

## **FY 2000 OSC ANNUAL PERFORMANCE GOALS**

**Strategic Plan Goal # 1: To consistently provide high quality services that expeditiously resolve matters brought before OSC within the time guidelines set by Congress.**

<b>Component / Type of Case</b>	<b>FY 2000 Program Performance Goals</b>	<b>Baselines</b>
PPP* / Complaints Examining Unit (CEU)	Ensure that no more than 50% of caseload pending in CEU is more than 30 days old.	FY 98 - 67% of pending caseload is more than 30 days old.
PPP / Investigations Division (ID)	Ensure that no more than 40% of pending caseload has been in ID for more than 120 days.	FY 98 - 62% of pending caseload has been in PD for more than 90 days.
PPP / Prosecution Division (PD)	Ensure that no more than 46% of pending caseload has been in PD for more than 90 days.	FY 98 - 62% of pending caseload has been in PD for more than 90 days.
Hatch Act / Advisory Opinions	Maintain timely and accurate response to all advisory opinion requests.	FY 98 - timely response to all advisory opinion requests.
Hatch Act / Enforcement Matters	Maintain timely and appropriate processing of all enforcement matters.	FY 98 - timely processing of all enforcement matters.
Disclosure Unit	Ensure that no more than 69% of pending matters are more than 15 days old.	FY 98 - 92% of pending matters are more than 15 days old.
All OSC Components	Evaluate effectiveness of modifications to case-handling procedures to ensure that OSC is meeting its goal of consistently providing timely, high quality services. Continue to identify and implement additional improvements to case-handling procedures.	FY 98 - currently implementing a wide range of improvements to case-handling procedures based upon comprehensive management review.

\* Prohibited Personnel Practice

## Means and Strategies

A new leadership team has taken the helm of the OSC, led by Special Counsel Elaine Kaplan. Shortly after beginning her tenure, Ms. Kaplan convened senior staff and led an intensive management review of all the practices and procedures followed by each of the OSC program and support units. The review focused on eliminating existing procedural and systemic inefficiencies.

OSC's goal for FY 99 (*sic*) is to implement the wide range of case handling improvements, identified during the management review, to maximize productivity of current staff, enabling staff to perform up to its full potential. A more efficient and effective OSC would be better able to meet Congressionally mandated deadlines for completing processing of prohibited personnel practices and disclosure matters, and to put an increased focus on more aggressively protecting whistleblowers' careers. OSC's management review, however, also crystallized the fact that improved systemic efficiencies alone will not materially reduce the persistent backlog of overage cases.

Accordingly, OSC's primary goal for the next three fiscal years is to fully eliminate the backlog of overage cases. As the additions to the staff may take some time to be hired, and become fully productive, OSC anticipates eliminating 25% of the backlogs in FY 2000, 35% in FY 2001, and 40% in FY 2002. With the additional budgeting and staff authority requested for FY 2000, OSC will be able to meaningfully reduce its backlog of overage cases.

## Verification and Validation

The performance targets above were developed by evaluating and projecting workload trends; reviewing historical workload data and trends; and reviewing the performance measures of other similarly situated agencies. The performance targets were based on the assumption that OSC would have a fairly level case intake, with the usual mix of cases, and that staff resources would increase, as requested, in FY 2000. OSC will measure its achievement of these performance goals through the use of its existing case tracking system.

**Strategic Plan Goal # 2: To fulfill congressional intent that OSC be more aggressive in protecting federal employees from prohibited personnel practices, particularly those who have suffered reprisal for whistleblowing.**

Component / Type of Case	FY 2000 Program Performance Goals	Baselines
Prosecution Division / PPP (especially whistleblower reprisal) cases before the MSPB.	Bring before the MSPB more cases in which OSC believes that a prohibited personnel practice (especially reprisal based on whistleblowing) has occurred.	FY 98 - 6 cases filed before MSPB.
Prosecution Division / PPP (especially whistleblower reprisal) cases in which a stay, corrective action, or disciplinary action has been obtained through litigation or settlement.	Seek more stays, corrective actions, and disciplinary actions in cases in which OSC believes that a prohibited personnel practice (especially reprisal based on whistleblowing) has occurred.	FY 98 - 14 stays, corrective actions, and disciplinary actions obtained through MSPB action, 69 obtained informally through negotiation or settlement.
Prosecution Division / Amicus and interventions in PPP cases (especially whistleblower reprisal matters)	Identify and enter appearances in cases in which OSC's expertise could enhance protections for victims of prohibited personnel practices, with a particular emphasis on favorable developments in whistleblower protection law.	FY 98 - no currently pending cases in which OSC is an amicus or intervener.

