



U.S. FEDERAL LABOR RELATIONS AUTHORITY

*Promoting and protecting labor-management relations  
for effective, efficient Government.*



# CONGRESSIONAL BUDGET JUSTIFICATION



2023



FLRA.GOV

This page intentionally left blank.

**UNITED STATES  
FEDERAL LABOR RELATIONS AUTHORITY**



**Congressional Budget Justification  
Fiscal Year 2023**

This page intentionally left blank.

# Table of Contents

<b>EXECUTIVE SUMMARY</b> .....	<b>1</b>
<b>U.S. FEDERAL LABOR RELATIONS AUTHORITY</b> .....	<b>3</b>
BACKGROUND AND MISSION .....	3
ORGANIZATIONAL STRUCTURE .....	3
ORGANIZATIONAL CHART.....	4
THE AUTHORITY.....	5
OFFICE OF THE GENERAL COUNSEL (OGC).....	5
FEDERAL SERVICE IMPASSES PANEL (FSIP) .....	6
<b>AGENCY TRENDS &amp; CHALLENGES</b> .....	<b>6</b>
INTRODUCTION .....	6
1999-2009 .....	6
2009-2016 .....	7
2017-2020 .....	7
2021-2024 .....	8
OFFICE OF THE GENERAL COUNSEL.....	9
OFFICE OF ADMINISTRATIVE LAW JUDGES (OALJ).....	10
COLLABORATION AND ALTERNATIVE DISPUTE RESOLUTION OFFICE (CADRO) .....	11
TRAINING AND MUCH-NEEDED UPDATES TO GUIDANCE MATERIALS.....	13
OFFICE OF THE EXECUTIVE DIRECTOR .....	14
<i>Technology Investment – 100 percent electronic files</i> .....	14
<i>Technology Investment – CyberSecurity</i> .....	15
<i>Technology Investment – FLRA.gov</i> .....	15
CURRENT SERVICES ESTIMATE.....	15
<b>BUDGET JUSTIFICATION</b> .....	<b>16</b>
APPROPRIATIONS LANGUAGE .....	16
2023 FUNDING REQUEST .....	16
CHANGE FROM 2022 .....	16
PERSONNEL COMPENSATION AND BENEFITS.....	17
PROGRAM AND FINANCING SCHEDULE .....	17
OBJECT CLASSIFICATION SCHEDULE.....	18
EMPLOYMENT SUMMARY SCHEDULE .....	18
INSPECTOR GENERAL RESOURCES .....	19
<b>ANNUAL PERFORMANCE PLAN</b> .....	<b>22</b>
FLRA STRATEGIC GOALS .....	23
STRATEGIC OBJECTIVES.....	23
STRATEGIC GOAL 1: RESOLVE DISPUTES UNDER THE STATUTE IN A TIMELY, HIGH- QUALITY, AND IMPARTIAL MANNER .....	24
STRATEGIC GOAL 2: PROMOTE STABILITY IN THE FEDERAL LABOR-MANAGEMENT COMMUNITY BY PROVIDING LEADERSHIP AND GUIDANCE THROUGH ALTERNATIVE DISPUTE RESOLUTION AND EDUCATION.....	41
STRATEGIC GOAL 3: MANAGE OUR RESOURCES EFFECTIVELY AND EFFICIENTLY IN ORDER TO ACHIEVE ORGANIZATIONAL EXCELLENCE.....	45

## EXECUTIVE SUMMARY

---

The Federal Labor Relations Authority (FLRA's) is pleased to present its 2023 Congressional Budget Justification in the amount of \$31,762,000—or \$2,515,000 (+9 percent) over 2022 CBJ or \$4,364,000 (+16 percent) over 2022 enacted budget.

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. Thus, FLRA is the rare type of agency whose performance actually affects other Federal agencies. Specifically, if FLRA is not able to resolve or help prevent Federal agencies' and unions' labor disputes in a timely, effective manner, then that can have rippling, negative effects on mission performance throughout the rest of the Federal government.

In 2023, FLRA will continue a multiyear Agency rebuild that began in 2021 and 2022. This reconstruction was preceded by two decades of level funding, at best, where inflation consistently reduced the agency's ability to afford FTEs – resulting in FLRA being down about 100 FTEs from 20 years ago. Additionally, FLRA is dealing with unprecedented case backlogs, created by: the nearly four-year absence of an FLRA General Counsel (GC) and the resulting inability to issue unfair-labor-practice (ULP) complaints; the elimination of FLRA's highly successful Collaboration and Alternative Dispute Resolution Office (CADRO); the loss of experienced staff, including those who departed when FLRA closed its Dallas and Boston Regional Offices; and explosions in new case filings.

The first steps of FLRA's rebuild were designed to enable FLRA to effectively “stop the bleeding”: to reestablish CADRO; to restore FTEs to the Office of the General Counsel (OGC) and Office of Administrative Law Judges (OALJ); to prevent case backlogs from increasing further; and to position the Agency to again provide the level of service that the parties expect and deserve.

Consistent with that design, FLRA's 2022 budget request of \$29,247,000 was intended to be the first, but not final, step in restoring FLRA to a “normal” state of operations. That request would have funded 131 full-time equivalents (FTEs), including twelve new FTEs: one conflict-management expert in CADRO, one ALJ in the OALJ, and ten attorneys in the OGC. It also would have provided needed resources to improve FLRA's administrative functions and cybersecurity posture, and to continue to build on our successful virtual-trial capabilities.

However, FLRA's 2022 enacted budget of \$27,398,000, along with an increase in average-FTE costs, will enable FLRA to fund only 116 FTEs for 2022.<sup>1</sup> This leaves staffing at the 2021 level, so the need for additional funding remains. Therefore, this 2023 request would fund 135 FTEs, reestablishing many of the positions that have been lost over recent years and reviving FLRA's ability to effectively perform its mission for the employees, agencies, and unions, who depend on the Agency's labor-relations expertise and leadership.

---

<sup>1</sup> The average annualized cost of an FTE at FLRA in FY 2022 is \$195,000 and FY 2023 is \$207,000.

President Biden’s Executive Order 14003, “Protecting the Federal Workforce” (1/22/21) and OPM Guidance, “Guidance for Implementation of Executive Order 14003 - Protecting the Federal Workforce” (3/5/21), direct agencies to revise any collective-bargaining agreements implementing Executive Order 13836 from the previous Administration. As a result, FLRA is seeing a surge in its workload throughout all components. This new surge in work, on top of the resolution of the backlogs of cases, discussed below, will necessitate a restoration of FTEs.

In FY 2004, FLRA’s enacted budget was \$29,611,000; in FY 2022 it is \$27,398,000. Throughout the years, the Agency has had the same mission and responsibilities as it has today. FLRA survived those years by virtually eliminating face-to-face interactions with the employee, agency, and union representatives that we serve; making, what were thought to be temporary cost cuts, in every budget area; closing two Regional Offices; and, in largest part, by reducing staff levels through attrition and not filling the vacated positions. FLRA’s greatest cost, and greatest asset, has always been its FTEs – about 80 percent of the entire budget – and the Agency simply could not afford the FTEs it needed to fully carry out its mission.

FLRA acknowledges that the requested funding increase may seem “exorbitant,” but it is *crucial* if FLRA is to return to a fully-functioning agency and meet President Biden’s call to “Protect the Federal Workforce.” Compared to the reduction in enacted FLRA funding over the course of the last twenty years, the Agency’s FY 2023 request is well below the funding we would have, even if only given yearly budget increases simply based on inflation. It is past time to make significant investments in FLRA and return to a more appropriate level of service for the parties we serve.

# U.S. FEDERAL LABOR RELATIONS AUTHORITY

---

## 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's 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 influence is important beyond its size.

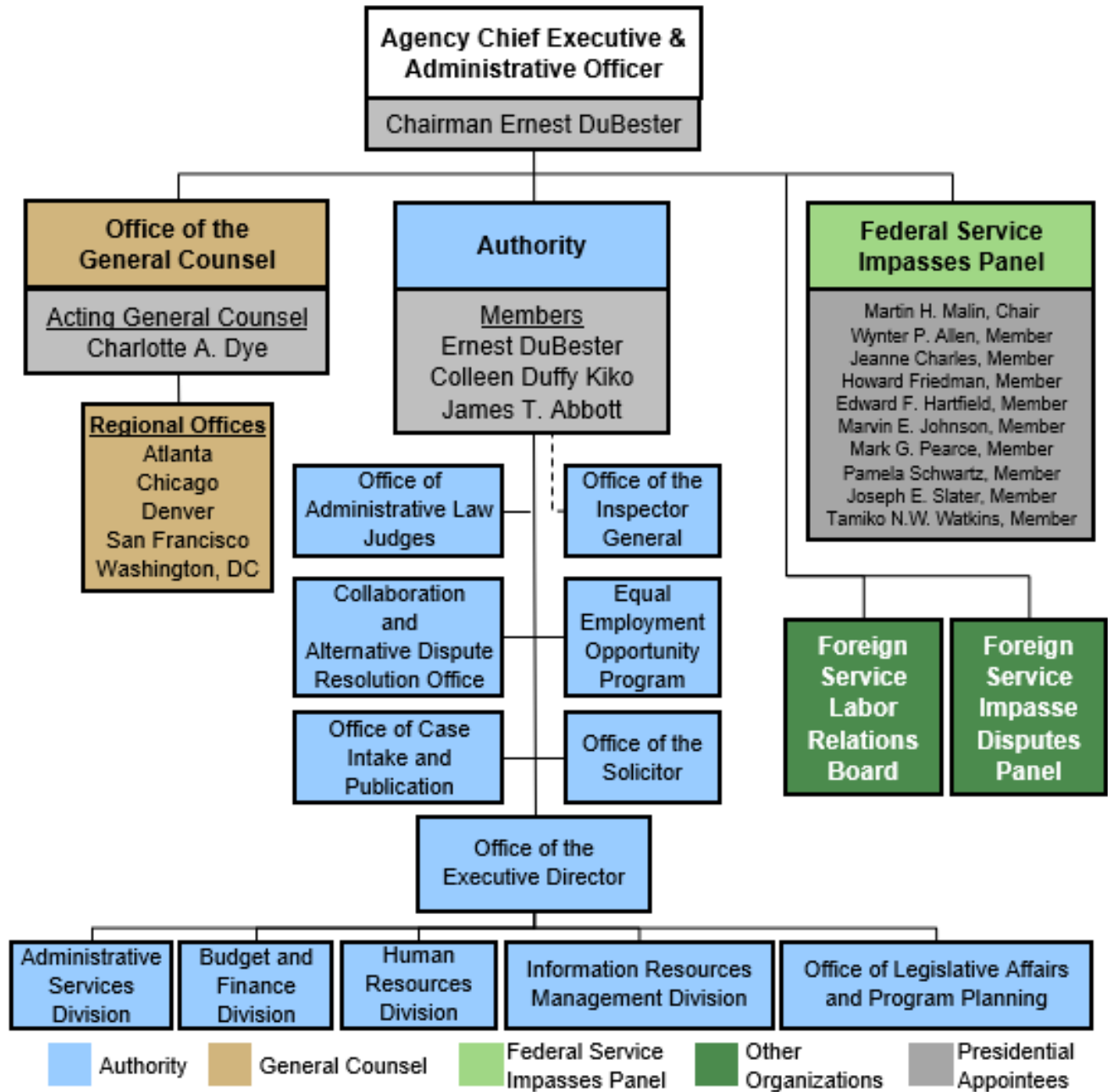
## ORGANIZATIONAL STRUCTURE

---

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.



# Federal Labor Relations Authority



## The Authority

---

The Authority, FLRA's bipartisan, 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 the President designates one Member 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)

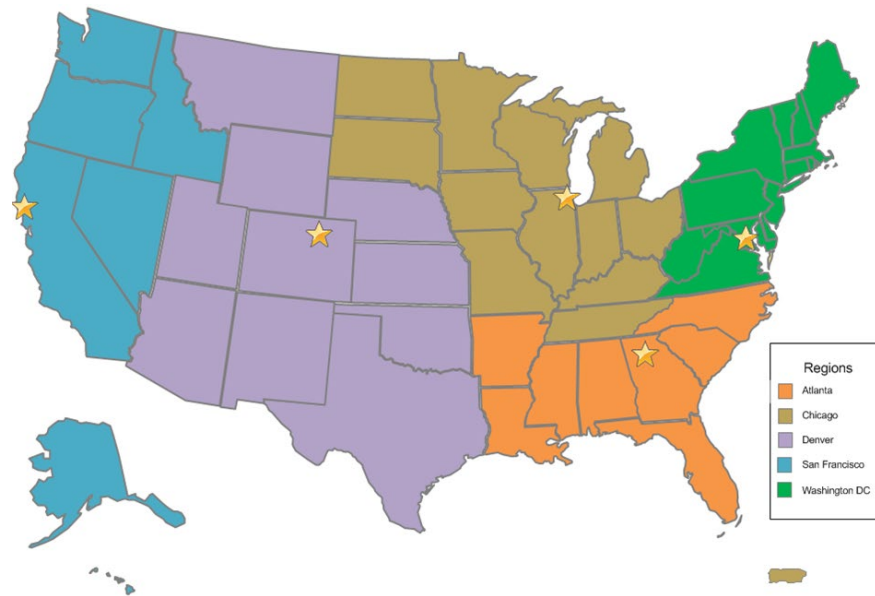
---

The General Counsel, 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, 45 percent of FLRA staff are employed in the Regional Offices, where all ULP charges and REP petitions are filed.

