



*Thirty-seven years – promoting and protecting labor-management relations for effective, efficient government.*

## U.S. FEDERAL LABOR RELATIONS AUTHORITY CONGRESSIONAL BUDGET JUSTIFICATION

Decisions of the  
FEDERAL  
LABOR  
RELATIONS  
AUTHORITY

20  
17

[WWW.FLRA.GOV](http://WWW.FLRA.GOV)

**UNITED STATES  
FEDERAL LABOR RELATIONS AUTHORITY**



**Congressional Budget Justification  
Fiscal Year 2017**

# TABLE OF CONTENTS

<b>U.S. FEDERAL LABOR RELATIONS AUTHORITY.....</b>	<b>2</b>
Background and Mission .....	2
Organizational Structure .....	2
Agency Trends and Challenges .....	5
<b>BUDGET JUSTIFICATION .....</b>	<b>15</b>
Appropriation Language .....	15
FY 2017 Funding Request .....	15
Change from FY 2016 .....	16
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>
Strategic and Performance-Planning Framework .....	22
Goal 1.1.1: Produce timely review and disposition of each case type (ULP, REP, ARB, NEG, Impasse).....	30, 33, 34, 37, 39
i. Unfair-Labor-Practice Cases.....	30
ii. Representation Cases.....	33
iii. Arbitration Cases.....	34
iv. Negotiability Cases.....	37
v. Bargaining-Impasse-Dispute Cases.....	39
Goal 1.1.2: Resolve overage cases in a timely fashion.....	32, 34, 35, 36
i. Unfair-Labor-Practice Cases.....	32
ii. Representation Cases.....	34
iii. Arbitration Cases.....	35
iv. Negotiability Cases.....	36
Goal 2.1.1: Provide targeted access to training, outreach, and facilitation activities within the labor-management community.....	38
Goal 2.2.1: Successfully resolve a significant portion of FLRA cases through ADR.....	39
Goal 3.1.1: Recruit, retain, and develop a highly talented, motivated, and diverse workforce to accomplish the FLRA’s mission.....	41
Goal 3.1.2: Improve use of existing technology and deploy new IT systems to streamline and enhance organizational operations.....	44

# **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 of whom are represented in 2,200 bargaining units. The 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 10,988 by President Kennedy in 1962. In 2012, the FLRA celebrated the 50th anniversary of the Order, 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 11,491, to administer the federal labor-management-relations program and to make final decisions on policy questions and major disputes arising under Executive Order 10,988. Executive Order 11,491, as amended, was the basis for President Carter's proposal to Congress to create the 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.

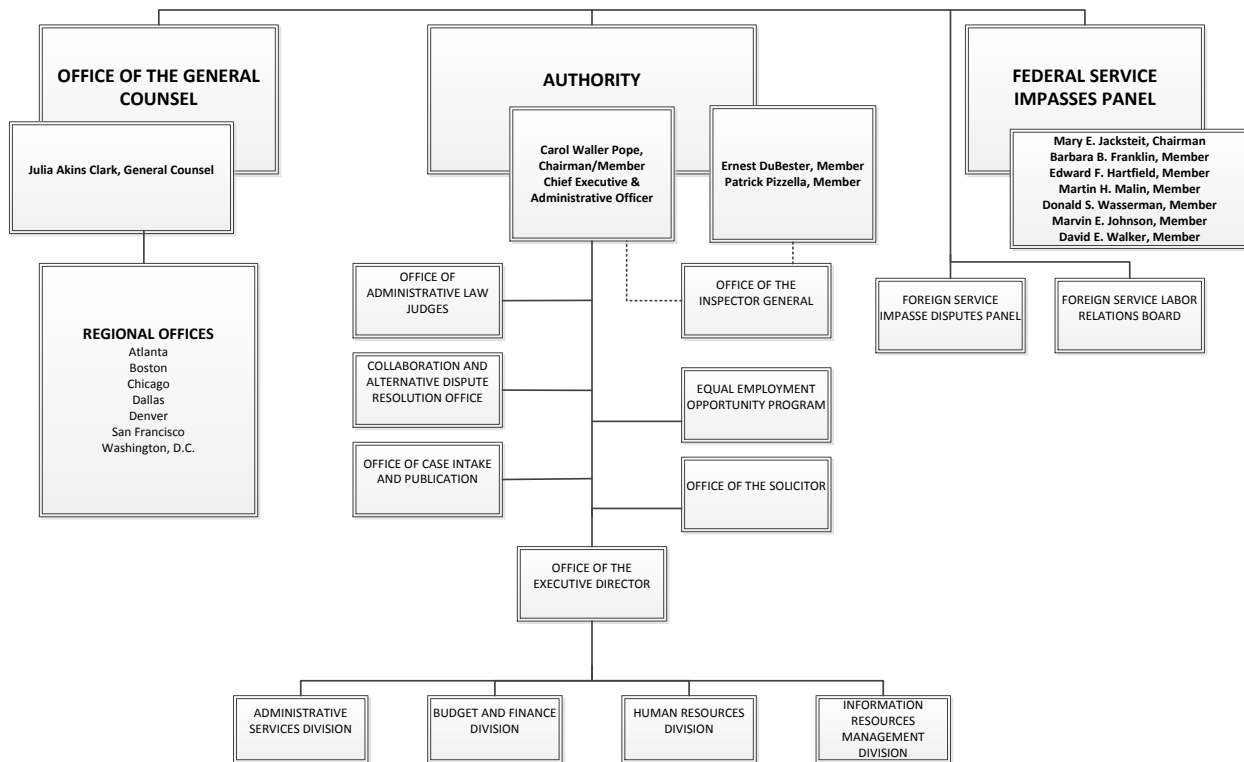
The mission of the FLRA is to promote stable, constructive labor-management relations through the resolution and prevention of labor disputes in a manner that gives full effect to the collective-bargaining rights of employees, unions, and agencies. Although the FLRA is a small agency, accomplishing its mission – including timely, quality, and impartial 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.

## **ORGANIZATIONAL STRUCTURE**

---

The FLRA is organized into three statutory components – the Authority, the Office of the General Counsel (OGC), and the Federal Service Impasses Panel (FSIP) – each with unique adjudicative or prosecutorial roles. The agency also provides full program and staff support to two other organizations – the Foreign Service Impasse Disputes Panel and the Foreign Service Labor Relations Board.

# U.S. FEDERAL LABOR RELATIONS AUTHORITY



## The Authority

The Authority comprises three full-time, presidentially nominated and Senate-confirmed Members who are appointed for fixed, five-year, staggered terms. The President designates one Member to serve as Chairman. The Chairman acts as the agency’s chief executive and administrative officer.

The Authority is responsible for adjudicating unfair-labor-practice (ULP) complaints, determining whether to grant exceptions to arbitrators’ awards, resolving disputes over the negotiability of proposals and provisions made during collective bargaining, and reviewing representation decisions of Regional Directors in representation disputes over union elections and unit determinations.

Other program offices under the jurisdiction of the Authority include the Office of the Solicitor, the Office of Administrative Law Judges (OALJ), the Office of Case Intake and Publication, and the Collaboration and Alternative Dispute Resolution Office (CADRO).

The Office of the Solicitor represents the FLRA in court proceedings before all U.S. courts, including the U.S. Supreme Court, the U.S. Courts of Appeals, and the Federal District Courts. In this connection, parties aggrieved by certain Authority orders may institute an action for judicial review within 60 days after the order issues. The Authority may also seek enforcement

of its orders, temporary relief, or restraining orders in the appropriate U.S. Courts of Appeals or Federal District Courts. The Office of the Solicitor also serves as the agency's in-house counsel, providing legal advice to all FLRA components, and performs various functions under the Freedom of Information Act and the Privacy Act. The Solicitor also serves as the Designated Agency Ethics Official.

The Authority Members appoint Administrative Law Judges (ALJs) to hear and prepare recommended decisions in cases involving ULP complaints, as well as decisions involving applications for attorney fees filed pursuant to the Back Pay Act or the Equal Access to Justice Act. The OALJ – through its Settlement Judge Program administered by the CADRO – also provides alternative-dispute resolution (ADR) services in all ULP cases. Decisions of the ALJs may be appealed to the Authority.

### **The Office of the General Counsel**

The General Counsel, who is appointed by the President with the advice and consent of the Senate, has separate and independent responsibilities from the Authority. Under the Statute, the General Counsel has sole responsibility – independent of the Authority – 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 the FLRA's Regional Offices. Approximately 50 percent of the FLRA's staff is employed in the regions, where all ULP charges and representation petitions are filed. The Regional Offices, on behalf of the General Counsel, investigate and resolve alleged ULPs, file and prosecute ULP complaints, effectuate compliance with settlement agreements and Authority Orders, and provide training and ADR services. In addition, through delegation by the Authority, the Regional Offices investigate and resolve representation cases and conduct secret-ballot elections.

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 and 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 the respective region.

Atlanta Regional Office

Boston Regional Office

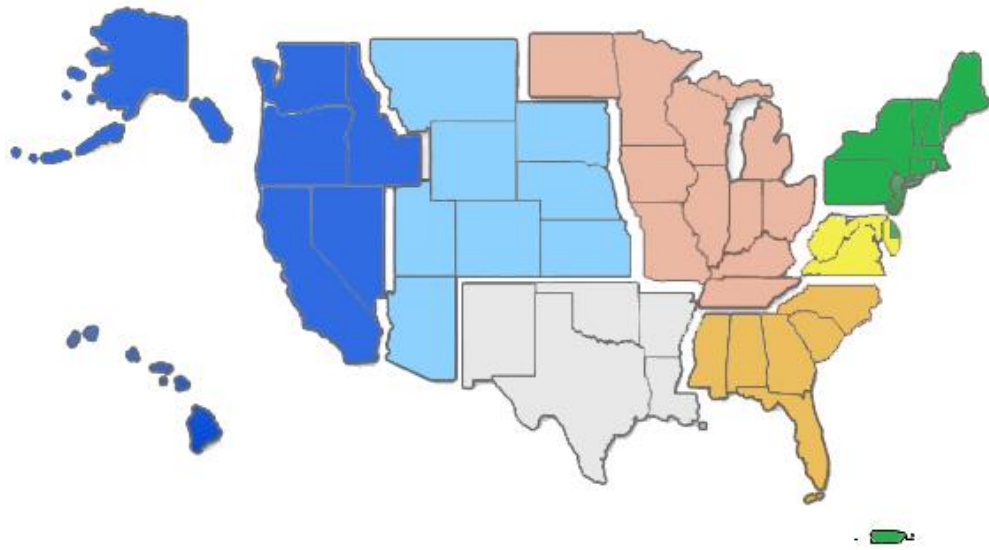
Chicago Regional Office

Dallas Regional Office

Denver Regional Office

San Francisco Regional Office

Washington DC Regional Office



## The Federal Service Impasses Panel

The FSIP resolves impasses between federal agencies and unions representing federal employees arising from negotiations over conditions of employment under the Statute and the Federal Employees Flexible and Compressed Work Schedules Act. The FSIP normally comprises seven part-time Presidential appointees – a Chairman and six other Members – who are appointed for five-year terms.

