

**U.S. OFFICE OF SPECIAL COUNSEL (OSC) ANNUAL PERFORMANCE PLAN**  
**(FY 2002)**

**INTRODUCTION**

**Mission Statement**

Under the Civil Service Reform Act (CSRA) and the Whistleblower Protection Act (WPA), the U.S. Office of Special Counsel's (OSC's) primary mission is to safeguard the merit system in federal employment by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing. The OSC also has jurisdiction under the Hatch Act to enforce restrictions on political activity by government employees. Finally, OSC facilitates disclosures of wrongdoing in federal government by operating a secure channel for whistleblowers.

**FY 2001-2006 Strategic Plan**

In order to accomplish this mission, OSC has adopted the following six goals:

1. To fulfill congressional intent that OSC use its investigative and prosecutorial authority to protect the merit system and protect federal employees from prohibited personnel practices, especially retaliation for whistleblowing.
2. To fulfill congressional intent that federal and covered state and local employees comply with the Hatch Act's restrictions when they engage in political activity.
3. To fulfill congressional intent that OSC promote the public interest in the disclosure of violations of law, rule or regulation, gross waste of funds, gross mismanagement, abuse of authority, or substantial and specific dangers to the public health and safety, by serving as a secure channel for federal employees and applicants to blow the whistle in accordance with 5 U.S.C. § 1213.
4. To raise government employees' and managers' awareness of their rights and responsibilities under chapters 12 and 23 of title 5.
5. To maintain a highly skilled, well trained, diverse, customer-oriented workforce to carry out the agency's mission.
6. To integrate current information technology into OSC business processes, in order to improve organizational performance and to comply with statutory mandates.

**Resources Requested to Meet Goals**

The FY 2002 Annual Performance Plan that follows assumes enactment of the appropriation proposed in the President's budget submission to Congress for FY 2002 – \$11,784,000. This level of funding should be sufficient to operate OSC at 106 FTE, and should also be sufficient to provide for statutory pay increases, rental increases and other normal operating expenses. The plan may be subject to change if the President's proposed funding level is not enacted. At the beginning of FY 2002, with the assistance of OSC's budget advisors at the Bureau of Public Debt, an initial operating plan will be established in order to align agency resources with FY 2002 performance goals.

The FY 2002 performance goals were developed under the assumption that OSC would experience level staffing and funding, relative stability in complaint intake, and normal staff attrition.

The following describes the FY 2002 program performance goals that OSC intends to accomplish, many of which have already been the subject of substantial development and implementation during the current fiscal year.

**STRATEGIC PLAN GOAL # 1: TO FULFILL CONGRESSIONAL INTENT THAT OSC USE ITS INVESTIGATIVE AND PROSECUTORIAL AUTHORITY TO PROTECT THE MERIT SYSTEM AND FEDERAL EMPLOYEES FROM PROHIBITED PERSONNEL PRACTICES (PPPs), ESPECIALLY RETALIATION FOR WHISTLEBLOWING.**

**Objective 1:**

Conduct high quality investigations and legal analyses to determine whether a violation of a civil service law, rule or regulation has occurred, or a PPP has been committed.

Strategies for Accomplishing Objective 1:

- a. Improve investigations and legal analyses by establishing quality standards and holding staff accountable for adhering to established standards.
- b. Improve investigations and legal analyses by promoting consultation among personnel management specialists, attorneys and investigators, and by developing and sharing best practices.
- c. Continue to develop and communicate to all relevant staff consistent agency policies on issues of importance.

OSC Component	FY 2002 Program Performance Goals	Baselines
Complaints Examining Unit (CEU) / Investigation and Prosecution Divisions (IPDs) <sup>1</sup>	Strategy 1 – <u>Quality standards</u> . Develop clearly identified, written quality standards for case handling, investigation, and legal analyses, including communication with complainants (CPs). Devise measurement system, and incorporate in employees’ performance plan.	FY 00: No formal system currently in place. FY 01: Devise and implement new system no later than 6/30/01, and test from 7/1/01 through 9/30/01.

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<sup>1</sup> Changed from original plan references to ID and PD – abolished in FY 2001.

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OSC Component	FY 2002 Program Performance Goals	Baselines
IPDs	Strategy 2 – <u>Investigator/attorney consultation</u> . Develop written report with recommendations to Special Counsel to enhance investigator/attorney consultation, sharing of best practices, productivity, and overall quality of investigations and legal analyses. Consider options, including but not limited to, restructuring management ranks, consistent with the President’s initiative to delayer the Federal hierarchy, revamping of time-counting to eliminate distinction between Investigation and Prosecution Divisions, and use of incentives to foster improvements, including elimination of written reports of investigation, and cash awards under established, and measurable criteria.	FY 00: No measurable system of consultation currently in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01, with any changes to be implemented by 6/30/01.
Immediate Office of Special Counsel (IOSC) / Planning and Advice Division (P&A) <sup>2</sup> / Complaints and Disclosure Analysis Division (CADA) / IPDs / Human and Administrative Resources Management Branch (HARMB) / Information Systems Branch (ISB)	Strategy 3 – <u>Develop and communicate consistent agency policies</u> . Develop and communicate agency policy on referral of cases for investigation, and other agency policies as developed. Communicate to all staff, and make public, where possible, on OSC web-site.	FY 00: Investigations Manual revised and published to staff; CEU manual revised and pending publication to staff; OSC stay policy revised and published to staff and public on OSC web-site.

