs ten more attorneys for 2022.

OGC Complaint Backlog

The OGC faced an initial 494-case backlog when the Acting GC was appointed. This backlog was reduced by the settlement, or issuance of, 232 of those cases in 2021. Many of these cases were of the "low hanging fruit" variety and the remaining cases will require more dedicated resources to resolve. The OGC continues to prioritize those complaints authorized between 2017 and 2020.

It is important to note that, at the same time, the OGC faced newly filed ULP and REP cases. Timely resolution of filed charges and petitions is essential to the parties continuing the mission-critical work in their agencies.

Historically, the OGC settles or litigates, on average, about six complaints per attorney per year (about 250 in total per year, with 42 attorneys). Forty-two was the number of attorneys in the OGC when the last complaint, issued under the prior GC and then Acting GC, was litigated in March 2018.

In order to address the backlog, the OGC hopes to increase the number of complaints settled or litigated per attorney to eight per year (208 with 26 attorneys). With only 26 FTE attorneys in 2021, in the last five months of 2021, the OGC's rate per employee was 9 (243 with 26 attorneys), which exceeded the goal set by the Acting GC.

Within the same five-month time period in 2021, the Regional Directors also authorized 140 *new* complaints and are expected to authorize an additional 250 on average each year thereafter. As a result, even with the hoped-for increase in the number of settled or litigated complaints (eight per attorney), the backlog of complaint cases is still estimated to be as high as 304 cases by the end of 2022. Without additional Regional FTEs, the backlog will continue to grow.

LEGACY STRATEGIC GOAL 2:
WE WILL DEVELOP AND PROVIDE TOOLS AND RESOURCES TO ENABLE THE PARTIES TO PREVENT OR MORE EFFECTIVELY AND EFFICIENTLY RESOLVE THEIR LABOR- RELATIONS DISPUTES AND IMPROVE THEIR LABOR-MANAGEMENT RELATIONSHIPS.

Offering high-quality educational resources through FLRA's website is crucial to preventing or more effectively and efficiently resolving labor-management disputes. Parties who are better informed about their rights and obligations under the Statute are less likely to pursue frivolous matters or defenses, and they are more likely to approach their labor-management relations in a manner that is consistent with the Statute.

The Agency will continue to explore ways to supplement and enhance the educational resources on its website, such as expanding parties' access to statutory and other training, online training modules, and short animated training videos.

Education and Training Tools

FLRA provides valuable education and training tools to the Federal labor-management-relations community in all aspects of its case law and processes. Providing meaningful and clear guidance on statutory rights and responsibilities so that its customers are knowledgeable furthers timely and efficient case processing and is an important function of FLRA under the Statute. FLRA delivers its educational materials through a variety of means, primarily through its decisions but also through in-person training sessions; web-based training modules and YouTube videos; and case outlines, manuals, and subject- matter guides that are easily accessible on www.flra.gov.

Training

FLRA addressed specific requests of parties for targeted training. Agency components have traditionally provided training on statutory principles governing ULPs, representational issues, negotiability disputes, and arbitration exceptions. Providing such external training to Federal agencies and labor organizations regarding their rights and obligations under the Statute directly promotes FLRA's mission of protecting rights and facilitating stable labor-management relationships while advancing an effective and efficient Government.

These sessions were requested by the organizations based on their perceived needs in the Federal labor- management relations area. FLRA staff tailored each session to meet the individualized needs of the particular group and received consistent positive feedback from the participants. The targeted training sessions focused on a range of issues, includingunfair labor practices and representation matters.

The 2021 training landscape remained dramatically affected by the COVID-19 pandemic, particularly the ability to offer in-person training. To surmount this challenge, for 2021, FLRA provided virtual and video training sessions. In total, 10,936 people were trained in 54 statutory training programs with 93 percent of participants rating the statutory training as effective or highly effective. This 93 percent positive feedback achieved the FLRA performance goal of 80 percent of participant responses rating the statutory training as effective or highly effective.

YouTube Educational Tool

In 2021, FLRA added nine video trainings to FLRA's YouTube channel, which was created in 2020. These nine statutory training videos describe certain rights and obligations under the Federal Service Labor-Management Relations Statute (Statute). These nine online instructional training sessions received over 3,000 views in 2021.

The new topics covered are:

- Unfair Labor Practice Investigations,
- Timeliness under Section 7118(a)(4), and
- Investigatory Examinations (a seven-lesson course).

Including views of all of the 16 videos on the FLRA YouTube site in 2021, the total views exceeded 7,000.

These and future videos are intended to educate Federal employees, unions, and managers on how the Statute defines ULPs and how to comply with the Statute's requirement that collective bargaining promotes an efficient and effective Federal service.

The video training is another example of the FLRA's effort to provide the Federal labor-management community with comprehensive resources and training materials to assist in promoting cooperative labor-management relations that comply with the Statute's mandates.

The YouTube channel enhances the Agency's customer interactions and delivers on the Agency's second legacy strategic goal from the 2018-2022 Strategic Plan promising to "develop and provide tools and resources to enable the parties to prevent or more effectively and efficiently resolve their labor-relations disputes and improve their labor management relations."

New educational content is in regular production to address our customers' evolving needs.

Live-Stream Training

In 2021, after commencing in 2020, FLRA continued live-streaming educational training via the internet.

Federal Mediation and Conciliation Service

As a result of the re-institution of CADRO, FLRA terminated its memorandum of understanding (MOU) with the Federal Mediation and Conciliation Service (FMCS) for a pilot procedure for resolving negotiability appeals at no cost to the parties. CADRO's personnel supplanted the cadre of FMCS mediators in assisting the parties in the resolution of negotiability appeals through mediation.

eFiling

FLRA's eFiling efforts serve to improve the parties' experience by allowing both filers and the Agency to more efficiently handle filings electronically.

A key aspect of FLRA's 2018-2022 Strategic Plan was to increase the rate of eFiling, because by December 31, 2022, FLRA is mandated to have transitioned to electronic case files. In 2021 the aggregate increase in eFiling for the Authority, the OGC, the FSIP, and the OALJ was 11.49 percent, up to 67.77 percent from 56.3 percent. The OGC increased its eFiling rate to 65.58 percent of all cases filed. This represents a 13.57 percent increase in the eFiling rate for the

OGC. The Authority saw a 10.76 percent decrease in eFiling, bringing its 2021 eFiling rate to 78.03 percent of all cases filed. The FSIP has achieved the highest rate of eFiling at 88.24 percent, up 12.68 percent from last year.

Like the rest of the federal government, FLRA is grappling with the challenges posed by the COVID-19 pandemic. In response, the Agency adapted very well technologically. To ensure the health and safety of the Agency's employees and parties, FLRA suspended in-person filings and the use of FLRA's eFiling system has increased. At the same time, the Agency has continued to process documents filed by mail and facsimile, consistent with regulation.

Videoconference Hearings

In order to ensure that vital representational work continues during the COVID-19 pandemic, FLRA has moved toward videoconference hearings.

Following the OGC's 2020 issuance of guidance to its Regional Directors on conducting representation hearings through videoconference, in 2021 the OALJ began its technical and procedural preparations for videoconference hearings. Looked at in another way, these preparations were for the first OALJ hearing of any sort to occur in approximately four and a half years.

LEGACY STRATEGIC GOAL 3:
WE WILL MANAGE OUR RESOURCES EFFECTIVELY AND EFFICIENTLY AND RECOGNIZE THAT OUR DEDICATED WORKFORCE IS CRITICAL TO THE RESOLUTION OF LABOR-RELATIONS DISPUTES.

Professional Development

In 2021, under new leadership, FLRA professional development was emphasized. Despite budgetary limitations, additional funds were allocated to all employees in all offices in order for each employee to enhance their professional development and review the individual development plans. This led to open discussions with supervisors, managers and staff to determine the best way to enhance the knowledge. Thus, FLRA provides its employees with relevant, mission-related training.

Without a General Counsel, the OGC has not litigated a case before the OALJ since March of 2018. In order to ensure its attorneys were fully prepared to litigate cases, including do so for the first time virtually, the OGC contracted to provide all attorneys with training conducted by a nationally respected legal training institution.

Human Resources

In 2021 FLRA was particularly successful in recruiting seasoned labor professionals, several of whom had worked at FLRA previously. The mission accomplishments cited above are particularly noteworthy because, in 2021, the Agency has been operating with only 119 FTEs throughout most of 2021 due to attrition, retirements, and reduced funding in 2020. FLRA has begun to increase staffing. FLRA had dwindled to 99 FTEs in 2019 after being staffed at 212 FTEs in 2000.

In 2021, in support of efforts to improve performance management, the Agency worked with OPM to implement the USA Performance automated performance-management system in 2021. Automating the performance-management process using a tool that is compliant with all Federal performance-management regulations and OPM recommendations will assist Agency managers and the Agency as a whole in increasing performance accountability.

Diversity, Equity, Inclusion, and Accessibility

In June of 2021, the Agency and Union of Authority Employees created a new Diversity, Equity and Inclusion Committee. Volunteers were sought and many volunteered. Two co-chairs were selected. A charter for the committee was written and approved. The Committee has the following responsibilities:

- Create opportunities for employees to provide feedback to FLRA leadership about organizational climate and culture (i.e. climate assessments, anonymous satisfaction surveys, focus group sessions, etc.)
- Provide feedback and insight to leadership staff on issues of culture, climate, equity, inclusion, and diversity in the workplace, including recommendations and support regarding short- and long-term strategies to meet the FLRA's current and future workforce.
- Facilitate and/or collaborate with organizational components to sponsor at least four (4) Special Emphasis month programs a year. Special Emphasis programs at the FLRA may include, but are not limited to, observances of Black History Month (February), Women's History Month (March), Asian American and Pacific Islander Heritage Month (May), LGBT Pride Month (June), Hispanic Heritage Month (September 15 - October 15), Disability Employment Awareness Month (October), and American Indian Heritage Month (November):
    - These observances include activities designed to provide cultural awareness, debunk stereotypes and recognize the contributions and achievements of diverse groups represented in our workforce.
    - The primary objectives of an observance are to
        - Promote diversity awareness and cultural sensitivity;
        - Demonstrate an interest in the history and culture of employees and their contributions to society and at the FLRA;
        - Reflect sensitivity to the growing diversity of the workforce; and
        - Offer opportunities for employees to gain experience in leadership and program planning.
- Promote and provide opportunities for employees to attend Special Emphasis and D&I activities that may be sponsored by local Federal Executive Boards or other federal agencies and organizations.
- Formulate recommendations for the development or modification of policies and practices that negatively impact diversity, inclusivity, and equity efforts.

FLRA's Senior Executive and Senior Level Performance Management Programs

Guided by the 2018-2022 Strategic Plan, in 2021, FLRA made progress with both the Senior Executive Service (SES) and Senior Level (SL) performance-management programs. FLRA's Human Resources Division worked diligently with Agency leadership, the Office of Personnel Management (OPM) and the Office of Management and Budget to obtain full certification for the Agency's program. In conjunction therewith, the Human Resources Division worked with the Office of Legislative Affairs and Program Policy to produce an updated SES Pay Policy which was approved by the Authority Members and posted on the intranet among the Agency policies. The Agency also revitalized the Senior Level performance management system and obtained OPM approval for that system as well.

FEVS

Received in 2021, the most recent Office of Personnel Management's (OPM's) Federal Employee Viewpoint Survey (FEVS) provided employees an opportunity to share their opinions about what matters most to them and to influence leadership. Employee feedback provided managers insights into where improvements have been made and are needed. FLRA's overall response rate was 55.8%.

Agency Strengths

The FLRA as a whole has 22 items identified as strengths (defined as 65 percent or greater *positive* responses). The top five strengths:

- *96% positive* – Employees are protected from health and safety hazards on the job
- *92% positive* – My supervisor supports my need to balance work and other life issues
- *92% positive* – Supervisors in my work unit support employee development
- *91% positive* – The people I work with cooperate to get the job done
- *89% positive* – My work unit has the job-relevant knowledge and skills necessary to accomplish organizational goals

Positive Increases in 2020 (since 2019)

There were marked *increases* in job satisfaction and overall well-being reported as compared to 2019.

- *45% Increase* – Senior leaders demonstrate support for Work-Life programs
- *37% Increase* – Employees are recognized for providing high quality products and services
- *30% Increase* – I am given a real opportunity to improve my skills in my organization
- *29% Increase* – I recommend my organization as a good place to work
- *23% Increase* – In my organization, senior leaders generate high levels of motivation and commitment in the workforce

Areas for Improvement

Employees identified areas for improvement involving training, the mission of the agency, communication, innovation, management, and leadership. Questions with the highest percentage of *negative* scores:

- 42% – In my organization, senior leaders generate high levels of motivation and commitment in the workforce
- 42% – I have a high level of respect for my organization's senior leaders
- 36% – My organization's senior leaders maintain high standards of honesty and integrity
- 29% – I believe the results of this survey will be used to make my agency a better place to work
- 27% – My agency is successful at accomplishing its mission

In 2021, the Chairman stated he is committed to leading the development and support of a diverse and competent staff and ensuring an open, friendly and supportive workplace. This also includes placing a strong emphasis on employee engagement at all levels in the Agency.

IT Modernization

In 2021, FLRA continued to work towards its goal of transitioning to 100 percent electronic case files by December 31, 2022. This goal is in support of Presidential Memoranda: M-12-18 and M-19-21. In 2021, FLRA utilized end-of-year funds to provide approximately $450,000 to move the needle on getting the majority of the Case Management System (CMS) completed. In 2021, the Agency sought additional appropriated funds for this purpose.

Implementation of fully electronic case files throughout the Agency would enable FLRA to increase its overall efficiency and effectiveness. Successful achievement of this goal will enable implementation of additional external and internal case processing improvements that will further maximize the use of technology and eliminate many of the labor-intensive, manual case processes that are currently in place, including:

a. Reducing the time and expense that FLRA staff spends copying, scanning, mailing, and manually entering data;
b. Eliminating outdated facsimile service;
c. Reducing U.S. Postal Service costs by implementing electronic service of case-related documents by FLRA on the parties;
d. Reducing or eliminating delivery service costs for transferring paper case files between FLRA components;
e. Implementing a pilot program that would mandate FLRA parties to file all case-related documents electronically; and
f. Eventually mandating eFiling for most FLRA case filings.

The greatest benefit will be the ability to redirect staff hours currently used to perform manual administrative tasks to perform other mission-critical functions.

In 2021, the Office of the Executive Director (OEXD), Authority, and OGC staff began planning to review and revise the relevant FLRA regulations in connection with these National Archives and Records Administration-directed efforts.

In 2021, to ensure reliable and consistent availability of information resources for FLRA employees to accomplish their mission, FLRA instituted a hardware-refresh policy. The bulk of FLRA laptops have reached their prescribed five-year usability, some well past five years, and are due for replacement. FLRA began planning for this replacement.

In 2021, FLRA continued work to ensure a sufficient cybersecurity posture. The President's Executive Order on Cybersecurity imposed a plethora of new requirements that require persistent expenses for FLRA. The tools examined the work required for implementing and maintaining a Zero Trust model architecture, multifactor authentication, automation of data classification, and modernized endpoint detection and response – the main tenets of the EO, including planning for an additional FTE (Cybersecurity/Virtual Hearing Specialist) to operate and maintain these tools and applications as well as assisting at the virtual hearings for which the OALJ planned in 2021.

Finally, in 2021, FLRA Information Management Resources Division Agency planned for a migration of the website, FLRA.gov, from an application server that has reached its end-of-life service. A large amount of planning was necessary in 2021 to ensure the future success of these endeavors.

Office Moves

In 2021, FLRA executed an office move from Oakland to San Francisco. A new lease was executed for the new location. Moving companies were hired. Utilities were transferred, notably including information resources. The packing and unpacking time took away work time from affected employees.

The FLRA's principal financial statements have been prepared to report the financial position and results of operations of the Agency, pursuant to the requirements of 31 U.S.C. § 3515(b). While the statements have been prepared from the books and records of the FLRA in accordance with U.S. Generally Accepted Accounting Principles for Federal entities and the formats prescribed by the OMB, the statements are in addition to the financial reports used to monitor and control budgetary resources, which are prepared from the same books and records. The statements should be read with the realization that they are for a component of the U.S. Government, a sovereign entity.

Balance Sheet

The Balance Sheet presents the FLRA's financial position through the identification of Agency assets, liabilities, and net position. The FLRA's fund balance with the Department of the Treasury (the Treasury) is approximately 94% of the total assets in both FY 2020 and FY 2021. The FLRA does not maintain any cash in commercial bank accounts or foreign currency balances, nor does it have any revolving or trust funds. The Agency's second largest asset is its furniture, equipment, and IT hardware and software, which is recorded at original acquisition cost, and then depreciated using the straight-line method over the estimated useful life of the asset.

Total assets decreased to $5.7 million at the end of FY 2021 from $6.9 million at the end of FY 2020. The Agency made new fixed-asset purchases in FY 2021 of nearly $174,000, while the net book value of property and equipment already owned experienced further depreciation.

Assets as of September 30,	2021	2020
Fund balance with the Treasury	$5,317,802	$6,577,962
General property and equipment	281.532	239,886
Accounts receivable	48,662	48,401
Prepaid expenses	39,423	36,956
Total	**$5,687,379**	**$6,903,205**

Totals may not add due to rounding.

Funds held with the Treasury are available to pay Agency liabilities, which represent the amount of monies or other resources likely to be paid by the FLRA as a result of transactions or events that have already occurred. Accrued employee leave, payroll, and benefits costs, along with accrued workers' compensation under the Federal Employees Compensation Act (FECA), accounted for nearly 90 percent of total liabilities at the end of FY 2021. The remaining 10 percent reflects the amount owed by the FLRA to vendors and other Federal agencies for purchased goods and services. Agency liabilities totaled $4.0 million in FY 2020, and $4.8 million in FY 2021.

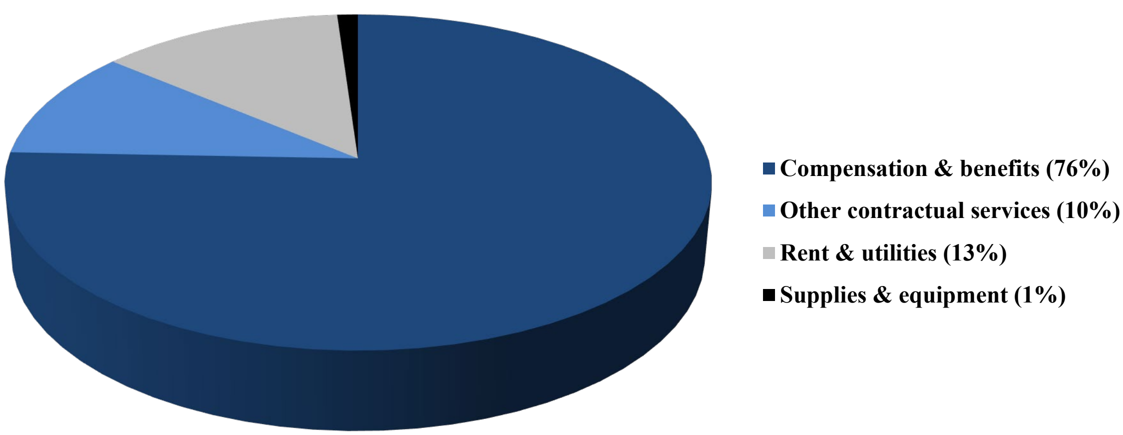
Liabilities as of September 30,	2021	2020
Federal Employee [and Veteran] Benefits Payable	$3,042,839	$2,634,319
Accounts payable	504,665	261,607
Other Liabilities	1,296,466	1,126,997
Total	**4,843,970**	**4,022,923**

The FLRA's total net position at the end of FY 2021 was $843 thousand a $2.0 million decrease from the previous year.