If bargaining between the parties, followed by mediation assistance, does not result in a voluntary agreement, then either party or the parties, jointly, may request the FSIP's assistance. Following a preliminary investigation by its staff, the FSIP may determine to assert jurisdiction over the request. If the FSIP asserts jurisdiction, then it has the authority to recommend or direct the use of various ADR procedures, including informal conferences, additional mediation, fact-finding, written submissions, and mediation-arbitration by FSIP Members, the FSIP's staff, or private arbitrators. If the parties are still unable to reach a voluntary settlement, then the FSIP may take whatever action it deems necessary to resolve the dispute, including imposition of contract terms through a final action. Parties may not appeal the merits of the FSIP's decision to any court.

## AGENCY TRENDS AND CHALLENGES

---

The FLRA's mission is to promote stable, constructive labor-management relations through the resolution and prevention of labor disputes in a manner that gives full effect to the collective-bargaining rights of employees, unions, and agencies. Accomplishing its mission in an effective and efficient manner is key to enabling the federal government, as a whole, to adapt to changing circumstances, as necessary, to continue delivering the highest quality services to the

American public, consistent with President Obama's Management Agenda to deliver a more nimble, more innovative, and more accountable federal government.

### ***2015-2018 Strategic Plan***

With the agency's existing 2010-2015 Strategic Plan nearing its expiration, in FY 2015, the FLRA engaged in a comprehensive strategic-planning initiative to develop and implement a 2015-2018 Strategic Plan.

The FLRA focused a great deal of dedicated effort into the entire strategic-planning endeavor. It was an important opportunity for everyone – senior leaders, the employees' representative organization, and staff throughout the agency – to shape a shared vision for the future of the FLRA. The draft plan was developed through one-on-one interviews and focus groups with FLRA leadership, staff, and external stakeholders. Agency employees worked collectively to establish shared goals, objectives, and strategies, as well as the supporting performance goals that will help the agency to accomplish its mission and drive improvements in daily operations. The process was highly participatory, and it served as an opportunity for leadership, staff, and external stakeholders to share ideas about the FLRA's strategy. Everyone was asked for their best thinking and creativity – no ideas were off the table. This was a transparent effort, and there was continuous communication with agency employees – at all levels throughout the agency – for the duration of the project.

The FLRA developed this strategic plan against the backdrop of external trends and challenges that pose a risk to overall mission delivery. These trends include budget uncertainty, an increasing caseload, and workforce challenges. The goals and objectives in this plan support the FLRA's mission in light of these trends and challenges.

In addition, the FLRA identified performance goals 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 and data-driven leadership and decision-making. 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.

### ***Mission – Case Processing & ADR***

With respect to its mission accomplishments, the FLRA as a whole has continued its significant improvement over the last six and a half years in providing customers with timely and quality adjudication and dispute-resolution services. But the FLRA has had to overcome significant obstacles in meeting its mission requirements. In addition to increased case filings in certain components of the agency, the agency experienced a wave of key employee retirements and departures starting in FY 2013 and continuing into FY 2015. This left well over 10 percent of the FLRA's already small workforce vacant to start FY 2014, and the agency has devoted significant effort to rebuilding its workforce throughout FY 2014 and FY 2015.



*Authority (including OALJ, CADRO)*

In FY 2014, the Authority faced a backlog of cases that accrued when the Authority lacked a quorum of Members necessary to issue decisions for a 10-month period. And while the Authority devoted much of FY 2014 to issuing its oldest cases and eliminating that backlog, some of those overage cases remained, and a large number of newer cases went overage in the process – resulting in the Authority beginning FY 2015 with 63 percent of its cases already being overage. In addition, during FY 2015, the Authority experienced a 22 percent increase in case filings over FY 2014. There were also several key retirements and departures, and a budget lapse that precluded backfilling those vacancies for 90 days or more. All together, these factors have posed a challenge for the Authority in terms of meeting its performance goals in FY 2015.

Despite these challenges, the Authority is began FY 2016 in a significantly better position than when it began FY 2015. As the result of a case-issuance strategy (an action plan) that the Authority adopted in early FY 2015, as well as the use of temporary assistance from other offices, the Authority eliminated all of its remaining overage-case backlog in FY 2015. And, compared with the 133 cases that the Authority closed on the merits in FY 2014, the Authority closed approximately 165 cases on the merits in FY 2015 – a nearly 25 percent increase. As a result of these efforts, the Authority began FY 2016 well-positioned to meet its performance goals.

Moreover, the Authority continued in FY 2015 to yield performance dividends from ongoing arbitration and negotiability case-processing initiatives. As a result of a comprehensive review of arbitration case processing and implementation of associated regulatory changes several years ago – along with the development and periodic updating of a *Guide to Arbitration under the Statute* – the Authority continues to experience reduced numbers of procedural deficiencies in the parties’ filings, which leads to reduced overall case-processing times. Additionally, the Authority continued to review and make regular updates to its Comprehensive Arbitration Training program, which it presented to its parties several times throughout the year. Further, as a result of its review of negotiability law and practice in recent years, the Authority developed a *Guide to Negotiability under the Statute*, and the accompanying Comprehensive Negotiability Training program, which it continued to review, revise, and deliver to its customers on an ongoing, consistent basis. The currency of these materials and the provision of up-to-date, relevant training have yielded real performance-improvement outcomes. The parties are better educated about the Authority’s law and case-processing requirements, which has resulted in fewer procedural deficiency orders and procedural dismissals. For example, there has been an over 37 percent reduction in procedural dismissals in arbitration cases from FY 2012 to FY 2015. In addition, the Authority is receiving higher-quality, better-drafted briefs. That, in turn, enables the Authority to more efficiently and expeditiously process those cases.

The OALJ resolved cases in FY 2015 at a dramatic pace, issuing nearly 80 decisions and more than doubling the substantial improvement in case processing delivered in FY 2014. In response to a backlog of cases awaiting decision, the agency reallocated resources to the OALJ – through use of details, a temporary-attorney hire, contract paralegal support, and two re-employed-annuitant ALJs – to assist in resolving cases more expeditiously. With nearly 1,000 new cases on the docket in the last four years, the OALJ has successfully resolved cases without the need

for costly litigation involving a hearing or written decision through use of the OALJ Settlement Judge Program – with ADR services administered by the CADRO. In FY 2015, in over 87 percent of cases in which the parties participated in the Settlement Judge Program, they reached agreement and fully resolved their dispute. This is real evidence that the delivery of ADR services at all stages of case processing results in more effective and cost-efficient program performance for the FLRA, as well as the timely resolution of disputes for its customers. As a result, the OALJ has seen a decrease in demand for hearings even though the number of complaints issued by the OGC alleging ULPs exceeded 200 in FY 2015. For those cases that cannot be settled without a hearing, the ALJs continue to encourage the parties to request a bench decision, where appropriate under the facts of the case, to reduce the need for written decisions.

In addition to its highly successful work with the OALJ Settlement Judge Program, the CADRO continues to have great success in helping parties before the Authority to resolve significant disputes in pending cases, most significantly in negotiability cases, but also increasingly expanding to include arbitration cases. In fact, in FY 2015, 100 percent of CADRO negotiability cases resulted in full resolution of the underlying dispute and closure of the pending case. And 100 percent of CADRO arbitration cases resulted in at least partial resolution of the underlying dispute.

Noteworthy CADRO cases in FY 2015 include a case in which, following more than two years of bargaining over subjects that included wages (at an agency where negotiating over wages takes place), the parties obtained an interest-arbitration award intended to resolve all remaining disputes in their national term contract. Both parties filed arbitration exceptions with the Authority to more than a dozen contract articles ruled on by the arbitrator. This would most likely have resulted in additional years of resource-intensive litigation and a less-than-satisfying result. Instead, the parties engaged in several days of CADRO mediation that resolved all of the exceptions in the case pending before the Authority, and that even assisted the parties in reaching voluntary agreement on contract articles that the arbitrator had failed to resolve. In another case involving a term contract, an agency and a union bargained for years, followed by agency-head disapproval of the resulting contract. The parties returned to the bargaining table, again reached agreement, and again submitted the agreement for agency-head review. This time, the agency head disapproved 44 contract provisions, after which the union filed a negotiability petition with the Authority. The parties agreed to use CADRO's mediation services, through which they were able to completely resolve all 44 provisions in only two days of mediation, resulting in withdrawal of the case before the Authority. Given the large volume of issues in dispute, formal adjudication by the Authority would have consumed an enormous amount of staff resources, and final resolution of the dispute would have taken far longer to achieve.

CADRO was also successful in resolving a dispute in which \$80M of an agency's FY 2015 budget was tied to implementing a single career track (SCT) for a nationwide group of employees. Due to implementation delays, the agency risked losing the implementation funds. The parties jointly requested CADRO assistance to engage in pre-decisional involvement (PDI) pursuant to Executive Order 13,522, *Creating Labor-Management Forums to Improve Delivery of Government Services*. CADRO facilitated two very long days of outreach with 15 party representatives from around the nation. The parties met their implementation deadline

and thereby achieved critical mission-related results that also improved the quality of employee work life and fostered a better labor-management relationship between the parties.

The parties universally reported that these ADR services improve their ability to resolve important problems, make critical decisions, and develop more successful problem-solving relationships. And CADRO's efforts serve the dual purpose of preventing unnecessary and costly litigation before the FLRA and making case processing more effective and efficient. Moreover, CADRO also delivers "prevention" services, teaching parties techniques for effectively resolving labor-management issues on their own, without the need for third-party involvement. These types of services have helped the parties develop constructive workplace relationships that promote better mission performance, as well as quality of work life – real evidence that the program works.

### *OGC*

The OGC continued delivering strong results in FY 2015. The OGC exceeded its strategic performance goals for the timely resolution of both ULP and representation cases, and it continued closing cases at increased rates. The OGC closed over 4,600 ULP cases and 220 representation cases. In addition, the OGC conducted over 70 secret-ballot representation elections.

In conjunction with the OGC's emphasis on resolving cases in a timely and high-quality manner, the OGC has expanded its use of voluntary ADR services to resolve cases. This is particularly important as the OGC has the largest case intake and inventory among all of the FLRA components (handling over three quarters of the FLRA's total case intake), and it is the FLRA component with which the parties have the most direct contact. The beneficial effects of voluntary ULP settlements and representation agreements are obvious, and the OGC pursues both aggressively.

In FY 2015, the OGC resolved over 1,000 ULP cases by voluntary adjustment during the investigative process. In addition, the OGC resolved over 96 percent of the ULP cases in which merit was found and 95 percent of the representation cases in which the parties agreed to use the OGC's ADR services. These successful, voluntary ADR efforts resulted in significant savings of governmental staff and budgetary resources.