There are five Regional Offices located 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.

## AGENCY TRENDS & CHALLENGES

---

### Introduction

---

Over the past twenty years or so, FLRA has experienced several significant eras.

#### 1999-2009

---

FLRA's history since 1999 is one of "doing much more with much less." FLRA experienced a brutal appropriations loss of about seven million dollars (23 percent, close to one quarter of its budget) from \$29,611,000 in 2004 to \$22,674,000 in 2009.

From 1999 to 2009, FLRA lost about one hundred FTE employees (from 213 to 114): about half its staff.

Along with staff losses, there were vacancies of long duration in key positions, such as Chairman and Members of the Authority, the General Counsel and Deputy General Counsel, Panel Members, Solicitor, Executive Director, Budget Director, Human Resources Director, and five of the then-seven Regional Directors.

And in the 2007 and 2008 Federal Employee Viewpoint Surveys (FEVS), FLRA ranked as the worst small agency for which to work.<sup>2</sup>

The ability to discharge our statutory responsibilities was severely compromised.

## 2009-2016

---

To correct course, FLRA submitted a Corrective Action Plan (CAP) to OMB in April 2009. As part of that plan, FLRA recommitted to engaging its workforce and improving overall employee satisfaction.

Through the prudent management of resources, as well as the hard work and dedication of agency leadership and employees, FLRA transformed itself from a seriously under-performing agency marked by considerable deficiencies to what it had not been in years: a high-performing agency with numerous notable achievements. For example, FLRA completed its CAP, educated the labor-management community at unprecedented rates, provided practitioners with educational and training resources and tools for success, eliminated its case backlogs, and met and exceeded its performance expectations.

In addition, FLRA experienced extraordinary increases in employee satisfaction and morale so that, by 2015, FLRA reached the rank as the #3 best agency to work for under the Best Places to Work in the Federal Government® small-agency rankings, including ranking as the #1 small agency in several meaningful categories.

An indispensable part of this impressive turn-around in the agency's performance of its essential work and the meteoric rise in the FEVS, was a steady increase in the number of employees doing the agency's work, reaching a high of 131 employees in 2015.

## 2017-2020

---

From 2017 to 2020, the crucial advances made by FLRA through 2016, which led to momentous results, were undone.

For nearly four years, there was not a Presidentially-nominated and Senate-confirmed General Counsel, leading to an historically high backlog of 494 complaint and 436 appeal cases.

FLRA did not have a full complement of Members until late 2017, during which time few decisions were issued. By the time it had its full complement, the Authority faced an enormous number of aging cases pending decision, as well as a steep increase in new case filings. At the same time, the new Members revisited multiple areas of longstanding precedent and FLRA received an unparalleled number of requests for Authority "Policy Statements," both of which led to very overage cases.

During these four years, nearly 30 percent of FLRA employees departed. Most heavily affected, the OGC experienced a drop of 40 percent of its professional staff: from 42 attorneys in 2017 to only 26 in 2021. When FLRA staff departed, including some of the most experienced OGC and

---

<sup>2</sup> In fact, the FLRA score was so low that OPM was unable to include FLRA numbers with the overall government numbers, because it determined it would unduly skew the statistics to do so.

Authority staff, few positions were backfilled. Overall, FLRA FTE employee levels dropped to a low of 99 in 2019.

These reductions included the closure of two Regional Offices, in Boston and Dallas, and the complete elimination of the Collaboration and Alternative Dispute Resolution Office (CADRO).

As for staff morale, FLRA once again dropped, in just two years, from one of the top five best places to work, in 2016, to one of the bottom two, by 2018.

## 2021-2024

---

FLRA began its re-stabilization in 2021 and seeks to complete this effort by 2024. As discussed above, many trends in the past several years have resulted in a number of existing challenges for FLRA, and other projected trends will present additional challenges. To address all of these challenges, ensure the statutory right to engage in collective bargaining, and provide a more constructive approach to labor-management relations in the Federal sector, urgent steps, which we outline below, must be taken.

The first re-stabilization action entails stopping the increase in the case backlogs.

FLRA's 2022 Budget Request was \$29,247,000. That amount would have funded 131 FTEs, including twelve new FTEs: one conflict-management expert in the newly reconstituted CADRO, one ALJ in the OALJ, and ten attorneys in the OGC. The addition of ten attorneys to the OGC in 2022 would have brought the total from 26 in 2021 up to 36 in 2022, but still lower than the 42 that were in the OGC as recently as March 2018.<sup>3</sup>

FLRA's 2022 enacted budget was \$27,398,000, which, along with an increase in average-FTE costs, will enable FLRA to fund only 116 FTEs for 2022, leaving no room for growth in 2022.

To effectively accomplish its important mission of resolving and helping prevent workplace disputes, FLRA itself needs a first-in-class workforce. Understaffing FLRA, especially on the heels of the significant and painful downsizing that had already taken place within the Agency, undermines FLRA's ability to recruit, reward, professionally develop, and retain top performers.

As a small agency primarily employing highly-educated attorneys, personnel compensation and benefits account for the largest share of FLRA's overall budget: nearly 80 percent in 2022. The requested funding increase for 2023 is not to purchase fungible, tangible items, but is to bring back the professional labor that is essential to carrying out the Agency's mission of investigations, settlement, litigation, decisions, and improvement of workplace relationships so sorely needed by our parties. FLRA is its people; without the appropriate cadre of employees, FLRA cannot function and its mission, critical to the government as a whole, is left undone.

---

<sup>3</sup> After March 2018, the number of OGC professional staff dropped as a result of the resignation of staff and those vacancies being left unfilled and the loss of staff due to the elimination of two Regional offices.

## Office of the General Counsel

---

The OGC plays a fundamental 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 OGC resolves 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 cannot effectively carry out its mission without the restoration of 14 FTEs to accomplish its mission.

Overall, OGC-HQ projects 3745 ULP cases to be filed in 2023, a 27% increase over 2022. From February 2021, ULP case filings began to rise exponentially, however, the OGC is conservatively estimating an annual 27-30% rise in case filings. This will bring the OGC case filings to what they were prior to 2017, when case filings began to fall in the absence of a GC. In addition to the rise in ULP cases, REP petitions will also rise, as the OGC expects two agencies' multi-unit reorganizations will result in 120 petitions in 2022 and 2023 alone. As well, the OGC hopes to conduct 75 training sessions for labor and agencies in 2023.

Historically, the OGC settles or litigates, on average, about six complaints per attorney per year (about 250 in total per year, with 42 attorneys<sup>4</sup>). Once an Acting GC was named in March 2021<sup>5</sup>, the OGC took the initial steps of addressing the 494-complaint backlog by making settlement offers in most of the 494 cases.<sup>6</sup> Through the end of 2021, the OGC settled 206 of the 494 pending complaints, without the need to issue complaint.<sup>7</sup> The OGC also issued 130 complaints. Within the same time period, the Regional Directors also authorized 106 *new* complaints which were added to the complaint backlog. This brought the backlog of complaints to 264.

---

<sup>4</sup> 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.

<sup>5</sup> Under the Vacancies Act, an Acting General Counsel was designated on March 24, 2021. A General Counsel nominee was named on August 4, 2021, and resubmitted on January 4, 2022.

<sup>6</sup> In the absence of a General Counsel, the Regional Offices may investigate ULP charges and dismiss those found to lack merit, but they cannot issue ULP complaints in meritorious cases. In addition, only the General Counsel can decide appeals of a Regional Director's dismissal of a ULP charge.

<sup>7</sup> Many of the 206 cases resolved were of the "low hanging fruit" variety. The remaining cases will require more dedicated resources to resolve.

The number of precomplaint settlements, as expected, fell to 30 in 2022, as many of the most contentious, hard-to-settle complaints were left after the initial flood of settlements in 2021.<sup>8</sup> And as more time is dedicated to the litigation of the issued complaints, less time can be spent trying to resolve the cases prior to issuance of complaint. As well, the OGC is expected to authorize an additional 250 complaints, on average, each year thereafter. As a result, the backlog of complaint cases is still estimated to be as high as 374 cases by the end of 2022. By restoring OGC staffing to 40 FTEs in 2023, the OGC could resolve, by settlement or litigation, 320 complaints per year. This would nearly eliminate the complaint backlog (down to 54) by the end of 2023. Without the restoration of 14 FTEs, the backlog will continue to grow.

At the same time that all 40 FTEs<sup>9</sup> are working to eliminate the complaint backlog, they will also be investigating *newly* filed ULP charges and REP petitions. A decision to prioritize the backlog of complaint cases over other work will necessarily result in a backlog of *investigations* of newly filed REP and ULP cases, which are expected to increase by 27-30% each year. And doing so will significantly increase the number of *untimely* ULP and REP decisions.

To have any chance of getting to a place where there are neither complaint nor investigation backlogs and the OGC is meeting its performance goals for productivity and timeliness, the OGC must rebuild to 40 attorneys in the Regions, which is still under the number on board in March 2018.

Congress obtains a great deal of “bang” for the “bucks” allocated to FLRA in 2023. With the restoration of 14 OGC staff, the OGC expects to issue 360 complaints through 2023. We expect that more than 90% of those complaints (324) will settle without the need for trial. This will allow the OGC to bring the historically high backlog of cases awaiting complaint from 494 (in April 2021) to 54 cases, a tremendous accomplishment. At the same time the OGC will be trying cases before the OALJ, it will also investigate approximately 3209 ULP charges; process 280 REP petitions; and conduct 75 training sessions for 7000 participants. This will not be possible without the OGC hiring 14 attorneys in 2023.

## Office of Administrative Law Judges (OALJ)

The unprecedented backlog of unfair-labor-practice (ULP) cases triggered by the lack of a General Counsel in the previous administration has created increased caseloads for the OALJ, which had three Administrative Law Judges (ALJs) in 2021 who conduct hearings and issue recommended decisions on cases involving alleged ULPs. In 2021, the ALJs were also supported by one attorney-advisor to assist in legal research. Due to a retirement of one of our judges, the OALJ has been short-staffed but continues to make significant progress in addressing the backlog. Because ALJs’ recommended decisions can be appealed to the Authority, the Authority undoubtedly will continue to experience an increase in its ULP caseload. In 2023, the OALJ requests two attorneys to accelerate the delivery of written decisions. When parties are unable to settle their cases, the unique skill set of judges entails ensuring that full, adversarial due process hearings are conducted in order to resolve the dispute. 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. Authorization to hire two additional attorneys

---

<sup>8</sup> The OGC continues to prioritize those complaints authorized between 2017 and 2020.

<sup>9</sup> This number includes the 14 FTEs the OGC hopes to regain in 2023.

will directly support the OALJ's goal of professionally producing quality decisions in a timely manner and allow the ALJs to focus their attention on conducting hearings and overseeing the drafting of decisions.

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.

Absent the additional attorneys assisting the OALJ to address the unprecedented backlog, 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, the ALJs 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, OALJ has been scheduling four to six ULP cases per ALJ for hearing every other week in order to aggressively reduce the backlog.

For FY 2022, the OGC has estimated 110 ULP complaints will be filed with the OALJ, increasing to 250 cases in FY 2023, with the restoration of 14 FTEs to its corps. The OALJ caseload is directly proportional to the number of complaints filed by the General Counsel. In light of the initial backlog of 494 cases, it will take over 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 that will be filed each year in addition to the backlog*. The remaining cases that do not settle before trial are the most complex and litigious.

With three judges, the OALJ can expect to issue 43 decisions in 2023. With the additional two attorneys requested in 2023, the number of decisions issued could increase and be delivered in a much shorter period of time. 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. The additional attorneys will not only help OALJ to eliminate the current backlog but also to avoid the creation of a new backlog of pending ULP cases over the first three years of the Biden Administration.

## Collaboration and Alternative Dispute Resolution Office (CADRO)

FLRA's highly successful and vitally important CADRO has been key to FLRA mission performance for most of the past 26 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 2023 and beyond, CADRO will continue to play 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 will continue to be 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 2023, the OGC and the OALJ will expect CADRO staff to conduct 250 settlement conferences so as to prevent ULP cases from becoming hopelessly backed up waiting for trial. In addition, CADRO staff will be expected to resolve about a half-dozen sensitive arbitration exception (appeal) cases and at least 200 complex legal issues in about 25 negotiability cases so that 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 specifically recommended to the President by the Vice President and the Secretary of Labor in their report entitled [White House Task Force on Worker Organizing and Empowerment](#) (publicly released February 07, 2022) and 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). In 2023, CADRO plans to expertly deliver at least a dozen facilitation, training, and fractured-workplace-relationship repair initiatives. These services will be offered to FLRA parties that want to learn how to improve the way they constructively manage workplace conflict and prevent conflict from erupting into destructive disputes. CADRO assists the stakeholders in these cases to resolve difficult, pragmatic issues that give rise to the legal disputes before FLRA. These services not only minimize the need for third-party intervention, they enable agencies and unions 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 presently has only two FTEs and no dedicated administrative support. As reflected in the table below, CADRO expects to close more than 300 cases in 2023. That is an unsustainable number for two 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 can two FTEs fully satisfy joint agency and union requests for training, facilitation, and assistance improving essential labor-management relationships. Moreover, expected Authority caseloads and other priorities for Authority staff, including regulatory revisions, updates to training and guidance materials, and increased provision of training, as discussed further below, make it unlikely that non-CADRO staff at FLRA can continue providing CADRO staff with the same level of essential assistance in CADRO cases. This is particularly true given that FLRA is not requesting funding for any additional FTEs on the Authority Members' staffs in 2023. For these reasons, FLRA has made it a priority to restore the third FTE to CADRO during 2023 (that was eliminated in 2017). After the case backlogs begin to clear, the third CADRO FTE will remain critical to continue delivering expert ADR services to help parties resolve important cases, deliver facilitation and necessary training, and lead essential workplace-relationship repair, all of which are key to FLRA accomplishing its mission and to support the White House priority to promote stable, constructive labor relations.

