

IX. PROGRAM EVALUATION

The NLRB evaluates whether programs are achieving their GPRA and other performance targets through a variety of techniques and mechanisms. The five-member Board tracks the status of its GPRA cases (usually its oldest) on a monthly basis to determine performance against yearly goals. A committee comprising top management officials reviews monthly performance data to determine the status of Agency workload and performance and discuss the need to adjust Agency resources, if necessary. Field data is available through CATS, the Agency's case management system. The management committee also reviews highlights of performance data prepared by NLRB divisions and offices on a monthly basis.

GPRA performance data prepared for the annual performance report is reviewed and evaluated by Agency management officials. Additionally, when pertinent to the conduct of ongoing audit activities, the Inspector General will review performance measures to consider their appropriateness.

Further, the General Counsel has had an evaluation program in place for many years to assess the performance of its Regional operations. The Quality Review program of the Division of Operations-Management reviews ULP, representation, and compliance case files on an annual basis to ensure that they are processed in accordance with substantive and procedural requirements, and that the General Counsel's policies are implemented appropriately. Those reviews have assessed, among other things, the quality and completeness of the investigative file, the implementation of the General Counsel's priorities in the areas of representation cases, Impact Analysis prioritization of cases, and compliance with Agency decisions. Additionally, personnel from the Division of Operations-Management review all complaints issued in the Regions to ensure that pleadings are correct and supported, and conduct site visits during which they evaluate Regional case handling and administrative procedures. Also, a field and

⁸ Appointments for Members Kirsanow and Walsh will last until confirmation or adjournment of Congress in late fall 2007.

Operations-Management Committee reviews all administrative law judge and Board Decisions constituting a significant loss, in order to assess the quality of litigation. Moreover, the Region's performance with regard to quality, timeliness, and effectiveness in implementing the General Counsel's priorities, is incorporated into the Regional Director's annual performance appraisal.

In addition to the evaluation of Regional Office activities discussed above, the Office of the General Counsel monitors the litigation success rate before the Board and before district courts with regard to injunction litigation. The success rate before the Board has been approximately 80 percent and before the district courts it has been 85-90 percent. The Division of Operations-Management regularly reviews case decisions in order to determine the quality of litigation. Similarly, the Agency keeps abreast of its success rate before circuit courts of appeals and analyzes case decisions in order to ensure quality in its litigation. Other branches and offices, such as the Office of Appeals, Division of Advice, Contempt Litigation and Compliance Branch, and Office of Representation Appeals, provide valuable insight and constructive feedback on the performance and contributions of Field Offices. Moreover, top Agency management meets regularly with relevant committees of the American Bar Association regarding their members' experiences practicing before the NLRB.