**Objective 2:**

Resolve PPP complaints expeditiously, in priority order, within the time guidelines set by Congress.

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<sup>2</sup> Re-named the Legal Counsel and Policy Division in FY 2003.

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Strategies for Accomplishing Objective 2:

- a. Continue to create and apply policies in each program unit for dedicating an appropriate level of resources for particular kinds of PPP matters.
- b. Create and apply a system of appropriate priorities for the order in which PPP matters should be processed by each program unit.
- c. Eliminate any unnecessary steps in case processing.
- d. Continue to offer OSC’s Mediation Program to OSC customers in appropriate cases to encourage quick and mutually agreeable resolution of complaints.
- e. Encourage settlement of meritorious cases at earliest possible stage.
- f. Ensure OSC case-tracking system has capacity to capture data relevant to measure progress meeting Objective 2.

OSC Component	FY 2002 Program Performance Goals	Baselines
IOSC / CEU / IPDs	Strategies 1 and 2 – <u>Case priority system/ resource allocation</u> . Develop clearly written policy for case handling by priority (according to particular types of PPP complaints and complexity level, including consideration of resource allocation); develop guidelines for implementation; devise measurement system within OSC 2000; and incorporate in employees’ performance plans.	FY 00: No measurable case priority system currently in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01, with changes implemented by 6/30/01.
CEU / IPDs	Strategy 3 – <u>Eliminate unnecessary steps</u> . Develop written agency-wide policies for the elimination of any unnecessary steps in case-handling. Identify case-processing steps that may be eliminated in some or all cases through encouraging ongoing communication among personnel management specialists, attorneys and investigators; develop strategy for implementation; devise measurement system; and incorporate in employees’ performance plans.	FY 00: No formal policy in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01, and implement by 6/30/01.

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OSC Component	FY 2002 Program Performance Goals	Baselines
Alternative Dispute Resolution Unit (ADR)	Strategy 4 – <u>ADR</u> . Offer ADR option in 100% of appropriate cases, and track results.	FY 00: ADR program begun on 4/1/00; ADR option offered to complainants in 31 cases from 4/1/00-9/30/00; to agencies in 20 cases (after CP’s accepted offer), resulting in 6 mediations held, and 3 cases settled without need for full investigation.
IPDs	Strategy 5 – <u>Early settlement</u> . Continue to adhere to OSC’s policy of early settlement of meritorious cases; monitor settlement of such cases.	FY 00: Policy in full force.
ISB	Strategy 6— <u>Case-tracking capability</u> . ISB to participate in development of priority system, and other goal-oriented changes, to ensure that OSC 2000 (OSC’s in-house case-tracking system) has the capability to monitor and track all new case actions and priorities.	FY 00: OSC 2000 is fully operational; modifications to keep current with needs are implemented through cross-functional users’ group. FY 01: ISB to submit report no later than 6/30/01 on all changes needed.

**Objective 3:**

Obtain appropriate corrective, disciplinary, or other relief in cases where OSC concludes that there exist reasonable grounds to believe that a civil service law, rule or regulation has been violated or a PPP has been committed.

Strategies for Accomplishing Objective 3:

- a. Obtain voluntary corrective action from federal agencies (including stays) where OSC finds that there exist reasonable grounds to believe a PPP has been committed.
- b. Prosecute cases before the MSPB if an agency does not initiate voluntary corrective action (including a stay) where OSC finds that there exist reasonable grounds to believe a PPP has been committed.
- c. Obtain disciplinary sanctions in appropriate cases against agency officials who commit PPPs, either by persuading the employing agency to take the action itself, or by prosecuting a disciplinary action petition before the MSPB.
- d. Ensure OSC case-tracking system has capacity to capture data relevant to measure progress meeting Objective C.

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OSC Component	FY 2002 Program Performance Goals	Baselines
CEU / IPDs	Strategies 1, 2 and 3 – <u>Obtain voluntary corrective action; prosecute MSPB cases where voluntary action not forthcoming; and obtain disciplinary action where appropriate.</u> These policies are currently in place, but OSC’s measurement system needs refinement. During FY 01, devise system for carefully tracking “reasonable grounds” determination in every PPP case, so that subsequent voluntary corrective actions, MSPB litigation, and disciplinary actions can be more accurately tracked.	FY 00: Policies in place. FY 01: Present recommendations to Special Counsel for new system for tracking “reasonable grounds” determinations no later than 3/30/01, and implement by 6/30/01.
ISB	Strategy 4 – <u>Case-tracking capability.</u> ISB to ensure that OSC 2000 has the capability to monitor and track all “reasonable grounds” determinations.	FY 00: OSC 2000 does not currently track “reasonable grounds” determination, <u>per se.</u> FY 01: Devise system capability no later than 3/30/01, and implement and test from 7/1/01 through 9/30/01.

**Objective 4:**

Proactively develop the law governing PPPs, especially retaliation for whistleblowing, to reflect congressional intent.

Strategies for Accomplishing Objective 4:

Monitor cases before the [Merit Systems Protection Board (MSPB)] and Federal Circuit in which OSC is not a party and seek opportunities for OSC to affect the outcome of their decision-making, either by filing an amicus brief, intervening, or providing OSC’s perspective to the [Department of Justice (DOJ)] when DOJ represents other federal agencies before the Federal Circuit.