Statement of Net Cost

The Statement of Net Cost presents the gross cost of operating the FLRA's three major programs, less any reimbursable revenue earned from those activities. The net cost of operations in FY 2021 was $29.0 million, which is $3.8 million more than FY 2020. In FY 2021, 64 percent of the Agency's direct resources were dedicated to the Authority, which includes central administrative services provided to the entire Agency; 33 percent were dedicated to the OGC; and the remaining 3 percent were devoted to the FSIP.

FY 2020 Financial Obligations by Budget Object Class



Statement of Changes in Net Position

The Statement of Changes in Net Position reflects the changes that occurred within the cumulative results of operations and any unexpended appropriations. The cumulative results of operations represent the net results of operations since inception, the cumulative amount of prior-period adjustments, the remaining book value of capitalized assets, and future funding requirements. Cumulative results from FY 2020 to FY 2021 reflect a $373 thousand increase totaling $2.9 million.

Unexpended appropriations include undelivered orders and unobligated balances. Undelivered orders reflect the amount of goods and services ordered that have yet to be received. Unobligated balances are the amount of appropriations or other authority remaining after deducting the cumulative obligations from the amount available for obligation. The FLRA had a decrease of $1.7 million in total, unexpended Agency appropriations in FY 2021.

Statement on Budgetary Resources

The Statement on Budgetary Resources reports the budgetary resources available to the FLRA during FY 2020 and FY 2021 to carry out the activities of the Agency, as well as the status of those resources at the end of each year. The primary source of FLRA funding is its annual Salaries and Expenses appropriation from the Congress. The Agency also receives reimbursements, pursuant to the Economy Act, for travel expenses associated with training provided by Agency employees on the Statute and FLRA mission.

The FLRA had $28.0 million in total budgetary resources available to it in FY 2021. The Agency incurred obligations of $27.6 million in FY 2021, with recording outlays of $27.2 million. Total budgetary resources increased by $2.5 million in FY 2021, due primarily to increased new obligations.

Annual FFMIA Statement of Assurance

Pursuant to the Federal Financial Management Improvement Act (FFMIA), FLRA management has assessed that the agency's financial management systems, including both financial and financially related (or mixed) systems, comply substantially with (1) Federal financial management systems requirements, (2) applicable Federal accounting standards promulgated by FASAB, and (3) the U.S. Standard General Ledger (USSGL) at the transaction level.

Annual FMFIA Statement of Assurance

Pursuant to the Federal Managers' Financial Integrity Act (FMFIA), FLRA management is responsible for managing risks and maintaining effective internal control to meet the objectives of Sections 2 and 4 of the Federal Managers' Financial Integrity Act. The FLRA conducted its assessment of risk and internal control in accordance with OMB Circular No. A-123, Management's Responsibility for Enterprise Risk Management and Internal Control.

Based on the results of this assessment, the FLRA can provide reasonable assurance that its internal controls over the effectiveness and efficiency of operations, reporting, and compliance were operating effectively as of September 30, 2021.

Further, based on our assessment, we determined that the FLRA financial-management system conforms to applicable financial-systems requirements.

Ernie DuBester

Ernie DuBester
Chairman and Chief Executive Officer
Federal Labor Relations Authority
November 15, 2021

FY 2021 PERFORMANCE GOALS AND RESULTS

Legacy Goals

Strategic Goal #1	Strategic Goal #2	Strategic Goal #3
Ensure quality, timely, impartial, and consistent investigative and decision-making processes with determinations that are clearly articulated.	Develop and provide tools and resources to enable the parties to prevent or more effectively and efficiently resolve their labor-relations disputes and improve their labor-management relationships.	Manage resources effectively and efficiently, and recognize that a dedicated workforce is critical to the prevention and resolution of labor-relations disputes.

Legacy Strategic Objectives

a. Establish and attempt to surpass (1) case-processing productivity goals, and (2) timeliness measures that are meaningful to the parties.	a. Maintain and expand educational resources on www.flra.gov.	a. Ensure that FLRA's performance-management systems are synchronized with and support the Agency's strategic goals.
b. Ensure excellence in investigations and clearly articulated written work products by establishing and surpassing case-processing quality goals that build upon the Agency's longstanding traditions of impartiality and consistent determinations that are effectively enforced.	b. Identify and offer targeted assistance to parties with significant labor-management challenges.	b. Continue to expand FLRA's technological capabilities to enable employees to deliver mission results more effectively and efficiently.
	c. Maintain and expand the external training programs to enable the parties to better understand their rights and obligations under the Statute.	c. Recruit, retain, and develop a diverse, respected workforce in an environment that fosters employee input and satisfaction and makes the best use of FLRA resources.

Legacy Strategic Goal 1:

ENSURE QUALITY, TIMELY, IMPARTIAL, AND CONSISTENT INVESTIGATIVE AND DECISION-MAKING PROCESSES WITH CLEARLY ARTICULATED DETERMINATIONS.

This legacy strategic goal concerns the FLRA's core statutory activities. The Statute charges FLRA with responsibility for protecting rights and facilitating stable labor-management relationships in the Federal sector.

Legacy Strategic Objective 1a:
Establish and attempt to surpass (1) case-processing productivity goals, and (2) timeliness measures that are meaningful to the parties.

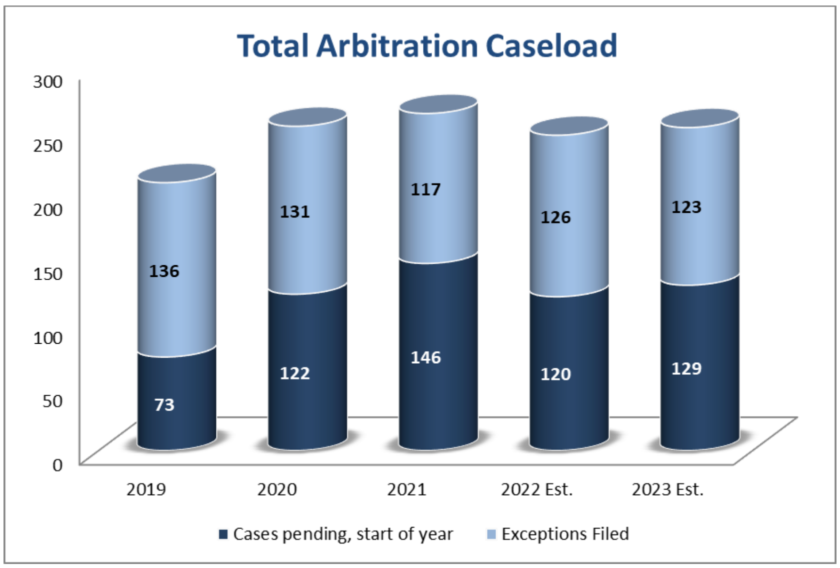
Parties often have time-sensitive interests at stake in matters pending before FLRA. Delays in the resolution of those matters can impede the ability of the parties to fulfill their missions effectively and efficiently. So, to properly serve the Federal labor-management community and accomplish FLRA's own mission, the Agency must satisfy internal case-processing productivity goals that enable it to investigate and resolve cases in a timely fashion.

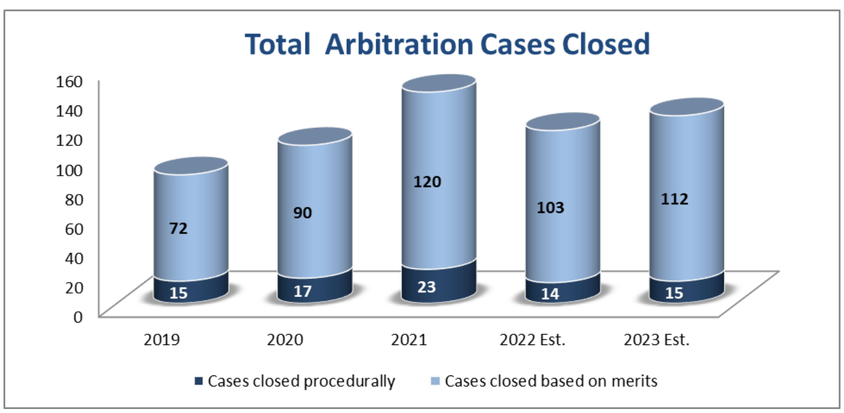
Legacy Performance Goal 1a-1: Use updated metrics to measure productivity and overall timeliness of matters pending before FLRA.

Legacy Performance Goal 1a-2: Regularly measure productivity and overall case-processing timelines in each FLRA component; modify strategies as necessary to address unforeseen or unplanned events.

Legacy Performance Goal 1a-3: Track and publicly report progress of matters before FLRA that the Federal labor-management community considers clear, relevant, widely known, and meaningful.

Authority Arbitration Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	73	122	146	120	129
Exceptions filed (Intake)	**136**	**131**	**117**	**126**	**123**
Total caseload	209	253	263	246	252
Cases closed procedurally	15	17	23	14	15
Cases closed based on merits	72	90	120	103	112
Total cases closed (Output)	**87**	**107**	**143**	**117**	**127**
Cases pending, end of year	122	146	120	129	125



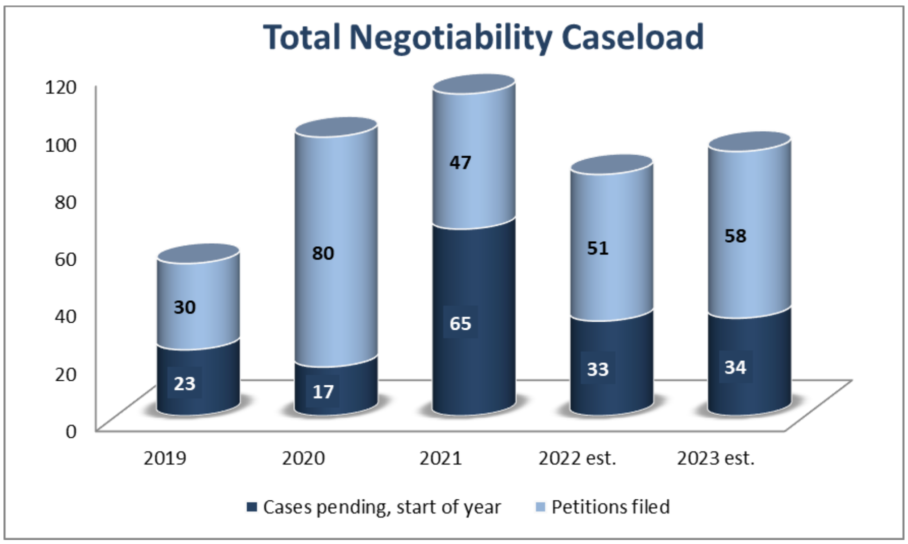


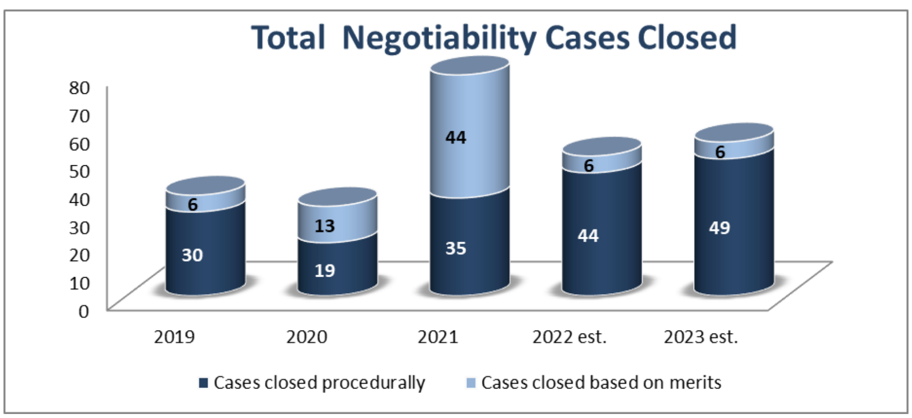
Legacy Measure 1a-1: The average age of arbitration exceptions decided by the Authority.*			
Results		**Targets**	
2019	261 *Not Met*	**2019**	247 days
2020	317 days *Not Met*	**2020**	248 days
2021	395 days *Not Met*	**2021**	248 days
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	Maintain
		2023	Maintain

Legacy Measure 1a-2: The percentage of arbitration cases decided by the Authority within 210 days ***of the filing of exceptions.****			
Results		**Targets**	
2019	37% – (32/87 cases) *Not Met*	**2019**	75%
2020	32% – (34/107 cases) *Not Met*	**2020**	75%
2021	29% - (42/143 cases) *Not Met*	**2021**	75%
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	75%
		2023	75%

Legacy Measure 1a-3: The percentage of arbitration exceptions decided by the Authority within 365 days ***of the filing of exceptions.****			
Results		**Targets**	
2019	84% – (73/87 cases) *Not Met*	**2019**	90%
2020	61% – (65/107 cases) *Not Met*	**2020**	90%
2021	49% – (70/143 cases) *Not Met*	**2021**	90%
* This measure calculates case age based on the date filed," to reflect "day in-day out" case-processing times.		**2022**	90%
		2023	90%

Authority Negotiability Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	23	17	65	33	34
Petitions filed (Intake)	**30**	**80**	**47**	**51**	**58**
Total caseload	53	97	112	84	92
Cases closed procedurally	30	19	35	44	49
Cases closed based on merits	6	13	44	6	6
Total cases closed (Output)	**36**	**32**	**79**	**50**	**55**
Cases pending, end of year	17	65	33	34	37



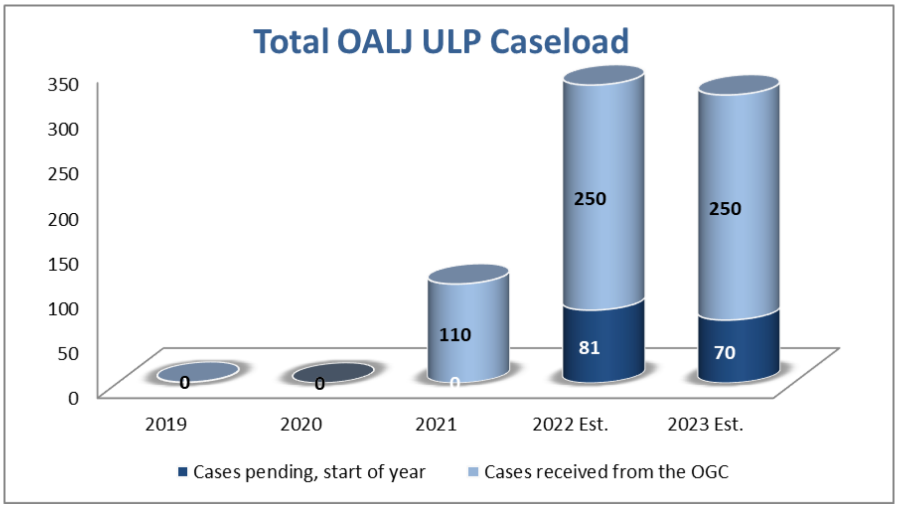


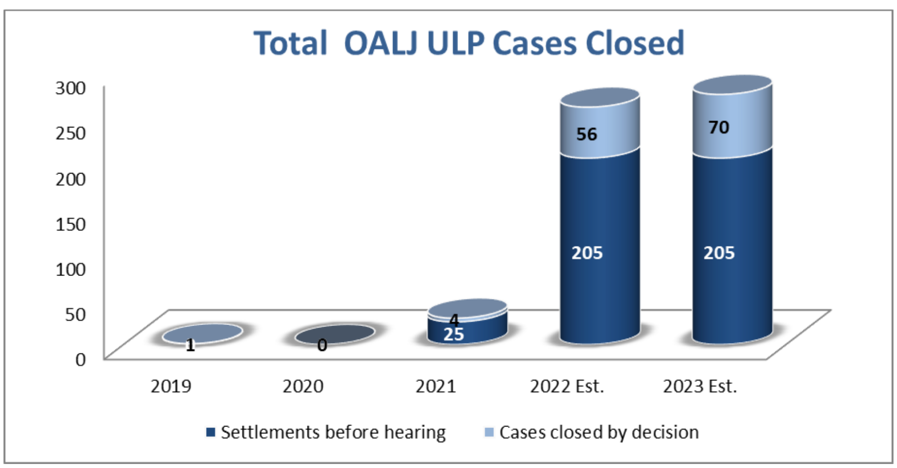
Legacy Measure 1a-4: The average age of negotiability cases decided by the Authority.*			
Results		**Targets**	
2019	169 days *Not Met*	**2019**	119 days
2020	176 days *Not Met*	**2020**	161 days
2021	235 days *Not Met*	**2021**	161 days
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	Maintain
		2023	Maintain

Legacy Measure 1a-5: The percentage of negotiability cases decided by the Authority within 300 days ***of the filing of a petition for review.****			
Results		**Targets**	
2019	83% – (30/36 cases) *Met*	**2019**	75%
2020	78% – (25/32 cases) *Met*	**2020**	75%
2021	73% – (58/79 cases) *Not Met*	**2021**	75%
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	75%
		2023	75%

Legacy Measure 1a-6: The percentage of negotiability cases decided by the Authority within 365 days ***of the filing of a petition for review.****			
Results		**Targets**	
2019	92% – (33/36 cases) *Met*	**2019**	75%
2020	84% – (27/32 cases) *Met*	**2020**	75%
2021	86% – (68/79 cases) *Met*	**2021**	75%
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	75%
		2023	75%

OALJ ULP Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	1	0	0	81	70
Complaints received (Intake)	**0**	**0**	**110**	**250**	**250**
Total caseload	1	0	110	331	320
Settlements before hearing	0	0	25	205	205
Cases closed by decision	1	0	4	56	70
Total cases closed (Output)	**1**	**0**	**29**	**261**	**275**
Cases pending, end of year	0	0	81	70	45



