

FEDERAL LABOR RELATIONS AUTHORITY

PERFORMANCE PLAN

FY 2009

Mission

The FLRA mission is to carry out five (5) primarily statutory responsibilities as efficiently as possible and in a manner that gives full effect to the rights afforded under the Federal Service Labor-Management Relations Statute. These responsibilities are:

1. Investigating, prosecuting, and resolving complaints of Unfair Labor Practice (ULP) cases;
2. Determining the appropriateness of units for labor organization Representation (REP);
3. Adjudicating exceptions to arbitrators' awards (ARB);
4. Adjudicating legal issues relating to the duty to bargain (NEG); and
5. Adjudicating impasses during negotiations (bargaining impasse).

Strategic Plan (FY 2004-2009)

In coordination with OMB, the FLRA revised its Strategic Plan for FY 2004-2009, simplifying its strategic goals from four goals to a single goal that reflects our purpose, and our mission -- to process cases efficiently. In order to establish meaningful measures to assess efforts among the FLRA components in case processing, we structured objectives based upon type of case (ULP, REP, ARB, NEG, or Bargaining Impasse). For each objective, we established case resolution output targets for each of the components. Categorizing cases in this manner enables the FLRA to focus on agency-wide goals while concurrently establishing or retaining specific component performance standards. Additionally, for the first time, the responsible Senior Executives are listed for each objective and performance goal, thereby providing a direct link between SES performance and attainment of agency outcomes. Finally, rather than separating our management and support activities, we incorporated such activities within the appropriate objective, thereby providing a means to align those activities to our performance in processing cases.

Resources Requested to Meet Goals

The FY 2009 Annual Performance Plan assumes a FY 2009 budget level of \$22,674,000. At the beginning of FY 2009, we will develop an operating plan in order to align agency resources with the FY 2009 performance goals. Our FY 2009 performance plan goals were constructed with the presumption that the FLRA would experience level staffing and funding, relative stability in what has been a declining case intake, and normal staff attrition.

Strategic Plan Goal: CASE PROCESSING

Performance Goal (Outcome) #1 - *Provide Timely Adjudication of Cases*

Objective: *Enhance Customer Ease of Filing Cases and Tracking Case Status Through Web-based Case-Filing System.*

Output/Outcome Goal(s)	Component/Responsible Executive(s)	Experience
FY 2009 <u>Outcomes:</u> 1. 30% of customers file on-line. 2. 80% of customers who filed on-line track the status of a case on-line.	Office of Policy & Performance Management Office of Case Adjudication	

Strategic Plan Goal: CASE PROCESSING

Performance Goal (Outcome) #2: *Provide timely review and disposition of Unfair Labor Practice (ULP) cases.*

Objective: *Remedy all ULP cases in a timely manner.*

Performance Goals	Component/Responsible Executive(s)	Experience
FY 2009 A. All ULP charges will result in the issuance of a complaint, withdrawal, or settlement of the charge within 120 days from the date filed. B. Issue 80% of sustained appeals within 60 days of receipt of the appeal of the Regional Director's dismissal of the charge. C. All ULP complaints will receive a hearing within 90 days or be otherwise settled. D. Within 60 days of close of hearing, the Office of Administrative Law Judges will issue a decision. E. Upon completion of filing requirements pursuant to FLRA regulations, all ULP cases will assigned to an Authority Member staff within 5 working days or be otherwise disposed.	Office of the General Counsel of the Authority Deputy General Counsel Regional Directors Office of the General Counsel of the Authority Office of the General Counsel of the Authority Office of Administrative Law Judges Office of Administrative Law Judges Authority Office of Case Control	

Performance Goals	Component/Responsible Executive(s)	Experience
F. Within 90 days of assignment to an Authority Member staff, a final ULP decision will issue.	Authority Chief Counsels	

Strategic Plan Goal: CASE PROCESSING

Performance Goal (Outcome) #3 - *Provide timely review and disposition of Representation (REP) cases.*

Objective: *Remedy all REP cases in a timely manner.*

Performance Goals	Component/Responsible Executive(s)	Experience
FY 2009 A. Issue Decision & Order (D&O) or approve withdrawal of petition within 90 days of filing of petition with the OGC, where no election or hearing is necessary. B. Conduct election within 90 days from the date of filing of petition with the OGC, where no hearing is necessary. C. Issue D&O in all REP cases in 180 days, where a hearing is necessary. D. Upon completion of filing requirements pursuant to FLRA regulations, all REP cases will be assigned to an Authority Member staff within 2 work days or be otherwise disposed. E. Within 50 days of assignment of a REP case to an Authority Member staff, a decision whether to grant review will issue.	Office of the General Counsel Deputy General Counsel Regional Directors Office of the General Counsel Deputy General Counsel Regional Directors Office of the General Counsel Deputy General Counsel Regional Directors Authority Office of Case Control Authority Office of Case Control	