OSC Component	FY 2002 Program Performance Goals	Baselines
IPDs	<u>Monitor MSPB and Federal Circuit cases.</u> Establish formal staff responsibility for monitoring non-OSC, MSPB and Federal Circuit cases for amicus, intervention, or other opportunities for OSC to proactively shape PPP law. Staff responsibility should include regular reporting requirements.	FY 00: Policy already in place, but no formal staff monitoring responsibility is in place.

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### Objective 5:

Ensure that OSC provides complainants with a clear explanation of its reasoning in cases where OSC concludes that there exist no reasonable grounds to believe that a civil service law, rule or regulation has been violated or a PPP has been committed.

#### Strategies for Accomplishing Objective 5:

- a. Continue to improve quality of correspondence and other forms of communication between OSC and complainants regarding their cases.
- b. Continue to hold telephone conferences with complainants before final closure of their cases.

OSC Component	FY 2002 Program Performance Goals	Baselines
CEU and IPDs	Strategy 1 – <u>Improve Quality of Correspondence with Complainants</u> – Include written correspondence quality standard among standards to be developed by process discussed in Objective A, Strategy 1; devise measurement system.	FY 00: No formal written quality standards currently in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01, with changes implemented by 6/30/01.
CEU, IPDs and ISB	Strategy 2 – <u>Telephone Conferences</u> . Continue CEU and PD practice of extending offer of telephone conference in pre-determination letters; devise system, with input from ISB, for collecting data on effectiveness of phone conferences by tracking numbers of cases in which complainants call to discuss case before final closure.	FY 00: Telephone conference offer currently in place in CEU and PD. OSC 2000 does not currently collect data about telephone conferences. FY 01: Devise system capability no later than 3/30/01, and implement and test from 7/1/01 through 9/30/01.

#### Means and Strategies

In October 2000, OSC substantially revised its Five-Year Strategic Plan to emphasize the primary goals of 1) achieving high quality investigation and legal analysis of PPP cases; and 2) reducing the backlog of over-age cases in targeted fashion, according to a priority system, and devising new methods of allocating resources to particular types of PPP cases, rather than its previous sole emphasis of reducing the backlog of over-age cases according to a first-in/first-out formula. Accordingly, because these are newly-developed goals, substantial additional staff work will be necessary during FY 2001 and FY 2002 to devise and implement the systems necessary to achieve these goals, and to measure performance. The Annual Performance Goals listed above reflect that a significant effort will be undertaken during the first six months of FY 2001, directed by the Special Counsel, to devise such systems, aiming for implementation during the latter half of the year, so that they are fully in place during FY 2002.

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### Verification and Validation

As these are mostly newly-established written goals, no formal baseline measures exist. A principal task for the planning process will be to design measurement systems through which progress towards achieving these goals can be verified and validated.



**STRATEGIC PLAN GOAL # 2: TO FULFILL CONGRESSIONAL INTENT THAT FEDERAL AND COVERED STATE AND LOCAL EMPLOYEES COMPLY WITH THE HATCH ACT’S RESTRICTIONS WHEN THEY ENGAGE IN POLITICAL ACTIVITY.**

**Objectives:**

1. Ensure that covered federal, state and local employees are aware of the extent to which the Hatch Act permits them to engage in political activity.
2. Enforce the Hatch Act’s restrictions on political activity by covered federal, state and local employees.

**Strategies:**

- a. Continue to respond promptly to requests for Hatch Act advisory opinions.
- b. Continue to provide information to covered employees and agency ethics officers regarding the Hatch Act’s requirements and procedures for filing complaints or seeking advisory opinions.
- c. Provide information to appropriate state and local government entities regarding the Hatch Act’s application to state and local employees.
- d. Publicize Hatch Act advisory opinions.
- e. Conduct impartial, thorough and timely investigations of Hatch Act complaints.
- f. Conduct high quality legal analyses of investigations.
- g. Issue warning letters or obtain appropriate penalties in cases where an OSC investigation reveals a Hatch Act violation.
- h. Ensure OSC case-tracking system has capacity to capture data relevant to measure progress meeting objectives.

<b>OSC Component</b>	<b>FY 2002 Program Performance Goals</b>	<b>Baselines</b>
Hatch Act Unit (HAU) / ISB	Strategy 1 – Develop modification to OSC 2000 to log and track response time to advisory opinion requests.	FY 00: No formal response time tracking system currently in place. FY 01: Devise new system no later than 3/30/01, and implement and test from 7/1/01 through 9/30/01.

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OSC Component	FY 2002 Program Performance Goals	Baselines
HAU / Outreach Specialist	Strategy 3 – Working with outreach specialist, develop and implement a written plan to specifically target Hatch Act outreach to appropriate state and local government groups and associations.	FY 00: No specific state and local outreach plan currently in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01.
HAU / ISB	Strategy 4 – Review current postings of selected Hatch Act advisory opinions on OSC web-site, and revise and update as necessary.	FY 00: 32 broadly applicable federal, state and local Hatch Act advisories currently posted on web-site.
HAU	Strategies 5 and 6 – <u>Quality and timeliness standards</u> . Develop clearly identified, written quality and timeliness standards applicable to Hatch Act investigations and legal analyses, devise measurement system, and incorporate in employees’ performance plans.	FY 00: No formal system currently in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01, with changes implemented by 6/30/01.
HAU / ISB	Strategy 7 – Develop system within OSC 2000 for recording within the Hatch Act matter profile a code denoting OSC’s belief that a violation has been established, and a capability to track the issuance of warning letters, or penalties resulting from such matters.	FY 00: No such tracking system currently in place. FY 01: Devise new system for tracking Hatch Act violation determinations no later than 3/30/01, and test from 7/1/01 through 9/30/01.