As a direct result of restoring the third FTE, additional disputes in cases pending before the Authority and FLRA ALJs will be significantly reduced, narrowed, and resolved in a timelier manner. Members of the labor-management community will become better equipped to prevent and constructively manage workplace conflict and resolve their own disputes without third-party intervention and resources. Fewer cases will require FLRA adjudication, thereby preserving limited FLRA case-processing resources and associated resources of the agencies and unions that FLRA serves. The high impact of restoring a third CADRO FTE in 2023 makes it a critical priority to fund this request.

<b>Case Type</b>	<b>FY 2023 est.</b>
Negotiability	25
Arbitration	6
Other	10
Training and Facilitation	12
<b>Subtotal</b>	<b>53</b>
Settlement Judge Program	250
<b>Total</b>	<b>303</b>

### Training and Much-Needed Updates to Guidance Materials

Outreach to FLRA parties by developing updated and new tools, training, online webinars, videos, podcasts, or other social-media tools assists the parties in understanding their statutory obligations and promotes a stable Federal labor-relations program. FLRA strategic plans for educational resources, such as YouTube videos, are expected to advance significantly in 2023. The need for electronic training has grown with the rapid changes in workplace culture triggered by the pandemic, during which travel to conduct training was curtailed. The need for these video and audio modes of training will only increase in 2023.

However, not all customer engagement can be done virtually. Joint in-person engagement remains the best way for FLRA staff to help unions and agencies improve their workplace relationships and related skills. Engaging in-person with some of FLRA’s “repeat customers” has the potential to produce the greatest value throughout Government. The additional staff resources requested in this budget will enable FLRA experts, including OGC, Authority, and CADRO staff, to conduct more in-person customer engagements and achieve meaningful results.

Less experienced staff has made it necessary for the Authority to curtail much of its training, which comes at a time when parties need significant guidance. Further, the Authority’s focus on attempting to reduce its case backlog has prevented it from devoting staff time to developing and updating training materials and guidance documents. For example, the *Guide to Arbitration* that summarizes the Authority’s precedent and practices in the type of case that makes up the majority of the Authority’s caseload has not been updated since 2016. Also, the *Guide to Negotiability* has not been updated since it was initially created in 2013. This dearth of updated educational materials and Authority training has meant that there are fewer useful educational tools available to the parties. Restoring and improving FLRA’s ability to offer training requires committing time and other resources to training FLRA staff to deliver educational programs and giving them opportunities to become experienced at doing so.

With a new Member anticipated to come on board in 2022, the Authority will need to devote much of its time and resources to issuing decisions, given the historical fact that changes in Agency leadership can require an increase in the amount of time that staff must devote to case adjudication. However, once the caseload begins to stabilize in 2023, the Authority plans to begin updating its guidance and training materials and increasing its delivery of training programs. These activities will require substantial time commitments by Authority staff.

## Office of the Executive Director

---

FLRA proposes to build an agile organization to quickly respond and align to changing mission needs, innovations, and technological advancements. Clearly, FLRA's ability to transition to virtual platforms so seamlessly in 2020 (required when FLRA went to maximum telework due to the pandemic) is a tribute to the well-positioned spending of end-of-year funds, which amount to an absorbed cost. This cost absorption cannot continue to be the manner in which FLRA funds its critical infrastructure.

Changes to FLRA's rules and regulations will be necessary when it moves to fully electronic case files by December 31, 2022, as directed by Office of Personnel Management Memorandum M-19-21 (Transition to Electronic Records) and managed through the National Archives and Records Administration's Federal Electronic Records Modernization Initiative (FERMI).

Relatedly, FLRA's general procedural regulations have not been significantly updated in decades and need a comprehensive review. Once they are updated, FLRA will need to develop guidance and provide training to its parties regarding the changes. All of these important activities will require substantial time commitments of Authority staff, including those in the Office of Case Intake and Publication, as well as OGC staff. Further, these activities, potentially larger caseloads, and the decision not to request additional FTEs for the Authority Member staffs, may affect those staffs' ability to engage in other activities, such as assisting CADRO, in 2023. This reinforces the need for a third CADRO FTE in 2023.

## Technology Investment – 100 percent electronic files

---

FLRA is continuing to work towards its goal of transitioning to 100 percent electronic case files. This goal is in support of Presidential Memoranda: M-12-18 and M-19-21. Unfortunately, the FY 2022 enacted budget does not provide the requested funding necessary and will delay the Agency completing this effort. The original goal was to be completed by December 31, 2022. Assuming a favorable 2023 budget, the completion of this effort is now estimated to be 2024.

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. As described above, Office of the Executive Director (OEXD), Authority, and OGC staff will need to review and revise the relevant FLRA regulations in connection with these National Archives and Records Administration-directed efforts. However, this would be only a short-term commitment of staff resources and would facilitate the long-run benefits discussed above.

### Technology Investment – CyberSecurity

FLRA requires additional annual funding to ensure a sufficient cybersecurity posture. The President’s Executive Order (EO) on Cybersecurity has imposed a plethora of new requirements that require persistent funding for FLRA. The tools required for implementing and maintaining a Zero Trust model architecture, multifactor authentication, automation of data classification, and modernized endpoint detection and response require both upfront and ongoing financial and human capital resources.

### Technology Investment – FLRA.gov

The Agency website, FLRA.gov, requires a migration from an application server that has reached its end-of-life service. This upgrade/migration will require outside assistance.

### CURRENT SERVICES ESTIMATE

FLRA will require \$31,762,000 in 2023 to successfully meet its statutory and regulatory responsibilities.

**(In thousands of dollars)**

<b>Program Activity</b>	<b>FY 2021 Actual</b>	<b>FY 2022 Enacted</b>	<b>FY 2023 Request</b>	<b>Change from FY 2022</b>
Authority	\$ 16,555	\$ 15,557	\$ 17,267	\$ 1,710
Office of the General Counsel	\$ 9,176	\$ 10,820	\$ 13,358	\$ 2,538
Federal Service Impasses Panel	\$ 806	\$ 1,021	\$ 1,137	\$ 116
<b>Direct Obligations</b>	<b>\$ 26,537</b>	<b>\$ 27,398</b>	<b>\$ 31,762</b>	<b>\$ 4,364</b>
<b>FTEs</b>	<b>111</b>	<b>116</b>	<b>135</b>	<b>19</b>

# BUDGET JUSTIFICATION

---

## Appropriations Language

---

### FEDERAL LABOR RELATIONS AUTHORITY SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed \$1,500) and rental of conference rooms in the District of Columbia and elsewhere, \$31,762,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

## 2023 Funding Request

---

The 2023 budget for the U.S. Federal Labor Relations Authority in the amount of \$31,762,000 is necessary to meet statutory and regulatory responsibilities. The Agency's 2023 request will fund 135 FTEs.

(In thousands of dollars)

Program Activity	FY 2021 Actual	FY 2022 Enacted	FY 2023 Request	Change from FY 2022
Authority	\$ 16,555	\$ 15,557	\$ 17,267	\$ 1,710
Office of the General Counsel	\$ 9,176	\$ 10,820	\$ 13,358	\$ 2,538
Federal Service Impasses Panel	\$ 806	\$ 1,021	\$ 1,137	\$ 116
<b>Direct Obligations</b>	<b>\$ 26,537</b>	<b>\$ 27,398</b>	<b>\$ 31,762</b>	<b>\$ 4,364</b>
<b>FTEs</b>	<b>111</b>	<b>116</b>	<b>135</b>	<b>19</b>

## Change from 2022

---

The 2023 budget for the U.S. Federal Labor Relations Authority in the amount of \$31,762,000 is \$2,515,000 (+9 percent) over 2022 CBJ or \$4,364,000 (+16 percent) over 2022 enacted budget.

## Personnel Compensation and Benefits

Personnel compensation and benefits costs continue to account for the overwhelming majority of FLRA's overall budget, nearly 80 percent.

A 4.6 percent Federal pay raise for civilian Federal employees in 2023 is included.

## Program and Financing Schedule

(In thousands of dollars)

	FY 2021 Actual	FY 2022 Enacted	FY 2023 Request
<b>Budgetary resources:</b>			
Unobligated balance (total)	\$ 1,360	\$ 612	\$ 612
Appropriation, discretionary (total)	\$ 26,600	\$ 27,398	\$ 31,762
Spending authority from offsetting collections, discretionary (total)	\$ 20	\$ 5	\$ -
<b>Total budgetary resources</b>	<b>\$ 27,980</b>	<b>\$ 28,015</b>	<b>\$ 32,374</b>
<b>Status of budgetary resources:</b>			
New obligations and upward adjustments	\$ 27,621	\$ 27,398	\$ 31,762
Unobligated balance, end of year	\$ -	\$ -	\$ -
Apportioned, unexpired account	\$ 63	\$ 14	\$ 14
Expired unobligated balance, end of year	\$ 295	\$ 295	\$ 295
Unobligated balance, end of year	\$ 359	\$ 309	\$ 309
<b>Total budgetary resources</b>	<b>\$ 27,980</b>	<b>\$ 27,707</b>	<b>\$ 32,071</b>
<b>Outlays, net:</b>			
Outlays, net, (total)	\$ 27,233	\$ 28,031	\$ 31,672
<b>Agency outlay, net</b>	<b>\$ 27,233</b>	<b>\$ 28,031</b>	<b>\$ 31,672</b>

## Object Classification Schedule

(In thousands of dollars)

	FY 2021 Actual	FY 2022 Enacted	FY 2023 Request
Direct obligations:			
Personnel compensation:			
Full-time permanent	\$ 14,645	\$ 15,033	\$ 17,936
Other than full-time permanent	\$ 239	\$ 548	\$ 571
Other personnel compensation	\$ 381	\$ 371	\$ 407
Total personnel compensation	\$ 15,265	\$ 15,952	\$ 18,914
Civilian personnel benefits	\$ 5,251	\$ 5,353	\$ 6,281
Travel and transportation of persons	\$ 5	\$ 31	\$ 225
Transportation of things	\$ 5	\$ 5	\$ 5
Rental payments to GSA	\$ 2,602	\$ 2,607	\$ 2,607
Communications, utilities, and misc. charges	\$ 293	\$ 410	\$ 410
Printing and reproduction	\$ -		\$ 14
Other services from non-federal sources	\$ 1,588	\$ 1,710	\$ 1,900
Other goods and services from Federal sources	\$ 906	\$ 1,000	\$ 1,000
Operation and maintenance of facilities	\$ 4		\$ 4
Operation and maintenance of equipment	\$ 400	\$ 34	\$ 93
Supplies and materials	\$ 150	\$ 108	\$ 121
Equipment	\$ 68	\$ 188	\$ 188
Direct obligations	\$ 26,537	\$ 27,398	\$ 31,762
Reimbursable obligations:			
Travel and transportation of persons	\$ 15	\$ 1	
Reimbursable obligations	\$ 15	\$ 1	
Total new obligations	\$ 26,552	\$ 27,399	\$ 31,762

## Employment Summary Schedule

	FY 2021 Actual	FY 2022 Estimate	FY 2023 Request
Direct civilian full-time equivalent employment	111	116	135

## Inspector General Resources

---

The Office of the Inspector General (OIG) provides independent and objective assessments of FLRA's efficiency, effectiveness, and compliance with laws and regulations. This is accomplished through proactive evaluations of Agency operational processes. In addition to striving to prevent and detect fraud, waste, and abuse of FLRA's resources and operations, a key goal of the Inspector General (IG) is to serve as a catalyst for improving operations and maximizing the efficiency and integrity of Agency programs.

In fulfilling these responsibilities and objectives, the IG conducts and supervises investigations, internal reviews, audits, and evaluations of the programs and operations of the Agency. The IG communicates the results of investigations and assessments to FLRA management, Congress, other oversight entities, and the public, as appropriate. Generally, the IG communicates results in formal reports that contain findings and recommendations aimed at correcting any deficiencies identified and promoting efficiency and effectiveness in Agency programs and operations. The IG also manages a hotline to provide employees and the public with a direct means for confidentially communicating information on potential fraud, waste, or abuse.

FLRA's 2023 funding request includes \$929,888 for the OIG.

The OIG's FY 2021, 2022, and 2023 submissions include a GS-15 Attorney to provide mandated legal services to the Inspector General (IG) in accordance with the IG Act, as amended. Since 2010, the FLRA OIG has had a memorandum of understanding (MOU) with the Department of Treasury OIG to provide statutory mandated legal services to the FLRA OIG. The MOU has saved the FLRA OIG over \$2 million. In June 2019, the Treasury IG retired, and FLRA has no assurance the new IG will continue to provide these mandated legal services.

