

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of Mayor Muriel Bowser



Office of the City Administrator

January 15, 2021

Fiscal Year (FY) 2020 was an unprecedented year for all DC residents, businesses and the District Government. In March 2020—the second quarter of the fiscal year—Mayor Bowser declared a public health emergency and District government quickly pivoted to respond to the COVID-19 global health pandemic. To align with recommended social distancing and public safety guidelines, in just one day, over 60 percent of District government employees transitioned to a telework posture. In addition, many District agencies limited or temporarily ceased most in-person activities and services.

The global health emergency required the District to significantly reallocate financial and personnel resources to respond to the pandemic. With the change in operations and a substantial decrease in revenues, the District's response required all agencies to determine how to best provide services to District residents, visitors and employees, while maintaining the necessary protocols to help slow the spread of COVID-19.

As such, the global health pandemic greatly impacted some agencies' abilities to meet their FY20 key performance indicators (KPIs) and strategic initiatives established prior to its onset as agencies shifted resources to respond to COVID-19. Therefore, outcomes for KPIs and strategic initiatives reflect a shift in District priorities and efforts during this crisis. While we continue to believe strongly in performance tracking to improve District services, the data for FY20 is not fully indicative of agencies' performance and should be reviewed factoring in the unprecedented challenges encountered in FY 2020.

Sincerely,

A handwritten signature in black ink that reads 'Kevin Donahue'.

Kevin Donahue
Interim City Administrator



Office of Employee Appeals FY2020

Agency Office of Employee Appeals

Agency Code CH0

Fiscal Year 2020

Mission The Office of Employee Appeals (OEA) is an independent agency with a mission is to adjudicate employee appeals and rendering impartial decisions with sound legal reasoning in a timely manner.

Summary of Services In accordance with DC Official Code Â§1-606.03, the Office of Employee Appeals adjudicates the several types of personnel actions. (a) An employee may appeal a final agency decision affecting a performance rating which results in removal of the employee (pursuant to subchapter XIII-A of this chapter), an adverse action for cause that results in removal, reduction in force (pursuant to subchapter XXIV of this chapter), reduction in grade, placement on enforced leave, or suspension for 10 days or more (pursuant to subchapter XVI-A of this chapter) to the Office upon the record and pursuant to other rules and regulations which the Office may issue.

2020 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
No accomplishments found		

2020 Key Performance Indicators

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
1 - Render impartial, legally sound decisions in a timely manner. (6 Measures)												
Number of Opinions and Orders Issued	Quarterly	51	33	19	25	6	4	8	0	18	Unmet	Because the agency had its budget reduced toward the end of the fiscal year due to the pandemic, this prevented the Board from conducting a previously scheduled meeting. Had the Board been able to meet, it would have been able to issue more decisions and thereby meet its goal.
Time Required to Complete Adjudications	Annually	6	6	5	12	Annual Measure	Annual Measure	Annual Measure	Annual Measure	8	Met	
Time Required to Resolve Petitions for Review	Annually	8	5	4	9	Annual Measure	Annual Measure	Annual Measure	Annual Measure	8	Met	
Percent of OEA decisions upheld by D.C. Superior Court and the D.C. Court of Appeals	Annually	93.1%	100%	96%	99%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	97.3%	Nearly Met	The agency cannot predict how the courts will rule on its decisions that are appealed to the courts. Rather the agency seeks to issue decisions which can withstand judicial scrutiny.
Number of Initial Decisions Issued	Quarterly	142	123	118	135	18	34	26	20	98	Unmet	One barrier was the pandemic which made some parties unwilling to participate in virtual hearings opting instead to hold the appeal in abeyance until they feel comfortable with an in-person evidentiary hearing. Another barrier was a decline in the number of Petitions for Appeal that were file.

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
Percent of cases reversing agency decisions	Annually	6.8%	10.9%	10.2%	No Target Set	Annual Measure	Annual Measure	Annual Measure	Annual Measure	13.79%	No Target Set	
2 - Streamline the adjudication process. (2 Measures)												
Percent of appeals involved in mediation process	Quarterly	New in 2018	61%	46%	No Target Set	100%	65.7%	10.3%	41.7%	69.3%	No Target Set	
Percent of appeals resolved through mediation	Quarterly	New in 2018	13%	21.7%	No Target Set	100%	8.7%	0%	0%	47.4%	No Target Set	
3 - Maintain a system to allow the public to have access to all decisions rendered by the OEA. (2 Measures)												
Percent of Initial Decisions uploaded to website	Quarterly	New in 2018	100%	100%	100%	100%	Waiting on Data	100%	100%	100%	Neutral Measure	
Percent of Opinions and Orders uploaded to website	Quarterly	New in 2018	100%	100%	100%	100%	100%	100%	100%	100%	Neutral Measure	

2020 Workload Measures

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 PAR
2 - Mediation and Settlement (1 Measure)							
Number of attorney fee appeals mediated	2	1	0	0	0	0	0

2020 Operations

Operations Header	Operations Title	Operations Description	Type of Operations
1 - Render impartial, legally sound decisions in a timely manner. (3 Activities)			
ADJUDICATION PROCESS	Petitions for Appeal	Intake Coordinator reviews Petition for Appeal, determines the type of appeal and assigns to Administrative Judge.	Daily Service
APPEALS	Petitions for Review	Office of the General Counsel reviews Petitions for Review, drafts the Opinion and Order and meets with the Board to present the appeal and issue the decision.	Daily Service
ADJUDICATION PROCESS	Initial Decisions	Administrative Judges process Petitions for Appeal which culminate in the issuance of an Initial Decision.	Daily Service
2 - Streamline the adjudication process. (1 Activity)			
MEDIATION	Mediation and Settlement	The goal of the mediation program is to help the parties, through the negotiation process, reach a settlement that is agreeable to both of them.	Key Project
3 - Maintain a system to allow the public to have access to all decisions rendered by the OEA. (1 Activity)			
INFORMATION TECHNOLOGY	Website	Decisions are uploaded to the agency's website so that the public is able to view the decisions and research the decisions.	Daily Service

2020 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
No strategic initiatives found				