Means and Strategies

In October 2000, OSC substantially revised its Five-Year Strategic Plan to include, for the first time, a Strategic Plan Goal that specifically relates to OSC’s administration and enforcement of the Hatch Act’s restrictions on the political activity of employees of federal, state and local governments. The objectives identified focus on increasing awareness of the Hatch Act’s restrictions among covered employees, and enforcing those restrictions against alleged violators, as OSC’s primary goals. The strategies adopted build on OSC’s successful Hatch Act advisory opinion service, as well as the successful outreach program, to meet the first objective of increasing awareness. Strategy 3, for example, specifically targets state and local employee groups for additional outreach, as we too frequently encounter basic ignorance of the law among such employees. The strategies adopted to enhance the Hatch Act enforcement objective, complement the other newly adopted goals related to OSC’s PPP jurisdiction – adopting clearly established quality and timeliness standards. These strategies will be more fully developed during the significant planning process outlined above.

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### Verification and Validation

OSC will modify its OSC 2000 case-tracking system to track progress on meeting several of the strategies listed above. For the other newly adopted quality and timeliness strategies, no formal baseline measures currently exist. A principal task for the planning process in addressing the Hatch Act program will be to design measurement systems through which progress towards achieving these goals can be verified and validated.

**STRATEGIC PLAN GOAL # 3: TO FULFILL CONGRESSIONAL INTENT THAT OSC PROMOTE THE PUBLIC INTEREST IN THE DISCLOSURE OF VIOLATIONS OF LAW, RULE OR REGULATION, GROSS WASTE OF FUNDS, GROSS MISMANAGEMENT, ABUSE OF AUTHORITY, OR SUBSTANTIAL AND SPECIFIC DANGERS TO THE PUBLIC HEALTH AND SAFETY, BY SERVING AS A SECURE CHANNEL FOR FEDERAL EMPLOYEES, FORMER EMPLOYEES AND APPLICANTS (“WHISTLEBLOWERS”) TO BLOW THE WHISTLE IN ACCORDANCE WITH 5 U.S.C. § 1213.**

**Objectives:**

1. To accurately and timely determine whether a whistleblower who contacts OSC’s Disclosure Unit possesses information establishing a substantial likelihood of a violation of law, rule or regulation, gross waste of funds, gross mismanagement, abuse of authority, or a substantial and specific danger to the public health and safety.
2. To promptly transmit matters in which OSC has made a substantial likelihood determination to the agency head and obtain the agency’s compliance with the investigation and reporting requirements of 5 U.S.C. § 1213(c) and (d).
3. To promptly and clearly advise whistleblowers of OSC’s reasons for deciding that the information they provided does not justify transmittal of a disclosure matter to an agency head.
4. To promptly and accurately determine—upon consideration of the agency report and the comments of the whistleblower—whether the findings of an agency head appear reasonable and whether the agency’s investigative report contains the information required by statute.
5. To promptly transmit to Congress and the President final reports of investigation, and otherwise to make publicly available such reports.

**Strategies:**

- a. Create and apply a system of appropriate priorities for the order in which disclosure matters will be processed.
- b. Continue to develop and communicate to all relevant staff consistent agency policies on issues of importance to the disclosure function.
- c. Continue to improve quality of correspondence and other forms of communication between OSC and whistleblowers, and others.
- d. Educate federal agencies regarding their obligations, including meeting deadlines, when a disclosure is transmitted for an investigation and report.
- e. Provide statutory notification to Congress and the President when agencies fail to conduct an investigation and report to OSC within the statutory time limits, or require agencies to show good cause for an extension of time within which to conduct the investigation.

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- f. Conduct high quality analyses of agency reports, consulting with outside experts where feasible and necessary.
- g. Publicize agency findings in transmitted cases.
- h. Ensure OSC case-tracking system has capacity to capture data relevant to measure progress meeting objectives.

OSC Component	FY 2002 Program Performance Goals	Baselines
Disclosure Unit (DU) / ISB	Strategy 1 – <u>Disclosure priority system</u> . Develop clearly identified, written standards and procedures for disclosure handling, by priority (according to particular topics of disclosure, and complexity level), devise measurement system within OSC 2000, and include compliance with priority system in employees’ performance plans.	FY 00: Health and safety disclosure priority system in place, but tracking system needs modification. FY 01: Present recommendations to Special Counsel no later than 3/30/01, with changes implemented by 6/30/01.
DU	Strategy 2 – Create disclosure manual to describe policies and procedures of Disclosure Unit, including criteria for referral of matters from CEU to Disclosure. Make available internally to all OSC employees.	FY 00: Written disclosure policies and procedures are not contained in one updated manual.
DU / ISB	Strategies 3 and 6 – <u>Quality standards</u> . Develop clearly identified, written quality standards for: 1) conducting legal analyses of disclosure allegations and agency reports; and 2) communication between OSC and those making disclosures, including correspondence. Devise measurement system, and incorporate in employees’ performance plans.	FY 00: No formal system currently in place. FY 01: Present recommendations to Special Counsel no later than 3/30/01, with changes implemented by 6/30/01.
Outreach Specialist / DU	Strategy 4 – Devise plan for educating federal agencies (including agencies’ Inspectors General) of obligations for investigation and report once matter is transmitted. Consider disseminating information through President’s Council on Integrity and Efficiency, and Executive Council on Integrity and Efficiency.	FY 00: Disclosure information included in standard OSC outreach programs, but no outreach efforts specifically targeted to federal agencies’ disclosure obligations is currently being conducted.