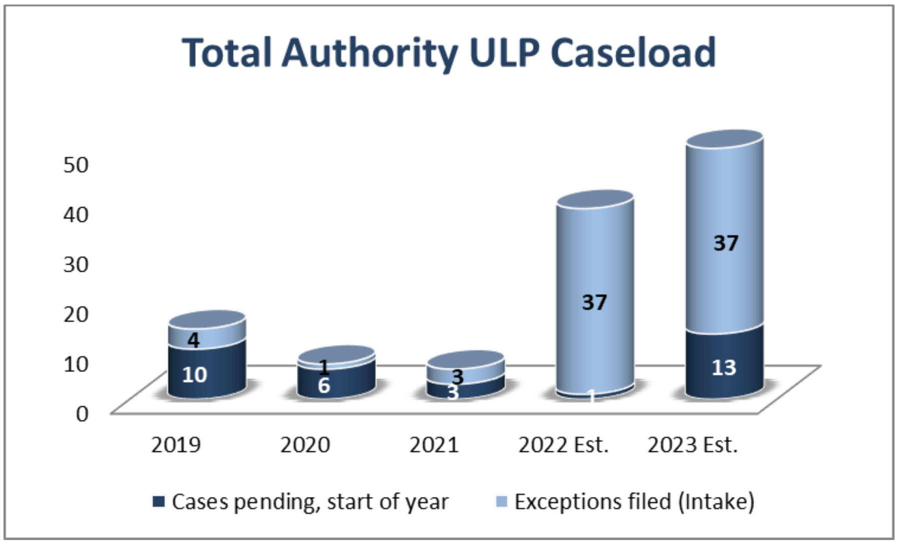


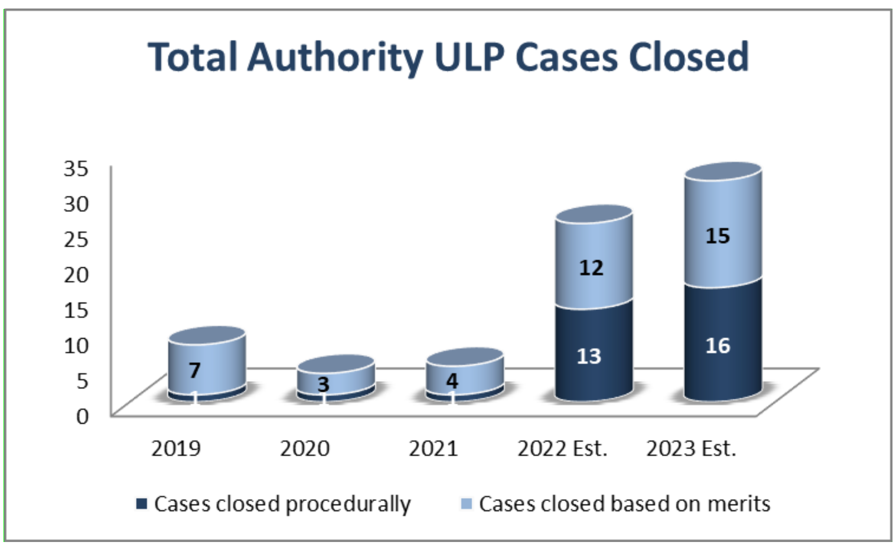
Legacy Measure 1a-7: The average age of ULP complaints decided by the OALJ.			
Results		**Targets**	
2019	N/A	**2019**	*
2020	N/A	**2020**	*
2021	N/A	**2021**	N/A
*OALJ performance standards remain to resolve 80 percent of ULP complaints within 180 days of filing and 95 percent within 365 days		**2022**	N/A
		2023	N/A

Legacy Measure 1a-8: The percentage of ULP complaints issued by the General Counsel resolved or decided in the OALJ within 180 days of the complaint being issued.			
Results		**Targets**	
2019	N/A	**2019**	*
2020	N/A	**2020**	*
2021	N/A	**2021**	N/A
*OALJ performance standards remain to resolve 80 percent of ULP complaints within 180 days of filing and 95 percent within 365 days		**2022**	N/A
		2023	N/A

Legacy Measure 1a-9: The percentage of ULP complaints issued by the General Counsel decided in the OALJ within 365 days of the complaint being issued.			
Results		**Targets**	
2019	N/A	**2019**	*
2020	N/A	**2020**	*
2021	N/A	**2021**	*
*OALJ performance standards remain to resolve 80 percent of ULP complaints within 180 days of filing and 95 percent within 365 days		**2022**	*
		2023	*

Authority ULP Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	10	6	3	1	13
Cases filed (Intake)	**4**	**1**	**3**	**37**	**37**
Total caseload	14	7	6	38	50
Cases closed procedurally	1	1	1	13	16
Cases closed based on merits	7	3	4	12	15
Total cases closed (Output)	**8**	**4**	**5**	**25**	**31**
Cases pending, end of year	6	3	1	13	19



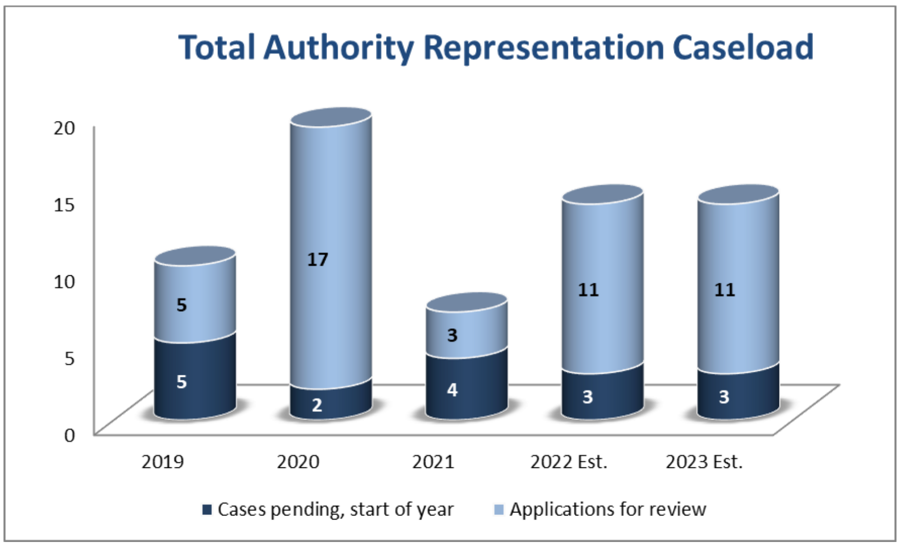


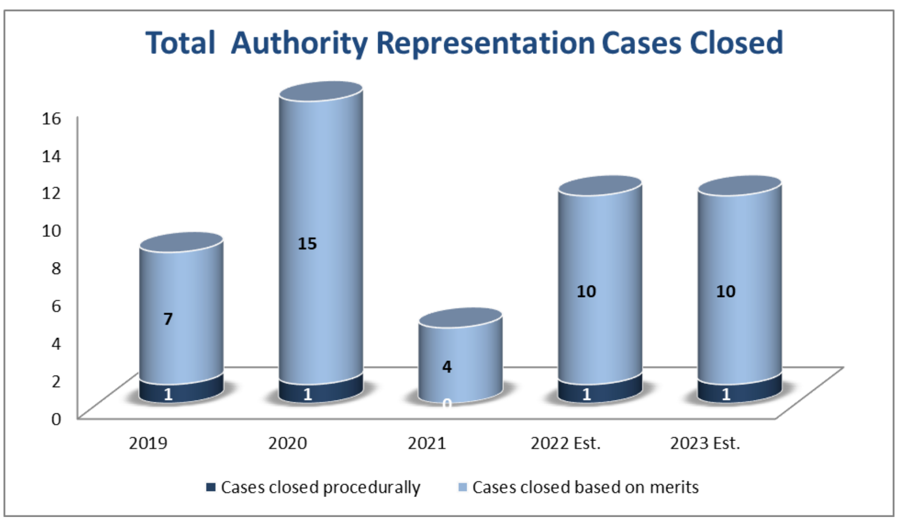
Legacy Measure 1a-10: The average age of ULP exceptions decided by the Authority.*			
Results		**Targets**	
2019	238 days *Not Met*	**2019**	165 days
2020	422 days *Not Met*	**2020**	226 days
2021	554 days *Not Met*	**2021**	226 days
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	Maintain
		2023	Maintain

Legacy Measure 1a-11: The percentage of ULP cases decided by the Authority within 300 days *of issuance of an OALJ decision.* *			
Results		**Targets**	
2019	75% – (6/8 cases) *Met*	**2019**	75%
2020	25% – 1/4 cases) *Not Met*	**2020**	75%
2021	40% – 2/5 cases) *Not Met*	**2021**	75%
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	75%
		2023	75%

Legacy Measure 1a-12: The percentage of ULP cases decided by the Authority within 365 days ***of issuance of an OALJ decision.*** *			
Results		**Targets**	
2019	86% – (6/7 cases) *Not Met*	**2019**	90%
2020	25% – (1/4 cases) *Not Met*	**2020**	90%
2021	40% – 2/5 cases) *Not Met*	**2021**	90%
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	90%
		2023	90%

Authority Representation Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	5	2	4	3	3
Applications for review (Intake)	**5**	**17**	**3**	**11**	**11**
Total caseload	10	19	7	14	14
Cases closed procedurally	1	1	0	1	1
Cases closed based on merits	7	15	4	10	10
Total cases closed (Output)	**8**	**16**	**4**	**11**	**11**
Cases pending, end of year	2	3	3	3	3





Legacy Measure 1a-13: The average age of representation cases decided by the Authority.*			
Results		**Targets**	
2019	194 *Not Met*	**2019**	107 days
2020	210 days *Not Met*	**2020**	184 days
2021	225 days *Not Met*	**2021**	184 days
* This measure calculates case age based on the "date filed," to reflect "day in-day out" case-processing times.		**2022**	Maintain
		2023	Maintain

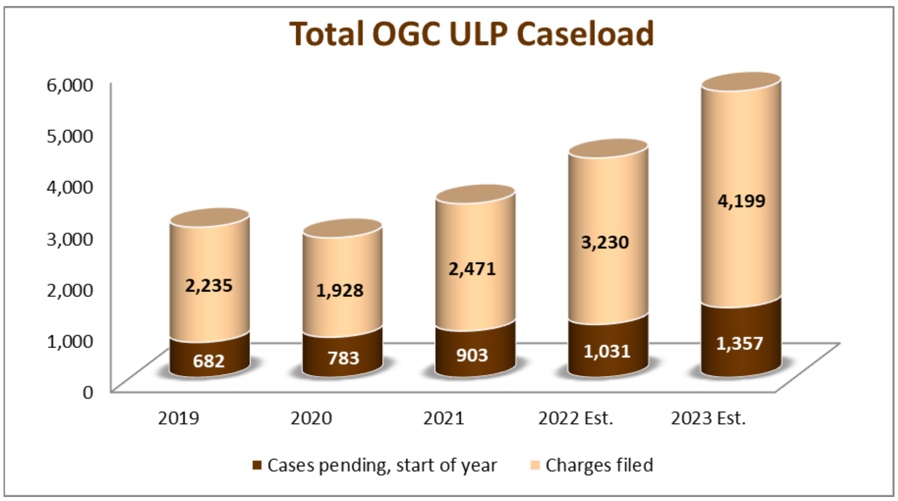
Legacy Measure 1a-14: The percentage of representation cases in which the Authority *issued a decision whether to grant review* within 60 days of the filing of an application for review.			
Results		**Targets**	
2019	100% – (8/8 cases) *Met*	**2019**	100%
2020	100% – (16/16 cases) *Met*	**2020**	100%
2021	100% – (4/4 cases) *Met*	**2021**	100%
		2022	100%
		2023	100%

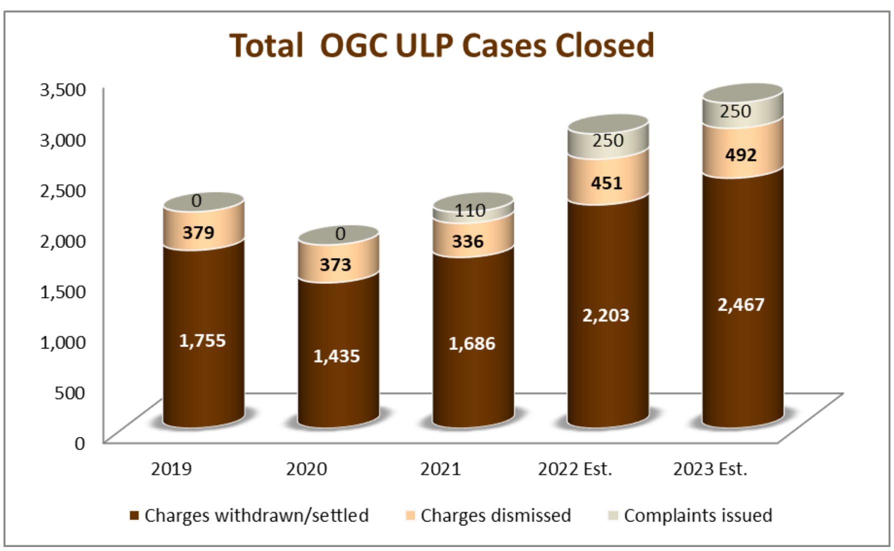
Legacy Measure 1a-15: The percentage of representation cases ***decided by the Authority*** within 210 days of the filing of an application for review.*			
Results		**Targets**	
2019	75% – (6/8 cases) *Met*	**2019**	75%
2020	88% – (14/16 cases) *Met*	**2020**	75%
2021	75% – (3/4 cases) *Met*	**2021**	75%
* This measure calculates case age based on the date that a final decision is issued in the case, to reflect "day in-day out" case-processing times.		**2022**	75%
		2023	75%

Legacy Measure 1a-16: The percentage of representation cases decided by the Authority within 365 days of the filing of an application for review.			
Results		**Targets**	
2019	88% – (7/8 cases) *Not Met*	**2019**	100%
2020	88% – (14/16 cases) *Not Met*	**2020**	100%
2021	75% – (3/4 cases) *Not Met*	**2021**	100%
* This measure calculates case age based on the date that a final decision is issued in the case, to reflect "day in-day out" case-processing times.		**2022**	100%
		2023	100%

OGC ULP Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	682	783	903	1031	1357
Charges filed **(Intake)**	2235	1928	2471	3230	4199
Total caseload	**2917**	**2711**	**3374**	**4261**	**5556**
Charges withdrawn/settled	1755	1435	1850	2203	2467
Charges dismissed	379	373	363	451	492
Complaints issued*	0	0	130	250	250
Total cases closed (Output)	**2134**	**1808**	**2343**	**2904**	**3209**
Cases pending, end of year	**783**	**903**	**1031**	**1357**	**2347**

*The OGC was unable to issue decisions on ULP complaints in the absence of a General Counsel after November 16, 2017, until an Acting General Counsel was named on March 24, 2021.





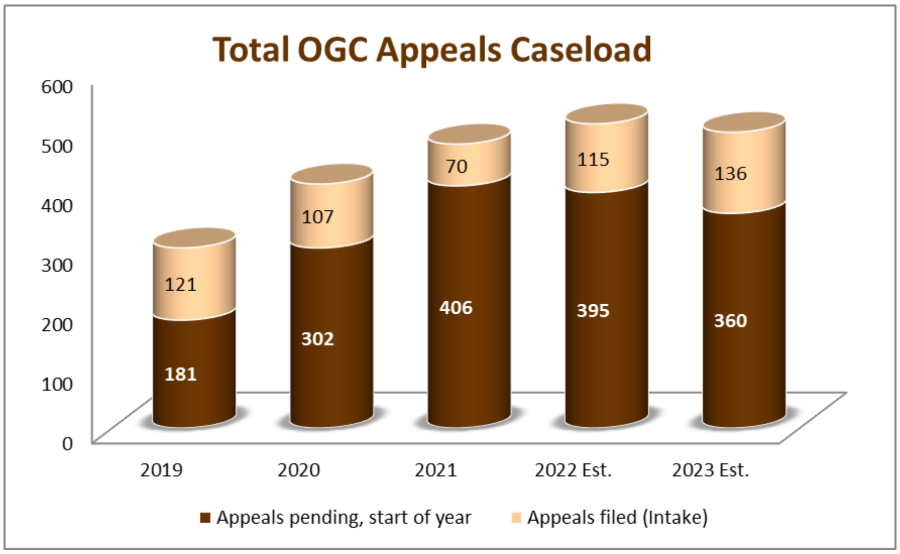
Legacy Measure 1a-17: The average age of ULP charges resolved by the OGC.			
Results		**Targets**	
2019	68	**2019**	99 days
2020	61 days *Met*	**2020**	94 days
2021	51 days *Met*	**2021**	94 days
		2022	Maintain
		2023	Maintain

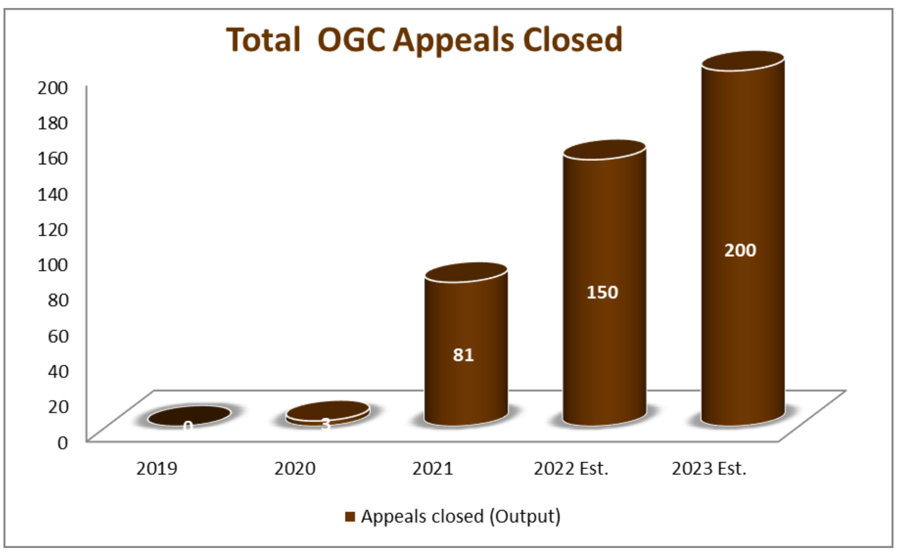
Legacy Measure 1a-18: The percentage of ULP charges resolved by the Office of the General Counsel by complaint, withdrawal, dismissal, or settlement within 120 days of filing of the charge.			
Results		**Targets**	
2019	87%	**2019**	70%
2020	94% – (1692/1808 cases) *Met*	**2020**	70%
2021	94% – (2208/2343 cases) *Met*	**2021**	70%
		2022	70%
		2023	70%

Legacy Measure 1a-19: The percentage of ULP charges resolved by the OGC by complaint, withdrawal, dismissal, or settlement within 240 days of filing of the charge.			
Results		**Targets**	
2019	99%	**2019**	95%
2020	99% – (1806/1808 cases) *Met*	**2020**	95%
2021	99% – (2338/2343 cases) *Met*	**2021**	95%
		2022	95%
		2023	95%

OGC **ULP Appeals**	**2019**	**2020**	**2021**	**2022 Est.**	**2023 Est.**
Appeals pending, start of year	181	302	406	395	360
Appeals filed (Intake)	**121**	**107**	**70**	**115**	**136**
Total caseload	302	409	476	510	496
Appeals closed* (Output)	**0**	**3**	**81**	**150**	**200**
Appeals pending, end of year	302	406	395	360	296

*The OGC was unable to issue decisions on appeals in the absence of a General Counsel, except where a jurisdictional issue is presented, from November 16, 2017, until an Acting General Counsel was named on March 24, 2021.





