

OSC ANNUAL PERFORMANCE GOALS (FY 2001)

Strategic Plan Goal 1: To consistently provide high quality services that expeditiously resolve prohibited personnel practices (PPPs) and disclosure matters, within the time guidelines set by Congress. To consistently provide high quality services that expeditiously resolve Hatch Act enforcement matters and requests for advisory opinions.

Component / Type of Case	FY 2001 Program Performance Goals	Baselines
Complaints Examining Unit / PPP	Ensure that no more than 50% of pending caseload is more than 30 days old.	FY 1999 - 68% of pending caseload is more than 30 days old.
Investigation Division (ID) / PPP	Ensure that no more than 40% of pending caseload has been in ID for more than 120 days.	FY 1999 - 46% of pending caseload has been in ID for more than 120 days.
Prosecution Division (PD) / PPP	Ensure that no more than 50% of pending caseload has been in PD for more than 90 days.	FY 1999 - 71% of pending caseload has been in PD for more than 90 days.
Hatch Act Unit / Advisory Opinions	Maintain timely and accurate response to all advisory opinion requests.	FY 1999 - timely response to all advisory opinion requests.
Hatch Act Unit / Enforcement Matters	Maintain timely and appropriate processing of all enforcement matters.	FY 1999 - timely processing of all enforcement matters.
Disclosure Unit	Ensure that no more than 66% of pending matters are more than 15 days old.	FY 1999 - 97% of pending matters is more than 15 days old.
All OSC Components	Continue to identify and implement additional improvements to case handling procedures, to ensure that OSC is meeting its goal of consistently providing timely, high quality services.	FY 1999 - continuing to implement improvements to case handling procedures based upon ongoing management review.

Means and Strategies

In July 1998, then-newly appointed Special Counsel Elaine 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. Following the review, OSC adopted a number of wide ranging revisions to case handling practices and procedures. For example, OSC instituted an Accelerated Case Team (ACT) within the Investigation Division to identify and investigate appropriate cases using streamlined techniques.

Strategic Plan Goal 1 (FY 2001)

Page 2

In June 1999, Kaplan again convened senior staff to evaluate the effectiveness of the July 1998 reforms, and to discuss new suggestions solicited from all staff levels. After it was determined that the ACT pilot program had succeeded in resolving identified cases in an average of less than 60 days, Kaplan made ACT a permanent program. OSC is currently in the process of fine tuning the 1998 reforms and implementing other reforms identified at the June 1999 convocation. For example, to address the large number of overage cases in the Disclosure Unit, a group of the oldest cases were distributed for immediate review to all litigation attorneys in the Prosecution Division.

OSC's goal for FY2000 is to continue to evaluate and implement the wide range of case handling improvements, identified during the 1998 and 1999 management reviews, and to maximize productivity of current staff, enabling staff to perform up to its full potential. At the same time, steps are being taken to increase OSC's effectiveness by improving the quality and thoroughness of OSC's legal analysis of cases. A more efficient and effective OSC would be 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 1999 management review, however, also confirmed that improved systemic efficiencies alone have not materially reduced the persistent backlog of overage cases.

Accordingly, OSC's primary goal for the next three fiscal years remains the full elimination of the backlog of overage cases while implementing improvements to the quality of OSC's legal analysis. With the additional budgeting and staff authority requested for FY 2001, OSC will be able to meaningfully reduce its backlog of overage cases and increase quality.

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 will increase, to the levels requested, in FY 2001. 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 (PPPs), particularly those who have suffered reprisal for whistleblowing.

Component / Type of Case	FY 2001 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 1999 - 3 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 1999 - 9 stays, corrective actions, and disciplinary actions obtained through MSPB action, 46 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 1999 - 4 cases in which OSC filed briefs with the MSPB as an amicus or intervenor.

Means and Strategies

As a result of both the 1998 and 1999 management reviews, OSC is focusing on bringing more cases on behalf of victims of prohibited personnel practices, especially whistleblowers, and more aggressively seeking to shape whistleblower reprisal law through amicus and intervention opportunities. The 1999 management review also confirmed 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 2001.

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.

Component	FY 2001 Program Performance Goals	Baselines
Immediate Office of Special Counsel / Outreach Program / Planning and Advice Division	Continue training at employing agencies to enhance awareness of employee rights and responsibilities under OSC statutes in compliance with congressionally mandated training requirement.	FY 1999 - 76 OSC presenters at 51 training and speaking engagements.
Immediate Office of Special Counsel / Outreach Program / Planning and Advice Division	Enhance training and education materials for use by OSC and employing agencies.	FY 1999: - Completed revisions to "The Role of the OSC" brochure. - Created a new e-mail "Guide to Federal Employee Rights." - Created a revised "Information Program Guide to Employee Rights and Remedies Under Title 5." - OSC also offers two publications on the Hatch Act. All OSC publications are now available on OSC's web site: www.osc.gov .
Prosecution Division / Outreach Program / Planning and Advice Division	Include systemic training at employing agencies as part of corrective action settlements.	FY 1999 - 3 settlement agreements included systemic training provisions.
Information Services Branch / Planning and Advice Division	Maintain and enhance OSC web site.	FY 1999: - Total overhaul of OSC web site, including major content revisions, and the addition of graphics, downloadable forms and publications, all press releases, and significant legal briefs. - New easier to use web site address: www.osc.gov . - 921,863 hits on the web site (1-99 through 7-99).

Strategic Plan Goal 3

Page 2

Component	FY 2001 Program Performance Goals	Baselines
Immediate Office of Special Counsel / Outreach Program / Planning and Advice Division	Continue to convene forums for practitioners, agency representatives, congressional staff, and news media.	FY 1999 - N/A (program to be initiated in FY 1999).

Means and Strategies

Driving OSC's outreach program is the 1994 congressional mandate (P.L. 103-424) that, in consultation with OSC, all executive agencies shall inform their employees of the rights and remedies available to them under chapter 12 and 23 of title 5, including the Whistleblower Protection Act. In FY 1999, Special Counsel Kaplan directed substantial overhaul of OSC's outreach program, including the creation of an Outreach Specialist position. Consequently, OSC has been working intensively with a number of employing agencies, including IRS, Customs, and VA, to create and implement model education and training programs. OSC intends to expand this model program to agencies that 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 1999 management review highlighted the fact that existing staff levels and resources are insufficient to effectively expand the model program to all employing agencies. 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 2001.

Verification and Validation

The Planning and Advice Division is developing an evaluation system to measure the effectiveness of the outreach 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 processes, human resources, and systems to support a continually improving, highly effective organization with the vigor to meet demanding program needs.

Component	FY 2001 Program Performance Goals	Baselines
Immediate Office of Special Counsel / all other divisions	Continue to eliminate inefficiencies in the case-handling process.	FY 1999 - Number of cases in which 240-day processing mandate has not been met.
Immediate Office of Special Counsel / all other divisions	Provide a work environment that fosters interdivisional cooperation and superior work performance from each OSC employee.	FY 1999 - existing level of cooperation and work performance of staff.
Information Services Branch	Implement plan for necessary upgrades of technology infrastructure, together with staff training.	FY 1999 - achieves complete Y2K-compliance; upgrade 20% of existing hardware consistent with 5-year replacement schedule.

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 Information Services Branch (in conjunction with outside contractors, where necessary), under the oversight of IOSC. To implement specific performance goals, the Information Services Branch 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 all OSC mission-critical systems are operating effectively, and that OSC information technology equipment is upgraded consistent with its 5-year schedule.