For example, in early 2015 an agency and a union requested that the OGC assist them in clarifying their existing bargaining-unit certification in light of significant organizational and personnel changes. The scope of the project was nationwide and involved large numbers of employees. Realizing that resolving these issues in the traditional formal investigation and hearing manner would be time consuming and expensive, the parties asked the OGC to provide ADR services. After working closely with the OGC over several days, the parties reached voluntary stipulations clarifying the scope of the unit and the status of many categories of employees. In another example, an agency and an exclusive representative had several ULP cases involving disputes over information that the union had requested. This was a recurring issue for the parties, and it was having a negative effect on their relationship. At the OGC's suggestion, the parties agreed to use the OGC's ADR services and jointly develop a new strategy

for handling information requests. After working closely with the OGC and jointly attending an educational workshop presented by the OGC on the Statute, the parties developed a new protocol that provides a streamlined process for requesting and providing necessary information. This new approach has resolved an issue that was causing friction between the parties, and it has prevented them from filing additional ULP cases. By using the OGC's ADR services, the parties avoided the time-consuming and expensive formal-hearing process and gained valuable experience and expertise to resolve future issues in an effective and efficient manner.

The OGC has continued to provide the parties with training on rights and responsibilities under the Statute, delivering over 95 sessions and reaching over 3,600 participants in FY 2015. This is a key ADR activity as it reduces and prevents disputes through active education. The OGC also continued providing the parties with up-to-date and topical web-based resources, including a comprehensive Guidance on Meetings. The OGC's web-based resources are go-to site for the parties, and they have drawn much favorable feedback.

### *FSIP*

With respect to the FSIP, a significant number of requests for assistance in FY 2015 involved impasses over successor collective-bargaining agreements. Such impasses typically are complex in nature, involving many contract articles and issues over which the parties have been negotiating for considerable lengths of time. Among others, the FSIP resolved voluntarily – during mediation-arbitration proceedings or informal conferences conducted by FSIP Members – successor-agreement impasses between the Internal Revenue Service and the National Treasury Employees Union, the Department of Veterans Affairs and the National Association of Government Employees, and the General Services Administration and the National Federation of Federal Employees (NFFE). This is consistent with the FSIP's guiding philosophy that the voluntary settlement of bargaining impasses using mediation-arbitration techniques is the most effective and efficient form of dispute resolution. In fact, in cases where the FSIP used mediation-arbitration or informal conferences to resolve federal-sector impasses, it obtained complete, voluntary settlements over 78 percent of the time, surpassing the 60-percent settlement rate that it achieved in FY 2014. As a result of this high percentage of voluntary settlements, in FY 2015, FSIP Members issued only 6 Arbitration Opinions and Decisions imposing contract terms on the parties.

In FY 2015, the FSIP also continued to prioritize case processing to minimize disruption to government operations and costs to taxpayers. One example of this prioritization was an impasse that arose as a result of Administration initiatives requiring agencies to ensure that their total physical space (i.e., square footage) remains at their FY 2012 baseline levels and to dispose of excess real properties. In this regard, the National Science Foundation decided to relocate its headquarters from Arlington, Virginia to Alexandria, Virginia, affecting approximately 935 bargaining-unit employees represented by the American Federation of Government Employees (AFGE). When the parties could not reach a voluntary settlement of their impasse, the FSIP Member designated to resolve the dispute through mediation-arbitration issued a timely Arbitrator Opinion and Decision permitting the relocation to proceed in accordance with the agency's timetable. Another example of prioritization of case processing involves disputes over the termination of compressed work schedules (CWS) under the Federal Employees Flexible and

Compressed Work Schedules Act. In such cases, the FSIP has 60 days to determine whether an agency has met its burden of proof by demonstrating through the totality of the evidence that the CWS is causing an adverse agency impact. In one such impasse involving the Federal Bureau of Prisons and AFGE, the FSIP scheduled the parties to appear before the FSIP's Chairman for a mediation-arbitration proceeding on a timetable allowing for timely issuance of a decision in the event that the parties cannot reach a voluntary settlement.

### ***Mission Accomplishment – Providing Training across the Federal Government***

Further, in FY 2015, the FLRA continued to provide web-based and in-person training nationwide to members of the federal-sector labor-management community – union representatives, agency representatives, and neutrals – in all aspects of the FLRA's case law and processes. In FY 2015, the FLRA, as a whole, provided over 300 training, outreach, and facilitation sessions to over 8,000 participants. Over the last 5 years, the FLRA has provided nearly 1,400 such sessions to over 40,000 participants worldwide.

The Authority, the OGC, and the FSIP provided training at several nationwide, annual conferences, including the Society of Federal Labor and Employee Relations Professionals symposium and the Federal Dispute Resolution conference. These sessions included presentations of newly prepared materials of current relevance, as well as updated materials for more standard sessions. In addition, the Authority sponsored its own training programs, including several, full-day sessions of Comprehensive Arbitration Training and Comprehensive Negotiability Training. In particular, because negotiability cases have the highest rate of procedural dismissals of any type of case filed with the Authority, the negotiability training is intended to meet the goals of helping the parties to: comply with the Authority's regulatory procedural requirements (thus reducing case-processing time); file their cases in a different, appropriate forum when necessary; and use ADR to avoid costly litigation. The overwhelmingly positive feedback received from participants in these sessions indicates that these trainings produced the desired results and will further the above goals in future cases.

The OGC continued to focus its training efforts on where labor-relations issues arise. By bringing its training services directly to the parties, the OGC educated management and labor representatives on their rights and responsibilities under the Statute, thereby empowering them to more effectively and efficiently avoid – and, if necessary, resolve – workplace disputes at the lowest level.

Additionally in FY 2015, the OGC, in support of the ongoing OMB and GSA “Reduce the Footprint” initiative, led cross-component (OGC, Authority, FSIP) and inter-agency (FMCS and GSA) development of a specialized, two-day workshop on office moves, space allocations, and the labor-relations and collective-bargaining implications. The registrations for the workshop quickly reached capacity, and there was a large waiting list. The workshop focused on resolving labor-relations issues associated with the “Reduce the Footprint” policy in a cooperative and collaborative manner and featured cross-component and inter-agency presentations by the FMCS, the FSIP, the Authority, the GSA, and the OGC. Because the program was so successful and demand is so great, the OGC plans to expand the program in FY 2016. Moreover, this training program supports Executive Order 13,522, *Creating Labor-Management Forums to*

*Improve Delivery of Government Services*, and the work of the National Council on Federal Labor-Management Relations.

The OGC's training initiatives are intended to make case processing more effective and efficient and to better serve the parties by providing meaningful and clear guidance on statutory rights and responsibilities. Ensuring that OGC customers are knowledgeable about their rights and obligations under the Statute, as well as FLRA case law, regulations, and case-processing procedures furthers timely and efficient case processing. In FY 2015, the OGC issued a comprehensive *Guidance on Meetings*, providing the parties with clear explanations of their rights and responsibilities in this important area so that they can operate in a manner that promotes cooperative labor-management relations and prevent disputes.

### ***Employee Engagement***

Consistent with the PMA Cross-Agency Priority (CAP) Goal on People and Culture, the FLRA is a leader in creating a culture of excellence and engagement to enable higher performance.

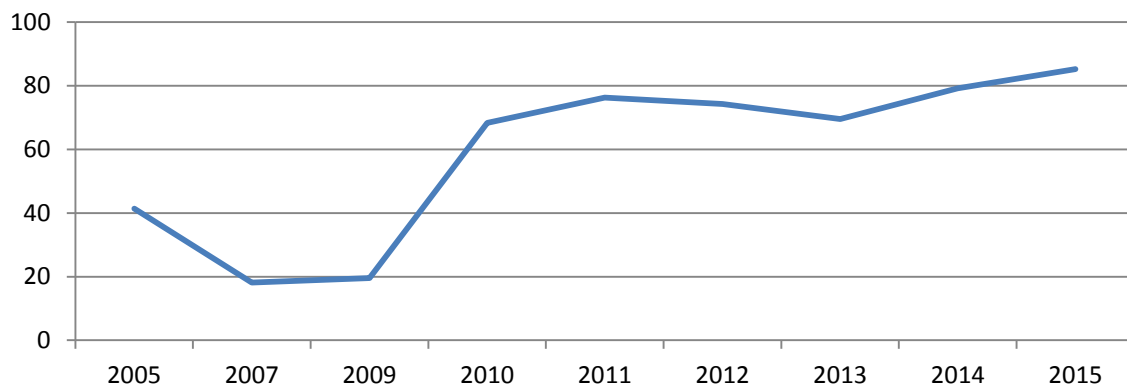
In FY 2015, the FLRA continued its overall success and improvement as measured by the Office of Personnel Management's (OPM's) Federal Employee Viewpoint Survey (FEVS), with an all-time-high employee-response rate of 84 percent – significantly higher than the government-wide average of 50 percent. The FLRA's 2015 positive ratings increased from 2014 in 64 items. And the FLRA's Human Capital Assessment and Accountability Framework index scores again increased in *every* category – by as much as 8 percent over 2014. Specifically, the agency scored 86 percent in "Leadership and Knowledge Management," 78 percent in "Results-Oriented Performance Culture," 85 percent in "Talent Management," and 82 percent in "Job Satisfaction" – exceeding the government-wide average in each. These responses reflect the FLRA's progress toward meeting government-wide human-capital objectives and demonstrating the relationship to improved organizational performance. And, consistent with an agency-wide focus on targeting challenges identified in the survey, the FLRA addresses areas of weakness or concern in full collaboration with employees at all levels through its own Labor-Management Forum. As an example, the FLRA placed special emphasis in FY 2015 on strengthening supervisory skills and improving the supervisor-employee relationship, especially as it relates to giving and receiving feedback on performance. The agency also sought to improve scores relating to the reasonableness of workloads. In this connection, the agency gathered information to identify the source of the issue – through use of pulse surveys, analysis of caseload data, and constant communication. And then it used that information to make data-driven decisions about where to allocate additional, permanent, temporary, or detail staffing. As a result of these efforts, in FY 2015, the agency increased its positive responses to that question by over 23% from FY 2014.

In addition, in 2015, the FLRA captured the rank of #3 among small agencies in the Partnership for Public Service's 2015 *Best Places to Work in the Federal Government* rankings – up from #5 in 2014 with an impressive 6-point increase in its index score. With an overall employee-satisfaction score of 85.2 percent, the FLRA exceeded a key objective of the People and Culture CAP Goal of the PMA to improve employee engagement government-wide to 67 percent by 2016. This extraordinary accomplishment reflects a dramatic and unprecedented improvement of over 300 percent since 2009 – the year in which the FLRA placed last in the survey. And it reflects the ongoing and sustained commitment of agency leadership at all levels to improving

employee satisfaction and morale – as measured by OPM’s FEVS – on an ongoing basis by comprehensively analyzing FEVS data and using additional internal surveys to target selected challenges, develop and implement solutions, and review progress. This commitment, which began in 2009, resulted first in the FLRA being named the *2010 Most Improved Small Agency*. Building on that success in 2011, the agency once again placed among the top of the most improved small agencies, and in 2012 and 2013, it captured the #7 and #8 small-agency rankings, respectively, before being named #5 in 2014.