Legacy Measure 1a-20: The average age of ULP appeals decided by the General Counsel.

Results		Targets	
2019	N/A	**2019**	45 days
2020	N/A	**2020**	45 days
2021	1 days	**2021**	45 days
		2022	Maintain
		2023	Maintain

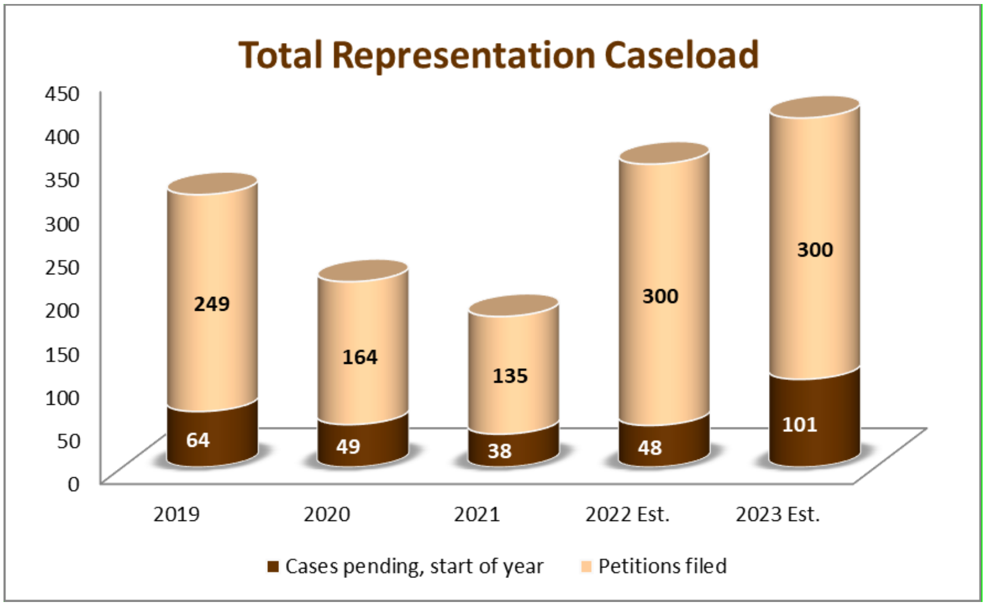
Legacy Measure 1a-21: The percentage of decisions on an appeal of a Regional Director's dismissal of a ULP charge issued by the General Counsel within 60 days of the date filed.

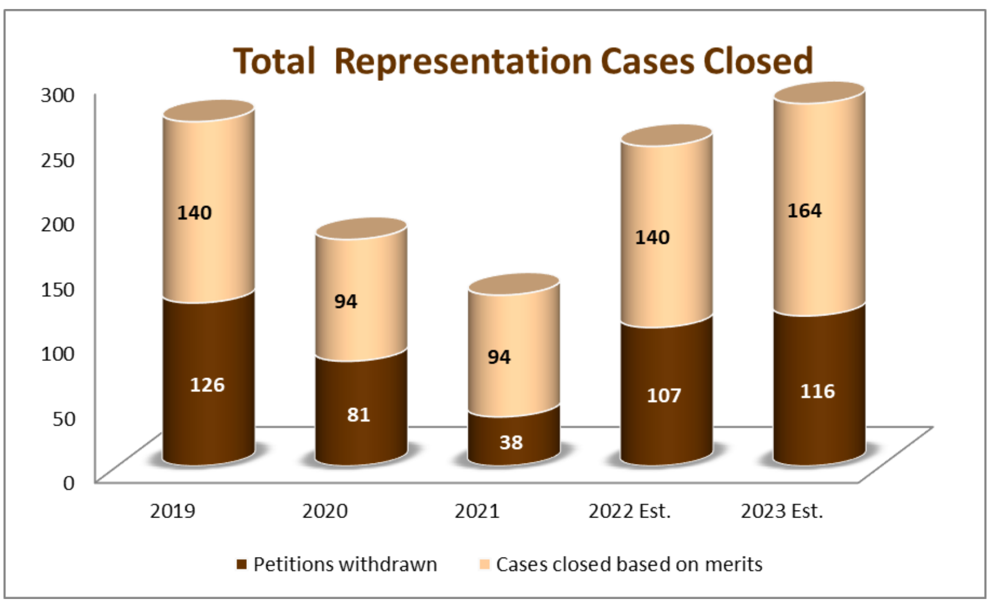
Results		Targets	
2019	N/A	**2019**	95%
2020	100% (3/3 cases) *Met*	**2020**	95%
2021	100% (81/81)	**2021**	95%
		2022	95%
		2023	95%

Legacy Measure 1a-22: The percentage of decisions on an appeal of a Regional Director's dismissal of a ULP charge issued by the General Counsel within 120 days of the date filed.

Results		Targets	
2019	N/A	**2019**	100%
2020	100% (3/3 cases)	**2020**	100%
2021	100% (81/81)	**2021**	100%
		2022	100%
		2023	100%

OGC Representation Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	64	49	38	48	101
Petitions filed (Intake)	**249**	**164**	**135**	**300**	**300**
Total caseload	313	213	173	348	401
Petitions withdrawn	126	81	42	107	116
Cases closed based on merits	140	94	83	140	164
Total cases closed (Output)	**266**	**175**	**125**	**247**	**280**
Cases pending, end of year	47	38	48	101	121





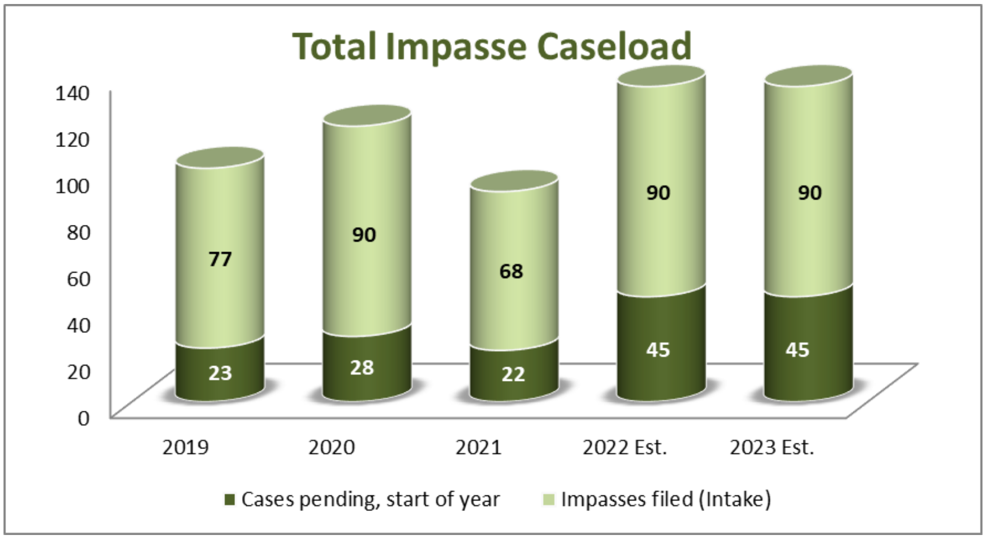
Legacy Measure 1a-23: The average age of representation cases resolved by the OGC through withdrawal, election, or issuance of a Decision and Order.			
Results		**Targets**	
2019	92	**2019**	114 days
2020	91 days *Met*	**2020**	108 days
2021	104 days *Met*	**2021**	108 days
		2022	Maintain
		2023	Maintain

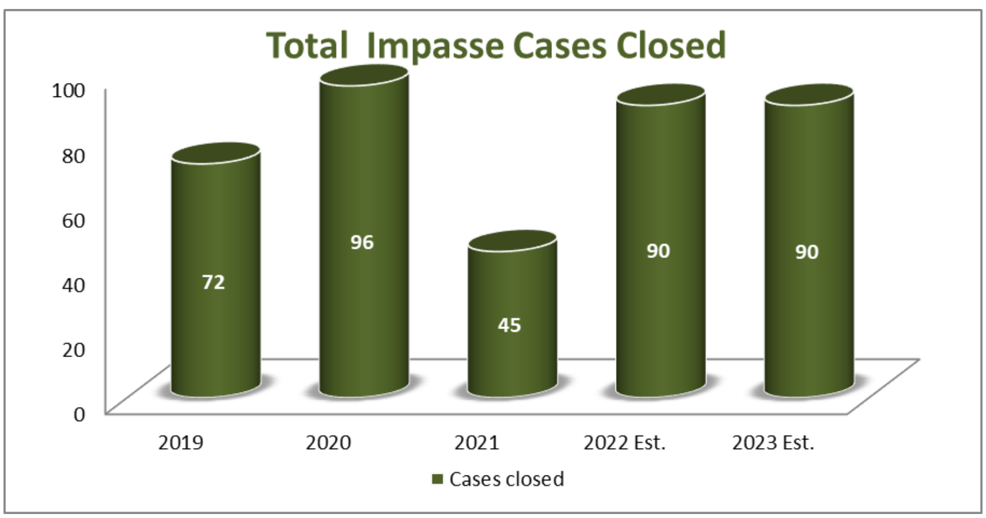
Legacy Measure 1a-24: The percentage of representation cases resolved by the OGC through withdrawal, election, or issuance of a Decision and Order within 120 days of the filing of a petition.			
Results		**Targets**	
2019	77% - (205/266 cases)	**2019**	70%
2020	80% (140/175 cases) *Met*	**2020**	70%
2021	77% (96/125 cases) *Met*	**2021**	70%
		2022	70%
		2023	70%

Legacy Measure 1a-25: The percentage of cases resolved by the OGC through withdrawal, election, or issuance of a Decision and Order within 365 days of the filing of a petition.			
Results		**Targets**	
2019	97% (259/266 cases)	**2019**	95%
2020	100% (175/175 cases) *Met*	**2020**	95%
2021	100% (125/125 cases) *Met*	**2021**	95%
		2022	95%
		2023	95%

FSIP **Impasses**	**2019**	**2020**	**2021**	**2022 Est.**	**2023 Est.**
Cases pending, start of year	23	28	22	45	45
Impasses filed (Intake)	**77**	**90**	**68**	**90**	**90**
Total caseload	100	118	90	135	135
Panel Decision	24	40	21	*	*
Panel declined jurisdiction	11	23	4	*	*
Settled with Panel assistance	9	5	1	*	*
Voluntarily withdrawn	28	28	19	*	*
Cases closed total (Output)	**72**	**96**	**45**	**90***	**90***
Cases pending, end of year	28	22	45	45*	45*

*The FSIP anticipates closing as many or more cases as are filed in any given year. The means by which cases are closed is driven by the parties and directive of the Panel.





Legacy Measure 1a-26: The average age of bargaining-impasse cases in which the FSIP declines jurisdiction.			
Results		**Targets**	
2019	90 days (10 cases) *Met*	**2019**	95 days
2020	70 days (23 cases) *Met*	**2020**	90 days
2021	64 days (4 cases) *Met*	**2021**	81 days
		2022	81 days
		2023	81 days

Legacy Measure 1a-27: The percentage of bargaining-impasse cases in which the FSIP declines jurisdiction within 140 days of the date filed.			
Results		**Targets**	
2019	90% – (9/10 cases) *Met*	**2019**	90%
2020	100% - (23/23 cases) *Met*	**2020**	90%
2021	100% - (4/4 cases) *Met*	**2021**	90%
		2022	90%
		2023	90%

Legacy Measure 1a-28: The percentage of bargaining-impasse cases that are voluntarily settled, after the FSIP asserts jurisdiction, within 160 days of the date filed.			
Results		**Targets**	
2019	100% – (15/15 cases) *Met*	**2019**	80%
2020	85% – (11/13 cases) *Met*	**2020**	80%
2021	100% – (2/2 cases) *Met*	**2021**	80%
		2022	80%
		2023	80%

Legacy Measure 1a-29: The average age of bargaining-impasse cases that the FSIP resolves through final action.			
Results		**Targets**	
2019	140 days (24 cases) *Met*	**2019**	146 days
2020	162 days (40 cases) *Not met*	**2020**	146 days
2021	137 days (21 cases) *Met*	**2021**	154 days
		2022	154 days
		2023	154 days

Legacy Measure 1a-30: The percentage of bargaining-impasse cases that the FSIP resolves through final action that are closed within 200 days of the date filed.			
Results		**Targets**	
2019	100% – (24/24 cases) *Met*	**2019**	80%
2020	88% – (35/40 cases) *Met*	**2020**	80%
2021	95% – (20/21 cases) *Met*	**2021**	80%
		2022	80%
		2023	80%

***Legacy Strategic Objective 1b*:**
Ensure excellence in investigations and clearly articulated written work products by establishing and attempting to surpass case-processing quality goals that build upon the Agency's longstanding traditions of impartiality and consistent determinations that are clearly articulated.

Excelling at FLRA's core functions requires the Agency to perform thorough investigations and produce clearly articulated written products. From informal communications, to FLRA determinations, to information on FLRA website, FLRA's written work is one of the primary means by which the Agency communicates with parties and the Federal labor-management community.

FLRA's ability to achieve its mission depends on its ability to issue consistent determinations that are clearly articulated.

Legacy Performance Goal 1b-1: Conduct high-quality investigations and produce high-quality written work products.	
Legacy Measure 1b-1: Establish and surpass case-processing quality goals.	
Results	
2019	Developed internal tools to establish agency case quality goals and identify areas where improvement is needed, to be used in conjunction with performance reviews.
2020	Updated all performance standards to include a quality standard. Monitored quality and evaluated through end-of-year performance evaluations. Developed and instituted Agency-wide informal training program using brown bag sessions. Conducted internal legal writing training for Authority attorneys and legal interns. Following an internal survey on training needs, provided unlimited access to "West Legal Ed" for multitude training opportunities - ideal remote training opportunity during maximum telework/social distancing. Increased emphasis on well written cases, in compliance with the Plain Writing Act and as mentioned by Chairman Kiko and Member Abbott in the August 2020 FDR conference video.
2021	Authority has eliminated redundancies in its decisions by weaving the parties' arguments into the analysis portion of decisions, rather than initially setting forth the parties' arguments and then restating them in the analysis. By moving all legal citations to footnotes – instead of placing them in text – Authority decisions are now more readable because the citations do not interrupt the flow of sentences. Recitation of frequently applied legal standards and disposition of minor issues are increasingly relegated to footnotes so that the main text is more streamlined. Plain-language principles applied to FLRA website: active voice; improved organization by case types; visually engaging design, simplified global navigation, improved usability and search function, all-new substantive content, and a convenient training-registration tool.
Targets	
2019	Complete development of Agency-wide quality assessment tools and finalize pilot implementation.
2020	Target areas for improvement in case-processing quality, based on data gathered from internal tool(s) and survey results. Set case-quality goals, as measured by surveys or other quality assessment tools.
2021	Written work products should reflect an increase in quality, as measured by the tools.
2022	Written work products should reflect an increase in quality, as measured by the tools.
2023	Written work products should reflect an increase in quality, as measured by the tools.

Legacy Performance Goal 1b-2: Implement effective methods to maintain and improve the quality of FLRA investigations and written work products, including FLRA staff training and internal education resources.	
Legacy Measure 1b-2: Train FLRA staff and provide internal educational resources to improve the quality of investigations and written work products.	
Results	
2019	Developed and instituted Agency-wide informal training program using brown bag sessions. Developed and administered internal survey on training. Encouraged employees to increase awareness of Authority decisions by using electronic distribution tool for Agency-wide dissemination of decisions. Implemented Individual Development Plans for each staff member to identify training needs.
2020	Conducted in-house Casework Training in early March 2020. Conducted internal legal writing training for Authority. attorneys and legal interns. See also 2020 results in Measure 1b-1.
2021	Professional development budget was set at $1000 per employee, allowing each staffer to take one or conceivably two professional development courses as desired.
Targets	
2019	Develop internal training programs and other educational tools Agency-wide in order to improve the quality of investigations and written work products (e.g., component-specific mentoring programs, Agency-wide or component-specific brown bag sessions, Agency-wide dissemination of decisions and other relevant legal opinions). Develop and administer internal surveys or other measures to assess the effectiveness of pilot internal training programs and educational tools. Make necessary adjustments to make internal training programs more effective. Formally implement those internal training programs and educational tools that are deemed effective in order to improve the quality of investigations and written work products.
2020	Target ways to improve the effectiveness of internal educational resources based on survey results. Show a 10 percent increase in the effectiveness of internal educational resources, as measured by internal survey instruments or other measures developed in 2019.
2021	Continue to make necessary adjustments to maximize efficiency of internal training programs. Increase professional development options for FLRA staff in order to improve the quality of investigations and written work products.
2022	Continue to make necessary adjustments to maximize efficiency of internal training programs. Increase professional development options for FLRA staff in order to improve the quality of investigations and written work products.
2023	Maintain ability for employees each to take a professional development course or courses.

Legacy Performance Goal 1b-3: Ensure external stakeholder confidence in FLRA's abilities.	
Legacy Measure 1b-3: Customer perceptions about FLRA's impartiality.	
Results	
2019	Developed a survey to assess parties' perceptions of FLRA's impartiality.
2020	COVID-19 delayed implementation of pilot survey – will carry over to 2021
2021	COVID-19 and change in leadership delayed implementation of pilot survey
Targets	
2019	Develop and administer an external survey(s) to assess the parties' perceptions of FLRA's impartiality.
2020	Maintain or improve overall perceptions about FLRA's impartiality year over year. Pilot external survey.
2021	Deliver external survey electronically with every final agency action and evaluate results.
2022	Deliver external survey electronically with every final agency action and evaluate results.
2023	Discontinuing implementation of this measure

Legacy Strategic Goal 2:

DEVELOP AND PROVIDE TOOLS AND RESOURCES TO ENABLE THE PARTIES TO PREVENT OR MORE EFFECTIVELY AND EFFICIENTLY RESOLVE THEIR LABOR-RELATIONS DISPUTES AND IMPROVE THEIR LABOR-MANAGEMENT RELATIONSHIPS.

FLRA is specifically empowered and obligated to "provide leadership in establishing policies and guidance" related to matters arising under the Statute. 5 U.S.C. § 7105(a)(1). Educating parties regarding statutory obligations promotes FLRA's mission of protecting rights and facilitating stable labor-management relationships while advancing an effective and efficient Government. FLRA accomplishes this goal first through its written determinations.

In addition to decisions, FLRA accomplishes this legacy strategic goal by providing parties with quality educational resources through FLRA's website; by assisting parties with significant labor-management challenges; and by offering external training to Federal agencies and labor organizations regarding their rights and obligations under the Statute.