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OSC Component	FY 2002 Program Performance Goals	Baselines
DU / ISB	Strategy 5 – <u>Agency deadlines</u> . Devise improvements to system for tracking OSC’s action in matters in which agencies fail to conduct an investigation and report back to OSC within statutory time limits.	FY 00: Agency deadline tracking system currently in place needs modification. FY 01: Devise changes to system no later than 3/30/01, and implement and test from 7/1/01 through 9/30/01.
DU / Congressional and Public Affairs / Outreach Specialist / ISB	Strategy 7 – <u>Publicize agency findings</u> . Continue to adhere to policy of issuing press releases on a case-by-case basis when agency findings are transmitted to Congress and the President, and consider establishing criteria for other appropriate circumstances under which to issue press releases. Compile list of interested groups and associations to whom releases should be directed. Devise system for tracking frequency of media reporting of agency findings.	FY 00: No media reporting tracking system currently in place. FY 01: Devise new system no later than 3/30/01, and implement and test from 7/1/01 through 9/30/01.
DU / ISB	Strategy 8 – <u>Case-tracking capability</u> . ISB to ensure that OSC 2000 has capability to monitor and track data relevant to measure baselines, and progress towards meeting objectives.	FY 00: OSC 2000 is generally responsive to current needs. FY 01: ISB to submit report no later than 6/30/01 on all changes needed to meet new goals.

Means and Strategies

In October 2000, OSC substantially revised its Five-Year Strategic Plan to include, for the first time, a Strategic Plan Goal that specifically relates to the operations of OSC’s Disclosure Unit. The objectives for the Disclosure Unit, like those identified for processing of PPP complaints, include a combination of quality and timeliness factors, and possible refinements to prioritization of disclosure matters. These strategies will be more fully developed during the significant planning process outlined above.

Verification and Validation

OSC will modify its OSC 2000 case-tracking system to track progress on meeting several of the strategies listed above. For the other newly adopted quality, timeliness, and case priority strategies, no formal baseline measures currently exist. A principal task for the planning process in addressing the disclosure program will be to design measurement systems through which progress towards achieving these goals can be verified and validated.

**STRATEGIC PLAN GOAL # 4: TO RAISE GOVERNMENT EMPLOYEES' AND MANAGERS' AWARENESS OF THEIR RIGHTS AND RESPONSIBILITIES UNDER CHAPTERS 12 AND 23 OF TITLE 5.**

**Objectives:**

1. Improve agency compliance with informational obligation contained at 5 U.S.C. § 2302(c).
2. Expand access by federal (and covered state and local government) employees and managers to information about OSC's role in enforcement of employee rights and responsibilities.

**Strategies:**

- a. Survey title 5 agencies responsible for implementation of § 2302(c) to determine steps taken to comply with informational requirement.
- b. Offer OSC assistance to agencies in complying with § 2302(c) informational requirement.
- c. Issue guidance to title 5 federal agencies on compliance with informational obligation in § 2302(c).
- d. Proactively render advice and assistance (including sharing of best practices) to title 5 agencies in implementation of systemic informational programs under § 2302(c).
- e. Seek systemic and other training in federal agencies in corrective action settlement agreements, mediated resolutions, and litigation at the MSPB.
- f. Maintain current and effective informational and training materials for use by OSC and other agencies.
- g. Continue to use information technology resources, consistent with the President's initiative on e-government, to facilitate access, by federal employees, managers, and others to current informational and training materials.
- h. Convene, or participate in conferences and forums for employee representatives, agency representatives, and federal managers and employees to highlight issues related to OSC's mission and seek feedback on OSC performance.
- i. Work with sister federal agencies (the Merit Systems Protection Board, the Federal Labor Relations Authority, and the Equal Employment Opportunity Commission) on joint outreach projects.
- j. Issue press releases when OSC obtains stays, corrective, or disciplinary actions, through settlement agreements or litigation, and use other media opportunities for OSC outreach.

<b>OSC Component</b>	<b>FY 2002 Program Performance Goals</b>	<b>Baselines</b>
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Goal 4

<p>Outreach Specialist / PAD</p>	<p>Strategy 1 – Develop systematic baseline information on agency compliance with 5 U.S.C. § 2302(c) (congressionally mandated training requirement). During FY 02, conduct the second bi-annual OSC survey of covered title 5 agencies’ efforts to comply with § 2302(c), to measure progress from first survey during FY 00.</p>	<p>FY 00: Information survey sent to all covered title 5 agencies to request information on recent employee information activities under 5 U.S.C. § 2302(c).  FY 01: OSC survey results compiled; results obtained from inclusion of 2 OSC-related questions in OPM annual survey of federal employees to be conducted June-August, 2001.</p>
<p>Outreach Specialist / PAD</p>	<p>Strategies 2, 3 and 4 – <u>Assist agencies</u>. Facilitate implementation of agency-wide education programs on Title 5, Chapters 12 and 23 rights and remedies. During FY 02, design and implement program whereby agencies can be certified by OSC as being in compliance with § 2302(c).</p>	<p>FY 00: Information survey sent to all covered title 5 agencies requesting baseline data and agency contact for OSC. Question on employee awareness of OSC as recourse for complaints and disclosures added to OSC forms and surveys, as potential basis for targeting outreach efforts. Prepared recommendations for agencies to follow for implementation of 5 U.S.C. § 2302(c).  FY 01: OSC survey results compiled; results obtained from inclusion of 2 OSC-related questions in OPM annual survey of federal employees to be conducted June – August, 2001.</p>
<p>CEU / IPDs / Outreach Specialist</p>	<p>Strategy 5 – Include systemic training as part of OSC’s corrective actions, with agency that is a party to the settlement agreement.</p>	<p>FY 00:</p> <ul style="list-style-type: none"> <li>- 9 settlement agreements included systemic training provisions.</li> <li>- Model settlement language, including systemic training, drafted for OSC staff use in negotiating with agencies.</li> </ul>