The IG's Budget Request for FY 2022 was \$970,236 and in FY 2023 the OIG is requesting \$929,888. This results in a \$40,348 net decrease from the OIG's 2022 Budget Request. The OIG eliminated one task from the contract resulting in the decrease from the prior year request.

Thus, as requested in 2021 and 2022, this level includes funding for 3 FTEs to provide mandated legal services to the IG in accordance with the IG Act. Accordingly, the Agency did not reduce the OIG budget by five percent. The funding level requested by the IG, including \$10,000 for training and \$3,336 to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE) has been requested in total. The IG has certified that FLRA's funding request for the OIG satisfies all training requirements for 2023.





INSPECTOR GENERAL

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

August 23, 2021

The Inspector General Reform Act (Pub. L. 110-149) was signed by the President on October 14, 2008. Section 6(f)(1) of the Inspector General Act of 1978, 5 U.S.C. app. 3, was amended to require certain specifications concerning Office of Inspector General (OIG) budget submissions each fiscal year (FY).

Each Inspector General (IG) is required to transmit a Budget Request to the head of the establishment or designated Federal entity to which the IG reports specifying:

- The aggregate amount of funds requested for the operations of the OIG,
- The portion of this amount requested for OIG training, including a certification from the IG that the amount requested satisfies all OIG training requirements for the fiscal year, and
- The portion of this amount necessary to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

The head of each establishment or designated Federal entity, in transmitting a proposed budget to the President for approval, shall include:

- An aggregate request for the OIG,
- The portion of this aggregate request for OIG training,
- The portion of this aggregate request for support of the CIGIE, and
- Any comments of the affected IG with respect to the proposal.

The President shall include in each budget of the U.S. Government submitted to Congress.

- A separate statement of the budget estimate submitted by each IG,
- The amount requested by the President for each OIG,
- The amount requested by the President for training of OIGs,
- The amount requested by the President for support of the CIGIE, and
- Any comments of the affected IG with respect to the proposal if the IG concludes that the budget submitted by the President would substantially inhibit the IG from performing duties of the OIG.

Following the requirements as specified above, the Federal Labor Relations Authority Inspector General submits the following information relating to the OIG's requested budget for FY 2023:

- The aggregate Budget Request for the operations of the OIG is \$929,888;
- The portion of this amount needed for OIG training is \$10,000; and
- The portion of this amount needed to support the CIGIE is \$3,336.

I certify as the IG of the Federal Labor Relations Authority that the amount I have requested for training satisfies all OIG training needs for FY 2023.



Inspector General  
Federal Labor Relations Authority

# ANNUAL PERFORMANCE PLAN

---

## STRATEGIC AND PERFORMANCE-PLANNING FRAMEWORK

In 2021 and 2022, with the agency's new 2022-2026 Strategic Plan at its inception, the FLRA engaged in a review by agency leadership and agency offices of FLRA operations, staffing, work processes, resource allocations, and performance. The FLRA established strategies and goals designed to maximize the delivery of agency services throughout the federal government.

The FLRA has engaged in a continuous assessment of performance in the SMART (Strategic Milestones and Accountability Report)—a monthly report that tracks the performance measures in the Annual Performance Plan, FEVS results, and other mission-related data to ensure that it is accomplishing its mission effectively and efficiently, and that it is promoting innovation throughout the agency.

Under the FLRA's 2022-2026 Strategic Plan, 3 strategic goals, each of which is supported by a number of strategic objectives, promote the FLRA's ability to fulfill its mission. In addition, the FLRA has identified these performance measures that will allow the agency to both monitor progress towards achieving its strategic goals and to recalibrate strategies, as necessary. This continues the FLRA's increasing focus on data analytics. In developing this strategic plan, the FLRA referenced evidence-based performance and resource trends, and it intends to use data collected to measure progress against this strategic plan, in conjunction with future evaluations, to support agency decision making.

In 2022, the FLRA's strategic- and performance-planning framework is based on the agency's 2022-2026 Strategic Plan and supported by this Annual Performance Plan, which establishes the agency's annual performance goals. The Annual Performance Plan reflects the FLRA's commitment to establishing meaningful measures that will assist in assessing performance outcomes, aligning resources, and effectively identifying staffing and training needs. The Annual Performance Plan also demonstrates the FLRA's ongoing commitment to organizational excellence.

Consistent with the government-wide initiative to leverage existing data to facilitate agencies' programmatic work and enhance the value of data, the FLRA strategically monitors its progress in accomplishing the goals and measures set forth in the Annual Performance Plan. This ongoing, agency-wide review is conducted on a monthly basis with distribution of the aforementioned SMART, which contains statistical case and performance data derived from the FLRA's Case Management System (CMS) and agency management. The agency examines the data contained in the SMART and shares the report with managers each month. At the component and office levels, there are also daily performance assessments using a variety of reports, including: case-filing reports, which track the number and age of cases; case-status reports, which track the status of all assigned pending cases within the Authority, the OGC, and the FSIP; and monthly disposition reports, which track the number, age, and resolution type of every closed case within the OGC.

The analysis and assessment of these reports drive, among other things: decisions to target services (including training, facilitations, and on-site investigations) to certain parties or geographical locations; adjustments in workload through case transfers at the national, regional, and office levels; and reallocation of resources, including use of details, contract support, and temporary hires. As to the latter point, the agency also uses this data to make budgetary decisions in order to increase efficiency and eliminate the backlog of cases.

The FLRA seeks to achieve its strategic goals primarily through the timely, high-quality, and impartial review and disposition of cases, as seen in the performance measures under Goal 1. Under Goal 2, the agency supplements these efforts with a focus on reducing litigation and its attendant costs by helping parties to resolve their own disputes through collaboration, ADR, education, and labor-management-cooperation activities. Lastly, under Goal 3, the FLRA further supports these efforts by focusing on internal improvements in IT and more effective and efficient use of human capital.

## FLRA STRATEGIC GOALS

---

Strategic Goal #1	Strategic Goal #2	Strategic Goal #3
Resolve disputes under the Federal Service Labor-Management Relations Statute in a timely, high-quality, and impartial manner.	Promote stability in the federal labor-management community by providing leadership and guidance through Alternative Dispute Resolution and education.	Manage our resources effectively and efficiently in order to achieve organizational excellence.

## STRATEGIC OBJECTIVES

---

1.1: Produce timely investigation, review, and disposition of each case type (ULP, REP, ARB, NEG, Impasse).	2.1: Provide targeted access to training, outreach, and facilitation activities within the labor-management community.	3.1: Recruit, retain, and develop a highly talented, motivated, and diverse workforce to accomplish the FLRA’s mission.
1.2: Resolve overage cases in a timely fashion.	2.2: Successfully resolve a significant portion of FLRA cases through ADR.	3.2 Improve use of existing technology and deploy new IT systems to streamline and enhance organizational operations.

**STRATEGIC GOAL 1: RESOLVE DISPUTES UNDER THE STATUTE IN A TIMELY, HIGH-QUALITY, AND IMPARTIAL MANNER**

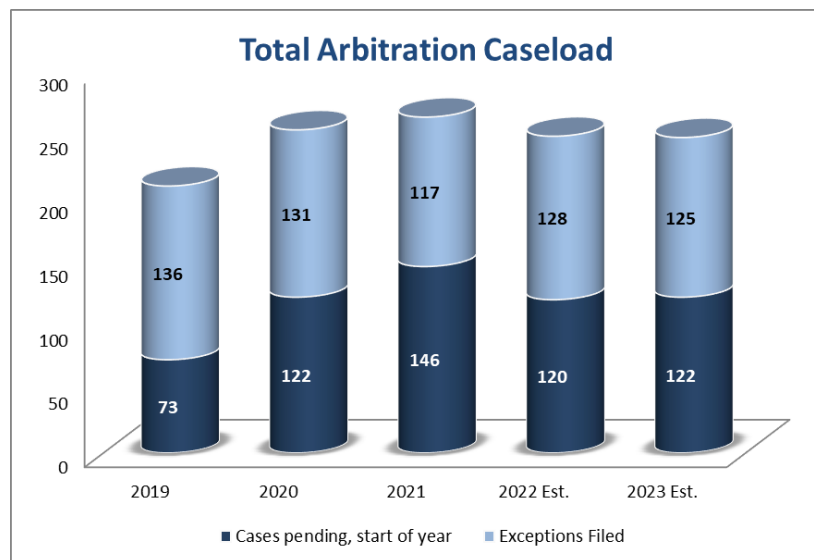
**STRATEGIC OBJECTIVE 1.1: PRODUCE TIMELY INVESTIGATION, REVIEW, AND DISPOSITION OF EACH CASE TYPE (ULP, REP, ARB, NEG, IMPASSE).**

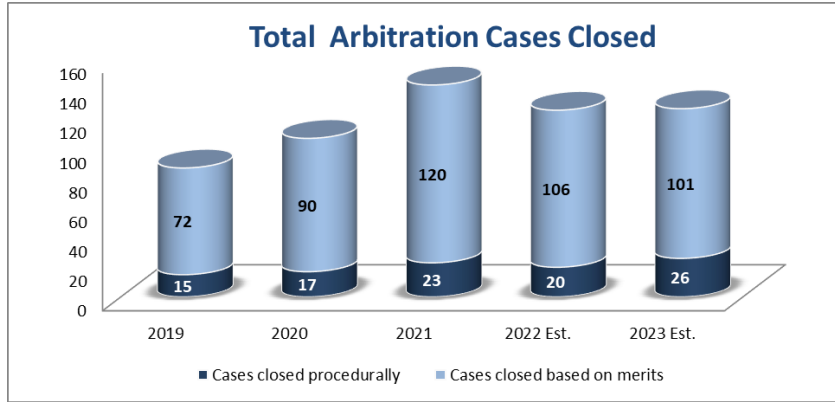
**STRATEGIC OBJECTIVE 1.2: RESOLVE OVERAGE CASES IN A TIMELY FASHION.**

This strategic goal and these strategic objectives concern 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.

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.

<i>Authority</i> <b>Arbitration Cases</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Cases pending, start of year	73	122	146	120	122
<b>Exceptions filed (Intake)</b>	<b>136</b>	<b>131</b>	<b>117</b>	<b>128</b>	<b>125</b>
Total caseload	209	253	263	248	247
Cases closed procedurally	15	17	23	20	26
Cases closed based on merits	72	90	120	106	101
<b>Total cases closed (Output)</b>	<b>87</b>	<b>107</b>	<b>143</b>	<b>126</b>	<b>127</b>
Cases pending, end of year	122	146	120	122	120





**Measure 1.1.1: The average age of arbitration exceptions decided by the Authority.**

Results		Targets	
<b>2019</b>	261 days <i>Not Met</i>	<b>2019</b>	247 days
<b>2020</b>	317 days <i>Not Met</i>	<b>2020</b>	248 days
<b>2021</b>	395 days <i>Not Met</i>	<b>2021</b>	248 days
		<b>2022</b>	375 days
		<b>2023</b>	356 days

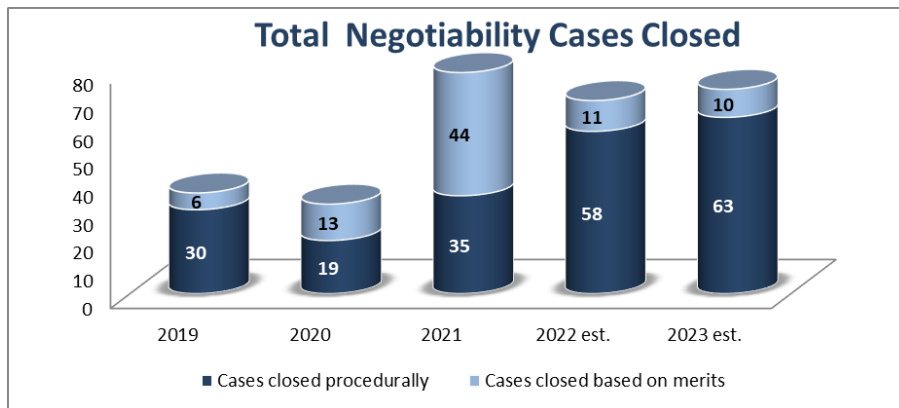
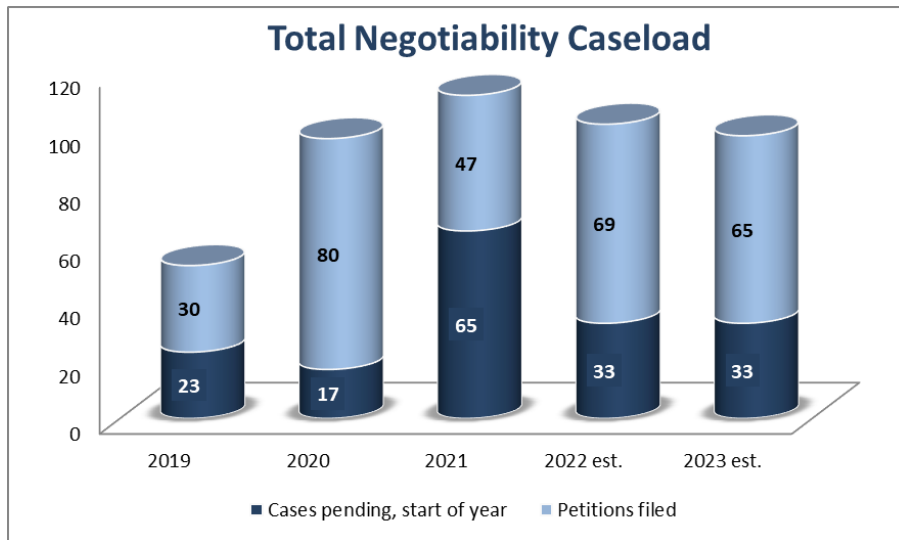
**Measure 1.1.2: The percentage of arbitration cases decided by the Authority within 210 days of the filing of exceptions.**