In 2015, for the second consecutive year, the FLRA’s scores again increased in every category and sub-category of the *Best Places* rankings. Of note, employees indicated large increases in satisfaction ratings for such workplace issues as work-life balance (+10.3), empowerment (+ 9.8), fairness (+ 9.1), supervisors (+ 8.6), and effective leadership (+7.5). And the FLRA impressively ranked #1 in 6 of 10 categories: effective leadership (including the sub-categories of fairness, leaders, and supervisors); pay; strategic management; teamwork; training and development; and performance-based rewards and advancement. In addition, the FLRA ranked #2 in 3 other categories: employee skills-mission match; work-life balance; and support for diversity. As to the remaining category – innovation – the FLRA made significant improvement there, rising to #6 from #8 in 2014.

### ***Best Places to Work Score***



The FLRA’s dramatic and sustained improvement with respect to employee engagement and satisfaction over the last seven and a half years reflects the commitment of leadership – at all levels and throughout the agency – to manage the agency with transparency and accountability and to engage employees. It also demonstrates the commitment and dedication of FLRA employees. Concurrent with the agency’s significant increase in employee morale and satisfaction since 2009, there has been a marked improvement in the FLRA’s mission performance and the delivery of services to its customers.

And although the FLRA already has a highly engaged workforce, the agency continued to look for ways to improve upon its successes in this area in FY 2015. In this connection, a small, diverse, cross-component group of managers participated in an *Employee Engagement Sprint Initiative*. The team is in the process of developing an agency-wide action plan – in conjunction with the 2015-2018 Strategic Plan – that will serve as the framework for sustaining, embedding,

and continuing to improve upon the FLRA's impressive employee-engagement scores and the associated mission results.



# BUDGET JUSTIFICATION

## APPROPRIATION 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, [\$26,200,000] \$27,062,000: *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. (*Financial Services and General Government Appropriations Act, 2016.*)

## FY 2017 FUNDING REQUEST

---

The FLRA requests \$27,062,000 in FY 2017 to fund employee salaries and related operating expenses necessary to meet its annual performance targets. The agency's FY 2017 request would fund 138 full-time equivalents (FTEs).

(In thousands of dollars)

Program Activity	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Change from FY 2016
Authority	\$13,940	\$14,377	\$14,730	\$353
Office of the General Counsel	10,669	10,749	11,320	571
Federal Service Impasses Panel	892	1,074	1,012	(62)
<b>Direct Obligations</b>	<b>\$25,501</b>	<b>\$26,200</b>	<b>\$27,062</b>	<b>\$862</b>
<b>FTEs</b>	<b>131</b>	<b>138</b>	<b>138</b>	<b>0</b>

The requested FY 2017 funding level incorporates cost-savings measures initiated over the past few years to increase program effectiveness and to reduce fragmentation, overlap, and duplication. The previous FLRA Headquarters lease in Washington, D.C., for example, expired in FY 2013, and in response to growing participation in the agency telework program, the FLRA reduced the size of its Headquarters location by approximately 12,000 square feet, commencing with the new lease term.

In addition, the initial launch of the FLRA's modernized website in 2009, and continual enhancements to the site, including a refresh that will be unveiled by the second quarter of FY16, have allowed the agency to provide timely and accurate information to its customers – other federal agencies, federal unions, federal employees, and neutrals – including FLRA decisions, legal guidance and memorandums, policy documents, and legal training and resources.

The requested level also reflects an approximate 20 percent decrease in IT spending since FY 2014. The FLRA has achieved this savings by strengthening its in-house capacity to develop and manage large-scale, agency-wide projects, such as development and implementation of electronic case-management and case-filing systems. It also highlights the agency's successful efforts in long-term strategic IT planning.

## **CHANGE FROM FY 2016**

---

The requested funding level for FY 2017 includes an increase of \$862,000 over FY 2016 to cover rising employee-compensation-and-benefits costs and office rent. Of note, based on improvements in productivity from streamlining processes, creative use of technology, and elimination of low-priority tasks and programs, the FLRA intends to absorb all inflationary increases for FY 2017 contractual goods and services within its baseline resource level.

### **Personnel Compensation and Benefits**

The FY 2017 request includes an additional \$656,000 to cover statutory pay raises of 1.3 and 1.6 percent in January 2016 and January 2017, respectively. Further, FLRA benefits costs, as a percentage of compensation, continue to rise as the percentage of the agency's workforce under the Federal Employees Retirement System (FERS) increases. As those in the Civil Service Retirement System (CSRS) retire or transfer to other agencies, they are generally replaced by those under the FERS. FERS benefits cost the FLRA, on average, twice as much as CSRS benefits, per employee. The agency's personnel-benefits estimate, therefore, assumes that the ongoing, government-wide transition to the FERS will cost the FLRA an additional \$150,000 in FY 2017.

### **Rent**

The FLRA makes rental payments to the GSA for office space in Atlanta, Boston, Chicago, Dallas, Denver, San Francisco, and Washington, D.C. An additional \$56,000 will be necessary in FY 2017 to cover the agency's annual, inflationary rent increase over FY 2016.

Since 2009, the agency has placed an emphasis on telework, and it seeks to consolidate space wherever possible in an effort to reduce operating costs. Since implementation of the telework program in January 2010, approximately 80 percent of the FLRA's workforce has engaged in some form of telework, with roughly half of teleworkers engaged "regularly" and the other half engaged "periodically." Telework has also contributed to increased employee morale, as measured in the OPM's FEVS. The opportunity to telework has proven useful as a recruitment and retention tool, as it has been the deciding factor in job acceptance and has encouraged several employees to stay with the agency. In response to growing participation in the FLRA

telework program, and consistent with government-wide direction and guidelines, the agency is systematically “reducing its footprint” – most recently reducing the size of its Headquarters location by approximately 12,000 square feet in early FY 2014, as well its Boston, Chicago, San Francisco, and Denver Regional Offices over the last three years. These reductions in space have, in some instances, reduced annual costs, and, in others, allowed the FLRA to avoid the costs of what would have otherwise been significant rent increases. The FLRA’s Dallas Regional Office lease expires in September 2017, and, at that time, the FLRA will again seek to reduce its space.

## PROGRAM AND FINANCING SCHEDULE

(In thousands of dollars)

	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request
<b>Budgetary resources:</b>			
Unobligated balance (total)	1,692	1,692	1,692
Appropriation, discretionary (total)	25,548	26,200	27,062
Spending authority from offsetting collections, discretionary (total)	31	100	0
Total budgetary resources	27,271	27,992	28,754
<b>Status of budgetary resources:</b>			
Direct obligations (total)	25,602	26,200	27,062
Reimbursable obligations (total)	25	100	0
Obligations incurred	25,627	26,300	27,062
Unobligated balance, end of year	1,644	1,692	1,692
Total budgetary resources	27,271	27,992	28,754
<b>Change in obligated balance:</b>			
Obligated balance, start of year	2,848	1,836	1,836
Obligated balance, end of year	1,836	1,836	1,836
<b>Budget authority and outlays, net:</b>			
Budget authority, gross	25,579	26,200	27,062
Outlays, gross (total)	25,426	26,043	26,900
Offsets against gross budget authority and outlays (total)	(31)	(35)	0
Additional offsets against budget authority only (total)	0	(65)	0
Budget authority, net (discretionary)	25,548	26,200	27,062
Outlays, net (discretionary)	23,395	23,973	24,761

## OBJECT CLASSIFICATION SCHEDULE

(In thousands of dollars)

	FY 2015 Actuals	FY 2016 Estimate	FY 2017 Request
Direct obligations:			
Personnel compensation:			
Full-time permanent	\$14,372	\$14,878	\$15,384
Other than full-time permanent	453	848	856
Other personnel compensation	<u>372</u>	<u>240</u>	<u>240</u>
Total personnel compensation	15,197	15,966	16,480
Civilian personnel benefits	4,411	4,710	5002
Travel and transportation of persons	206	220	220
Transportation of things	12	12	12
Rental payments to GSA	2,554	2,615	2,671
Communications, utilities, and misc. charges	358	358	358
Printing and reproduction	41	11	11
Other services from non-federal sources	1,260	1,034	1,034
Other goods and services from federal sources	947	783	783
Operation and maintenance of facilities	6	6	6
Operation and maintenance of equipment	291	289	289
Supplies and materials	130	126	126
Equipment	<u>90</u>	<u>70</u>	<u>70</u>
Direct obligations	\$25,503	\$26,200	\$27,062
Reimbursable obligations:			
Travel and transportation of persons	<u>25</u>	<u>100</u>	<u>      </u>
Reimbursable obligations	<u>25</u>	<u>100</u>	<u>      </u>
Total new obligations	\$25,528	\$26,300	\$27,062

## EMPLOYMENT SUMMARY SCHEDULE

	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request
Direct civilian full-time equivalent employment	131	138	138

## **INSPECTOR GENERAL RESOURCES**

---

The Office of the Inspector General (OIG) provides independent and objective assessments of the 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 the 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, the 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.

The FLRA's FY 2017 funding request includes \$523,000 for the OIG. The funding level requested by the IG, including \$5,000 for training and \$1,600 to support the Council of the Inspectors General on Integrity and Efficiency has been funded in total. The IG has certified that the FLRA's funding request for the OIG satisfies all training requirements for FY 2017.



INSPECTOR GENERAL

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

January 21, 2016

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 2017:

- The aggregate budget request for the operations of the OIG is \$522,764.
- The portion of this amount needed for OIG training is \$5,000, and
- The portion of this amount needed to support the CIGIE is \$ 1,564.

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 2017.



Inspector General  
Federal Labor Relations Authority

# ANNUAL PERFORMANCE PLAN

## **STRATEGIC AND PERFORMANCE-PLANNING FRAMEWORK**

---

With the agency's existing 2010-2015 Strategic Plan nearing its expiration, in FY 2015, the FLRA engaged in a comprehensive strategic-planning initiative to develop and implement a 2015-2018 Strategic Plan. Through a comprehensive, collaborative review by agency leadership and employees – at all levels and throughout the agency – of its operations, staffing, work processes, resource allocations, and performance, the FLRA established strategies and goals that are designed to maximize the delivery of agency services throughout the federal government. The FLRA has engaged in a continuous assessment of performance, 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 2015-2018 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 performance goals 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 FY 2017, the FLRA's strategic- and performance-planning framework will be based on the agency's FY 2015-2018 Strategic Plan and supported by the 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.