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OSC Component	FY 2002 Program Performance Goals	Baselines
Outreach Specialist / PAD	Strategy 6 – Maintain and enhance training and education materials for use by OSC, employing agencies, and other trainers. During FY 02, design and implement a web-based training program for use by agency managers, as part of the certification program discussed in Strategies 2, 3 and 4 above.	FY 00: <ul style="list-style-type: none"> <li>○ Created a new e-mail “Political Activity and the Federal Employee.”</li> <li>○ Created a new poster on the Hatch Act.</li> <li>○ Created a model Power-Point program.</li> <li>○ Created interactive training materials.</li> <li>○ Revised a comprehensive legal outline on the laws OSC enforces.</li> <li>○ Revised OPM Prohibited Personnel Practice video for OSC use.</li> <li>○ Held a Train the Trainer seminar for 35 OSC staff.</li> <li>○ Revised the Speaker Request form.</li> </ul>
Outreach Specialist / PAD / ISB	Strategy 7 – Maintain and enhance OSC web site. Consistent with the President’s initiative on e-government, make as many outreach and educational materials as feasible available on OSC’s web-site, including the web-based manager training program referenced in Strategy 6 above.	FY 00: <ul style="list-style-type: none"> <li>⊖ 3,178,093 hits on the web site.</li> <li>○ Addition of all OSC training material on the Web.</li> <li>○ Addition of Speaker Request Form on the Web.</li> <li>○ Ongoing updates of content (e.g., forms, policy statements).</li> </ul>
Outreach Specialist	Strategies 8 and 9 – Convene or participate in forums for practitioners and agency representatives, in conjunction with other federal agencies, unions, federal management associations, and private training sources to enhance awareness of employee rights and responsibilities. Systematically collect data on effectiveness of forums by regular practice of participants’ completion of evaluation forms.	FY 00: <ul style="list-style-type: none"> <li>○ Held 6 joint OSC/FLRA town meetings in various locations nationwide on OSC and laws enforced by OSC.</li> <li>○ Held 8 Hatch Act forums in various locations nationwide to explain restrictions on federal employees’ political activities.</li> <li>○ 70 OSC speakers at 62 outreach events.</li> </ul>

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OSC Component	FY 2002 Program Performance Goals	Baselines
IOSC / Congressional and Public Affairs	Strategy 10 – <u>Press Releases</u> . Issue press releases when OSC obtains stays, corrective or disciplinary actions, through settlements or litigation; files a complaint before the MSPB in a significant PPP or Hatch Act matter; transmits a disclosure report to Congress and the President; or in other situations in which issuance of a press release would further OSC’s mission.	FY 00: 34 press releases issued.

### Means and Strategies

OSC has made raising federal employees’ and managers’ awareness of their rights and responsibilities under title 5 a high priority, as reflected in this strategic plan goal. That decision was driven by several considerations: (1) since 1994, federal agency heads have been required by 5 U.S.C. § 2302(c) to ensure, in consultation with the OSC, that employees are informed of rights and remedies under chapters 12 and 23 of title 5; (2) in fact, very few federal agencies have consulted with OSC about this statutory requirement; (3) full and effective compliance with this statutory requirement would promote a primary goal of the WPA – that federal employees feel free to come forward to report instances of official misconduct; and (4) full and effective compliance by agencies with the statute could result in OSC’s receipt of fewer complaints of legal violations, both because such violations would not occur as frequently, and because employees would have a greater understanding of the law.

The annual performance goals shown above reflect key components of the approach OSC has used and will continue to use in FY 2002: (1) development and refinement of systematic information on agency compliance with § 2302(c); (2) development and maintenance of useful, up-to-date, and widely accessible resource materials for use by OSC, agencies, and others; (3) pursuit of broad-based and systematic training/outreach opportunities, while maintaining the capacity to be responsive to a wide range of requestors; and (4) leveraging resources of other agencies when feasible in aid of OSC outreach.

OSC’s budget resources have limited the extent to which it can employ technological means (beyond its Web-site) to put useful information into the hands of federal employees, agencies, and others served by OSC. During the next fiscal year we plan to create an interactive training program on our web site.

### Verification and Validation

OSC began in FY 2000 to take steps, consistent with available resources, designed to verify and validate results of its outreach efforts. These were: issuance of a survey to covered title 5 agencies seeking information on recent activities implementing 5 U.S.C. § 2302(c); drafting of an evaluation form to measure federal employees’ increase in awareness of their rights and remedies under the WPA after OSC outreach presentations; a request to OPM to

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add questions to its annual merit system program reviews, to determine whether agencies are informing employees of their rights and responsibilities under the WPA; and an additional question on the OSC complaint, disclosure and survey forms to ascertain where an employee learned of his/her right to file a

complaint. Using these tools, OSC expects to acquire information in FY 2001 on results of employee awareness activities, both by agencies and by OSC.