Results		Targets	
<b>2019</b>	37% – (32/87 cases) <i>Not Met</i>	<b>2019</b>	75%
<b>2020</b>	32% – (34/107 cases) <i>Not Met</i>	<b>2020</b>	75%
<b>2021</b>	29% - (42/143 cases) <i>Not Met</i>	<b>2021</b>	75%
		<b>2022</b>	75%
		<b>2023</b>	75%

**Measure 1.2.1: The percentage of arbitration exceptions decided by the Authority within 365 days of the filing of exceptions.**

Results		Targets	
<b>2019</b>	84% – (73/87 cases) <i>Not Met</i>	<b>2019</b>	90%
<b>2020</b>	61% – (65/107 cases) <i>Not Met</i>	<b>2020</b>	90%
<b>2021</b>	49% – (70/143 cases) <i>Not Met</i>	<b>2021</b>	90%
		<b>2022</b>	90%
		<b>2023</b>	90%

<i>Authority</i> Negotiability Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	23	17	65	33	33
<b>Petitions filed (Intake)</b>	<b>30</b>	<b>80</b>	<b>47</b>	<b>69</b>	<b>65</b>
Total caseload	53	97	112	102	98
Cases closed procedurally	30	19	35	58	63
Cases closed based on merits	6	13	44	11	10
<b>Total cases closed (Output)</b>	<b>36</b>	<b>32</b>	<b>79</b>	<b>69</b>	<b>73</b>
Cases pending, end of year	17	65	33	33	25



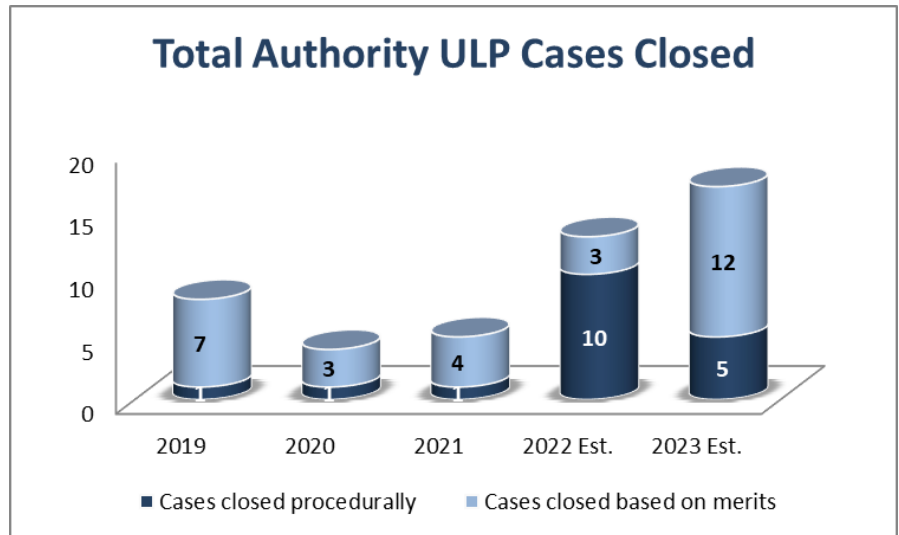
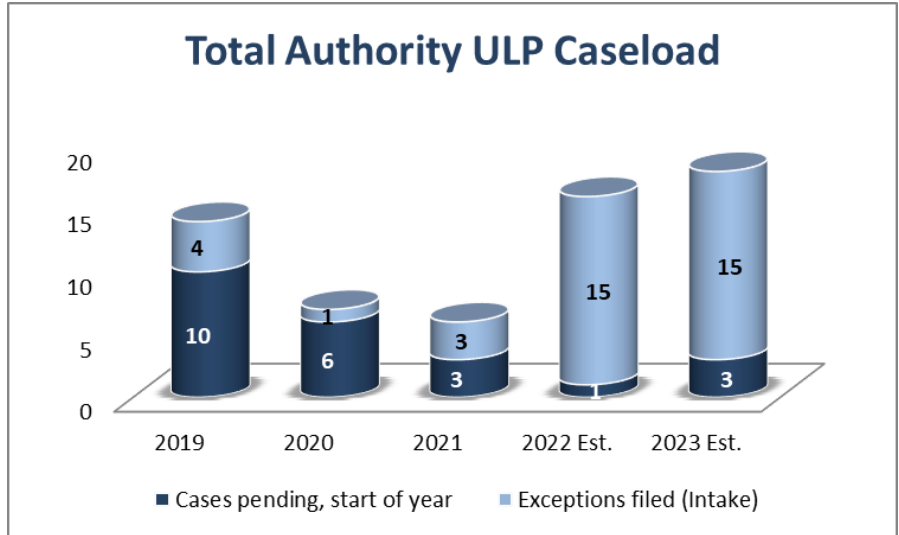
<b>Measure 1.1.3: The average age of negotiability cases decided by the Authority.</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	169 days <i>Not Met</i>	<b>2019</b>	119 days
<b>2020</b>	176 days <i>Not Met</i>	<b>2020</b>	161 days
<b>2021</b>	235 days <i>Not Met</i>	<b>2021</b>	161 days
		<b>2022</b>	223 days
		<b>2023</b>	212 days

<b>Measure 1.1.4: The percentage of negotiability cases decided by the Authority within 300 days of the filing of a petition for review.</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	83% – (30/36 cases) <i>Met</i>	<b>2019</b>	75%
<b>2020</b>	78% – (25/32 cases) <i>Met</i>	<b>2020</b>	75%
<b>2021</b>	73% – (58/79 cases) <i>Not Met</i>	<b>2021</b>	75%
		<b>2022</b>	75%
		<b>2023</b>	75%

<b>Measure 1.2.2: The percentage of negotiability cases decided by the Authority within 365 days of the filing of a petition for review.</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	92% – (33/36 cases) <i>Met</i>	<b>2019</b>	75%
<b>2020</b>	84% – (27/32 cases) <i>Met</i>	<b>2020</b>	75%
<b>2021</b>	86% – (68/79 cases) <i>Met</i>	<b>2021</b>	75%
		<b>2022</b>	75%
		<b>2023</b>	75%

<b>Authority ULP Cases</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Cases pending, start of year	10	6	3	1	3
<b>Cases filed (Intake)</b>	<u>4</u>	<u>1</u>	<u>3</u>	<u>15</u>	<u>15</u>
Total caseload	14	7	6	16	18
Cases closed procedurally	1	1	1	10	5
Cases closed based on merits	<u>7</u>	<u>3</u>	<u>4</u>	<u>3</u>	<u>12</u>
<b>Total cases closed (Output)</b>	<b>8</b>	<b>4</b>	<b>5</b>	<b>13</b>	<b>17</b>
Cases pending, end of year	6	3	1	3	1



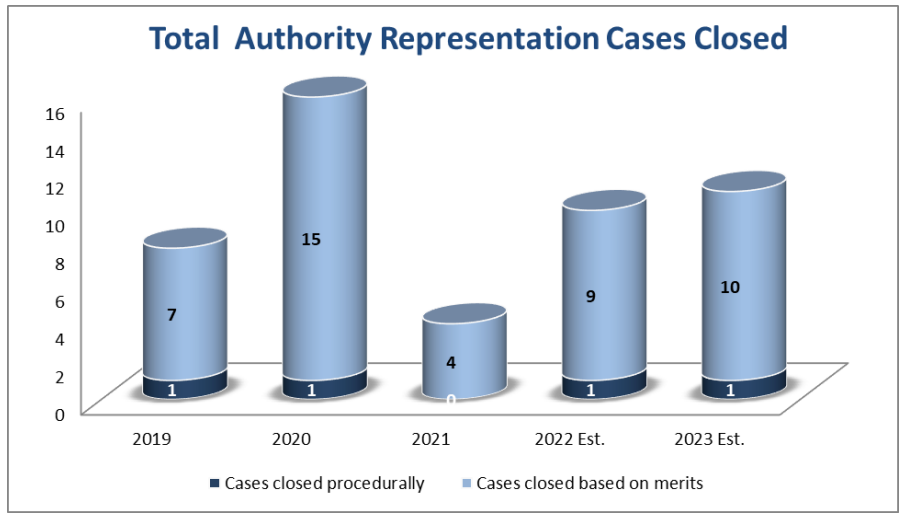
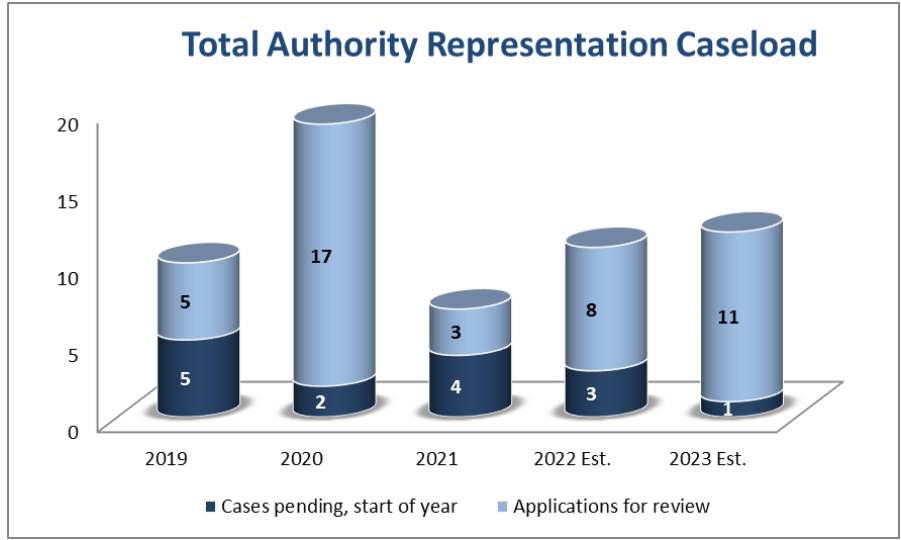


<b>Measure 1.1.5: The average age of ULP exceptions decided by the Authority.</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	238 days <i>Not Met</i>	<b>2019</b>	165 days
<b>2020</b>	422 days <i>Not Met</i>	<b>2020</b>	226 days
<b>2021</b>	554 days <i>Not Met</i>	<b>2021</b>	226 days
		<b>2022</b>	526 days
		<b>2023</b>	500 days

<b>Measure 1.1.6:</b> The percentage of ULP cases decided by the Authority within 300 days of issuance of an OALJ decision.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	75% – (6/8 cases) <i>Met</i>	<b>2019</b>	75%
<b>2020</b>	25% – (1/4 cases) <i>Not Met</i>	<b>2020</b>	75%
<b>2021</b>	40% – (2/5 cases) <i>Not Met</i>	<b>2021</b>	75%
		<b>2022</b>	75%
		<b>2023</b>	75%

<b>Measure 1.2.3:</b> The percentage of ULP cases decided by the Authority within 365 days of issuance of an OALJ decision.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	86% – (6/7 cases) <i>Not Met</i>	<b>2019</b>	90%
<b>2020</b>	25% – (1/4 cases) <i>Not Met</i>	<b>2020</b>	90%
<b>2021</b>	40% – (2/5 cases) <i>Not Met</i>	<b>2021</b>	90%
		<b>2022</b>	90%
		<b>2023</b>	90%

<b>Authority Representation Cases</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Cases pending, start of year	5	2	4	3	1
<b>Applications for review (Intake)</b>	<u>5</u>	<u>17</u>	<u>3</u>	<u>8</u>	<u>11</u>
Total caseload	10	19	7	11	12
Cases closed procedurally	1	1	0	1	1
Cases closed based on merits	<u>7</u>	<u>15</u>	<u>4</u>	<u>9</u>	<u>10</u>
<b>Total cases closed (Output)</b>	<b>8</b>	<b>16</b>	<b>4</b>	<b>10</b>	<b>11</b>
Cases pending, end of year	2	3	3	1	1