Legacy Strategic Objective 2a: ***Maintain and expand educational resources on www.flra.gov.***

Offering high-quality educational resources through FLRA's website is a key component of promoting stability in the Federal labor-management community. Parties who are better informed about their rights and obligations under the Statute are less likely to pursue frivolous matters or defenses, and they are more likely to approach their labor-management relations in a manner that is consistent with the Statute.

The Agency will continue to explore ways to supplement and enhance the educational resources on its website, such as expanding parties' access to statutory and other training, online training modules, and short animated training videos.

Legacy Performance Goal 2a-1: Routinely review and update educational resources on FLRA website.
Legacy Performance Goal 2a-2: Develop a growing library of online training modules on FLRA website.
Legacy Performance Goal 2a-3: Develop and maintain case digests of new Authority decisions on FLRA website.

Legacy Measure 2a: Expand the relevancy, currency, and reach of educational tools.	
Results	
2019	Drafted digests and prepared for upcoming publication. Acquired animation software to begin developing short animated training videos. Piloted desktop video teleconferencing to expand capabilities for providing interactive external training online. Developed 5 pre-recorded training modules in preparation for posting. Updated OGC Unfair Labor Practice Case Law Outline and the OGC Representation Case Outline.
2020	FLRA issued two press releases announcing seven online training sessions Agency-wide. FLRA produced and published several training videos on a new [YouTube channel](https://www.youtube.com/c/FederalLaborRelationsAuthority) (https://www.youtube.com/c/FederalLaborRelationsAuthority) Also posting five pre-recorded training modules on FLRA.gov YouTube trainings plus those currently on the website. Continue to provide case digest summaries for all Authority decisions. To date, the Authority has published approximately 205 digests. Quarterly digests reports are up to date and were announced in a press release. Requested public comment on proposed negotiability regulations. Agency updated its union-dues-revocation regulation. Conducted live-stream training. Requested public comment via Federal Register notice on four policy statement requests. Agency issued five policy statements. Updated OGC Representation Case Outline.
2021	Expanded the number of animated YouTube training available on (https://www.youtube.com/c/FederalLaborRelationsAuthority). FLRA issued two press releases announcing ten online training sessions Agency-wide. The topics covered in the videos are eFiling, Unfair Labor Practice Investigations, Timeliness under Section 7118(a)(4), and Investigatory Examinations (a seven-lesson course). Quarterly case digest reports continued.
Targets	
2019	Update at least 3 guides or manuals Agency-wide. Establish a mechanism to live stream trainings online or offer pre-recorded trainings on the www.flra.gov website. Offer at least 5 training sessions online Agency-wide. Begin publishing case digest summaries for all Authority decisions. OGC and FSIP to evaluate doing the same for their decisions.
2020	Critically review and update the relevancy and currency of Agency regulations. Update 2 guides or manuals Agency-wide. Offer 7 training sessions online Agency-wide. Continue to provide case digest summaries for all Authority decisions. Provide OGC and FSIP case digests, if deemed appropriate.

2021	Critically review and update the relevancy and currency of Agency regulations. Update remaining guides or manuals Agency-wide as needed. Offer 10 additional training sessions online as developed. Continue to provide case digest summaries for all Authority decisions. Provide OGC and FSIP case digests, if deemed appropriate.
2022	Continue to expand online resources. Continue to provide case digest summaries for all Authority decisions. Provide OGC and FSIP case digests, if deemed appropriate.
2023	Continue to expand online resources. Continue to provide case digest summaries for all Authority decisions. Improve web pages of OEXD components.

Legacy Strategic Objective 2b: ***Identify and offer targeted assistance to parties with significant labor-management challenges.***

In situations where parties experience labor-management challenges, targeted assistance can promote stable labor-management relationships by educating the parties regarding their statutory rights and obligations. It can also promote effective and efficient Government by assisting parties in addressing their disputes without necessarily resorting to formal filings. Additional targeted assistance may take various forms, including offering training to parties on particular topics that have given rise to frequent ULP charges, negotiability disputes, or arbitration exceptions. Other types of assistance might be most appropriate for parties experiencing broader labor-management challenges. For parties involved in complex representational matters, targeted assistance can include conducting conferences with the parties to assist them in identifying and, if feasible, resolving relevant issues.

For example, OGC conducted 46 training sessions to 7886 representatives of Federal agencies and labor organizations in 2021. Many of these sessions took advantage of new technologies and were offered nationwide, on a variety of subjects and different skill levels, through the website. Other sessions were requested by organizations based on their perceived needs in the Federal labor-management relations area. FLRA staff tailored each session to meet the individualized needs of the particular group and received consistent positive feedback from the participants (96% rate it as highly effective/effective). The OGC also published to the website training videos on several subject matters.

Legacy Performance Goal 2b: Develop and implement a highly effective, totally voluntary targeted-assistance program and related procedures.	
Legacy Measure 2b: Develop and implement a highly effective, totally voluntary targeted-assistance program and related procedures.	
Results	
2019	Collaborated with FMCS on a pilot program for mediation of appropriate negotiability disputes. Addressed specific requests of parties for targeted training.
2020	FLRA conducted 16 customer trainings. Authority & FSIP lawyers successfully trained FMCS mediators. The Authority and FMCS developed a shared electronic case-management system to track the status of referred NEG cases. In December 2019, began referring NEG cases to FMCS mediators. To date, FMCS has narrowed – or entirely resolved – the negotiability dispute in 50 percent (5/10) of referred cases. To date, FMCS mediators assisted parties in resolving 71 percent (82/117) of the proposals/provisions referred to mediation. Authority and FMCS project leaders confer regularly to refine and apply metrics for measuring success. FLRA implemented a PDF questionnaire for customers to be used in representation cases (implemented during COVID-19). Virtual REP hearings procedures were put into place. Addressed specific requests of parties for targeted training.
2021	CADRO was restored. FMCS mediation pilot program was terminated.
Targets	
2019	Develop the criteria for identifying parties with significant labor-management challenges. Develop procedures for offering targeted assistance to identified parties or referring such parties to appropriate resources. Pilot a targeted-assistance program. Identify metrics for evaluating the program's success. Formally implement a targeted-assistance program with appropriately ambitious measures to assess its effectiveness.
2020	Train FMCS mediators and support the pilot mediation program. Establish metrics for evaluating mediation program. Evaluate the effectiveness of the targeted-assistance program using the metrics established in 2019. Make necessary refinements and improvements based on customer feedback. Increase the program's overall success as measured by the metrics established in 2019.
2021	Evaluate the effectiveness of the FMCS mediation pilot program using metrics established in 2020. Continue to evaluate the targeted-assistance program.
2022	With the re-establishment of CADRO, FLRA will discontinue this measure.

Legacy Strategic Objective 2c:
Maintain and expand external training programs to enable the parties to better understand their rights and obligations under the Statute.

Agency components have traditionally provided training on statutory principles governing ULPs, representational issues, negotiability disputes, and arbitration exceptions. Providing such external training to Federal agencies and labor organizations regarding their rights and obligations under the Statute directly promotes FLRA's mission of protecting rights and facilitating stable labor-management relationships while advancing an effective and efficient Government. For this reason, it is essential that FLRA maintain and, where possible, expand these external training programs.

Legacy Performance Goal 2c-1: Exceed an annual target number of highly rated in-person training programs for a target number of participants concerning the full range of statutory matters.

Legacy Performance Goal 2c-2: Find additional ways to deliver real-time and pre-recorded external trainings that have been successfully developed and implemented utilizing appropriate technology and participant-friendly best practices.

Legacy Performance Goal 2c-3: Exceed an annual target number of highly rated training programs for a target number of participants regarding procedures for filing and processing FLRA cases.

Legacy Measure 2c-1: The number of *training, outreach, and facilitation activities* delivered.			
Results			
2019	95		
Legacy Measure 2c-1: The number of *in-person statutory training* programs delivered.			
Results		**Targets**	
2020	29* *Not Met*	**2020**	50
2021	54*	**2021**	50
*Training limited due to COVID-19 Pandemic; Training via videoconference included			
Legacy Measure 2c-1: The number of *training programs delivered (in-person or virtual).*			
Results (New measure)		**Targets**	
2022		**2022**	50
2023		**2023**	50

Legacy Measure 2c-2: The number of participants involved in *training, outreach, and facilitation* activities.			
Results			
2019	4807		

Legacy Measure 2c-2: The number of participants who receive ***in-person statutory training***.			
Results		**Targets**	
2020	2780* *Met*	**2020**	2,500
2021	10,936	**2021**	2,500
*In-person training limited due to COVID-19 Pandemic; Training via videoconference included			

Legacy Measure 2c-2: The number of participants who received training (in-person or virtual).			
Results (New measure)		**Targets**	
2022		**2022**	2,500
2023		**2023**	2,500

Legacy Measure 2c-3: The percentage of participants who highly rate the statutory training that they received.			
Results		**Targets**	
2020	*Met (Since the OGC has been using its form, 96 percent of the evaluations received rate the OGC training as highly effective or effective.)*	**2020**	Develop evaluations. 80 percent of participants rate the training as effective or highly effective.
2021	*93%*	**2021**	80 percent of participants rate the training as effective or highly effective.

Legacy Measure 2c-3: The percentage of survey respondents who rated the training highly effective.	
Targets	
2022	80 percent of participants rate the training as highly effective.
2023	80 percent of participants rate the training as highly effective.

Legacy Strategic Goal 3:

MANAGE RESOURCES EFFECTIVELY AND EFFICIENTLY, AND RECOGNIZE THAT A DEDICATED WORKFORCE IS CRITICAL TO THE RESOLUTION OF LABOR-RELATIONS DISPUTES.

FLRA honors the trust that the public has placed in it to use Agency resources wisely. Recognizing that trust, FLRA has always focused its resources on carrying out its mission. It will continue to do so.

The core of FLRA's mission is to protect rights and facilitate stable labor-management relationships. FLRA will continue to achieve that goal by employing committed, experienced professionals.

Legacy Strategic Objective 3a:
Ensure that FLRA's performance-management systems are synchronized with and support the Agency's strategic goals.

At the foundation of the Agency's 2018-2022 Strategic Plan is FLRA's renewed commitment to developing the most effective ways to evaluate Agency performance, as well as the contributions of the Agency's components and individual employees. To do this, employee performance-management targets will be adapted to support Agency goals. This will help ensure that the evaluation of FLRA employees will include consideration of how well they assist the Agency to achieve its legacy strategic and performance goals.

Legacy Performance Goal 3a: FLRA employees perceive that the Agency's performance-management systems, and their individual performance plans, directly align with achieving this strategic plan.

Legacy Measure 3a: Align performance-management systems and individual performance plans with current Strategic Plan.	
Results	
2019	Evaluated Agency performance-management systems and individual employee performance plans for alignment with the legacy Strategic Plan. Formed Strategic Implementation Teams for the three types of positions (1) OGC Attorneys, (2) Non-OGC attorneys, (3) Non-Attorneys and tasked those teams with offering recommended revisions to employees' standards and elements. Strategic Implementation Teams have provided Agency leadership with recommended revisions of performance plans to pilot in 2020.
2020	Completed the development of revised performance plans for all attorney positions and rolled them out for 2020 performance year. Assessing employees' perceptions that performance management systems align with the legacy Strategic Plan via FEVS. In FEVS 2020 results, 90.8 percent of employees "Know how my work relates to the agency's goals," up from 79.2 percent in 2019. Completed the development of revised performance plans for all non-attorney and manager positions. Completed the review of, and updated, the Agency's GS performance management system's policy and the Agency's attorney individual performance plans to ensure they align directly with the 2018-2022 Strategic Plan. Created the new SL performance plans.
2021	Evaluated pilot and revise performance plans as appropriate. Managers added whistleblower protection information to performance plans. Completed the development of revised performance plans for all remaining positions.
Targets	
2019	Develop communications strategies, educational tools, and other materials to successfully implement the new systems. Develop and administer an internal survey(s) to assess whether employees perceive that performance management systems (GS and SL/SES) and individual employee performance plans align with the legacy Strategic Plan.
2020	Develop revised performance plans for remaining positions. Pilot all revised performance plans. Implement appropriate communications strategies and educational tools to successfully achieve the transition.
2021	Evaluate pilot and revise performance plans as appropriate. Managers add whistleblower protection information to performance plans. Completed the development of revised performance plans for all remaining positions.
2022	FLRA will discontinue this measure following the alignment of performance plans and systems with the legacy Strategic Plan.

Legacy Strategic Objective 3b:
Continue to expand FLRA's technological capabilities to enable employees to deliver mission results more effectively and efficiently.

FLRA's IT systems have provided, and will continue to provide, a key means by which FLRA will more effectively and efficiently deliver quality services and increase internal efficiencies. For example, the Agency has connected all FLRA components in ways that improve internal communication, and FLRA staff works more efficiently by using a new cloud-based DMS that allows for simplified document management and internal collaboration.

The Agency began implementing a new and improved version of its eFiling system in 2018 and streamlined it in 2019 to provide a more intuitive, user-friendly customer experience. This improved eFiling experience allows the parties to submit ULP, representation, arbitration, and negotiability filings in an electronic format. The Agency is currently using the same agile methodology to develop a more user-friendly electronic CMS. FLRA is on its way in its effort to integrate these three systems—document management, eFiling, and case management—to fully implement the electronic case-file throughout the Agency by December 31, 2022.

As FLRA moves to implement fully electronic case files, it plans to review and potentially overhaul its procedural regulations—and possibly expand the types of filings that may be submitted through FLRA's eFiling system. Such an expansion would require an additional, one-time investment in the eFiling system of approximately $350,000.

Thereafter, as resources permit, FLRA will continue to enhance and leverage these technological capabilities. Work has continued to fully implement electronic case files, to encourage the widest uses of eFiling, and to serve FLRA-generated case documents on the parties electronically—saving time, human-capital resources, and postage costs.

Legacy Performance Goal 3b-1: Implement a new and improved FLRA electronic case-management system. Integrate the case-management system with FLRA document management and eFiling systems in order to fully implement electronic case file capability throughout the Agency.
Legacy Performance Goal 3b-2: FLRA employees and parties understand how to make the most effective use of FLRA's electronic systems.

Legacy Performance Goal 3b-3: Enhance the positive effect of technological advancements on the customer experience.

Legacy Performance Goal 3b-4: Assess how internal and external customers perceive the effectiveness of the Agency's IT modernization efforts.

Legacy Measure 3b-1: Expand the use of eFiling.	
Results	
2019	46 percent of cases eFiled Agency-wide. Authority and FSIP exceeded target of 10 percent increase.
2020	56 percent of cases eFiled Agency-wide. 89 percent of Authority cases eFiled. OGC eFiling has increased by 9.3 percent Streamlined eFiling software & created eFiling training module.
2021	Research and planning began to vastly increase capabilities of the eFiling system to allow a wider array of case types/actions and interactions.
Targets	
2019	50 percent of cases eFiled Agency-wide. 10 percent increase in eFiling in each component – the OGC, the Authority, and the FSIP.
2020	75 percent of cases eFiled Agency-wide. Critically review and revise FLRA regulations to modernize filing requirements.
2021	Grow electronic filing to 85 percent Agency-wide, including eFax.
2022	Achieve 95 percent eFiling, including eFax, by 9/30/2022. Critically review and revise FLRA regulations to modernize filing requirements.
2023	Fully align procedural regulations for case submission with available technology resources (eFile, etc.) to eliminate costly legacy means.

Legacy Measure 3b-2: Implement end-to-end electronic case files.	
Results	
2019	Developed Case Management System (CMS) for the Authority component of the FLRA. Developed electronic case file structure in the DMS and initial planning to automate creating the electronic folders from the CMS.
2020	Combined original Phase 2 and Phase 3 of the four-phase plan to implement fully-electronic casefile. Developed and tested end-to-end electronic casefile for the Authority component, rolled out in late 2020.
2021	Enhancements and improvements continue on Authority CMS. OGC CMS development hindered by lack of appropriated funds, but continues slowly.
Targets	
2019	Develop and fully implement the new and improved CMS in at least one FLRA component (Phase 2).
2020	Develop and implement the new and improved CMS for the Authority component, to include end-to-end electronic casefile.
2021	Develop and implement end-to-end electronic case files for the OGC component, and begin development of the CMS for the remaining components.
2022	Continue development and implementation of end-to-end electronic casefile system for all FLRA components. Align Agency policies and procedures for full acceptance of fully Electronic Casefile.
2023	Full adoption of End-to-End Electronic Case Files.

Legacy Measure 3b-3: Internal and external customer perceptions of the eFiling System.	
Results	
2019	Received feedback from external users via the provided engagement email address. Implemented suggestions and replied to customer feedback. Developed and distributed notices to customers promoting the use of eFiling.
2020	Received feedback from external users via the provided engagement email address. Implemented suggestions and replied to customer feedback. Streamlined the eFiling system & created eFiling training module.
2021	Implemented significant fixes and enhancements in response to customer feedback. Integrated new eFiling user registration approval mechanism in CMS.
Targets	
2019	Develop a communications strategy for sharing with internal and external customers the benefits and advantages of eFiling (e.g., notice to go out with all Authority decisions). Develop and administer internal and external survey tools to assess customer perceptions of the eFiling System. Develop online, pop-up eFiling surveys that appear while users are logged into the eFiling System.
2020	Maintain or improve positive responses to internal and external survey instruments. Adopt suggested enhancements to the eFiling System, as appropriate.
2021	Maintain or improve positive responses to internal and external survey instruments. Adopt suggested enhancements to the eFiling System, as appropriate.
2022	FLRA will discontinue this measure; will measure through the engagement email address.

Legacy Measure 3b-4: Assess how internal and external customers perceive the effectiveness of the Agency's IT modernization efforts.	
Results	
2019	Developed and administered internal surveys to assess how FLRA employees perceive the effectiveness of the Agency's IT modernization efforts.
2020	Produced & administered a survey to assess employees' response to the new WebEx system rolled out during pandemic in 2020. Employee Engagement Team & FLRA Pandemic Task Force jointly produced a survey to gather information on best practices, needs, to assess overall response to maximum telework, and to invite personnel to raise return to workplace concerns (77 percent respondents—positive results). Received a well-above-positive response to managers' survey questions on how IT is functioning during maximum telework mode. Reinstated the Technology Council in order to directly gather feedback and actionable input regarding IT modernization efforts. Administered internal survey to assess how FLRA employees perceive the effectiveness of the Agency's IT modernization efforts.
2021	Received overwhelmingly positive comments about the effort to move from legacy DMS solution to new integrated DMS
Targets	
2019	Develop and administer internal and external survey(s) to assess: (1) whether FLRA employees and customers know how to maximize available technology; and (2) how FLRA employees and customers perceive the effectiveness of the Agency's IT modernization efforts. Develop and implement appropriate communications to promote and enhance these efforts.
2020	Craft an effective, targeted communications strategy based on the results of the customer-satisfaction surveys. Develop and provide any necessary internal or external training programs so that employees and customers have the tools to maximize technological improvements. Achieve improved survey results year over year.
2021	Annually distribute internal customer satisfaction survey and continue to receive point of service surveys. Maintain improved survey results.
2022	Develop and Administer targeted surveys to assess usability of enhancements and changes to the eFiling system, made in conjunction with CMS development activities. Annually distribute internal customer satisfaction survey and continue to receive point of service surveys. Maintain improved survey results.
2023	Continue to administer targeted surveys to assess usability of proposed broad changes and enhancements to eFiling. Maintain open dialog with internal and external customers to best diagnose, assess, and plan future fixes and enhancements

Legacy Strategic Objective 3c:
Recruit, retain, and develop a diverse, respected workforce in an environment that fosters employee input and satisfaction and makes the best use of FLRA resources.