OSC will also continue with efforts to refine its capability to measure and evaluate the effectiveness of the overall outreach program in raising awareness of federal employees and managers.

**STRATEGIC PLAN GOAL # 5: TO MAINTAIN A HIGHLY SKILLED, WELL-TRAINED, CUSTOMER-ORIENTED WORKFORCE TO CARRY OUT THE AGENCY’S MISSION.**

**Objective 1:**

Recruit, develop, and retain a highly skilled, highly motivated and diverse workforce that is customer oriented and will support the achievement of OSC’s mission.

Strategies for Accomplishing Objective 1:

- a. Provide opportunities for feedback on the Strategic Plan and Annual Performance Plan from new, existing and separating employees on programs, policies, and work environment.
- b. Review award program and continue to redesign to focus on rewarding and publicizing significant accomplishments at the individual or organizational level that improve customer service or otherwise directly contribute to achieving strategic goals and objectives.
- c. Continue to review and enhance recruitment strategies, to ensure that they will attract a skilled, highly motivated, and diverse staff that will foster the achievement of OSC’s mission, and enable the agency to hire new employees in a timely fashion.
- d. Provide a challenging work environment to retain OSC employees.

OSC Component	FY 2002 Program Performance Goals	Baselines
HARMB	Strategy 1 – <u>Feedback</u> . Develop an exit interview procedure, including a standard form, to elicit information from departing employees about their experiences with OSC, including suggestions for enhancing OSC’s operations and internal policies, with emphasis on feedback on the unit from which they are separating.	FY 00: No formal mechanism currently in place. FY 01: Devise exit interview procedure and form by 5/31/01.
HARMB	Strategy 2 – <u>Awards</u> . Revise existing incentive awards and employee recognition policy to provide greater flexibility for rewarding performance and special acts/service, including non-monetary recognition.	FY 01: Work with Awards Committee members to revise awards policy. Finalize policy by 5/1/01.

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OSC Component	FY 2002 Program Performance Goals	Baselines
HARMB	Strategy 3 – <u>Recruitment</u> . Enhance hiring and retention strategies, by providing information on employee benefits such as retention bonuses, recruitment bonuses, and tuition loan reimbursement. Encourage and publicize work-family initiatives. Develop automated databases for distributing vacancy announcements to enhance the diversity of OSC’s workforce.	<p>FY 01: Develop retention bonus, recruitment bonus, and tuition loan reimbursement policies by 6/1/01.</p> <p>FY 01: Develop telecommuting policy by 6/1/01.</p> <p>FY 01: Develop recruitment mailing list databases by 10/23/00. Completed. Mailing list databases have been developed for targeted recruitment. List includes Top-20 minority law schools; minority organizations; various legal organizations; veterans outreach, and employment services offices.</p> <p>FY-01: Expand mailing list databases by 5/30/01 and ongoing.</p> <p>FY-01: Increase use of e-mail for distribution of vacancy announcements by 3/20/01 and ongoing.</p> <p>FY-01: Review Law Clerk Recruitment Program – continue/revise as appropriate. Ongoing.</p>
HARMB / Senior Staff	Strategy 4 – <u>Retain workforce</u> . Develop challenging and rewarding work environment.	<p>FY 01: Identify potential upward mobility positions by 6/1/01.</p> <p>Develop program to provide rotational assignment opportunities within OSC for employees in upward mobility positions by 7/1/01.</p> <p>Develop program and develop plan for internal and external rotational assignments by 9/30/01.</p>

**Objective 2:**

Provide a work environment with policies and programs that foster interdivisional cooperation and encourage OSC employees to excel while ensuring accountability and fairness for all employees.

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Strategies for Accomplishing Objective 2:

- a. Clearly communicate objectives in Strategic Plan and Annual Performance Plan to staff by including it in performance plans, and monitoring progress and appraising staff on results to ensure achievement of objectives.
- b. Continue biennial training conferences.
- c. Assess training needs of staff and provide opportunities for competency acquisition for all groups of employees, including managers and supervisors.
- d. Encourage use of the internal alternative dispute resolution to resolve conflicts at the lowest level.

OSC Component	FY 2002 Program Performance Goals	Baselines
HARMB	Strategy 1 – <u>Strategic plan and annual performance plan communication</u> . Ensure division and individual performance plans connect with OSC Strategic Plan.	FY 01: HARMB develops training and timetables for division and individual performance plans by 6/30/01.
HARMB	Strategy 2 – <u>Agency-wide training conference</u> . Assist in planning and site arrangements.	FY 02: Site selection after contacting vendors for June conference. Complete by 2/28/02.
HARMB	Strategy 3 – <u>Competency acquisition</u> . Assess all employees to identify competency needs.	FY 01: Identify required competencies by 7/31/01. FY 02: Provide training to address needed competencies by 9/30/03.
HARMB	Strategy 4 – <u>Alternative dispute resolution</u> . Communicate the benefits of ADR for internal conflict resolution.	FY 01: Provide information on the OSC administrative grievance procedure and ADR Program on an ongoing basis.

**Objective 3:**

Foster a culture of leadership excellence.

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Strategies for Accomplishing Objective 3:

- a. Review current and emerging leadership needs; develop and implement a plan for leadership succession.
- b. Provide executive development opportunities for individuals with demonstrated executive potential.