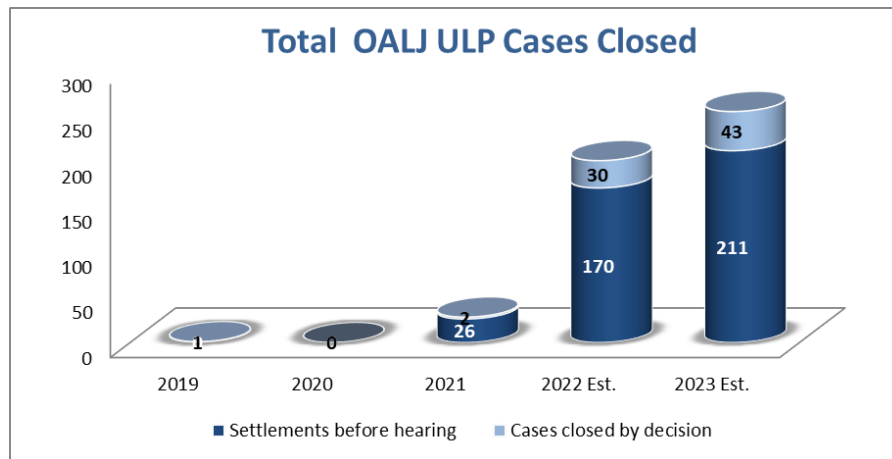
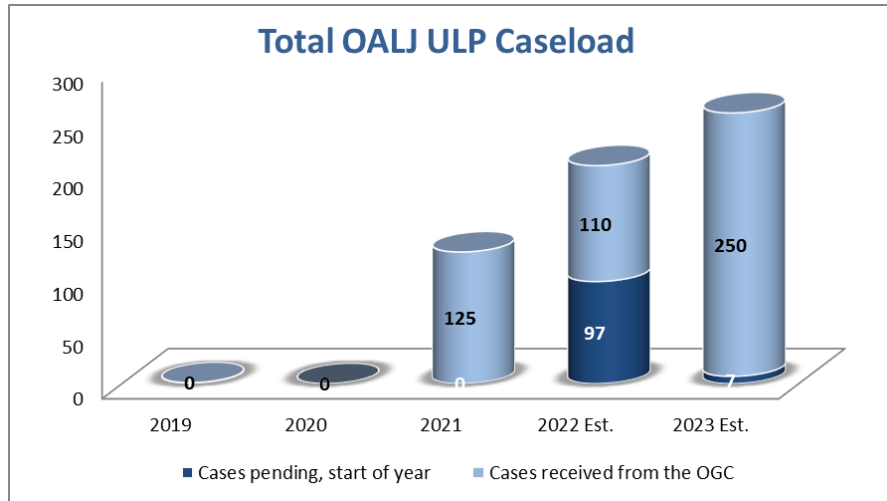
<b>Measure 1.1.7: The average age of representation cases decided by the Authority.</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	194 days <i>Not Met</i>	<b>2019</b>	107 days
<b>2020</b>	210 days <i>Not Met</i>	<b>2020</b>	184 days
<b>2021</b>	225 days <i>Not Met</i>	<b>2021</b>	184 days
		<b>2022</b>	214 days
		<b>2023</b>	203 days

<b>Measure 1.1.8:</b> 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.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	100% – (8/8 cases) <i>Met</i>	<b>2019</b>	100%
<b>2020</b>	100% – (16/16 cases) <i>Met</i>	<b>2020</b>	100%
<b>2021</b>	100% – (4/4 cases) <i>Met</i>	<b>2021</b>	100%
		<b>2022</b>	100%
		<b>2023</b>	100%

<b>Measure 1.1.9:</b> The percentage of representation cases decided by the Authority within 210 days of the filing of an application for review.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	75% – (6/8 cases) <i>Met</i>	<b>2019</b>	75%
<b>2020</b>	88% – (14/16 cases) <i>Met</i>	<b>2020</b>	75%
<b>2021</b>	75% – (3/4 cases) <i>Met</i>	<b>2021</b>	75%
		<b>2022</b>	75%
		<b>2023</b>	75%

<b>Measure 1.2.4:</b> The percentage of representation cases decided by the Authority within 365 days of the filing of an application for review.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	88% – (7/8 cases) <i>Not Met</i>	<b>2019</b>	100%
<b>2020</b>	88% – (14/16 cases) <i>Not Met</i>	<b>2020</b>	100%
<b>2021</b>	75% – (3/4 cases) <i>Not Met</i>	<b>2021</b>	100%
		<b>2022</b>	100%
		<b>2023</b>	100%

<b>OALJ ULP Cases</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Cases pending, start of year	1	0	0	97	7
<b>Complaints received (Intake)</b>	<b>0</b>	<b>0</b>	<b>125</b>	<b>110</b>	<b>250</b>
Total caseload	1	0	125	207	257
Settlements before hearing	0	0	26	170	211
Cases closed by decision	<u>1</u>	<u>0</u>	<u>2</u>	<u>30</u>	<u>43</u>
<b>Total cases closed (Output)</b>	<b>1</b>	<b>0</b>	<b>28</b>	<b>200</b>	<b>254</b>
Cases pending, end of year	0	0	97	7	3



<b>Measure 1.1.10: The median age of ULP complaints decided by the OALJ. *</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	N/A	<b>2019</b>	*
<b>2020</b>	N/A	<b>2020</b>	*
<b>2021</b>	69 days <i>Met</i>	<b>2021</b>	124 days
*OALJ performance standards remain to resolve 80 percent of ULP complaints within 180 days of filing and 95 percent within 365 days.		<b>2022</b>	124 days
		<b>2023</b>	124 days

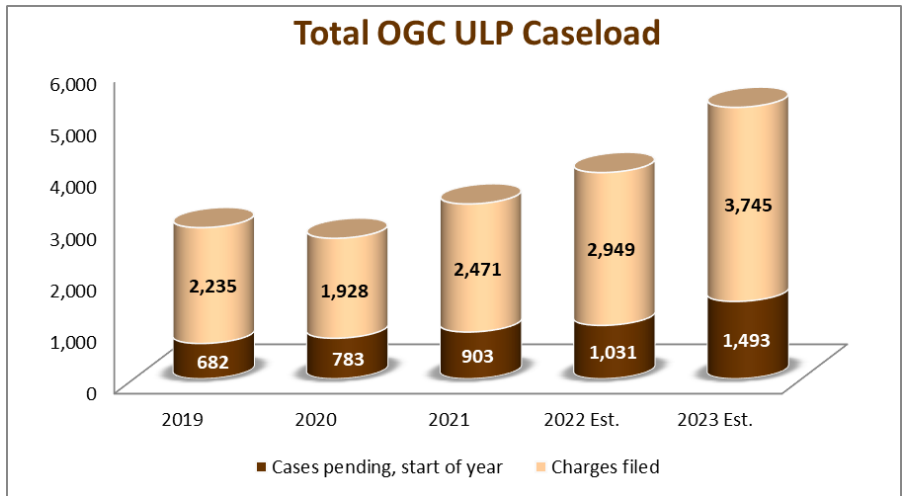
<b>Measure 1.1.11: The percentage of ULP complaints issued by the General Counsel resolved or decided in the OALJ within 180 days of the complaint being issued. *</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	N/A	<b>2019</b>	*
<b>2020</b>	N/A	<b>2020</b>	*
<b>2021</b>	100% – (2/2 cases) <i>Met</i>	<b>2021</b>	80%
*OALJ performance standards remain to resolve 80 percent of ULP complaints within 180 days of filing and 95 percent within 365 days.		<b>2022</b>	80%
		<b>2023</b>	80%

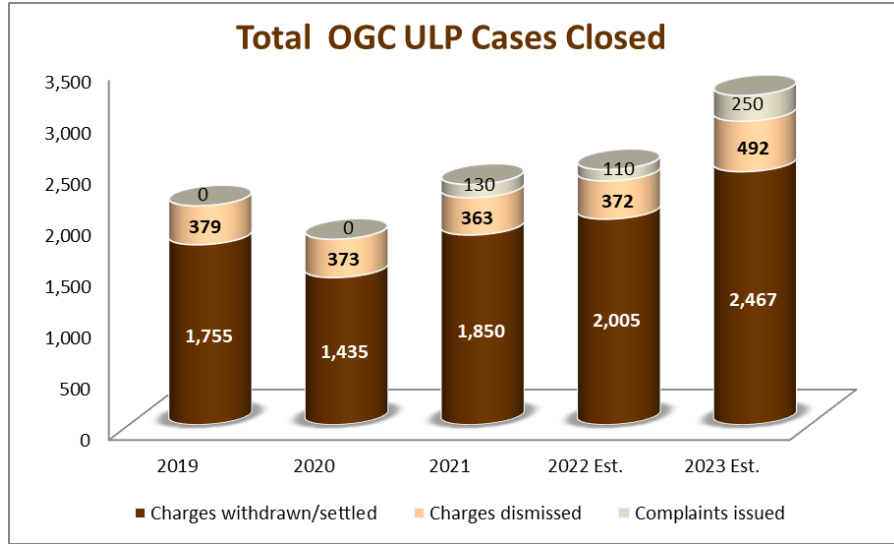
<b>Measure 1.2.10: The percentage of ULP complaints issued by the General Counsel decided in the OALJ within 365 days of the complaint being issued. *</b>			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	N/A	<b>2019</b>	*
<b>2020</b>	N/A	<b>2020</b>	*
<b>2021</b>	100% – (2/2 cases) <i>Met</i>	<b>2021</b>	95%
		<b>2022</b>	95%
		<b>2023</b>	95%

\*OALJ performance standards remain to resolve 80 percent of ULP complaints within 180 days of filing and 95 percent within 365 days.

<b>OGC ULP Cases</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Cases pending, start of year	682	783	903	1031	1493
Charges filed ( <b>Intake</b> )	<u>2235</u>	<u>1928</u>	<u>2471</u>	<u>2949</u>	<u>3745</u>
<b>Total caseload</b>	<b>2917</b>	<b>2711</b>	<b>3374</b>	<b>3980</b>	<b>5238</b>
Charges withdrawn/settled	1755	1435	1850	2005	2467
Charges dismissed	379	373	363	372	492
Complaints issued*	<u>0</u>	<u>0</u>	<u>130</u>	<u>110</u>	<u>250</u>
<b>Total cases closed (Output)</b>	<b>2134</b>	<b>1808</b>	<b>2343</b>	<b>2487</b>	<b>3209</b>
<b>Cases pending, end of year</b>	<b>783</b>	<b>903</b>	<b>1031</b>	<b>1493</b>	<b>2029</b>

\*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.





**Measure 1.1.12:** 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.

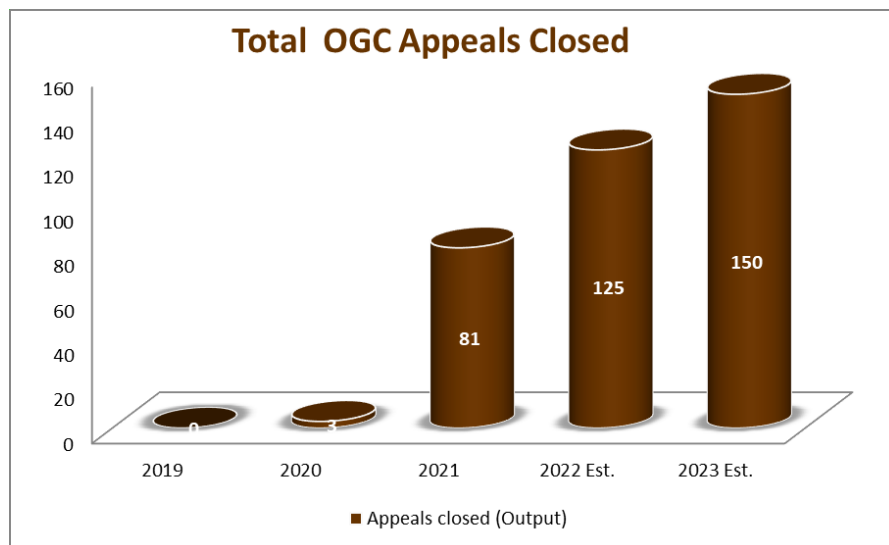
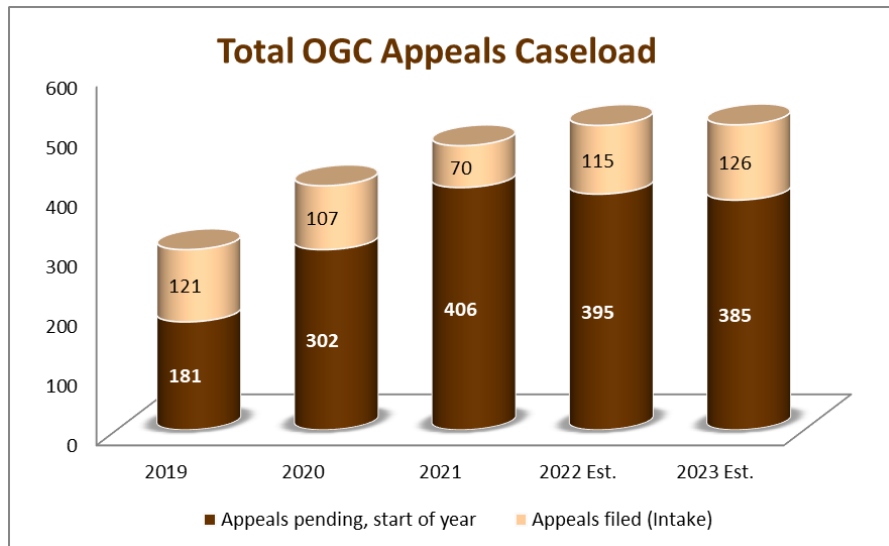
Results		Targets	
<b>2019</b>	87% – (1867/2134 cases) <i>Met</i>	<b>2019</b>	70%
<b>2020</b>	94% – (1692/1808 cases) <i>Met</i>	<b>2020</b>	70%
<b>2021</b>	94% – (2208/2343 cases) <i>Met</i>	<b>2021</b>	70%
		<b>2022</b>	70%
		<b>2023</b>	70%

**Measure 1.2.11:** 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	
<b>2019</b>	99%	<b>2019</b>	95%
<b>2020</b>	99.9% (1806/1808 cases) <i>Met</i>	<b>2020</b>	95%
<b>2021</b>	99.8% (2338/2343 cases) <i>Met</i>	<b>2021</b>	95%
		<b>2022</b>	95%
		<b>2023</b>	95%

<b>OGC ULP Appeals</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Appeals pending, start of year	181	302	406	395	385
<b>Appeals filed (Intake)</b>	<b><u>121</u></b>	<b><u>107</u></b>	<b><u>70</u></b>	<b><u>115</u></b>	<b><u>126</u></b>
Total caseload	302	409	476	510	511
<b>Appeals closed* (Output)</b>	<b><u>0</u></b>	<b><u>3</u></b>	<b><u>81</u></b>	<b><u>125</u></b>	<b><u>150</u></b>
Appeals pending, end of year	302	406	395	385	361

\*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.