FLRA's charge to uphold and administer the Statute relies on its employees. Accordingly, FLRA's success relies on the expertise and engagement of its workforce. A key component of attracting and retaining an effective workforce is creating a positive work environment in which employees see themselves as stakeholders and innovators. FLRA will continue to assess the skills and professional education/training needs of its workforce and will look for new, cost-effective ways to cultivate employee development and commitment. FLRA will provide opportunities for experienced employees to share their institutional knowledge by providing internal training and through other means. FLRA's continued focus on professional development will help ensure continued mission accomplishment and leadership of the Federal-sector labor-management relations program.

Legacy Performance Goal 3c: Internal and external survey respondents perceive that diverse and respected FLRA employees demonstrate expertise in Federal-sector labor-management relations; minimal gaps exist in succession plans; and the Agency develops nontraditional resources for employee education and development.

Legacy Measure 3c: Recruit, retain, and develop a diverse, respected workforce.	
	Results
2019	Reviewed a portion of Agency performance-management systems and individual performance plans to ensure that they align directly with the 2018-2022 Strategic Plan. Completed review of all position descriptions Agency-wide, to ensure that all Agency positions reflect the actual duties of the position. Issued a revised Reasonable Accommodation Policy – including Personal Assistive Device policy – that is fully compliant with recent EEOC regulatory amendments and guidance. Ensured compliance with Government-wide goals for Schedule A hiring. Expanded recruitment efforts to target persons with disabilities. Formed Diversity and Inclusion Team to develop programs to highlight and celebrate the diversity of Agency employees.
2020	Scheduled quarterly Diversity and Inclusion Team events and programs to highlight and celebrate diversity of Agency employees including Black History Month, Women's History, Pride Month, Hispanic Heritage Month--provided pertinent resources/informational subject matter regarding diversity through weekly emails, published monthly newsletter and all employee intra-agency communications. Met or exceeded Government-wide standards for diversity and Schedule A hiring. Established contacts with organizations that assist individuals with disabilities in securing employment including: America Job Centers, state vocational rehabilitation agencies, the Veterans' Vocational rehabilitation and Employment Program, Centers for Independent Living, and employment network service providers to ensure recruitment efforts include individuals with disabilities. The

	Agency also utilized the Schedule A hiring authority to fill critical vacancies this FY. Continued to support the Agency Diversity and Inclusion Team in their collective efforts to provide information to all FLRA employees. Increased recruitment efforts allowed the Agency to gather time-to-hire data in 2019 and 2020 to use to assess recruitment and staffing processes and procedures moving forward.
2021	Conducted an agency-wide recruitment effort for additional members for the Agency Diversity, Equity and Inclusion Team. The team now has 15 members that we believe properly reflect the diversity of the Agency. Developed the official charter for the team that was approved by all members and established subcommittees to address the necessary actions in line with the new administration's Executive Orders and mandates related to DE&I. The subcommittees include but are not limited to Training, Recruiting and Hiring, Agency Events, and Policy Review.
Targets	
2019	Review Agency performance-management systems and individual performance plans to ensure that they align directly with the 2018-2022 Strategic Plan. Conduct a comprehensive, Agency-wide position classification review to confirm that all Agency positions reflect the actual duties of the position. Assess time-to-hire results for Agency positions by reviewing recruitment and staffing processes and procedures. Issue a revised Reasonable Accommodation Policy – including Personal Assistive Device policy – that is fully compliant with recent EEOC regulatory amendments and guidance. Ensure compliance with Government-wide goals for Schedule A hiring.
2020	Continue the review of the Agency's non-attorney individual performance plans to ensure that they align directly with the 2018-2022 Strategic Plan. Review and assess time-to-hire metrics based on recruitment data received in 2019 and 2020. Continue to meet or exceed Government-wide standards for diversity and Schedule A hiring.
2021	Complete the review of all Agency position's individual performance plans to ensure that they align directly with the 2018–2022 Strategic Plan. Maintain a diverse and respected workforce through targeted recruitment. Improve time-to-hire metrics based on assessment of 2019 and 2020 data.
2022	Continue to reinforce recruitment and retention of a diverse and inclusionary workforce. Develop new and improved recruitment strategies based on overall time to hire assessment. Develop an Agency entrance and exit survey for all employees to gain data on incoming perceptions of the agency and why employees are leaving the agency. This Data will assist us in recruitment planning and providing the proper consultation to management for developing an effective recruitment strategy to successfully fill vacant positions.

2023	Develop an expanded recruitment base that is inclusive of all communities to include individuals with disabilities, varied race and ethnicities and members of the LGBTQ+ communities. Effectively utilize the Agency's Diversity, Equity and Inclusion committee to gain new ideas from members of the agency to better recruit and, more importantly, retain a diverse workforce representative of the country.

PRINCIPAL FINANCIAL STATEMENTS

Message from the Chief Executive Officer

The FLRA's FY 2021 Performance and Accountability Report provides an assessment of the Agency's achievement of legacy strategic goals along with information on our financial management and performance. The financial statements and notes that follow explain the FLRA's financial position as of September 30, 2021, and how the Agency's financial resources were expended to achieve results.

For the sixteenth consecutive year, the FLRA has received an unqualified audit opinion on its financial statements. Along with the unqualified opinion, the report of independent auditors found no material weaknesses in the design and operation of the Agency system of internal controls over financial reporting. I am confident that the FLRA's financial and performance data are complete, accurate, and reliable.

With FY 2022 expected to be another challenging year (since we are currently funded through a Continuing Resolution), we will continue to focus on resolving cases fairly and efficiently, securing resources appropriate to meet our mission, meeting electronic records deadlines, closing open recommendations, and improving our levels of employee satisfaction and morale.

Ernie DuBester
Chairman and Chief Executive Officer
Federal Labor Relations Authority

Balance Sheet

Federal Labor Relations Authority BALANCE SHEET (in dollars) As of September 30, 2021 and 2020	2021	2020
Assets:		
Intragovernmental:		
Fund Balance With Treasury (Note 2)	$ 5,317,802	$ 6,577,962
Accounts Receivable, Net (Note 3)	34,669	34,669
Advances and Prepayments	39,423	36,956
Total Intragovernmental	$ 5,391,894	$ 6,649,587
Accounts Receivable, Net (Note 3)	$ 13,953	$ 13,732
General Property, Plant, and Equipment, Net (Note 4)	281,532	239,886
Total Assets	**$5,687,379**	**$6,903,205**
Liabilities:		
Intragovernmental		
Accounts Payable (Note 5)	$ 276,086	$ 36,802
Other Liabilities (Note 5) (Note 6)	478,888	414,391
Total Intragovernmental	$ 754,974	$ 451,193
Accounts Payable (Note 5)	$ 228,579	$ 224,805
Federal Employee [and Veteran] Benefits Payable (Note 5)	3,042,839	2,634,319
Other Liabilities (Note 5) (Note 6)	817,578.00	712,606
Total Liabilities	**$ 4,843,970**	**$ 4,022,923**
Net Position:		
Unexpended Appropriations - Funds from Other than Dedicated Collections	$ 3,730,713	$ 5,394,350
Cumulative Results of Operations - Funds from Other than Dedicated Collections	(2,887,304)	(2,514,068)
Total Net Position	**$ 843,409**	**$ 2,880,282**
Total Liabilities and Net Position	**$ 5,687,379**	**$ 6,903,205**

Accompanying notes are integral to these statements and may reflect rounding differences.

Federal Labor Relations Authority STATEMENT OF NET COST (in dollars)		
For the Years Ended September 30, 2021 and 2020		
	2021	**2020**
Gross Program Costs:		
Authority:		
Intragovernmental Costs	$ 6,800,634	$ 5,849,713
Public Costs	11,677,670	9,264,661
Total Program Costs	$ 18,478,304	$ 15,114,374
Less: Earned Revenue	(5,272)	(1,115)
Net Program Costs	**$ 18,473,032**	**$ 15,113,259**
Federal Services Impasse Panel:		
Intragovernmental Costs	$ 202,090	$ 194,347
Public Costs	648,108	786,688
Total Program Costs	$ 850,198	$ 981,035
Less: Earned Revenue	-	$ (500)
Net Program Costs	**$ 850,198**	**$ 980,535**
Office of General Counsel:		
Intragovernmental Costs	$ 2,421,396	$ 2,162,826
Public Costs	7,281,385	6,948,062
Total Program Costs	$ 9,702,781	$ 9,110,888
Less: Earned Revenue	(14,583)	0
Net Program Costs	**$ 9,688,198**	**$ 9,110,888**
Total Gross Program Costs	$ 29,031,283	$ 25,206,297
Less: Total Earned Revenue	(19,855)	(1,615)
Net Cost of Operations	**$ 29,011,428**	**$ 25,204,681**

Accompanying notes are integral to these statements and may reflect rounding differences.

Federal Labor Relations Authority STATEMENT OF CHANGES IN NET POSITION (in dollars) For the Years Ended September 30, 2021 and 2020		
	2021	**2020**
Unexpended Appropriations:		
Beginning Balances	$ 5,394,350	$ 5,174,568
Budgetary Financing Sources:		
Appropriations Received	$ 26,600,000	$ 24,890,000
Other Adjustments	(626,746)	(279,328)
Appropriations Used	(27,636,890)	(24,390,891)
Net Change in Unexpended Appropriations	$ (1,663,636)	$ 219,781
Total Unexpended Appropriations - Ending	**$ 3,730,713**	**$ 5,394,350**
Cumulative Results of Operations:		
Beginning Balances	$ (2,514,068)	$ (2,532,210)
Budgetary Financing Sources:		
Appropriations Used	$ 27,636,890	$ 24,390,891
Imputed Financing	1,001,302	831,882
Other	0	50
Net Cost of Operations	(29,011,428)	(25,204,681)
Net Change in Cumulative Results of Operations	$ (373,236)	$ 18,142
Cumulative Results of Operations - Ending	$ (2,887,304)	$ (2,514,068)
Net Position	**$ 843,409**	**$ 2,880,282**

Accompanying notes are integral to these statements and may reflect rounding differences.

Federal Labor Relations Authority STATEMENT OF BUDGETARY RESOURCES (in dollars)		
For the Years Ended September 30, 2021 and 2020		
	2021	**2020**
Budgetary Resources:		
Unobligated balance from prior year budget authority, net	$ 1,360,072	$ 612,618
Appropriations	26,600,000	24,890,000
Spending authority from offsetting collections	19,855	1,165
Total Budgetary Resources	**$ 27,979,927**	**$ 25,503,783**
Status of Budgetary Resources:		
New obligations and upward adjustments (total) (Note 10)	$ 27,621,040	$ 25,108,103
Unobligated balance, end of year:		
Apportioned, unexpired account	63,421	14,319
Expired unobligated balance, end of year	295,466	381,361
Unobligated balance, end of year (total)	358,887	395,680
Total Budgetary Resources	**$ 27,979,927**	**$ 25,503,783**
Outlays, Net and Disbursements, Net:		
Outlays, net (total)	$ 27,233,414	$ 24,200,352
Agency outlays, net	**$ 27,233,414**	**$ 24,200,352**

Accompanying notes are integral to these statements and may reflect rounding differences.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The FLRA is an independent, administrative Federal agency created by Title VII of the Civil Service Reform Act of 1978, with a mission to carry out five statutory responsibilities: (1) determining the appropriateness of units for labor organization representation; (2) resolving complaints of unfair labor practices; (3) adjudicating exceptions to arbitrators' awards; (4) adjudicating legal issues relating to duty to bargain; and (5) resolving impasses during negotiations. The agency consists of three components: the Authority, the Office of the General Counsel, and the Federal Service Impasses Panel.

B. Basis of Accounting and Presentation

The financial statements have been prepared to report the financial position, net cost of operations, changes in net position, and budgetary resources of the FLRA in accordance with the Chief Financial Officers Act of 1990, the Government Management Reform Act of 1994, and the Accountability of Tax Dollars Act of 2002. The statements have been prepared from agency financial records in accordance with U.S. Generally Accepted Accounting Principles (GAAP), in accordance with guidance issued by the Federal Accounting Standards Advisory Board (FASAB) and the Office of Management and Budget (OMB), as prescribed in OMB Circular A-136, Financial Reporting Requirements, and pursuant to the requirements of 31 U.S.C. § 3515(b). These financial statements include all funds and accounts under the control of the FLRA.

The accounting structure of Federal agencies is designed to reflect both accrual and budgetary accounting transactions. Under the accrual method of accounting, revenues are recognized when earned, and expenses are recognized when incurred, without regard to the receipt or payment of cash. The budgetary accounting principles, on the other hand, are designed to recognize the obligation of funds according to legal requirements, which in many cases occur before an accrual-based transaction takes place. The recognition of budgetary accounting transactions is essential for compliance with legal constraints and controls over the use of Federal funds. The accompanying financial statements are prepared on the accrual basis of accounting.

Accounting standards require all reporting entities to disclose that accounting standards allow certain presentations and disclosures to be modified, if needed, to prevent the disclosure of classified information.

C. Budget Authority

The Congress passes appropriations annually that provide the FLRA with authority to obligate funds for necessary salaries and expenses to carry out mandated program activities. These funds are available until expended, subject to OMB apportionment and to Congressional restrictions on the expenditure of funds. Also, the FLRA places internal restrictions on fund expenditures to ensure the efficient and proper use of all funds.

D. Fund Balance with Treasury

FLRA receipts and disbursements are processed by the Department of the Treasury. Fund balances with the Treasury consist of appropriated funds that are available to pay current liabilities and to finance authorized purchase commitments. No cash is held in commercial bank accounts.

E. Accounts Receivable

Accounts receivable consists of amounts owed to FLRA by other federal agencies and the public. Amounts due from federal agencies are considered fully collectible and consist of interagency agreements. An allowance for uncollectible accounts receivable from the public is established when either (1) management determines that collection is unlikely to occur after a review of outstanding accounts and the failure of all collection efforts, or (2) an account for which no allowance has been established is submitted to the Department of the Treasury for collection, which takes place when it becomes 120 days delinquent. Based on historical experience, all receivables are considered collectible and no allowance is provided.

F. General Property and Equipment (P&E)

This category consists of equipment and internal use software. The basis for recording purchased P&E is full cost, including all costs incurred to bring FLRA P&E to and from a location suitable for its intended use. P&E is depreciated using the straight-line method over the estimated useful life of the asset. Statement of Federal Financial Accounting Standards (SFFAS) No. 10, Accounting for Internal Use Software, provides accounting standards for internal use software used by each agency. The standards provide for capitalized property to continue to be reported on the Balance Sheet. P&E that are not capitalized because they are under the capitalization threshold are expensed in the year of acquisition.

The FLRA's capitalization threshold for individual purchases is $25,000. Bulk purchases of similar items that individually are worth less than $25,000, but collectively are worth more than $100,000 are also capitalized using the same general P&E categories and useful lives as capital acquisitions. Major building alterations and renovations are capitalized, while maintenance and repair costs are charged to expense as incurred.

General P&E Category	Service Life
Software	3 Years
Computer Equipment	5 Years
Office Equipment	7 Years
Office Furniture	15 Years
Leasehold Improvements	Life of lease

G. Liabilities

Liabilities represent the amount of monies or other resources likely to be paid by the FLRA as a result of transactions or events that have already occurred. Liabilities are recognized when they are incurred, regardless of whether they are covered by available budgetary resources. FLRA reports its liabilities under two categories, Intragovernmental and With the Public. Intragovernmental liabilities represent funds owed to another government agency. Liabilities with the Public represent funds owed to any entity or person that is not a federal agency, including private sector firms and federal employees. Each of these categories may include liabilities that are covered by budgetary resources and liabilities not covered by budgetary resources. No liability can be paid, however, absent an appropriation. Liabilities for which an appropriation has not been enacted are, therefore, classified as not covered by budgetary resources, since there is no certainty that the appropriation will be enacted. Liabilities that are covered by budgetary resources consist of intragovernmental and public accounts payable and accrued funded payroll. Liabilities not covered by budgetary resources in FY 2020 and FY 2021 consist of accrued and actuarial Federal Employees Compensation Act (FECA) compensation and unfunded employee leave. The Federal government, acting in its sovereign capacity, can abrogate liabilities other than contracts.

H. FECA Liabilities

An accrued FECA liability is recorded for actual and estimated future payments to be made for workers' compensation pursuant to the FECA. The actual costs incurred are reflected as a liability because agencies will reimburse the Department of Labor (DOL) two years after the actual payment of expenses. Future revenues will be used for their reimbursement to the DOL. The liability consists of: (1) the unreimbursed cost paid by the DOL for compensation to recipients under the FECA; and (2) the net present value of estimated future payments calculated by the DOL.

An estimated actuarial liability for future workers' compensation benefits is included. The liability estimate is based on the DOL's FECA actuarial model that takes the amount of benefit payments over the last twelve quarters and calculates the annual average of payments for medical expenses and compensation. This average is then multiplied by the liabilities-to-benefits paid ratios for the whole FECA program. The ratios may vary from year to year as a result of economic assumptions and other factors, but the model calculates a liability approximately twelve times the annual payments.

I. Annual, Sick and Other Leave

Amounts associated with the payment of annual leave are accrued while leave is being earned by employees, and this accrual is reduced as leave is taken. Each year the balance in the accrued annual leave account is adjusted to reflect current pay rates. To the extent that current or prior-year appropriations are not available to finance annual leave, future financing sources will be used. Sick leave and other types of non-vested leave are expensed as taken.

Any liability for sick leave that is accrued but not taken by a Civil Service Retirement System (CSRS) or a Civil Service Retirement System Offset (CSRS offset)-covered employee is transferred to the Office of Personnel Management (OPM) upon the retirement of that individual. Federal Employees Retirement System (FERS)-covered employees were not entitled to use unused sick leave for additional service credit until October 28, 2009. For retirements effective between October 28, 2009 and December 31, 2013, 50 percent of unused sick leave can be used for additional service credit. For retirements effective after December 31, 2013, 100 percent of unused sick leave can be credited.

J. Net Position

The components of net position are unexpended appropriations and cumulative results of operations. Unexpended appropriations include undelivered orders and unobligated balances. Undelivered orders reflect the amount of goods and services ordered that have yet to be actively or constructively received. Unobligated balances are the amount of appropriations or other authority remaining after deducting the cumulative obligations from the amount available for obligation. The cumulative results of operations represent the net results of operations since inception, the cumulative amount of prior-period adjustments, the remaining book value of capitalized assets, and future funding requirements.