<b>OSC Component</b>	<b>FY 2002 Program Performance Goals</b>	<b>Baselines</b>
HARMB Senior Staff	Strategy 1 – <u>Identify leadership needs</u> . Survey current inventory of leadership available and identify expected replacement needs for the future.	FY 01: HARMB will gather data and make projection of future needs by 9/30/01.
HARMB	Strategy 1 – <u>Leadership succession</u> . Develop a Supervisory/Managerial Handbook that provides guidance for new as well as veteran managers and supervisors.	FY 01: Develop draft of manual by 9/30/01.
HARMB	Strategy 1 – <u>Leadership succession</u> . Develop and implement managerial/supervisory training and development proposal.	FY-01 and ongoing: Develop initial proposals by 4/30/01. Develop timetable and solicit bids for inaugural training by 7/1/01. Present initial training by 10/15/01.
HARMB	Strategy 2 – <u>Provide executive development opportunities</u> . Develop a competitive program to give employees an opportunity to qualify for executive positions.	FY-02 and ongoing: Develop program using results from the leadership data by 3/31/02.

Means and Strategies

One of the critical components of achieving agency mission-related goals is maintaining a highly skilled, motivated workforce. The focus in the five-year plan is on developing strategies and processes for recruiting and maintaining over the long term a high quality workforce. In an effort to maintain a high quality workforce, we will focus on developing cutting-edge leadership skills and providing a challenging and rewarding work environment.

Verification and Validation

As these are primarily newly established goals, no formal baseline measures exist. A principal task for FY 01 planning process will be to improve existing systems and develop measurement tools and elicit feedback from employees in those areas directly affecting them.

**STRATEGIC PLAN GOAL # 6: TO INTEGRATE CURRENT INFORMATION TECHNOLOGY INTO OSC BUSINESS PROCESSES, IN ORDER TO IMPROVE ORGANIZATIONAL PERFORMANCE AND TO COMPLY WITH STATUTORY MANDATES.**

**Objectives:**

1. Maintain and continually upgrade technology infrastructure to assist OSC in achieving its mission and improving its business processes, as defined within this strategic plan.
2. Comply with government-wide information technology initiatives, mandates, and statutes.

**Strategies:**

- a. Stay abreast of current information technology, to determine possible improvements to OSC’s current business processes—including internal and external communication, case management, planning, evaluation and research.
- b. Maintain and enhance case management and tracking systems that capture the data needed to evaluate the performance of OSC’s programs consistent with strategic and annual plans.
- c. Implement web-based technology to exchange information, both internally and externally, including electronic filing of complaints and disclosures, consistent with the Government Paperwork Elimination Act, and the President’s initiative on e-government.
- d. Develop and implement ongoing security and vulnerability assessment study. Revise systems as necessary to ensure that systems and information are secure.
- e. Identify applicable government-wide statutes, mandates and initiatives, and develop compliance plans.

OSC Component	FY 2002 Program Performance Goals	Baselines
ISB	<p>Strategy 1 – <u>Upgrade agency hardware</u>. 1) Procure sufficient new personal computers so that all obsolete PC’s are eliminated; 2) procure new file server to accommodate new users, upgrade performance and storage capacity; and 3) procure upgraded PC server to house OSC web-site in compliance with § 508 access requirements.</p> <p><u>Upgrade agency software</u>. Upgrade standard operating system for all agency PC’s to Windows 2000/Office 2000</p> <p><u>Phone System</u>. Research feasibility of reducing number of incoming phone lines, by converting to upgraded voice/data link.</p>	<p>FY 00: <u>Hardware</u> – 1) 15% of agency employees have obsolete Pentium I PC’s; 2) OSC’s primary file server is at 85% of storage capacity; and 3) OSC’s web-site is housed on an inadequate PC. <u>Software</u> – Windows NT is standard operating system.</p> <p><u>Phone System</u> – 96 incoming lines in HQ; prepare written report and recommendations concerning voice/data link by 4/30/01.</p>



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ISB	Strategy 2 – <u>OSC 2000/Case-tracking capability</u> . ISB to ensure that OSC 2000 case-tracking system has the capability to monitor and track data relevant to measure baselines, and progress towards meeting objectives.	FY 00: OSC 2000 is generally responsive to current needs. FY 01: ISB to submit report no later than 6/30/01 on all changes needed to meet new goals.
ISB	Strategy 3 – <u>Electronic filing</u> . Research and prepare written report detailing comprehensive plan to implement electronic filing of complaints and disclosures, including cost estimates for all needed hardware and software upgrades, and timetable.	FY 00: Complaint and disclosure forms are available for downloading on OSC web site, but may not be returned and filed electronically. Complete draft of written plan for electronic filing no later than 10/01/01.
ISB	Strategy 4 – <u>IT security study</u> . Conduct information technology security and vulnerability assessment study, in accordance with government-wide standards.	FY 00: OSC IT systems operate in secure manner, with no negative impact from numerous widespread virus attacks during FY. (OSC's web site did experience one hacker incident of very limited and incidental impact.) In FY 01: Conduct written study no later than 9/30/01.

#### Means and Strategies

The information systems goals described above will be accomplished principally by ISB, under the oversight of IOOSC. Of particular importance is ISB's participation in the FY 01 planning process described above, to assist in establishing quantifiable baselines and measurement systems in meeting the significant program goals described herein. The specific IT goals described above will be accomplished under the firm deadlines established by this plan.

#### Verification and Validation

Achievement of each of the annual performance goals listed above can be verified by measurement of the specific result listed, by the established deadline.