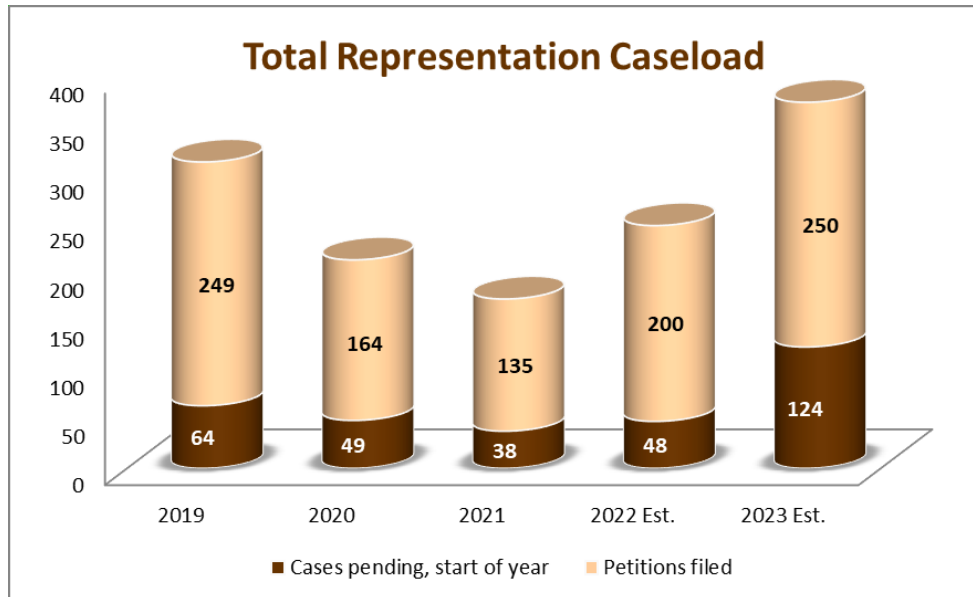


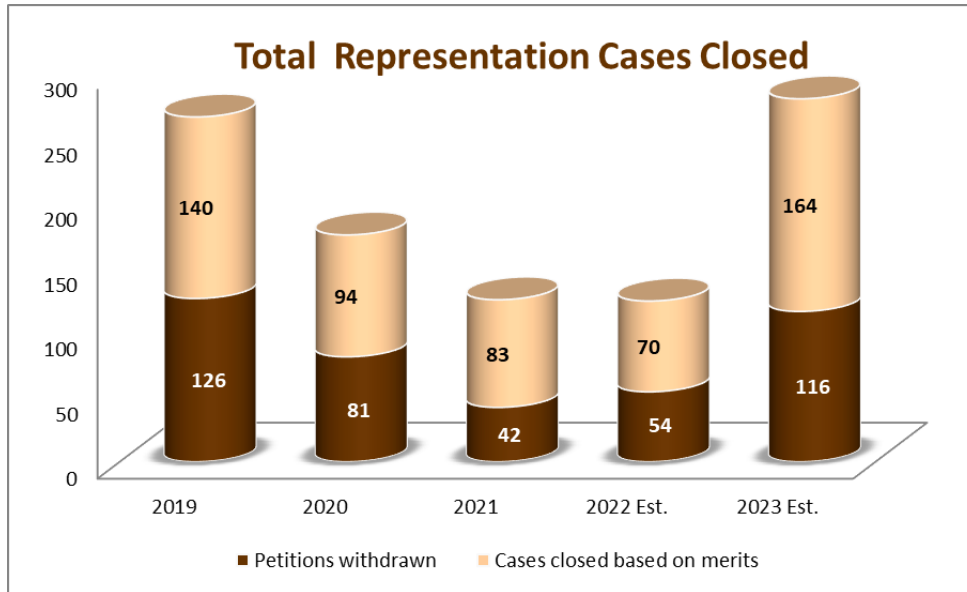


**Measure 1.1.13:** The percentage of decisions on an appeal of a Regional Director's dismissal of a ULP charge issued by the General Counsel within 60 days of the date filed, and in no case more than 120 days.

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

<i>OGC</i> Representation Cases	2019	2020	2021	2022 Est.	2023 Est.
Cases pending, start of year	64	49	38	48	124
<b>Petitions filed (Intake)</b>	<b><u>249</u></b>	<b><u>164</u></b>	<b><u>135</u></b>	<b><u>200</u></b>	<b><u>250</u></b>
Total caseload	313	213	173	248	374
Petitions withdrawn	126	81	42	54	116
Cases closed based on merits	<u>140</u>	<u>94</u>	<u>83</u>	<u>70</u>	<u>164</u>
<b>Total cases closed (Output)</b>	<b>266</b>	<b>175</b>	<b>125</b>	<b>124</b>	<b>280</b>
Cases pending, end of year	47	38	48	124	94





**Measure 1.1.14:** 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.

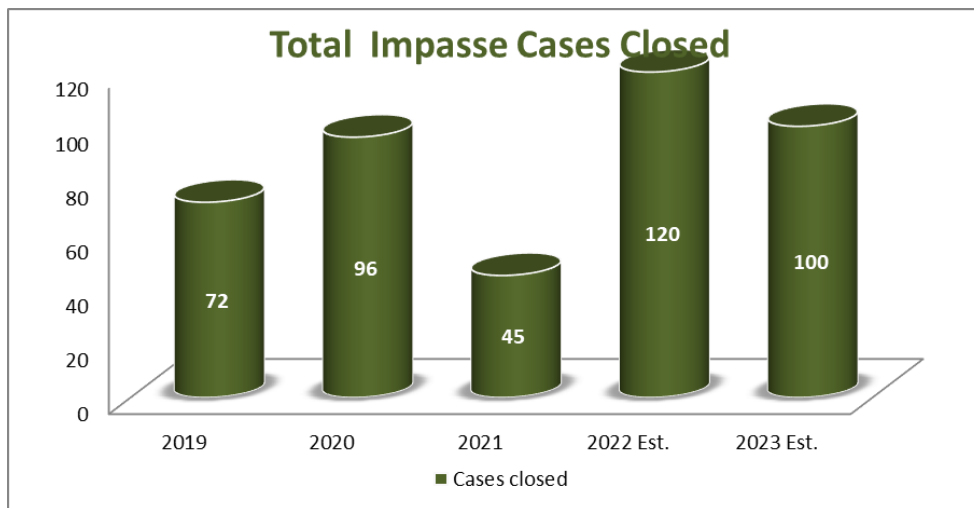
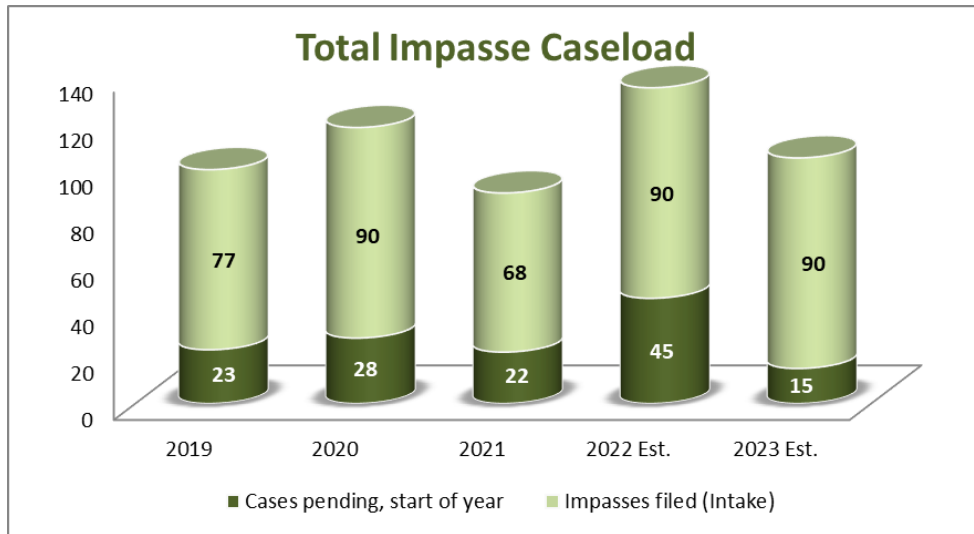
Results		Targets	
<b>2019</b>	77% - (205/266 cases)	<b>2019</b>	70%
<b>2020</b>	80% (140/175 cases) <i>Met</i>	<b>2020</b>	70%
<b>2021</b>	77% (96/125 cases) <i>Met</i>	<b>2021</b>	70%
		<b>2022</b>	70%
		<b>2023</b>	70%

**Measure 1.2.12:** The percentage of representation 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	
<b>2019</b>	97% (259/266 cases)	<b>2019</b>	95%
<b>2020</b>	100% (175/175 cases) <i>Met</i>	<b>2020</b>	95%
<b>2021</b>	100% (125/125 cases) <i>Met</i>	<b>2021</b>	95%
		<b>2022</b>	95%
		<b>2023</b>	95%

<b>FSIP Impasses</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 Est.</b>	<b>2023 Est.</b>
Cases pending, start of year	23	28	22	45	15
<b>Impasses filed (Intake)</b>	<b>77</b>	<b>90</b>	<b>68</b>	<b>90</b>	<b>90</b>
Total caseload	100	118	90	135	105
Panel Decision	24	40	21	*	*
Panel declined jurisdiction	11	23	4	*	*
Settled with Panel assistance	9	5	2	*	*
Voluntarily withdrawn	28	28	18	*	*
<b>Cases closed total (Output)</b>	<b>72</b>	<b>96</b>	<b>45</b>	<b>120*</b>	<b>100*</b>
Cases pending, end of year	28	22	45	15*	5*

\*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.



<b>Measure 1.1.15:</b> The average age of bargaining-impasse cases in which the FSIP declines jurisdiction.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	90 days (10 cases) <i>Met</i>	<b>2019</b>	95 days
<b>2020</b>	70 days (23 cases) <i>Met</i>	<b>2020</b>	90 days
<b>2021</b>	64 days (4 cases) <i>Met</i>	<b>2021</b>	81 days
		<b>2022</b>	75 days
		<b>2023</b>	75 days

<b>Measure 1.2.13:</b> The percentage of bargaining-impasse cases in which the FSIP declines jurisdiction within 140 days of the date filed.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	90% – (9/10 cases) <i>Met</i>	<b>2019</b>	90%
<b>2020</b>	100% - (23/23 cases) <i>Met</i>	<b>2020</b>	90%
<b>2021</b>	100% - (4/4 cases) <i>Met</i>	<b>2021</b>	90%
		<b>2022</b>	90%
		<b>2023</b>	90%

<b>Measure 1.1.16 (New *):</b> The average age of bargaining-impasse cases that are voluntarily settled.			
<b>Results</b>		<b>Targets</b>	
<b>2021</b>	73 days <i>Met</i>	<b>2021</b>	120 days
		<b>2022</b>	120 days
		<b>2023</b>	120 days

\*This new measure now reports more in parallel with other FSIP measures by providing an average for cases that are voluntarily settled.

<b>Measure 1.2.14:</b> The percentage of bargaining-impasse cases that are voluntarily settled within 160 days of the date filed.			
<b>Results</b>		<b>Targets</b>	
<b>2019</b>	100% – (15/15 cases) <i>Met</i>	<b>2019</b>	80%
<b>2020</b>	85% – (11/13 cases) <i>Met</i>	<b>2020</b>	80%
<b>2021</b>	100% – (2/2 cases) <i>Met</i>	<b>2021</b>	80%
		<b>2022</b>	80%
		<b>2023</b>	80%

**Measure 1.1.17:** The average age of bargaining-impasse cases that the FSIP resolves through final action.

<b>Results</b>		<b>Targets</b>	
<b>2019</b>	140 days (24 cases) <i>Met</i>	<b>2019</b>	146 days
<b>2020</b>	162 days (40 cases) <i>Not met</i>	<b>2020</b>	146 days
<b>2021</b>	137 days (21 cases) <i>Met</i>	<b>2021</b>	154 days
		<b>2022</b>	150 days
		<b>2023</b>	150 days

**Measure 1.2.15:** The percentage of bargaining-impasse cases that the FSIP resolves through final action that are closed within 200 days of the date filed.