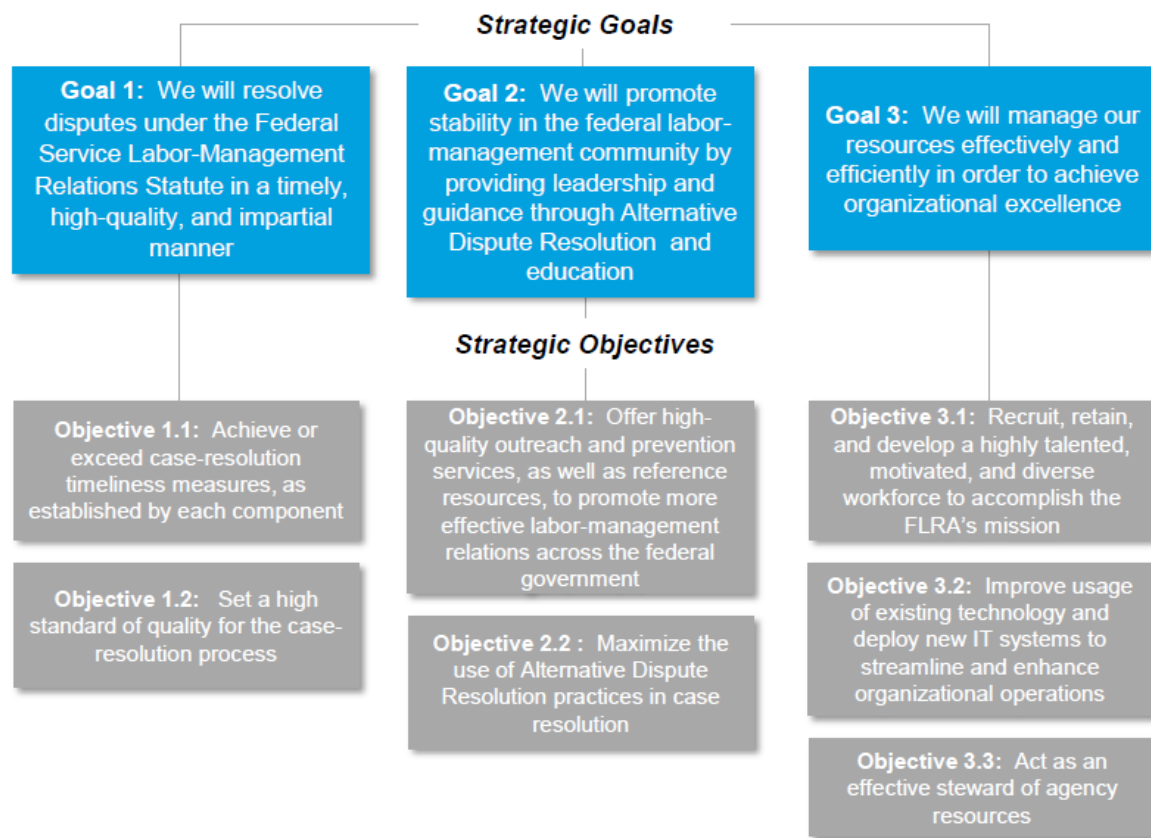
Consistent with the government-wide initiative to leverage existing data to facilitate agencies' programmatic work and enhance the value of data, the FLRA strategically monitors its progress in accomplishing the goals and measures set forth in the Annual Performance Plan. This ongoing, agency-wide review is conducted on a monthly basis with distribution of the Monthly Analysis of Performance and Status (MAPS) Report, 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 MAPS Report in a variety of forums, and it shares the agency's status toward meeting its case-processing performance goals with all employees through the weekly, agency-wide newsletter. 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, after identifying a backlog of cases awaiting decision in the OALJ, the FLRA reallocated an attorney position to the office; utilized internal details; created and filled an additional, temporary not-to-exceed, six-month attorney appointment; contracted for time-specific paralegal support; and sought assistance from re-employed annuitants to increase mission performance and eliminate the backlog of cases in that office.



**Mission:** The FLRA promotes stable, constructive labor-management relations through the resolution and prevention of labor disputes in a manner that gives full effect to the collective-bargaining rights of employees, unions, and agencies.



The FLRA seeks to achieve its strategic goals primarily through the timely, high-quality, and impartial review and disposition of cases. 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. Further supporting these efforts is the FLRA's focus on internal improvements in IT and more effective and efficient use of human capital.

## FY 2017 Performance Goals

**1.1.1:** Produce timely review and disposition of each case type (ULP, REP, ARB, NEG, Impasse).

**1.1.2:** Resolve overage cases in a timely fashion.

**2.1.1:** Provide targeted access to training, outreach, and facilitation activities within the labor-management community.

**2.2.1:** Successfully resolve a significant portion of FLRA cases through ADR.

**3.1.1:** Recruit, retain, and develop a highly talented, motivated, and diverse workforce to accomplish the FLRA's mission.

**3.1.2:** Improve use of existing technology and deploy new IT systems to streamline and enhance organizational operations.

## Timeliness and Quality

Continued improvements in the timeliness of case disposition further the FLRA's critical role in facilitating orderly, effective, and efficient change within the federal government. In large part, the FLRA exists to promote effective labor-management relations that, in turn, permit improved employee performance and government operations. Timely resolution – or avoidance – of FLRA cases is critical to this endeavor. And effective case resolution includes not only timeliness, but also: effective process execution; clear communication with the parties around case processes; and the issuance of well-written and understandable decisions that provide deliberate, impartial, and legally sound analyses and consideration of the issues in dispute.

The agency facilitates improvements in performance, government-wide, that have inevitable effects on employee working conditions and that implicate the bargaining rights of the more than 1.2 million employees represented by labor organizations. Unless management and labor can collaboratively resolve their disputes and avoid litigation or – failing that – have their disagreements adjudicated expeditiously by the FLRA, mission performance will suffer. This is particularly relevant now as federal agencies are making significant adjustments and changes in how they perform their missions in response to the budgetary and policy challenges that they are facing.

## Alternative Dispute Resolution and Education

Throughout the years, the Authority, the OGC, and the FSIP have not only recognized the many benefits associated with using ADR to resolve workplace disputes, but they have also integrated ADR techniques into all aspects of case processing. Put simply, offering ADR services in every case, at every step, results in faster, more effective outcomes for the parties and the FLRA. For this reason, the agency continues to leverage existing staff and resources to increase its ADR reach. This includes partnering with other agencies – such as the Federal Mediation and Conciliation Service (FMCS), the Department of Veterans Affairs, and the General Services Administration (GSA) – to train large numbers of practitioners, and supporting labor-management forums, pursuant to Executive Order 13,522, *Creating Labor-Management Forums to Improve Delivery of Government Services*.

In addition, the FLRA's training initiatives are intended to make case processing more effective and efficient, and to better serve the FLRA's customers by providing meaningful and clear guidance on statutory rights and responsibilities. Timely and efficient case processing is furthered by FLRA customers being knowledgeable about their rights and obligations under the Statute, as well as FLRA case law, regulations, and case-processing procedures. The FLRA delivers its educational materials through a variety of means, such as: in-person training sessions; comprehensive, web-based training modules; and case outlines, manuals, and subject-matter guides that are easily accessible on [www.FLRA.gov](http://www.FLRA.gov). All of these materials have been developed to assist members of the federal labor-management-relations community with issues and cases arising under the Statute. Using collaboration and ADR techniques – alone or in conjunction with other training, outreach, and facilitation services – to assist parties in minimizing or resolving labor-management disputes significantly reduces the need for litigation and its attendant costs, and it gets the parties back to work accomplishing their missions and delivering effective and efficient government services.

## **Information Technology**

IT and automation of agency processes will continue to be key areas of focus for the agency. Both are fundamental for ensuring the effectiveness and efficiency of the FLRA, as measured by the agency's ability to meet its annual performance goals. The agency continues to improve its overall effectiveness and efficiency, as well as the customer-service experience, by engaging in new and innovative ways to conduct business, such as through electronic case filing (eFiling). In addition, the agency has placed significant emphasis on IT modernization to ensure that its IT equipment and infrastructure enable it to maximize gains in efficiency that can be achieved through use of technology.

The FLRA will continue to work towards implementing the agency's long-term goal of sharing end-to-end electronic case files throughout the FLRA, as well as the OMB-mandated target of having fully electronic files by 2019. Increasing eFiling is critical to achieving this goal. In this regard, the more case-related information that the FLRA receives electronically – rather than in hard copy – from the outset, the easier it is to convert that information into an electronic case file, without the need for FLRA staff to manually scan documents. The plan is to implement this transition in 4 agile phases over 4 years, beginning in FY 2015.

Phase 1 is completion of the implementation of an eFiling System – eFiling 1.0 – for all FLRA offices that accept case filings, and the refinement and improvement of that system – based on user experience and feedback – through implementation of eFiling 2.0. The FLRA's eFiling System is an important E-Government initiative that was developed to provide easier and more user-friendly access to the FLRA and its services. In early FY 2015, the agency completed development and implementation of eFiling 1.0 so that every FLRA office that receives case filings – the FSIP, the Authority, the OGC, and the OALJ – was capable of receiving those filings electronically.

During Phase 1, the agency recognized that users were slow to adopt the new eFiling system, and the agency began actively seeking feedback regarding the eFiling interface and its usability. Based on that user feedback, the agency focused on developing, testing, and implementing

eFiling 2.0 with a new interface that is more intuitive, user-friendly, and visually appealing. FLRA eFiling 2.0 is scheduled to be completed for all FLRA offices by the second quarter of FY 2016.

The new and improved eFiling 2.0 interface also serves as the catalyst for Phase 2, which – using the same eFiling 2.0 technology – will provide a similar user-friendly and simpler interface for the agency’s electronic Case-Management System. Phase 2 also includes the implementation of an agency Document Management System, which provides the storage capacity and platform for the eventual integration of all electronic case-processing systems. Phase 2 is expected to be completed by the end of FY 2017. Phase 3, which is targeted for completion in FY 2018, is the integration of the automated connection between the Case Management System, the eFiling System, and the Document Management System. And Phase 4 is the complete transition to 100 percent electronic case files throughout the agency, with a goal of FY 2019 for completion.

In addition, the FLRA will continue to gain efficiencies and cost savings in network and travel costs by leveraging its Video Teleconferencing (VTC) System and its transition to business cable. The VTC System will continue to return value by saving agency travel funds and offering alternative methods for achieving agency-wide training, outreach, and intervention goals. And the transition to business cable will continue to achieve between 5 and 10 percent savings annually for network services, as well as faster connections for the FLRA’s Regional Offices, increasing network speeds by 50 to 80 percent. Both initiatives are key components in the agency’s effort to achieve efficiencies through use of technology.

Finally, the FLRA will continue to enhance its website – [www.FLRA.gov](http://www.FLRA.gov) – in order to provide timely and accurate information, including FLRA decisions, legal guidance and memoranda, policy documents, and legal training and resources, to its customers – other federal agencies, federal unions, federal employees, and neutrals. The FLRA will continue to gather input from key internal and external stakeholders, and engage in highly collaborative, cross-component efforts to develop improvements in the FLRA’s website and promote innovative change in how the FLRA delivers its online information and services to customers. This focus is consistent with efforts in FY 2015 and 2016 to launch a new and improved agency website that allows visitors to find the information that they need more quickly – with fewer mouse clicks. The new site is also more intuitive through improved organization of content. By refocusing the website’s organization on case types – rather than on office functions – it provides users with more comprehensive, integrated information regarding the FLRA’s mission-related, case processing work. The new site also provides users with integrated access to all FLRA training information and other educational materials in one, centralized location. And it provided a successful model for cross-component collaboration on a project of agency-wide significance.