K. Retirement Plans

The FLRA's employees participate in the CSRS or the FERS. For CSRS employees, hired prior to January 1, 1984, the FLRA withholds seven percent of each employee's salary and contributes seven percent of the employee's basic salary to the CSRS Retirement and Disability Fund. These employees may also contribute, on a tax-deferred basis, to a defined contribution plan – the Thrift Savings Plan (TSP). The regular Internal Revenue Service limit in FY 2020 and FY 2021 was $19,500. The FLRA is not required to and does not contribute any matching amounts for CSRS employees.

The FERS was established by enactment of Public Law 99-335. Pursuant to this law, the FERS and Social Security automatically cover most employees hired after December 31, 1983. Employees hired before January 1, 1984 elected either to join the FERS and Social Security or to remain in the CSRS. For FERS employees, the FLRA withholds 6.2 percent in old age survivors and disability insurance up to a specified wage ceiling and 0.8 percent of an employee's gross earnings for retirement. In FY 2021, the FLRA matched the retirement withholdings with a contribution equal to 17.3 percent of the employee's taxable salary. Due to enactment of the FERS Revised Annuity Employee and Further Revised Annuity Employee programs, the agency matched with a contribution equal to 15.5 percent for employees hired during and after calendar year 2013.

All employees are eligible to contribute to the TSP. For employees under the FERS, a TSP account is automatically established. The FLRA is required to make a mandatory contribution of one percent of the base salary for each employee under the FERS. The agency is required to match the employee's contribution up to a maximum of five percent of his or her salary. Matching contributions are not made to the TSP accounts established by CSRS employees. The FLRA does not report on its financial statements information pertaining to the retirement plans covering its employees. Reporting amounts such as plan assets, accumulated plan benefits, and related unfunded liabilities, if any, are the responsibility of the OPM.

FERS employees and certain CSRS reinstatement employees are eligible to participate in the Social Security program after retirement. CSRS employees who are 65 or older are eligible for

Social Security payments (even if they have not retired). In these instances, the FLRA remits the employer's share of the required contribution.

L. Imputed Financing from Costs Absorbed by Others

The FASAB's SFFAS No. 5, Accounting for Liabilities of the Federal Government, requires that employer agencies recognize the full cost of pension, health, and life insurance benefits during their employees' active years of service. The OPM, as administrator of the CSRS and FERS plans, the Federal Employees Health Benefits Program, and the Federal Employees Group Life Insurance Program, must provide the "cost factors" that adjust the agency contribution rate to the full cost for the applicable benefit programs. An imputed financing source and corresponding imputed personnel cost is reflected in the Statement of Changes in Net Position and the Statement of Net Cost.

M. Revenue and Other Financing Sources

The FLRA's revenues are derived from reimbursable work agreements, Freedom of Information Act collections, and a direct annual appropriation. The FLRA recognizes reimbursable work when earned, i.e., services have been provided. Each reimbursable work agreement specifies the dollar value of the agreement and is based on estimated resources needed to perform the specified services.

The agency receives an annual Salaries and Expenses appropriation from the Congress. Annual appropriations are used, within statutory limits, for salaries and administrative expenses and for operating and capital expenditures for essential P&E. Appropriations are recognized as non-exchange revenues at the time the related program expenses are incurred. Appropriations expended for capitalized P&E are recognized as expenses when an asset is consumed in operations. The FLRA's annual appropriation for FY 2020 and FY 2021 was $26,200,000 and $26,600,000, respectively.

N. Expired Accounts and Cancelled Authority

Unless otherwise specified by law, annual budget authority expires for incurring new obligations at the beginning of the subsequent fiscal year. The account into which the annual authority is placed is called an expired account. For five fiscal years, the expired account is available for expenditure to liquidate valid obligations incurred during the unexpired period. Adjustments are allowed to increase or decrease valid obligations incurred during the unexpired period that were not previously reported. At the end of the fifth expired year, the account is cancelled and any remaining money is returned to the Treasury.

O. Contingencies

A contingency is an existing condition, situation, or set of circumstances involving uncertainty as to possible gain or loss to the agency. The uncertainty will ultimately be resolved when one or more future events occur or fail to occur. With the exception of pending, threatened, or potential litigation, a contingent liability is recognized when a past transaction or event has occurred, a future outflow or other sacrifice of resources is more likely than not, and the related future outflow or sacrifice of resources is measurable. For pending, threatened, or potential litigation, a liability is recognized when a past transaction or event has occurred, a future outflow or other sacrifice of resources is likely, and the related future outflow or sacrifice of resources is measurable.

P. Use of Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues, and expenses. Actual results could differ from those estimates.

Q. Advances and Prepayments

Advance payments are generally prohibited by law. There are some exceptions, such as reimbursable work agreements, subscriptions, and payments to contractors and employees. Payments made in advance of the receipt of goods and services are recorded as advance payments and recognized as expenses when the related goods and services are received.

NOTE 2: FUND BALANCE WITH TREASURY

U.S. government cash is accounted for on an overall consolidated basis by the Treasury. The amounts shown on the Balance Sheet represent the FLRA's right to draw on the Treasury for valid expenditures. The fund balance as shown on the FLRA records is reconciled monthly with records from the Treasury. Fund Balance with Treasury account balances as of September 30, 2021 and 2020 were as follows (In Dollars):

	2021	2020
Status of Fund Balance with Treasury:		
Unobligated Balance		
Available	$ 63,421	$ 14,319
Unavailable	295,465	381,361
Obligated Balance Not Yet Disbursed	4,958,916	6,182,283
Total	$ 5,317,802	$ 6,577,963

No discrepancies exist between the Fund Balance reflected on the Balance Sheet and the balances in the Treasury accounts.

The available unobligated fund balances represent the current-period amount available for obligation or commitment. At the start of the next fiscal year, this amount will become part of the unavailable balance as described in the following paragraph.

The unavailable unobligated fund balances represent the amount of appropriations for which the period of availability for obligation has expired. These balances are available for upward adjustments of obligations incurred only during the period for which the appropriation was available for obligation or for paying claims attributable to the appropriations.

The obligated balance not yet disbursed includes accounts payable, accrued expenses, unfilled orders, and undelivered orders that have reduced unexpended appropriations but have not yet decreased the fund balance on hand.

NOTE 3: ACCOUNTS RECEIVABLE, NET

The reported amount for accounts receivable consists of amounts owed to the FLRA by other Federal agencies (intragovernmental) and the public. There are no amounts that are deemed uncollectible as of September 30, 2021 and 2020. Accounts Receivable balances as of September 30, 2021 and 2020 were as follows (In Dollars):

	2021	2020
Intragovernmental		
Accounts Receivable	$ 34,669	$ 34,669
Total Intragovernmental Accounts Receivable	$ 34,669	$ 34,669
With the Public		
Accounts Receivable	$ 13,953	$ 13,732
Total Public Accounts Receivable	$ 13,953	$ 13,732
Total Accounts Receivable	$ 48,622	$ 48,401

NOTE 4: GENERAL PROPERTY, PLANT AND EQUIPMENT, NET

Schedule of General Property, Plant and Equipment, Net as of September 30, 2021 (In Dollars):

Major Class	Acquisition Cost	Accumulated Amortization/ Depreciation	Net Book Value
Computer Equipment	$ 444,331	$ 162,799	$ 281,532
Office Furniture	9,077	9,077	-
Total	$ 453,408	$ 171,876	$ 281,532

Schedule of General Property, Plant and Equipment, Net as of September 30, 2020 (In Dollars):

Major Class	Acquisition Cost	Accumulated Amortization/ Depreciation	Net Book Value
Computer Equipment	$ 270,613	$ 76,674	$ 193,939
Office Furniture	9,077	9,077	-
Construction-in-Progress	45,947	N/A	45,947
Total	$ 325,637	$ 85,751	$ 239,886

NOTE 5: LIABILITIES COVERED AND NOT COVERED BY BUDGETARY RESOURCES

Unfunded FECA liabilities consist of workers' compensation claims payable to the DOL, which will be funded in a future year, and an unfunded estimated liability for future workers' compensation claims based on data provided from the DOL. The actuarial calculation is based on benefit payments made over twelve quarters and calculates the annual average of payments. For medical expenses and compensation, this average is then multiplied by the liability-to-benefit paid ratio for the whole FECA program.

Unfunded leave represents a liability for earned leave and is reduced when leave is taken. At the end of each month the balance in the unfunded leave account is adjusted to reflect the liability at current pay rates and leave balances. Unfunded leave is paid from future funding sources and, accordingly, is reflected as a liability not covered by budgetary resources. Sick and other leave is expensed as taken. All other liabilities are considered to be covered by budgetary resources.

Liabilities Covered and Not Covered by Budgetary Resources as of September 30, 2021 and 2020 consist of the following (In Dollars):

		2021		2020
Intragovernmental – FECA	$	203,578	$	197,032
Intragovernmental – Unemployment Insurance		8,105		1,400
Unfunded Leave		1,808,250		1,459,318
Actuarial FECA		1,197,525		1,144,606
Total Liabilities Not Covered by Budgetary Resources	$	3,217,458	$	2,802,356
Total Liabilities Covered by Budgetary Resources		1,626,512		1,220,568
Total Liabilities	$	4,843,970	$	4,022,924

NOTE 6: OTHER LIABILITIES

Other liabilities as of September 30, 2021 consisted of the following (In Dollars):

		Current		Non Current		Total
Intragovernmental						
Employer Contributions and Payroll Taxes Payable (without reciprocals)	$	59,109	$	-	$	59,109
Employer Contributions and Payroll Taxes Payable		208,096		-		208,096
Unfunded FECA Liability		203,578		-		203,578
Other Unfunded Employment Related Liability		8,105		-		8,105
Total Intragovernmental Other Liabilities	$	478,888	$	-	$	478,888
With the Public						
Accrued Funded Payroll and Leave	$	817,578		-		817,578
Total Public Other Liabilities	$	817,578			$	817,578
Total Other Liabilities	$	1,296,466	$	-	$	1,296,466

Other liabilities as of September 30, 2020 consisted of the following (In Dollars):

	Current	Non Current	Total
Intragovernmental			
Employer Contributions and Payroll Taxes Payable (without reciprocals)	$ 51,533	$ -	$ 51,533
Employer Contributions and Payroll Taxes Payable	164,426	-	164,426
Unfunded FECA Liability	197,032	-	197,032
Other Unfunded Employment Related Liability	1,400	-	1,400
Total Intragovernmental Other Liabilities	$ 414,391	$ -	$ 414,391
With the Public			
Accrued Funded Payroll and Leave	$ 712,606	-	712,606
Total Public Other Liabilities	$ 712,606		$ 712,606
Total Other Liabilities	$ 1,126,997	$ -	$ 1,126,997

NOTE 7: LEASES

The FLRA has operating leases for rental of office space and equipment. As a Federal agency, the FLRA is not liable for any lease terms beyond one year. All leases are federal.

Current Operating Leases

233 Peachtree Street NE, Atlanta, GA

The FLRA has an interagency agreement with the General Services Administration for office space at 233 Peachtree Street NE, Atlanta, GA. The term is for 120 months beginning on or about January 18, 2012. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy. This lease expires on January 17, 2022.

225 Peachtree Street NE, Atlanta, GA

The FLRA has an interagency agreement with the General Services Administration for office space at 225 Peachtree Street NE, Atlanta, GA. The term is for 180 months beginning on or about January 18, 2022. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy.

224 S. Michigan Avenue, Suite 445, Chicago, IL

The FLRA has an interagency agreement with the General Services Administration for office space at 224 S. Michigan Avenue, Suite 445, Chicago, IL. The term is for 120 months beginning on or about June 16, 2012. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy.

1244 Speer Boulevard, Denver, CO

The FLRA has an interagency agreement with the General Services Administration for office space at 1244 Speer Boulevard, Denver, CO. The previous term of 57 months began on July 1, 2013 and expired on March 24, 2018. The term for the current agreement is for 60 months beginning on or about September 14, 2021. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy.

1400 K Street NW, Washington, DC
The FLRA has an interagency agreement with the General Services Administration for office space at 1400 K Street NW, Washington, DC. The term is for 87 months beginning on or about June 1, 2014. The term for the current agreement is for 60 months beginning on or about September 14, 2021. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy.

901 Market Street, San Francisco, CA

The FLRA has an interagency agreement with the General Services Administration for office space at 901 Market Street, San Francisco, CA. The term is for 120 months beginning on or about August 1, 2011. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy. The lease expired on July 31, 2021.

1301 Clay Street, Oakland, CA
The FLRA has an interagency agreement with the General Services Administration for office space at 1301 Clay Street, Oakland, CA. The term is for 120 months beginning on or about August 1, 2021. FLRA has the right to terminate the lease based on the availability of funds or with a four month notice at any point after the first twelve months of occupancy.

NOTE 8: COMMITMENTS AND CONTINGENCIES

The FLRA is, at times, a party in various administrative proceedings, legal actions, and claims brought by or against the agency. In the opinion of FLRA management, the ultimate resolution of any proceedings, actions, and claims will not materially affect financial position or results of operations of the FLRA. The agency examined its FY 2016 obligations prior to cancellation and believes that it does not have any outstanding commitments or contingencies that will require future resources to liquidate.

NOTE 9: INTRAGOVERNMENTAL COSTS AND EXCHANGE REVENUE

The classification of revenue or cost as “intragovernmental” or “with the public” is determined on a transaction by transaction basis. Preceding transactions in the lifecycle of a product will not have an impact on subsequent transactions. If the FLRA purchases goods or services from another Federal entity, capitalizes them into inventory, and later resells them to the public, the cost of the original purchase of resale assets from the other Federal entity will be classified as “intragovernmental” at the time of the purchase. At ultimate sale to the end user, the resulting cost of goods will be classified as “with the public.” The purpose of this classification is to enable the Federal government to provide consolidated financial statements, and not to match public and intragovernmental revenue with costs that are incurred to produce public and intragovernmental revenue.

NOTE 10: APPORTIONMENT CATEGORIES OF OBLIGATIONS INCURRED

All obligations incurred are characterized as Category A, quarterly apportioned, on the Statement of Budgetary Resources. Obligations incurred and reported in the Statement of Budgetary Resources in fiscal years 2021 and 2020 consisted of the following:

	2021	2020
Direct Obligations, Category A	$ 27,601,185	$ 25,106,937
Reimbursable Obligations, Category A	19,855	1,165
Total New Obligations and Upward Adjustments	$ 27,621,040	$ 25,108,102

NOTE 11: UNDELIVERED ORDERS AT THE END OF THE PERIOD

The amount of budgetary resources obligated for undelivered orders at the end of September 30, 2021 consisted of the following (In Dollars):

	Federal	Non-Federal	Total
Paid Undelivered Orders	$ 39,423	$ -	$ 39,423
Unpaid Undelivered Orders	1,473,875	1,858,529	3,332,404
Total Undelivered Orders	$ 1,513,298	$ 1,858,529	$ 3,371,827

The amount of budgetary resources obligated for undelivered orders at the end of September 30, 2020 consisted of the following (In Dollars):

	Federal	Non-Federal	Total
Paid Undelivered Orders	$ 36,956	$ -	$ 36,956
Unpaid Undelivered Orders	2,055,952	2,905,762	4,961,714
Total Undelivered Orders	$ 2,092,908	$ 2,905,762	$ 4,998,670

NOTE 12: EXPLANATION OF DIFFERENCES BETWEEN THE SBR AND THE BUDGET OF THE U.S. GOVERNMENT

SFFAS No. 7, Accounting for Revenue and Other Financing Sources and Concepts for Reconciling Budgetary and Financial Accounting, calls for explanation of material differences between amounts reported in the Statement of Budgetary Resources and the actual balances published in the Budget of the U.S. Government (the President's Budget). The FY 2022 President's Budget, with actual amounts for FY 2020, has been reconciled to the Statement of Budgetary Resources. The FY 2023 President's Budget, with actual amounts for FY 2021, will not be published until February 2022.

NOTE 13: INCIDENTAL CUSTODIAL COLLECTIONS

Custodial collections are reflected in Fund Balance with Treasury during the year. While these collections are considered custodial, they are neither primary to the mission of the agency nor material to the overall financial statements. There were no custodial collections for the year ended September 30, 2021, and $1 for the year ended September 30, 2020. Custodial collections are transferred to the Treasury General Fund on September 30 and are not reflected in the financial statements of the Agency.

NOTE 14: RECONCILIATION OF NET COST TO NET OUTLAYS

The reconciliation of net outlays, presented on a budgetary basis, and the net cost, presented on an accrual basis, provides an explanation of the relationship between budgetary and financial accounting information.

Reconciliation of Net Cost to Net Outlays as of September 30, 2021:

RECONCILIATION OF NET COST TO NET OUTLAYS
BUDGET AND ACCRUAL RECONCILIATION
FOR THE YEARS ENDED SEPTEMBER 30, 2021
(In Dollars)

	Intragovernmental	With the Public	Total
Net Operating Cost (SNC)	$ 9,404,266	$ 19,607,162	$ 29,011,428
Components of Net Cost Not Part of the Budgetary Outlays			
Property, Plant, and Equipment Depreciation Expense	-	(86,126)	(86,126)
Increase/(Decrease) in Assets:			
Accounts Receivable, Net	-	220	220
Other Assets	2,467	-	2,467
(Increase)/Decrease in Liabilities:			
Accounts Payable	(239,284)	(3,774)	(243,058)
Federal Employee and Veteran Benefits Payable	-	(408,519)	(408,519)
Other Liabilities	(64,497)	(104,972)	(169,469)
Financing Sources:			
Imputed Cost	(1,001,302)	-	(1,001,302)
Total Components of Net Operating Cost Not Part of the Budgetary Outlays	$ (1,302,616)	$ (603,171)	$ (1,905,787)
Components of the Budget Outlays That Are Not Part of Net Operating Cost			
Acquisition of Capital Assets	-	127,773	127,773
Total Components of the Budget Outlays That Are Not Part of Net Operating Cost	$ -	$ 127,773	$ 127,773
Total Net Outlays (Calculated Total)	$ 8,101,650	$ 19,131,764	$ 27,233,414
Budgetary Agency Outlays, Net (SBR 4210)			
Budgetary Agency Outlays, Net			$ 27,233,414

Reconciliation of Net Cost to Net Outlays as of September 30, 2020:

RECONCILIATION OF NET COST TO NET OUTLAYS
BUDGET AND ACCRUAL RECONCILIATION
FOR THE YEARS ENDED SEPTEMBER 30, 2020
(In Dollars)

	Intragovernmental	With the Public	Total
Net Operating Cost (SNC)	$ 8,205,720	$ 16,998,961	$ 25,204,681
Components of Net Cost Not Part of the Budgetary Outlays			
Property, Plant, and Equipment Depreciation Expense	-	(54,123)	(54,123)
Increase/(Decrease) in Assets:			
Accounts Receivable, Net	(5,699)	5,493	(206)
Other Assets	(12,699)	-	(12,699)
(Increase)/Decrease in Liabilities:			
Accounts Payable	(36,802)	(58,784)	(95,586)
Federal Employee and Veteran Benefits Payable	-	147,277	147,277
Other Liabilities	(31,423)	(171,636)	(203,059)
Financing Sources:			
Imputed Cost	(831,882)	-	(831,882)
Total Components of Net Operating Cost Not Part of the Budgetary Outlays	$ (918,505)	$ (131,773)	$ (1,050,278)
Components of the Budget Outlays That Are Not Part of Net Operating Cost			
Acquisition of Capital Assets	-	45,948	45,948
Total Components of the Budget Outlays That Are Not Part of Net Operating Cost	$ -	$ 45,948	$ 45,948
Misc Items			
Custodial/Non-Exchange Revenue	(1)	1	-
Total Other Reconciling Items	$ (1)	$ 1	$ -
Total Net Outlays (Calculated Total)	$ 7,287,215	$ 16,913,137	$ 24,200,352
Budgetary Agency Outlays, Net (SBR 4210)			
Budgetary Agency Outlays, Net			$ 24,200,352

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CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS

Independent Auditor's Report

Ernest DuBester, Chairman
Federal Labor Relations Authority

In our audits of the Fiscal Years 2021 and 2020 financial statements of Federal Labor Relations Authority (FLRA) we found:

a) FLRA's financial statements as of and for the Fiscal Years ended September 30, 2021 and 2020, are presented fairly, in all material respects, in accordance with U.S. generally accepted accounting principles;

b) no material weaknesses in internal control over financial reporting based on the limited procedures we performed; and

c) no reportable noncompliance for Fiscal Year 2021 with provisions of applicable laws, regulations, contracts, and grant agreements we tested.