<b>Results</b>		<b>Targets</b>	
<b>2019</b>	100% – (24/24 cases) <i>Met</i>	<b>2019</b>	80%
<b>2020</b>	88% – (35/40 cases) <i>Met</i>	<b>2020</b>	80%
<b>2021</b>	95% – (20/21 cases) <i>Met</i>	<b>2021</b>	80%
		<b>2022</b>	80%
		<b>2023</b>	80%

**STRATEGIC GOAL 2: PROMOTE STABILITY IN THE FEDERAL LABOR-MANAGEMENT COMMUNITY BY PROVIDING LEADERSHIP AND GUIDANCE THROUGH ALTERNATIVE DISPUTE RESOLUTION AND EDUCATION**

---

Key to the FLRA’s ADR objectives is to offer high-quality outreach and preventive services, as well as resources, to promote more effective labor-management relations across the federal government. In furtherance of that objective, the FLRA has integrated ADR and consensus decision-making into virtually all of its processes, and it has significantly expanded its training, outreach, and facilitation activities. ADR is an informal process that allows parties to discuss and develop their interests in order to resolve the underlying issues and problems in their relationships. This includes interest-based conflict resolution and intervention services in pending ULP cases, representation cases, arbitration cases, negotiability appeals, and bargaining-impasse disputes.

The agency also provides training, labor-management improvement, outreach, and facilitation activities to help labor and management develop collaborative relationships. Many of the FLRA’s training programs are now available as web-based training modules, bringing educational tools and resources directly to agency customers at their desks to further assist them in resolving labor-management disputes. The FLRA’s goals include delivering outreach, training, and facilitation services that significantly contribute to the mission of the FLRA, and ensuring that training participants evaluate FLRA training as highly effective.

**STRATEGIC OBJECTIVE 2.1: PROVIDE TARGETED ACCESS TO TRAINING, LABOR-MANAGEMENT IMPROVEMENT, OUTREACH, AND FACILITATION ACTIVITIES WITHIN THE LABOR-MANAGEMENT COMMUNITY.**

<b>Measure 2.1.1 (New): The number of training, labor-management improvement, outreach, and facilitation activities delivered.</b>			
<b>Results</b>		<b>Targets</b>	
<b>FY 2019</b>	72 <i>Met</i>	<b>FY 2019</b>	40
<b>FY 2020</b>	20 <i>Not Met</i>	<b>FY 2020</b>	40
<b>FY 2021</b>	54 <i>Met</i>	<b>FY 2021</b>	40
		<b>FY 2022</b>	40
		<b>FY 2023</b>	40

**Measure 2.1.2 (New):** The number of recipients of training, labor-management improvement, outreach, and facilitation activities.

Results		Targets	
<b>FY 2019</b>	4,807 <i>Met</i>	<b>FY 2019</b>	2,500
<b>FY 2020</b>	2,780 <i>Met</i>	<b>FY 2020</b>	2,500
<b>FY 2021</b>	7,886 <i>Met</i>	<b>FY 2021</b>	2,500
		<b>FY 2022</b>	2,500
		<b>FY 2023</b>	2,500

**Measure 2.1.3:** The percentage of participant responders who highly rate the training that they received.

Results		Targets	
<b>FY 2019</b>	N/A	<b>FY 2019</b>	80%
<b>FY 2020</b>	N/A	<b>FY 2020</b>	80%
<b>FY 2021</b>	93% <i>Met</i>	<b>FY 2021</b>	80%
		<b>FY 2022</b>	80%
		<b>FY 2023</b>	80%

**Measure 2.1.4: (New):** The number of times that on-demand online training is used.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	1,000
	<b>FY 2023</b>	1,000

**STRATEGIC OBJECTIVE 2.2: SUCCESSFULLY RESOLVE A SIGNIFICANT PORTION OF FLRA CASES THROUGH ADR.**

**Measure 2.2.1 (New):** Percentage of unfair labor practice cases where OGC offer of ADR is accepted and case is partially or fully resolved.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	95%
	<b>FY 2023</b>	95%

**Measure 2.2.2 (New):** Percentage of representation cases where OGC offer of ADR is accepted and case is partially or fully resolved.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	95%
	<b>FY 2023</b>	95%

**Measure 2.2.3 (New):** The percentage of appropriate ULP cases in which ADR services are offered to the parties or ordered by the OALJ Chief Judge.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	90%
	<b>FY 2023</b>	90%

**Measure 2.2.4 (New):** The percentage of ULP cases that are partially or totally resolved after ADR services are accepted by the parties or ordered by the OALJ Chief Judge.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	80%
	<b>FY 2023</b>	80%

**Measure 2.2.5 (New):** The percentage of appropriate arbitration cases pending before the Authority in which ADR services are offered to the parties.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	N/A
	<b>FY 2023</b>	90%

**Measure 2.2.6 (New):** The percentage of arbitration cases that are partially or totally resolved after the parties accept an offer of ADR services.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	N/A
	<b>FY 2023</b>	60%

**Measure 2.2.7 (New):** The percentage of appropriate negotiability cases pending before the Authority in which ADR services are offered to the parties.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	90%
	<b>FY 2023</b>	90%

**Measure 2.2.8 (New):** The percentage of proposals or provisions in negotiability cases that are partially or totally resolved after the parties accept an offer of ADR services.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	90%
	<b>FY 2023</b>	90%



**Measure 2.2.9 (New):** The percentage of negotiability cases that are partially or totally resolved after the parties accept an offer of ADR services.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	90%
	<b>FY 2023</b>	90%

**Measure 2.2.10 (New):** The percentage of cases – other than ULP, arbitration, and negotiability – that are partially or totally resolved after parties accept an offer of ADR services.

Results	Targets	
* New Measure – Results forthcoming.	<b>FY 2022</b>	75%
	<b>FY 2023</b>	75%

### **STRATEGIC GOAL 3: MANAGE OUR RESOURCES EFFECTIVELY AND EFFICIENTLY IN ORDER TO ACHIEVE ORGANIZATIONAL EXCELLENCE**

The FLRA's ability to fulfill its core mission under the Statute depends on excellent management of the organization and its resources. The organizational-excellence goal emphasizes how the agency's employees and IT infrastructure are central to achieving all of the strategic goals and objectives outlined in the strategic plan.

The landscape of the federal workplace and workforce continues to evolve, as do the needs of the parties that the FLRA serves. It is crucial for the FLRA to focus on developing the workforce of the future while retaining valuable institutional knowledge.

The agency is prepared to meet ever-changing business demands through the innovative use of IT to best manage the workload and interact with parties. The FLRA continues to be an effective steward of taxpayer dollars, with a renewed focus on maximizing the use of data to inform decision making. The agency's future operational approaches are designed to foster nimble and seamless deployment of resources coupled with cost-avoidance strategies to support productive labor-management relations across the federal government. The FLRA has a comprehensive, forward-looking plan to increase quality and value in its administrative and operational functions, continue efforts to enhance productivity and achieve cost savings, unlock the full potential of its workforce, and build the FLRA's workplace for the future.

#### **STRATEGIC OBJECTIVE 3.1: RECRUIT, RETAIN, AND DEVELOP A HIGHLY TALENTED, MOTIVATED, AND DIVERSE WORKFORCE TO ACCOMPLISH THE FLRA'S MISSION.**

The success of FLRA employees is instrumental to its success as an agency. With this in mind, the FLRA actively manages its human-capital programs. At the foundation of the Agency's 2018-2022 Strategic Plan is FLRA's renewed commitment to having a highly talented, motivated, and diverse workforce that enjoys job satisfaction as a regular part of their overall experience at the Agency.

**Measure 3.1.1: Demonstrable, strong recruitment and retention practices.**

**Results**

<p><b>2019</b></p>	<ul style="list-style-type: none"> <li>• Reviewed a portion of Agency performance-management systems and individual performance plans to ensure that they align directly with the 2018-2022 Strategic Plan.</li> <li>• Completed review of all position descriptions Agency-wide, to ensure that all Agency positions reflect the actual duties of the position.</li> <li>• Issued a revised Reasonable Accommodation Policy – including Personal Assistive Device policy – that is fully compliant with recent EEOC regulatory amendments and guidance.</li> <li>• Ensured compliance with Government-wide goals for Schedule A hiring.</li> <li>• Expanded recruitment efforts to target persons with disabilities.</li> <li>• Formed Diversity and Inclusion Team to develop programs to highlight and celebrate the diversity of Agency employees.</li> </ul>
<p><b>2020</b></p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Continued to support the Agency Diversity and Inclusion Team in their collective efforts to provide information to all FLRA employees.</li> <li>• 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.</li> </ul>
<p><b>2021</b></p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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&amp;I. The subcommittees include but are not limited to Training, Recruiting and Hiring, Agency Events, and Policy Review.</li> </ul>

**Targets**

<b>2022</b>	<ul style="list-style-type: none"> <li>• Continue to reinforce recruitment and retention of a diverse and inclusionary workforce.</li> <li>• Develop an agency-wide workforce demographic survey to gain more in-depth information from agency employees to establish various employee groups and committees to facilitate diverse agency programs and policies.</li> <li>• Develop new and improved recruitment strategies based on overall time to hire assessments.</li> <li>• 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.</li> </ul>
<b>2023</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Continue to survey agency workforce to gain more insight on the diversity of the population or lack thereof in order to develop more inclusive agency programs.</li> </ul>

<b>Measure 3.1.2 (New):</b> Improvement in overall employee job satisfaction, as demonstrated through the score for question 36 of the Federal Employee Viewpoint Survey (FEVS).		
<b>Year</b>	<b>Results</b>	<b>Targets</b>
<b>Reported in 2019</b>	71% satisfied in 2018	
<b>Reported in 2020</b>	62% satisfied in 2019	
<b>Reported in 2021</b>	73% satisfied in 2020	
<b>Reported in 2022</b>	75% satisfied in 2021	75% satisfied
<b>Reported in 2023</b>		77% satisfied

**STRATEGIC OBJECTIVE 3.2: IMPROVE USE OF EXISTING TECHNOLOGY AND DEPLOY NEW IT SYSTEMS TO STREAMLINE AND ENHANCE ORGANIZATIONAL OPERATIONS.**

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 Document Management System (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.

FLRA will continue to enhance technology security. The President’s Executive Order (EO) on Cybersecurity has imposed a plethora of new requirements that require persistent expenses for FLRA. The EO requires tools for implementing and maintaining a Zero Trust model architecture, multifactor authentication, automation of data classification, and modernized endpoint detection and response.

<b>Measure 3.2.1: Expand the use of electronic filing for all components.</b>	
<b>Results</b>	
<b>2019</b>	<ul style="list-style-type: none"> <li>• 46 percent of cases eFiled Agency-wide.</li> <li>• Authority and FSIP exceeded target of 10 percent increase.</li> </ul>
<b>2020</b>	<ul style="list-style-type: none"> <li>• 56 percent of cases eFiled Agency-wide.</li> <li>• 89 percent of Authority cases eFiled.</li> <li>• OGC eFiling has increased by 9.3 percent.</li> <li>• Streamlined eFiling software &amp; created eFiling training module.</li> </ul>
<b>2021</b>	<ul style="list-style-type: none"> <li>• 68 percent of cases eFiled Agency-wide.</li> <li>• 78 percent of Authority cases eFiled.</li> <li>• OGC eFiling has increased by 14 percent</li> <li>• Research and planning began to vastly increase capabilities of the eFiling system to allow a wider array of case types/actions and interactions.</li> </ul>
<b>Targets</b>	
<b>2022</b>	<ul style="list-style-type: none"> <li>• Achieve 75 percent eFiling, including eFax, by 9/30/2022.</li> <li>• Critically review and revise FLRA regulations to modernize filing requirements.</li> </ul>
<b>2023</b>	<ul style="list-style-type: none"> <li>• Fully align procedural regulations for case submission with available technology resources (eFile, etc.) to eliminate costly legacy means.</li> </ul>

**Measure 3.2.2:** Move FLRA towards 100% electronic case files, electronic permanent records, and electronic case management.

**Results**

<b>2019</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>2020</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>2021</b>	<ul style="list-style-type: none"> <li>Enhancements and improvements continue on Authority CMS. OGC CMS development hindered by lack of appropriated funds, but continues slowly.</li> </ul>

**Targets**

<b>2022</b>	<ul style="list-style-type: none"> <li>Continue development and implementation of end-to-end electronic casefile system for all FLRA components.</li> </ul>
<b>2023</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>

**Measure 3.2.3 (New):** Achieve an exceptional level of information security by increasing the percentage of systems using a zero-trust model and multifactor authentication and by promptly complying with cybersecurity orders and directives.

**Results**

<b>2021</b>	*New Measure for 2022
-------------	-----------------------

**Targets**

<b>2022</b>	75% of systems using Zero Trust model
<b>2023</b>	100% of systems using Zero Trust model; Multifactor Authentication in use for all external facing systems, all sensitive internal systems.

This page intentionally left blank.

**U.S. FEDERAL LABOR RELATIONS AUTHORITY**  
**1400 K Street, N.W.**  
**Washington, DC 20424**  
[FLRA.gov](http://FLRA.gov)