## **Human Capital**

Capturing the rank of #3 in the 2015 *Best Places to Work in the Federal Government* rankings – up from #5 last year – the FLRA continues its overall success and sustained improvement as measured by OPM’s Federal Employee Viewpoint Survey, leaving no doubt that the FLRA continues to have a highly engaged workforce that is dedicated to the accomplishment of its mission. It not only captured the rank of #2 on three important indexes – Employee

Engagement, Global Satisfaction, and New IQ (which relates to the inclusivity of the work environment) – but it also achieved an all-time-high employee response rate of 84 percent (which is significantly higher than the government-wide average of 50 percent). The latter demonstrates that employees value the survey process and use the FEVS as a tool to communicate their interests and concerns to agency leadership and managers. In addition, the FLRA’s Human Capital Assessment and Accountability Framework index scores again increased in *every* category for the third straight year – by as much as 8 percent over 2014. Specifically, the agency scored 86 percent in “Leadership and Knowledge Management,” 78 percent in “Results-Oriented Performance Culture,” 85 percent in “Talent Management,” and 82 percent in “Job Satisfaction” – exceeding the government-wide average in each. And the FLRA realized positive-ratings increases from 2014 in 66 items. Moreover, the agency’s scores are above the government-wide average in 82 out of 84 questions, with: 99% of FLRA respondents reporting that they are willing to put in extra effort to get a job done; 98% indicating that they are being held accountable for achieving results; 98% positively rating the overall quality of the work done by their work unit; 96% indicating that employees in their work unit share job knowledge with each other; 95% believing that the workforce has the job-relevant knowledge and skills to accomplish organization goals; 94% believing that the agency is successful at accomplishing its mission; 94% knowing how their work relates to the agency’s goals and priorities; 94% finding that supervisors in their unit support employee development; 94% believing that managers review and evaluate the organization’s progress toward meeting its goals and objectives; and 94% saying that senior leaders support work/life programs.

These results show that employees at all levels understand the mission of the FLRA, understand their role in achieving the mission, and see themselves as an integral part of achieving agency-wide success. The agency continues to credit its mission-performance successes to its high level of employee engagement. Moreover, the agency’s values of transparency, open dialogue, and pre-decisional involvement allow for effective collaboration, communication, and continuous feedback around mission performance and agency operations. The agency will work to sustain – and improve upon – this high level of employee engagement in order to increase mission performance even more.

Consistent with OPM’s Recruitment, Engagement, Diversity, and Inclusion (REDI) Roadmap, the FLRA will continue to use the FEVS to develop and implement a data driven, forward-looking human-capital-management strategy that reflects a commitment to the People and Culture pillar of the President’s Management Agenda (PMA). Focusing on key drivers of employee engagement, the FLRA will continue to develop strategies for employees to build and cultivate key skills that lead to greater individual and organizational performance and job satisfaction. In this connection, the FLRA will continue to invest in its employees through classroom training, rotational details, cross-component learning, challenging assignments, and leadership-development trainings and opportunities to enhance and broaden employees’ skills. Employees at all levels – both professional and administrative-support staff – will continue to deliver positive agency outcomes and lead numerous mission-related initiatives, including: enhancement of the FLRA’s eFiling System and the development and implementation of fully electronic case files; the FLRA website refresh; the streamlining of internal case-processing procedures; and the development and regular updating of Authority and OGC training materials, guides, and manuals – many of which are web-based – to educate the FLRA’s customers about

the Statute, applicable legal standards and FLRA precedent, and the agency's case-processing procedures.

Internal developmental details will continue to accomplish two strategic objectives: (1) development of future leaders to facilitate succession planning; and (2) cross-training to allow for the reassignment of employees to positions that are more closely matched to their career interests – and to the agency's needs.

In order to further fulfill the FLRA's mission, the agency also focuses on succession planning by identifying its future human-resources needs, potential organizational and skills gaps, and vulnerabilities, and then setting goals to address them. With respect to succession planning, the FLRA continued a training initiative designed to assist senior, high-potential employees identify and strengthen critical leadership skills in preparation for eventually transitioning to formal leadership positions. To strengthen and support the FLRA's new cadre of first-time managers and supervisors, the agency identified a series of trainings geared towards developing strategic thinking and other critical skills in preparation for effective leadership at the FLRA. And the FLRA continued to develop and provide high-level, mission-based training for its attorneys – nearly 20 percent of whom are new to the FLRA – that built upon their existing legal, technical, and ADR skills to improve and maximize performance. These training initiatives crossed components, bringing together future agency leaders from all offices to enhance their skills and encourage ongoing collaboration among peers.

The FLRA has engaged its workforce around improving its work processes, resulting in the FLRA continuing to climb nearly 5 percent in its "Innovation" rankings. The innovation category measures employee perceptions of efforts to improve the way work is done, including their own personal motivation to promote change, and the support and rewards that they receive for promoting new ideas. The FLRA's commitment to rewarding creativity, and provision of forums for employees to share and promote learning and coordination between components and offices, have clearly demonstrated that learning more about the work going on across the agency, sparks creativity and collaboration. These efforts have produced real results.

The FLRA is committed to fostering a workplace where employees from all backgrounds are recruited, retained, and developed for successful performance and career progression. The agency will continue to achieve greater diversity in its workforce by increasing strategic and targeted recruitment and posting job opportunities with career-planning and placement services, local colleges and universities, and professional affinity-group organizations. Consistent with the REDI Roadmap, the FLRA is using data to help identify and eliminate barriers to recruiting and hiring the diverse talent that it needs. Serving as one of three Small-Agency Representatives on the Diversity and Inclusion in Government Council, the FLRA is participating in government-wide discussions concerning the implementation of President Obama's Executive Order 13,583, *Establishing a Coordinated Government-Wide Initiative to Promote Diversity and Inclusion in the Federal Workforce*, to develop a path forward for federal agencies to create and foster a workforce that includes and engages federal employees and reflects all segments of society.

Further, the FLRA continues to receive top rankings in terms of "New IQ Performance," which measures the results of 20 separate survey questions related to inclusive environments. The

FLRA showed increases in 17 of those 20 questions. In particular, 83 percent of FLRA respondents – up from 81 percent in 2014 – reported that supervisors work well with employees of different backgrounds. And 81 percent of respondents – an 8 percent increase from 2014 – stated that the FLRA’s policies and programs promote diversity in the workplace (e.g., recruiting minorities and women, training in awareness of diversity issues, mentoring). Both of these statistics show that the FLRA is well above the government-wide average with respect to both questions – 20 percent higher for each.

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

**PERFORMANCE GOAL 1: PRODUCE TIMELY REVIEW AND  
DISPOSITION OF UNFAIR-LABOR-PRACTICE CASES.**

The General Counsel has independent responsibility for the investigation, settlement, and prosecution of ULP charges. ULP cases originate with the filing of a charge in a Regional Office by an employee, a labor organization, or an agency. Once a charge has been filed, the Regional Office will investigate the charge to determine whether it has merit. If the Regional Director determines that the charge has merit, then he or she will, absent settlement, issue and prosecute a complaint before an ALJ. If the Regional Director determines that the charge lacks merit, then the charging party is entitled to a written explanation, and, if not satisfied, may appeal that decision to the General Counsel in Washington, D.C. If the General Counsel upholds the dismissal, then the case is closed. The Authority has appointed ALJs to hear ULP cases prosecuted by the General Counsel. The OALJ transmits recommended decisions of the ALJs to the Authority, which may affirm, modify, or reverse them in whole or in part on exceptions. If no exceptions are filed to an ALJ's decision, then the Authority adopts the decision without precedential significance.

OGC	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	1,453	1,488	1,570	1,425	1,178	1,058
Charges filed	<u>4,375</u>	<u>4,659</u>	<u>4,696</u>	<u>4,418</u>	<u>4,600</u>	<u>4,600</u>
<b>Total caseload</b>	<b>5,828</b>	<b>6,147</b>	<b>6,266</b>	<b>5,843</b>	<b>5,778</b>	<b>5,658</b>
Charges withdrawn/settled	3,377	3,646	3,779	3,662	3,670	3,720
Charges dismissed	732	673	809	800	820	840
Complaints issued	<u>231</u>	<u>258</u>	<u>253</u>	<u>203</u>	<u>230</u>	<u>240</u>
<b>Total cases closed</b>	<b>4,340</b>	<b>4,577</b>	<b>4,841</b>	<b>4,665</b>	<b>4,720</b>	<b>4,800</b>
<b>Cases pending, end of year</b>	<b>1,488</b>	<b>1,570</b>	<b>1,425</b>	<b>1,178</b>	<b>1,058</b>	<b>858</b>
OALJ	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	72	115	120	105	62	42
Cases received from the OGC	<u>240</u>	<u>271</u>	<u>260</u>	<u>222</u>	<u>220</u>	<u>220</u>
<b>Total caseload</b>	<b>312</b>	<b>386</b>	<b>380</b>	<b>327</b>	<b>282</b>	<b>262</b>
Settlements before hearing	177	223	245	187	200	200
Cases closed by decision	<u>20</u>	<u>43</u>	<u>30</u>	<u>78</u>	<u>40</u>	<u>40</u>
<b>Total cases closed</b>	<b>197</b>	<b>266</b>	<b>275</b>	<b>265</b>	<b>240</b>	<b>240</b>
<b>Cases pending, end of year</b>	<b>115</b>	<b>120</b>	<b>105</b>	<b>62</b>	<b>42</b>	<b>22</b>



Authority	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	6	2	12	13	24	23
Exceptions filed	20	27	27	62	34	34
<b>Total caseload</b>	<b>26</b>	<b>29</b>	<b>39</b>	<b>75</b>	<b>58</b>	<b>57</b>
Cases closed procedurally	16	16	18	37	23	23
Cases closed based on merits	8	1	8	14	12	12
<b>Total cases closed</b>	<b>24</b>	<b>17</b>	<b>26</b>	<b>51</b>	<b>35</b>	<b>35</b>
<b>Cases pending, end of year</b>	<b>2</b>	<b>12</b>	<b>13</b>	<b>24</b>	<b>23</b>	<b>22</b>

**Measure 1.1:** The percentage of ULP charges resolved by the OGC by complaint, withdrawal, dismissal, or settlement within 120 days of filing of the charge.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
61%	68%	67%	72%	72%	74%

**Measure 1.2:** The percentage of decisions on an appeal of a Regional Director's dismissal of a ULP charge issued within 60 days of the date filed, and in no case more than 120 days.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
99%/100%	100%/100%	98%/100%	98%/100%	95%/100%	95%/100%

**Measure 1.3:** The percentage of ULP complaints issued by the General Counsel resolved or decided in the OALJ within 180 days of the complaint being issued.