The following sections discuss in more detail (1) our report on the financial statements, which includes required supplementary information (RSI), such as "Management's Discussion and Analysis", and other information included with the financial statements; (2) our report on internal control over financial reporting; (3) our report on compliance with laws, regulations, contracts, and grant agreements; and (4) agency comments.

Report on the Financial Statements

In accordance with U.S. generally accepted government auditing standards (GAGAS) and Office of Management and Budget (OMB) Bulletin No. 21-04, *Audit Requirements for Federal Financial Statements*, we have audited FLRA's financial statements. FLRA's financial statements comprise the balance sheets as of September 30, 2021 and 2020; the related statements of net cost, changes in net position, and budgetary resources for the Fiscal Years then ended; and the related notes to the financial statements.

We conducted our audits in accordance with U.S. GAGAS. We believe that the audit evidence we obtained is sufficient and appropriate to provide a basis for our audit opinions.

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Management's Responsibility for the Financial Statements

FLRA's management is responsible for (1) the preparation and fair presentation of these financial statements in accordance with U.S. generally accepted accounting principles; (2) preparing, measuring, and presenting the RSI in accordance with U.S. generally accepted accounting principles; (3) preparing and presenting other information included in documents containing the audited financial statements and auditor's report, and ensuring the consistency of that information with the audited financial statements and the RSI; and (4) maintaining effective internal control over financial reporting, including the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. U.S. GAGAS require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. We are also responsible for applying certain limited procedures to RSI and other information included with the financial statements.

An audit of financial statements involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the auditor's assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit of financial statements also involves evaluating the appropriateness of the accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. Our audits also included performing such other procedures as we considered necessary in the circumstances.

Opinion on Financial Statements

In our opinion, FLRA's financial statements present fairly, in all material respects, FLRA's financial position as of September 30, 2021 and 2020, and its net costs of operations, changes in net position, and budgetary resources for the fiscal years then ended in accordance with U.S. generally accepted accounting principles.

Other Matters

Required Supplementary Information

U.S. generally accepted accounting principles issued by the Federal Accounting Standards Advisory Board (FASAB) require that the RSI be presented to supplement the financial statements. Although the RSI is not a part of the financial statements, FASAB considers this information to be an essential part of financial reporting for placing the financial statements in appropriate operational, economic, or historical context. We have applied certain limited procedures to the RSI in accordance with U.S. GAGAS, which consisted of inquiries of management about the methods of preparing the RSI and comparing the information for consistency with management's responses to the auditor's inquiries, the financial statements, and other knowledge we obtained during the audit of the financial statements, in order to report omissions or material departures from FASAB guidelines, if any, identified by these limited procedures. We did not audit and we do not express an opinion or provide any assurance on the RSI because the limited procedures we applied do not provide sufficient evidence to express an opinion or provide any assurance.

Other Information

FLRA's other information contains a wide range of information, some of which is not directly related to the financial statements. This information is presented for purposes of additional analysis and is not a required part of the financial statements or the RSI. We read the other information included with the financial statements in order to identify material inconsistencies, if any, with the audited financial statements. Our audit was conducted for the purpose of forming an opinion on FLRA's financial statements. We did not audit and do not express an opinion or provide any assurance on the other information.

Report on Internal Control over Financial Reporting

In connection with our audits of the FLRA's financial statements, we considered the FLRA's internal control over financial reporting, consistent with our auditor's responsibility discussed below. We performed our procedures related to the FLRA's internal control over financial reporting in accordance with U.S. GAGAS.

Management's Responsibility

FLRA management is responsible for maintaining effective internal control over financial reporting, including the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

In planning and performing our audit of FLRA's financial statements as of and for the year ended September 30, 2021, in accordance with U.S. GAGAS, we considered the FLRA's internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the FLRA's internal control over financial reporting. Accordingly, we do not express an opinion on the FLRA's internal control over financial reporting. We are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses. We did not consider all internal controls relevant to operating objectives, such as those controls relevant to preparing performance information and ensuring efficient operations.

Definition and Inherent Limitations of Internal Control over Financial Reporting

An entity's internal control over financial reporting is a process effected by those charged with governance, management, and other personnel, the objectives of which are to provide reasonable assurance that (1) transactions are properly recorded, processed, and summarized to permit the preparation of financial statements in accordance with U.S. generally accepted accounting principles, and assets are safeguarded against loss from unauthorized acquisition, use, or disposition, and (2) transactions are executed in accordance with provisions of applicable laws, including those governing the use of budget authority, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent, or detect and correct, misstatements due to fraud or error.

Results of Our Consideration of Internal Control over Financial Reporting

Our consideration of internal control was for the limited purpose described above, and was not designed to identify all deficiencies in internal control that might be material weaknesses and significant deficiencies or to express an opinion on the effectiveness of the FLRA's internal control over financial reporting. Given these limitations, during our audit, we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Intended Purpose of Report on Internal Control over Financial Reporting

The purpose of this report is solely to describe the scope of our consideration of the FLRA's internal control over financial reporting and the results of our procedures, and not to provide an opinion on the effectiveness of the FLRA's internal control over financial reporting. This report is an integral part of an audit performed in accordance with U.S. GAGAS in considering internal control over financial reporting. Accordingly, this report on internal control over financial reporting is not suitable for any other purpose.

Report on Compliance with Laws, Regulations, Contracts, and Grant Agreements

In connection with our audits of FLRA's financial statements, we tested compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements consistent with our auditor's responsibility discussed below. We caution that noncompliance may occur and not be detected by these tests. We performed our tests of compliance in accordance with U.S. GAGAS.

Management's Responsibility

FLRA management is responsible for complying with laws, regulations, contracts, and grant agreements applicable to FLRA.

Auditor's Responsibility

Our responsibility is to test compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements applicable to FLRA that have a direct effect on the determination of material amounts and disclosures in FLRA's financial statements, and perform certain other limited procedures. Accordingly, we did not test compliance with all laws, regulations, contracts, and grant agreements applicable to FLRA.

Results of Our Tests for Compliance with Laws and Regulations

Our tests for compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements disclosed no instances of noncompliance for Fiscal Year 2021 that would be reportable under U.S. GAGAS. However, the objective of our tests was not to provide an opinion on compliance with laws, regulations, contracts, and grant agreements applicable to FLRA. Accordingly, we do not express such an opinion.

Intended Purpose of Report on Compliance with Laws and Regulations

The purpose of this report is solely to describe the scope of our testing of compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements, and the results of that testing, and not to provide an opinion on compliance. This report is an integral part of an audit performed in accordance with U.S. GAGAS in considering compliance. Accordingly, this report on compliance with laws, regulations, contracts, and grant agreements is not suitable for any other purpose.

Dembo Jones, P.C.

North Bethesda, Maryland
November 15, 2021

OTHER ACCOMPANYING INFORMATION

Summary of Financial Statement Audit

Audit Opinion:	Unqualified				
Restatement:	No				
	Beginning Balance	**New**	**Resolved**	**Consolidated**	**Ending Balance**
Material weaknesses	0	0	0	0	0

Summary of Management Assurances

Effectiveness of Internal Control over Financial Reporting (FMFIA § 2)						
Statement of Assurance:	Unqualified					
	Beginning Balance	**New**	**Resolved**	**Consolidated**	**Reassessed**	**Ending Balance**
Material weaknesses	0	0	0	0	0	0
Effectiveness of Internal Control over Operations (FMFIA § 2)						
Statement of Assurance:	Unqualified					
	Beginning Balance	**New**	**Resolved**	**Consolidated**	**Reassessed**	**Ending Balance**
Material weaknesses	0	0	0	0	0	0
Conformance with Financial Management System Requirements (FMFIA § 4)						
Statement of Assurance:	Systems conform					
	Beginning Balance	**New**	**Resolved**	**Consolidated**	**Reassessed**	**Ending Balance**
Non-conformances	0	0	0	0	0	0

Improper Payments Elimination and Recovery

The Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 (IPERA), requires agencies to annually report information on improper payments. The FLRA has reviewed all of its programs and determined that none are susceptible to significant improper payment. The IPERA also requires agencies to conduct payment-recapture audits for each program that expends $1 million or more annually, if conducting such audits would be cost-effective. Based on the criteria set forth in Appendix C of OMB Circular A-123, the agency has also determined that it would not be cost-effective to establish a recovery-audit program for its programs that expend more than $1 million. Recoveries are not expected to be greater than the costs incurred to identify any overpayments.

INSPECTOR GENERAL

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
WASHINGTON, D.C. 20424-0001

MEMORANDUM

DATE: September 24, 2021

TO: Ernest DuBester
Chairman

Colleen Duffy Kiko
Member

James Abbott
Member

FROM: Dana Rooney D. Rooney
Inspector General

SUBJECT: Top Management and Performance Challenges Facing the Federal Labor Relations Authority (MC-22-01)

In accordance with the *Reports Consolidation Act of 2000,* the Office of Inspector General (OIG) presents its annual assessment of the Top Management and Performance Challenges facing the Federal Labor Relations Authority (FLRA). The law states that the "agency head may comment on the Inspector General's statement, but may not modify the statement." By statute this statement should be included in the FLRA's "Performance and Accountability Report."

We identified these challenges based on the OIG's experience and observations from our oversight work, as well as our general knowledge of the FLRA programs and operations. In this year's memorandum, we identified two management and performance challenges facing the FLRA in Fiscal Year (FY) 2022. These challenges include one challenge Records Management that we reported last year. We added one new challenge Closure of Open Recommendations Outstanding for More than 1 year.

Our analysis considers the accomplishments the FLRA reported as of August 31, 2021. We noted progress that FLRA has made on the Records Management challenge. We appreciate management's strong commitment in addressing these challenges and welcome comments to our assessment.

Attachment

Records Management

Federal agencies are required by law (the Federal Records Act of 1950, as amended and codified in Title 44 of the United States Code) to adequately document their missions, functions, policies, procedures, decisions, and transactions. They are required to preserve historically valuable records, and it is a crime to destroy records without approval from the U.S. National Archives and Records Administration (NARA).

In 2011, Presidential Memorandum, *Managing Government Records,* required Federal agencies to manage both permanent and temporary email records in an electronic format by the end of 2016. By the end of 2019, agencies were directed by the Office of Management and Budget (OMB) and NARA in a jointly issued Memorandum M-12-18, *Managing Government Records Directive* to manage all permanent records in an electronic format.

NARA is set to stop accepting paper-based records at the end of 2022, and OMB issued M-19-21, *Transition to Electronic Records* to help agencies meet this deadline. This memorandum directs agencies to: "ensure that all Federal records are created, retained, and managed in electronic formats, with appropriate metadata, and develop plans to close agency-operated storage facilities for paper and other analog records, and transfer those records to NARA's Federal Records Centers or commercial storage facilities."

The memo also states, "Beginning January 1, 2023, all other legal transfers of permanent records must be in electronic format, to the fullest extent possible, regardless of whether the records were originally created in electronic formats. After that date, agencies will be required to digitize permanent records in analog formats before transfer to NARA."

FLRA has worked diligently toward compliance with the records management directive by continuing to implement an electronic records system as well as policies and procedures to properly handle FLRA files and records. Management continues to provide employees and contractors annual mandatory Records and Information Management training. These are excellent steps forward in FLRA's effort to comply with records management standards. In FY 2021, FLRA did not receive the funding necessary to comply with the 100 percent electronic files by December 2022, per M-19-21. If FLRA receives the requested funds in FY 2022, it is imperative that a complete oversight or governance process be established for the remaining FLRA offices to include developing and transitioning the new case management system (CMS) and fully electronic case files.

Progress in Addressing the Challenge

FLRA provided the following management challenge update:

"FLRA has made significant strides in bringing its Records and Information Management (RIM) Program into compliance. During FY 2021, the Agency continued to actively comply with Presidential Memoranda: M-12-18 and M-19-21. Specifically, during FY 2021, the Agency revised the FLRA Records Management Program, which provides a clear definition of program objectives, responsibilities, and authorities. The benefits from the program revisions made include developing policies and procedures to provide staff guidance for their responsibilities for managing records in all formats and will improve efficiency throughout the records lifecycle. The benefits of the program revisions provide accurate information, avoidance of unnecessary costs for records storage, protection of rights, and assurance of continuity of operations at the FLRA. In alignment with the RIM program revision, we will be adding a RIM webpage and content to the FLRA intranet page.

- Additionally, FLRA continued its annual computer-based Records and Information Management training for all FLRA employees and contractors that create, receive, access, or use federal records. Each year, we are required to complete and submit three reports: The Senior Agency Official for Records Management (SAORM) Annual Report, a new Federal Electronic Records and Email Management Maturity Model Report, and the annual Records Management Self-Assessment (RMSA). FLRA complied with completing its annual RMSA and submitted the findings to NARA. The self-assessments goal is to determine whether Federal agencies are compliant with statutory and regulatory records management requirements. In just two years, FLRA has shown significant improvement from being scored a moderate risk in 2019 to a low-risk agency in 2021.

Below are the 2019 and 2021 comparative scores we received from our agency's responses to NARA annual reports.

- SAORM Annual Report. (This report is not scored).
- RMSA for 2020 score: 94 compared to 2019 score: 77.
- Federal Electronic Records and Email Management Report for 2020 scores:
    - Part I Electronic Records Score: 64 compared to 2019 score: 52
    - Part I Electronic Records Maturity Model Score: 3.37 compared to 2019 score: 2.74
    - Part II Email Score: 15 compared to 2019 score: 11
    - Part II Email Maturity Model Score: 3 compared to 2019 score: 2.2

Finally, the Agency continues to develop and implement the technology necessary to support 100% electronic files by December 2022, per M-19-21. Unfortunately, the Agency did not receive its request for additional funding in the FY 2021 enacted budget. As a result, this will potentially delay the remaining offices with their development and transition to the new CMS and fully electronic case files. However, the Agency continues to add funds where possible with any available end-of-year funds to keep the project moving. The Agency is again requesting funds through the FY 2022 budget request and remains hopeful to receive the needed funds to complete this project on time.

As described above, the Agency continues to take steps to address its identified management challenge. We look forward to continuing to work with you on addressing and resolving any outstanding matters, as well as any management challenges identified for FY 2022 and beyond."

What Needs to Be Done

FLRA needs to continue its efforts in securing the necessary budget resources to successfully achieve compliance with OMB deadlines.

Key OIG Resources

- President Memorandum, *Managing Government Records,* signed on November 28, 2011
- OMB Directive M-12-18, Managing Government Records Directive, issued August 24, 2012
- OMB/NARA Memorandum M-14-16, which included NARA Bulletin 2014-06, Guidance on Managing Email issued September 14, 2014
- NARA Memorandum, Records Management Priorities for 2017, issued March 15, 2017
- OMB Memorandum M-19-21, *Transition to Electronic Records,* signed on June 28, 2019

Closure of Open Recommendations Outstanding for More Than 1 Year

The Inspector General Act of 1978, as amended, requires explanations for all audit reports with recommendations open for more than one year. These outstanding recommendations are also reported to the FLRA and Congress in the OIG's Semiannual Reports to Congress. Since the March 31, 2021 OIG Semiannual Report, the FLRA has closed a significant number of outstanding recommendations which was a culmination of a long-term effort that represents a significant accomplishment. However, at this time, FLRA has nine open recommendations outstanding for more than 1 year.

Accordingly, a new challenge identified for this year concerns the closure of open recommendations outstanding for more than one year. In March 2020, the OIG issued a Management Advisory Review of Credit Hours and Premium Pay (MAR-20-03) and made 17 recommendations. In March 2021, the OIG performed a Follow-up Review from the 2020 Credit Hours and Premium Pay (MAR-21-03) and closed 14 of the 17 open recommendations.

On September 8, 2020, the OIG issued a Management Advisory Review of FLRA's Appointment of Contracting Officer's Representative (MAR-20-07) and made six recommendations. In August 2021, at the request of the Agency due to extenuating circumstances, the OIG agreed to delay our 2021 follow-up review until the Administrative Services Division is able to take the necessary action to remediate the six open weaknesses. The OIG believes by delaying the follow-up review, management will have additional time to address the extenuating circumstances and take all corrective action needed to close these weaknesses.

The table below shows a summary of reports with corrective actions outstanding for more than 1 year and whether report recommendations are open or closed.

Reports with Corrective Actions Outstanding for more than 1 year

Report Title	Report Number	Issue Date	Number of Recommendations	Closed	Open
Management Advisory Review of Credit Hours and Premium Pay	MAR-20-03	3/11/20	17	14[1]	3
Management Advisory Review of FLRA's Appointment of Contracting Officer's Representative	MAR-20-07	9/8/20	6	0	6

[1] OIG performed a Follow-up Review from the 2020 Credit Hours and Premium Pay Report MAR-21-03 dated March 15, 2021 closed 14 of the 17 open recommendations.

At this time, FLRA has nine recommendations outstanding for more than 1 year. As the OIG continues to issue reports with recommendations, it is critical that the FLRA continue its progress in resolving open findings that are outstanding from prior audits, and design appropriate corrective action plans to implement procedures and address deficiencies, where appropriate. FLRA management should also continuously monitor these plans to ensure timely audit resolution.

Key OIG Resources

- OIG Report, Follow-up Review from the 2020 Review of Credit Hours and Premium Pay, March 15, 2021
- OIG Report, Management Advisory Review of FLRA's Appointment of Contracting Officer's Representative (MAR-20-07), September 8, 2020
- OIG Report, Management Advisory Review of Credit Hours and Premium Pay (MAR-20-03), March 11, 2020

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