Strategic Plan Goal: CASE PROCESSING

Performance Goal (Outcome) #4: *Provide timely review and disposition of Arbitration (ARB) cases.*

Objective: *Remedy all ARB cases in a timely manner.*

Performance Goals	Component/Responsible Executive(s)	Experience
FY 2009 A. Upon completion of filing requirements pursuant to FLRA regulations, all ARB cases will be assigned to an Authority Member staff within 5 work days or be otherwise disposed. B. Within 90 days of assignment to an Authority Member staff, a final ARB decision will issue.	Authority Office of Case Control Authority Chief Counsels	

Strategic Plan Goal: CASE PROCESSING

Performance Goal (Outcome) #5: *Provide timely review and disposition of Negotiability (NEG) cases*

Objective: *Remedy all NEG cases in a timely manner.*

Performance Goals	Component/Responsible Executive(s)	Experience
FY 2009 A. Upon completion of all filing requirements pursuant to FLRA regulations, all NEG cases will be assigned to an Authority Member staff within 5 work days or be otherwise disposed. B. Within 100 days of assignment (reflecting reasonable time period for a post-petition conference) to an Authority Member staff, a final NEG decision will issue.	Authority Office of Case Control Authority Chief Counsels	

Strategic Plan Goal: CASE PROCESSING

Performance Goal (Outcome) #6: *Provide timely review and disposition of Bargaining Impasses (FSIP) cases.*

Objective: *Remedy all bargaining impasse (FSIP) cases in a timely manner.*

Performance Goals	Component/Responsible Executive(s)	Experience
FY 2009 A. Upon completion of filing requirements pursuant to FSIP regulations, and FMCS action, the Panel will assert jurisdiction or decline to assert jurisdiction within 90 days.	Federal Service Impasses Panel (FSIP) Executive Director	
B. Cases which the Panel declines to assert jurisdiction or which a party(ies) requests to withdraw, prior to a jurisdictional determination, will close within 20 days of such determination/request to withdraw.	Federal Service Impasses Panel (FSIP) Executive Director	
C. The substantive case record will close within 120 days once the Panel asserts jurisdiction over the parties' request for assistance.	Federal Service Impasses Panel (FSIP) Executive Director	
D. Cases which the Panel resolves through a Decision & Order, or otherwise, will be closed within 30 days of the Panel's decision.	Federal Service Impasses Panel (FSIP) Executive Director	

DISCUSSION OF CHANGES/REVISIONS IN GOALS

I. Strategic Goal: Case Processing Because a case may be handled by more than one component, we categorized performance goals by type of case and reflecting what we believe represents the main elements of remedying a particular case depending upon which FLRA component the case may be in at a particular stage of moving through the system. Within each category, we then established discrete performance times for case resolution within specific components. Additionally, for the first time, we identify the responsible Senior Executive(s) for each goal, thereby providing a direct and transparent link between SES performance and attainment of the FLRA's strategic goals. Structuring our case processing goals in this manner reflects coordination with and comments provided by OMB to establish measures that will enable the FLRA to track and align costs to specific categories of cases, including planning for staffing and training needs in future years, based upon where our heaviest activity and skill-needs lie.

II. Program Cost Currently, the FLRA does not have a cost accounting or management information system that aligns program activity budget accounts with performance data. FLRA program costs are currently available only in the traditional budget object classification breakdown and program activity budget accounts are not aligned with program performance data.

III. Means and Strategies in order to achieve our FY 2009 output goals and more towards establishing outcome goals, the FLRA will monitor workload and staffing trends to ensure that resources, including staff, travel and training, are appropriately allocated to achieve the output goals.

IV. Verification and Validation The FLRA developed its performance targets after evaluating and projecting workload trends and reviewing historical workload data and trends. The performance targets are based on the assumption that the agency will continue to have a declining case intake, with the usual mix of cases, and that staff resources will continue to remain constant. By regularly measuring case production, the FLRA will determine the extent to which the agency and its individual components remain on track to meet agency-wide targets. Through quarterly reviews, agency management will identify problem areas and make adjustments according to work or resources.