Results			
FY 2012	FY 2013	FY 2014	FY 2015
90%	86%	91%	77%

**Measure 1.3:** The percentage of ULP complaints issued by the General Counsel decided in the OALJ within 180 days of the complaint being issued.\*

Targets		*Clarified measure beginning in FY 2016
FY 2016	FY 2017	
50%	90%	

**Measure 1.4:** The percentage of ULP cases decided within 180 days of assignment to an Authority Member.

Results				Targets
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
75%	100%	50%	57%	75%

**Measure 1.4:** The percentage of ULP cases decided within 150 days of assignment to an Authority Member.

Targets	*New measure beginning in FY 2017
FY 2017	
75%	

**PERFORMANCE GOAL 2: RESOLVE OVERAGE  
UNFAIR-LABOR-PRACTICE CASES IN A TIMELY FASHION.**

**Measure 2.1:** The percentage of ULP charges resolved by the OGC by complaint, withdrawal, dismissal, or settlement within 240 days of filing of the charge.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
95%	98%	

**Measure 2.2:** The percentage of ULP complaints issued by the General Counsel decided in the OALJ within 365 days of the complaint being issued.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
98%	98%	

**Measure 2.3:** The percentage of ULP cases decided within 365 days of assignment to an Authority Member.\*

Targets	*New measure beginning in FY 2017
FY 2017	
95%	

## PERFORMANCE GOAL 1: PRODUCE TIMELY REVIEW AND DISPOSITION OF REPRESENTATION CASES.

The Statute sets out a specific procedure for employees to petition to be represented by a labor union and to determine which employees will be included in a “bargaining unit” that a union represents. Implementing this procedure, the FLRA conducts secret-ballot elections for union representation and resolves a variety of issues related to questions of union representation of employees. These issues include, for example, whether particular employees are managers or “confidential” employees excluded from union representation, whether there has been election misconduct on the part of agencies or unions, and whether changes in union and agency organizations affect existing bargaining units. Representation cases are initiated when an individual, a labor organization, or an agency files a petition with a Regional Office. After a petition is filed, the Regional Director conducts an investigation to determine the appropriateness of a unit or other matter related to the petition. After concluding such investigation, the Regional Director may conduct a secret-ballot election or hold a hearing to resolve disputed factual matters. After a hearing, the Regional Director issues a Decision and Order, which is final unless an application for review is filed with the Authority.

OGC	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	82	89	89	65	70	65
Petitions filed	<u>290</u>	<u>253</u>	<u>235</u>	<u>225</u>	<u>230</u>	<u>230</u>
<b>Total caseload</b>	<b>372</b>	<b>342</b>	<b>324</b>	<b>290</b>	<b>300</b>	<b>295</b>
Petitions withdrawn	115	106	118	95	100	105
Cases closed based on merits	<u>168</u>	<u>147</u>	<u>141</u>	<u>125</u>	<u>135</u>	<u>140</u>
<b>Total cases closed</b>	<b>283</b>	<b>253</b>	<b>259</b>	<b>220</b>	<b>235</b>	<b>245</b>
<b>Cases pending, end of year</b>	<b>89</b>	<b>89</b>	<b>65</b>	<b>70</b>	<b>65</b>	<b>50</b>
Authority	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	6	0	9	7	2	3
Applications for review	<u>6</u>	<u>11</u>	<u>13</u>	<u>16</u>	<u>14</u>	<u>14</u>
<b>Total caseload</b>	<b>12</b>	<b>11</b>	<b>22</b>	<b>23</b>	<b>16</b>	<b>17</b>
Cases closed procedurally	0	1	2	2	1	1
Cases closed based on merits	<u>12</u>	<u>1</u>	<u>13</u>	<u>19</u>	<u>12</u>	<u>14</u>
<b>Total cases closed</b>	<b>12</b>	<b>2</b>	<b>15</b>	<b>21</b>	<b>13</b>	<b>15</b>
<b>Cases pending, end of year</b>	<b>0</b>	<b>9</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>2</b>

**Measure 1.5:** 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	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
62%	60%	66%	72%	70%	70%

**Measure 1.6:** The percentage of representation cases in which the Authority issued a decision whether to grant review within 60 days of the filing of an application for review.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
100%	100%	100%	100%	100%	100%

**PERFORMANCE GOAL 2: RESOLVE OVERAGE REPRESENTATION CASES IN A TIMELY FASHION.**

---

**Measure 2.3:** The percentage of cases resolved by the OGC through withdrawal, election, or issuance of a Decision and Order within 365 days of the filing of a petition.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
95%	98%	

**Measure 2.4:** The percentage of representation cases in which the Authority grants review, where the Authority will issue a decision on review, or reach other final resolution of the case, within 365 days of the filing of the application for review.\*

Targets		*New measure beginning in FY 2017
FY 2017		
95%		

**PERFORMANCE GOAL 1: PRODUCE TIMELY REVIEW AND DISPOSITION OF ARBITRATION CASES.**

---

Either party to grievance arbitration may file with the Authority an exception to (or appeal of) an arbitrator’s award. The Authority will review an arbitrator’s award to which an exception has been filed to determine whether the award is deficient because it is contrary to any law, rule, or regulation, or on grounds similar to those applied by federal courts in private-sector labor-management relations.

Authority	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	66	40	123	90	50	43
Exceptions filed	<u>107</u>	<u>124</u>	<u>89</u>	<u>99</u>	<u>103</u>	<u>103</u>
<b>Total caseload</b>	<b>173</b>	<b>164</b>	<b>212</b>	<b>189</b>	<b>153</b>	<b>146</b>
Cases closed procedurally	24	19	16	15	11	11
Cases closed based on merits	<u>109</u>	<u>22</u>	<u>106</u>	<u>124</u>	<u>99</u>	<u>97</u>
<b>Total cases closed</b>	<b>133</b>	<b>41</b>	<b>122</b>	<b>139</b>	<b>110</b>	<b>108</b>
<b>Cases pending, end of year</b>	<b>40</b>	<b>123</b>	<b>90</b>	<b>50</b>	<b>43</b>	<b>38</b>

**Measure 1.7:** The percentage of arbitration cases decided within 180 days of assignment to an Authority Member.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	
58%	91%	34%	40%	75%	

**Measure 1.7:** The percentage of arbitration cases decided within 150 days of assignment to an Authority Member.

Targets	*New measure beginning in FY 2017
FY 2017	
75%	

**PERFORMANCE GOAL 2: RESOLVE OVERAGE ARBITRATION CASES IN A TIMELY FASHION.**

**Measure 2.5:** The percentage of arbitration cases decided within 365 days of assignment to an Authority Member.

Target	*New measure beginning in FY 2017
FY 2017	
95%	

**PERFORMANCE GOAL 1: PRODUCE TIMELY REVIEW AND DISPOSITION OF *NEGOTIABILITY* CASES.**

A federal agency bargaining with a union may claim that a particular union proposal cannot be bargained because it conflicts with federal law, a government-wide rule or regulation, or an agency regulation for which there is a compelling need. In both of these situations, a union may

petition the Authority to resolve the negotiability dispute. In addition, agency heads may disapprove collective-bargaining agreements if those agreements are contrary to law, and a union may petition the Authority to resolve the negotiability dispute.

Authority	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	15	8	9	17	23	23
Petitions filed	45	30	43	54	40	40
<b>Total caseload</b>	<b>60</b>	<b>38</b>	<b>52</b>	<b>71</b>	<b>63</b>	<b>63</b>
Cases closed procedurally	38	27	29	40	33	33
Cases closed based on merits	14	2	6	8	7	7
<b>Total cases closed</b>	<b>52</b>	<b>29</b>	<b>35</b>	<b>48</b>	<b>40</b>	<b>40</b>
<b>Cases pending, end of year</b>	<b>8</b>	<b>9</b>	<b>17</b>	<b>23</b>	<b>23</b>	<b>23</b>

**Measure 1.8:** The percentage of negotiability cases decided within 180 days of assignment to an Authority Member.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	
50%	80%	60%	50%	75%	

**Measure 1.8:** The percentage of negotiability cases decided within 150 days of assignment to an Authority Member.

Targets	*New measure beginning in FY 2017
FY 2017	
75%	

**PERFORMANCE GOAL 2: RESOLVE OVERAGE NEGOTIABILITY CASES IN A TIMELY FASHION.**

**Measure 2.6:** The percentage of negotiability cases decided within 365 days of assignment to an Authority Member.\*

Targets	*New measure beginning in FY 2017
FY 2017	
95%	

**PERFORMANCE GOAL 1: PRODUCE TIMELY REVIEW AND DISPOSITION OF *BARGAINING-IMPASSE* CASES.**

In carrying out the right to bargain collectively, it is not uncommon for a union representative and a federal agency to simply not agree on certain issues, and for the bargaining to reach an impasse. Several options are available by which the parties may attempt to resolve the impasse. The parties may: decide, on their own, to use certain techniques to resolve the impasse, but may proceed to private, binding arbitration only after the FSIP approves the procedure; seek the services and assistance of the FMCS; or seek the assistance of the FSIP in resolving the negotiation impasse, but only after the previous options have failed.

FSIP	2012	2013	2014	2015	2016 Est.	2017 Est.
Cases pending, start of year	53	38	40	28	33	33
Impasses filed	<u>176</u>	<u>194</u>	<u>134</u>	<u>139</u>	<u>140</u>	<u>140</u>
<b>Total caseload</b>	<b>229</b>	<b>232</b>	<b>174</b>	<b>167</b>	<b>173</b>	<b>173</b>
<b>Cases closed</b>	<b><u>191</u></b>	<b><u>192</u></b>	<b><u>146</u></b>	<b><u>134</u></b>	<b><u>140</u></b>	<b><u>140</u></b>
<b>Cases pending, end of year</b>	<b>38</b>	<b>40</b>	<b>28</b>	<b>33</b>	<b>33</b>	<b>33</b>

**Measure 1.9:** The percentage of bargaining-impasse cases in which jurisdiction is declined closed within 140 days of the date filed.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
92%	95%	89%	100%	80%	80%

**Measure 1.10:** The percentage of bargaining-impasse cases voluntarily settled after jurisdiction has been asserted within 160 days of the date filed.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
86%	97%	68%	100%	70%	70%

**Measure 1.11:** The percentage of bargaining-impasse cases resolved through a final action closed within 200 days of the date filed.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
77%	87%	61%	100%	70%	70%

***STRATEGIC GOAL 2: WE WILL PROMOTE STABILITY IN THE  
FEDERAL LABOR-MANAGEMENT COMMUNITY BY PROVIDING  
LEADERSHIP AND GUIDANCE THROUGH ADR 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 facilitation and training 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.

