

FLRA

Office of the General Counsel

Federal Management Institute
Annual Labor and Employee Relations Conference
June 14-16, 2010
Chicago, IL



2009-12 Goals and Priorities

- Eliminate backlog of complaint and appeals cases within first 180 days.
- Restore information resources: manuals, guidance and training within the first 18 months
- Improve Unfair Labor Practice and REP case processing in relation to current time targets and shorten existing time targets within the first term.

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Eliminate the Backlog



Backlog

- **Eliminate backlog of complaint and appeals cases within first 180 days.**
 - All 342 backlogged complaint cases have been settled, tried or scheduled for trial.
 - All 800 appeals cases completed.
 - FLRA agents are now working current cases.

Information Resources

***Practice Materials (Manuals, Guidance)
Education and Training***



Information Resources

- **Restore information resources manuals, guidance and training within first 18 months.**
 - Historical manuals and guidance posted.
 - Regular training resumed, training materials posted.
 - Updated manuals and case law summaries in process.
 - E.O. 13522 training launched.

Information Resources

- An updated ULP manual and a comprehensive ULP case law outline will be published by the end of July 2010. We are presently updating the REP Hearing Officer's Guide as well.
- Quarterly statutory training in Regional Office cities, REP accretion and successorship training, and E.O 13522 training. Training materials posted at http://www.flra.gov/OGC_Training

Executive Order 13522
Creating Labor-Management Forums to
Improve Delivery of Government Services

FLRA Training Support



Training Courses

- Joint FLRA OGC/FMCS training
- FLRA 7106 (b) (1) Pilot Project training

Joint FLRA OGC/FMCS Training

- Available to labor-management pairs in seven FLRA Regional Office cities.
- Agency specific training is also scheduled (Treasury, Labor, Veterans Affairs, FAA, Army, Marine Corps, FAA, NLRB and many others in planning stage).

FLRA OGC/FMCS Course Overview

- **Day One:** FLRA: Overview of Executive Order 13522, Collective Bargaining under the Statute, including section 7106(b)(1) and Pre-Decisional Involvement.
- **Day Two:** FMCS: Introduction to Labor-Management Forums, skill building and next steps for starting a Labor-Management Forum.

FLRA 7106 (b) (1) Pilot Project Training

- Available to each bargaining committee participating in pilot projects pursuant to E.O. 15322.
- Standard educational materials and exercises presented by senior FLRA attorneys.

Case Processing Improvement

Case/Agent Metrics
Technology
Case Process Improvement



Case Processing

- **Improve Unfair Labor Practice and REP case processing timeliness and shorten existing time targets.**
 - Current time target for ULP and REP cases 120 days. OGC meets target 48% for ULP and 65% REP.
 - Critical to good government that OGC performance in relation to these targets improve AND that these targets be reduced.

Cases Filed/Agent Ratio Analysis

Fiscal Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
ULP Cases Filed	6167	5716	5129	4551	4036	4788	4677	3569	3593	4275*
REP Cases Filed	376	338	309	347	285	276	297	289	256	266**
Total Cases Filed	6543	6054	5438	4898	4321	5064	4974	3858	3849	4541*
Total Agents	77	73	68	66	57	46	39	39	39	42
Cases/Agent	85	83	80	74	76	110	128	99	99	108

Pending Cases/Agent Ratio Analysis

April 30	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
ULP Cases	2034	1805	1458	884	977	1130	2270	1632	1501	1781
REP Cases	172	198	167	118	114	119	127	121	112	106
Total Cases	2026	2003	1625	1002	1091	1249	2397	1753	1613	1887
Total Agents	77	73	68	66	57	46	39	39	39	42
Cases/Agent	29	27	24	15	19	27	61	45	41	45

ULP and Rep Case Time Targets

- Current Target: 120 Days for All Cases
 - In ULP cases, only meeting this goal 48% of the time
- Used to be 60 Days for ULP Cases, 30 for Rep
- NLRB benchmarks:
 - Cases are Prioritized
 - Highest Priority Cases: 49 Days (7 Weeks)
 - Next Priority: 63 Days (9 Weeks)
 - Lowest Priority: 114 Days (12 Weeks)

Technology Will Help

- E-filing
- Remote Access Voting
- Web-based conferences to facilitate stipulations, settlement, pre-hearing preparations
- Video REP hearings

Case Process Improvement

- Integrate ADR into all aspects of case process.
 - ULP regulations amended
 - Agents trained in dispute resolution skills
- Examine ULP and REP Case Processes from Top to Bottom. Find Bottlenecks and Fix Them

Case Process Improvement

- Emphasize Quality Investigations as Well as Timeliness
- Open to Suggestions from Parties on Prioritizing Cases and Improving Our Case Processes