Means and Strategies

As part of Special Counsel Kaplan's intensive management review, additional emphasis is being given to bringing more cases on behalf of victims of prohibited personnel practices, especially whistleblowers, and by more aggressively seeking to shape whistleblower reprisal law through amicus and intervention opportunities. The management review also illuminated the fact that existing staff levels are insufficient to meet this critical goal. Therefore, the ability to reach this goal is contingent upon OSC being granted additional staffing and budget authority consistent with its request for FY 2000.

Verification and Validation

OSC will measure the quantitative achievement of these performance goals through the use of its existing case tracking system. It will look to feedback from Congress, the media, and whistleblower advocacy groups to gauge any qualitative enhancement of whistleblower protections.

**Strategic Plan Goal # 3: To raise federal employees' and managers' awareness of their rights and responsibilities under the statutes enforced by OSC.**

<b>Component / Type of Case</b>	<b>FY 2000 Program Performance Goals</b>	<b>Baselines</b>
Planning & Advice Division (PAD)	Implement training / enhanced awareness program based on results of FY 99 survey of employing agencies' compliance with Congressionally mandated training requirement.	FY 98 - 44 speaking and training engagements.
PAD	Enhance training and education materials for use by OSC and employing agencies.	FY 98 - Currently offer two general publications about OSC and two publications regarding the Hatch Act.
Prosecution Division / PAD	Include systemic training at employing agencies as part of corrective action settlements.	FY 98- 1 settlement agreement included systemic training provisions.
Management Division* / PAD	Maintain and enhance OSC Web page on the Internet and other information technologies.	FY 98 - 73,191 hits on the Web site.
Immediate Office of Special Counsel / PAD	Continue to convene practitioners' forums.	FY 98 - N/A (program to be initiated in FY 99)

\* Abolished; functions performed during FY 2000 by Human and Administrative Resources Management Branch and Information Systems Branch.

Means and Strategies

Driving OSC's outreach program is the 1994 congressional mandate (P.L. 103-424) that all executive agencies inform their employees of the fights and remedies of the rights and remedies available to them under the Whistleblower Protection Act, in consultation with OSC. Preliminary survey data indicates that employing agencies have done little to implement this mandate. Consequently, OSC has determined that, in order to meet this congressional mandate, increased staff time and other resources should be directed towards OSC's outreach program. Special Counsel Kaplan's management review highlighted the fact that existing staff levels and resources are insufficient to meet this critical goal. Therefore, the ability to meaningfully implement this goal is contingent upon OSC being granted additional budgetary and staffing resources consistent with its request for FY 2000.

### Verification and Validation

The Planning & Advice Division (PAD) will develop and implement an evaluation system, which will include a measurement of outreach effectiveness, to determine the success of this informational / enhanced awareness program. Appropriate changes will be proposed, including additional materials and other resources needed to increase federal employee and manager awareness.

**Strategic Plan Goal # 4: To develop and maintain OSC's human resources, systems and processes to support a continually improving, highly effective organization with the vigor to meet demanding program needs.**

Component / Type of Case	FY 2000 Program Performance Goals	Baselines
Immediate Office of Special Counsel (IOSC)/all other divisions	Continue to eliminate inefficiencies in the case-handling process.	FY 98 -Number of cases in which 240-day processing mandate has not been met.
IOSC/all other divisions	Provide a work environment that fosters interdivisional cooperation and superior work performance from each OSC employee.	FY 98-existing level of cooperation and work performance of staff.
Management Division*	Implement plan for necessary upgrades of technology infrastructure, together with staff training.	FY 98-non-Y2K-compliant case tracking system; upgrade 20% of existing hardware consistent with 5-year replacement schedule

\* Abolished; functions performed during FY 2000 by Human and Administrative Resources Management Branch and Information Systems Branch.

Means and Strategies

The human resource goals described above will be accomplished by the entire OSC staff. OSC will ensure that its staff has the skills to successfully achieve these goals. OSC will monitor agency and individual performance consistent with its strategic plan. Where appropriate, training and development will be provided to individuals and divisions to improve performance. Where necessary, removal, downgrade, or other appropriate actions will be taken when individuals fail to meet their performance targets. The information systems goals described above will be accomplished principally by the Management Division (in conjunction with outside contractors, where necessary), under the oversight of IOSC. To implement specific performance goals, including the replacement of the non-Y2K-compliant case tracking system, the Management Division will establish firm deadlines for each project, and progress towards each goal will be measured regularly.

### Verification and Validation

OSC will measure the achievement of the above human resource goals by reviewing agency workload data, particularly the age of pending cases, to determine whether individuals and divisions have achieved their performance goals, as referenced in the strategic plan. OSC will measure the achievement of the above information systems goals by ensuring that the case tracking system operates effectively, and that OSC information technology equipment is upgraded consistent with its 5-year schedule.