**PERFORMANCE GOAL 1: PROVIDE TARGETED ACCESS TO TRAINING, OUTREACH, AND FACILITATION ACTIVITIES WITHIN THE LABOR-MANAGEMENT COMMUNITY.**

<b>Measure 1.1:</b> The number of training, outreach, and facilitation activities delivered.					
<b>Results</b>				<b>Targets</b>	
<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
221	302	225	306	250	275

<b>Measure 1.2:</b> The number of participants involved in training, outreach, and facilitation activities.					
<b>Results</b>				<b>Targets</b>	
<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
8,933	5,976	5,114	8,294	6,000	7,000



**PERFORMANCE GOAL 2: SUCCESSFULLY RESOLVE A SIGNIFICANT PORTION OF FLRA CASES THROUGH ADR.**

**Measure 1.1:** The percentage of ULP cases in the OGC in which an offer of ADR services is accepted that are partially or totally resolved.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
97%	98%	98%	96%	95%	95%

**Measure 1.2:** The percentage of ULP cases in the OALJ in which an offer of Settlement-Judge services is accepted by the parties that are partially or totally resolved.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
80%	78%	96%	87%	85%	85%

**Measure 1.3:** The percentage of representation cases in the OGC in which an offer of ADR services is accepted by the parties that are partially or totally resolved.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
91%	100%	100%	96%	95%	95%

**Measure 1.4:** The percentage of appropriate ULP cases in the Authority in which ADR services are offered.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
75%	80%	

**Measure 1.5:** The percentage of ULP cases in the Authority in which ADR services are provided that are partially or totally resolved.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
85%	85%	

**Measure 1.6:** The percentage of appropriate arbitration cases in which ADR services are offered.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
50%	55%	

**Measure 1.7:** The percentage of arbitration cases in which an offer of ADR services is accepted by the parties that are partially or totally resolved.

Results				Targets	
FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
N/A	100%	80%	43%	75%	75%

**Measure 1.8:** The percentage of appropriate negotiability cases in which ADR services are offered.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
100%	100%	

**Measure 1.9:** The percentage of proposals or provisions – in negotiability cases in which an offer of ADR services is accepted by the parties – that are partially or totally resolved.

Results			
FY 2012	FY 2013	FY 2014	FY 2015
100%	100%	100%	100%

**Measure 1.10:** The percentage of negotiability cases in which ADR services are provided that are partially or totally resolved.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
90%	90%	

**Measure 1.11:** The percentage of bargaining-impasse cases in which an offer of ADR services is accepted by the parties that are partially or totally resolved.

Results			
FY 2012	FY 2013	FY 2014	FY 2015
32%	28%	27%	39%

**Measure 1.12:** The percentage of bargaining-impassé cases in which parties' disputes are totally resolved voluntarily.\*

Targets		*New measure beginning in FY 2016
FY 2016	FY 2017	
30%	30%	

***STRATEGIC GOAL 3: WE WILL 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, IT infrastructure, and allocation of resources 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. Approximately 60 percent of the FLRA's workforce has been with the agency for five years or less, and many of the agency's most experienced employees are currently eligible to retire. In light of these facts, it is crucial for the FLRA to simultaneously 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. And, consistent with the PMA, the FLRA has a comprehensive, forward-looking plan to increase quality and value in its administrative functions, continue efforts to enhance productivity and achieve cost savings, unlock the full potential of its workforce, and build the FLRA's workplace and workforce for the future.

**PERFORMANCE GOAL 1: RECRUIT, RETAIN, AND DEVELOP A HIGHLY TALENTED, MOTIVATED, AND DIVERSE WORKFORCE TO ACCOMPLISH THE FLRA'S MISSION.**

---

Over the last six and a half years, the FLRA has demonstrated significant and marked improvement in its performance and service delivery, and it has continued to rank among the top ten small agencies in the *Best Places to Work in the Federal Government Survey*. These results demonstrate the agency's commitment to empowering and developing a highly engaged and

effective workforce. The success of FLRA employees is instrumental to its success as an agency. It is within this spirit that the FLRA actively manages its human-capital programs.

<b>Measure 1.1: Program managers ensure that the right employees are in the right place to achieve results.</b>	
<b>Results</b>	
<b>FY 2012</b>	Enhanced development offerings, to include competency-based training, career-ladder developmental programs, and continuation of human-resources workshops and educational brown bags. Drafted and implemented a five-year Diversity and Inclusion Strategic Plan to make the agency a more inclusive and inviting workplace for all of its employees. Increased diversity by hiring summer student interns, in some cases using targeted minority-hiring strategies. Expanded developmental offerings, to include attorney details.
<b>FY 2013</b>	Implemented a web-based time and attendance system to increase efficiency and accuracy of reporting. Obtained provisional certification of the FLRA's SES Performance-Management System from OPM. Established an ADR process for resolving performance-management issues. As part of its strategic workforce planning efforts, continued employee development, including attorney details to other offices; ADR-facilitator training; and leadership-development and other workforce training. Established a Student Pathways Policy for student internships and partnered with the University of Maryland's Federal Semester Program to offer unpaid internships to students.
<b>FY 2014</b>	Focused on succession planning by increasing targeted attorney recruitment. Renewed agreement with the University of Maryland for discounted tuition for agency employees. Increased agency resources through recruitment, staffing, and placement. Utilized the Student Pathways and Summer Externship programs to increase resources for casework and administrative initiatives throughout the agency. Realigned functions within the agency's Office of the Executive Director to allow for improved efficiencies and customer service to agency employees. Worked extensively with managers to hold employees accountable for performance and development. Updated the Attorney Recruitment Policy in order to allow managers greater hiring flexibility of the agency's mission-critical occupation and to streamline the recruitment process. In collaboration with the Partnership for Public Service's Excellence in Government Fellows program, developed and piloted an Employee Onboarding Handbook to improve the onboarding process and increase employee engagement.
<b>FY 2015</b>	Implemented a fully automated and integrated electronic system for personnel actions. Developed a more robust onboarding process through increased use of technology and piloted implementation of an Employee Onboarding Handbook. Updated certain human-resources policies and procedures. Continued to build internal capacity for handling the major human-resources functional areas. Position descriptions continued to be updated and now allow for greater growth and advancement opportunities within the agency, and employees readily volunteered for collateral-duty assignments, new initiatives, and projects. The agency also renewed its agreement with a local

university to offer discounted tuition to FLRA employees for self-directed study. Improved office customer service by improving the quality of advice provided to managers and employees. Worked with managers to educate them about and increase diversity and inclusion when seeking new agency talent. The agency achieved greater diversity in its workforce in FY 2015 by increasing strategic and targeted recruitment and posting job opportunities with career-planning and placement services, local colleges and universities, and professional affinity-group organizations. With respect to succession planning, the FLRA continued to offer cross-component developmental details and its training initiative designed to assist higher-graded employees identify and strengthen critical leadership skills in preparation for eventually transitioning to formal leadership positions. To strengthen and support the FLRA’s new cadre of first-time managers and supervisors, the agency identified a series of trainings geared towards developing strategic thinking and other critical skills in preparation for executive leadership at the FLRA. These training initiatives crossed components, bringing together future agency leaders from all offices to enhance their skills and encourage collaboration among peers.

**Measure 1.2: Demonstrate strong recruitment and retention practices.**

**Targets**

**\*New measure in FY 2016 and FY 2017**

<p><b>FY 2016</b></p>	<p>Promote a diverse applicant pool by identifying student and professional groups aimed at increasing diversity; delivering targeted information sessions semi-annually; and sharing 100 percent of job announcements to affinity groups per year.</p> <p>Deliver a robust onboarding program to 100 percent of new hires that strengthens knowledge of the agency’s programmatic and operational offices.</p> <p>Foster an inclusive environment within the agency by including diversity and inclusion metrics in 100 percent of managers’ performance plans.</p>
<p><b>FY 2017</b></p>	<p>Achieve 90 percent positive scores on internal survey questions that relate to work-life balance.</p> <p>85 percent of employees who joined the FLRA since 2014 remain at the FLRA for five years.</p>

**Measure 2.1: Maintain and grow agency expertise through employee development.**

<b>Targets</b>	
<b>*New measure in FY 2016 and FY 2017</b>	
<b>FY 2016</b>	<p>Provide formal opportunities for employees to engage professionally across components (e.g., through participation in cross-component task forces, detail assignments, training delivery, and rotational opportunities).</p> <p>100 percent of new managers and supervisors complete leadership training within their first year of being promoted.</p> <p>Maintain sustained growth of positive responses to the OPM EVS question “supervisors in my work unit support employee development.”</p>
<b>FY 2017</b>	<p>Building on the agency’s evolving succession plan designed to lessen the impact of institutional knowledge loss as employees retire or leave and to maximize current talent utilization by closing leadership staffing and competency gaps/deficiencies, implement a formal agency developmental-detail program, establishing cross-component detail opportunities to provide employees with training and developmental experiences that will enhance their skills and increase their understanding of the agency’s mission and operation across program lines, as well as the relevance of their work to the mission and programs of the FLRA.</p> <p>Managers will assess annually 100 percent of employees on their developmental needs and provide at least one targeted developmental opportunity to each of their staff members per year.</p> <p>Maintain sustained growth of positive responses to the OPM EVS question “supervisors in my work unit support employee development.”</p>

**PERFORMANCE GOAL 2: IMPROVE USE OF EXISTING TECHNOLOGY AND DEPLOY NEW IT SYSTEMS TO STREAMLINE AND ENHANCE ORGANIZATIONAL OPERATIONS.**

The FLRA began accepting eFilings in FY 2013, and, as of FY 2015, eFiling is available for all FLRA offices that receive case filings. The FLRA is continuing to work towards implementing the agency’s long-term goal of sharing end-to-end electronic case files throughout the FLRA, as well as the OMB-mandated target of having fully electronic files by 2019. Increasing eFiling is critical to achieving this goal. In this regard, the more case-related information that the FLRA receives electronically – rather than in hard copy – from the outset, the easier it is to convert that information into an electronic case file, without the need for FLRA staff to manually scan documents. In recognition of this, in FY 2015, the agency developed and began implementing a plan to accomplish the transition to fully electronic case files in 4 agile phases over the next 4 years.

**Measure 2.1: Expand the use of eFiling.**

<b>Results</b>	
<b>FY 2012</b>	Completed development of Authority and OGC eFiling capability. Began testing eFiling capability with customers.
<b>FY 2013</b>	10% of cases eFiled.
<b>FY 2014</b>	12% of cases eFiled.
<b>FY 2015</b>	17% of cases eFiled.
<b>Targets</b>	
<b>FY 2016</b>	50% of cases eFiled.
<b>FY 2017</b>	65% of cases eFiled.

**Measure 2.2: Electronic end-to-end case processing.**

<b>Results</b>	
<b>FY 2012</b>	Enhanced the CMS to provide the structure that supports end-to-end electronic case processing.
<b>FY 2013</b>	Conducted a pilot program on end-to-end case processing.
<b>FY 2014</b>	Migrated the CADRO to an end-to-end electronic case file.
<b>FY 2015</b>	Made eFiling available for OALJ cases, resulting in eFiling being available for all offices that accept case filings. As a result, completed full integration of the CMS and eFiling systems, enabling end-to-end electronic case processing throughout the agency.
<b>Targets</b>	
<b>FY 2016</b>	Maintain and enhance the CMS and eFiling systems, and implement an agency Document Management System.
<b>FY 2017</b>	Integrate the CMS and eFiling systems with the agency Document Management System, enabling end-to-end electronic case processing throughout the agency.

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