

Agency Name

Office of Employee Appeals

Annual Freedom of Information Act Report for Fiscal Year 2016

October 1, 2015 through September 30, 2016

FOIA Officer Reporting Sheila G. Barfield

PROCESSING OF FOIA REQUESTS

- | | |
|--|---|
| 1. Number of FOIA requests received during reporting period | 2 |
| 2. Number of FOIA requests pending on October 1, 2015..... | 0 |
| 3. Number of FOIA requests pending on September 30, 2016..... | 0 |
| 4. The average number of days unfilled requests have been pending before each public body as of September 30, 2016 | 0 |

DISPOSITION OF FOIA REQUESTS

- | | |
|---|-----|
| 5. Number of requests granted, in whole..... | 2 |
| 6. Number of requests granted, in part, denied, in part..... | 0 |
| 7. Number of requests denied, in whole..... | 0 |
| 8. Number of requests withdrawn..... | 0 |
| 9. Number of requests referred or forwarded to other public bodies..... | 0 |
| 10. Other disposition | n/a |

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION

- | | |
|--|---|
| 11. Exemption 1 - D.C. Official Code § 2-534(a)(1)..... | 0 |
| 12. Exemption 2 - D.C. Official Code § 2-534(a)(2)..... | 0 |
| 13. Exemption 3 - D.C. Official Code § 2-534(a)(3) | |
| Subcategory (A)..... | 0 |
| Subcategory (B)..... | 0 |
| Subcategory (C) | 0 |
| Subcategory (D) | 0 |
| Subcategory (E) | 0 |
| Subcategory (F) | 0 |
| 14. Exemption 4 - D.C. Official Code § 2-534(a)(4) | 0 |
| 15. Exemption 5 - D.C. Official Code § 2-534(a)(5)..... | 0 |

16. Exemption 6 - D.C. Official Code § 2-534(a)(6)	
Subcategory (A).....	0
Subcategory (B).....	0
17. Exemption 7 - D.C. Official Code § 2-534(a)(7).....	0
18. Exemption 8 - D.C. Official Code § 2-534(a)(8).....	0
19. Exemption 9 - D.C. Official Code § 2-534(a)(9).....	0
20. Exemption 10 - D.C. Official Code § 2-534(a)(10).....	0
21. Exemption 11 - D.C. Official Code § 2-534(a)(11).....	0
22. Exemption 12 - D.C. Official Code § 2-534(a)(12).....	0

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

23. Number of FOIA requests processed within 15 days.....	0
24. Number of FOIA requests processed between 16 and 25 days.....	1
25. Number of FOIA requests processed in 26 days or more.....	1
26. Median number of days to process FOIA Requests.....	30

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

27. Number of staff hours devoted to processing FOIA requests.....	20
28. Total dollar amount expended by public body for processing FOIA requests.....	\$540.00

FEEs FOR PROCESSING FOIA REQUESTS

29. Total amount of fees collected by public body.....	0
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PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA

30. Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act	0
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QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, "[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act]."

In FY16, two FOIA requests were received. For both of the requests, it was necessary that an administrative assistant research the office's database so that the requested information could be located. Once the information was located, it was submitted to the person who had requested the information.

GOVERNMENT OF THE DISTRICT OF COLUMBIA



OFFICE OF EMPLOYEE APPEALS

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Washington, DC 20024
202.727.0004
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February 13, 2017

The Honorable Elissa Silverman
Council of the District of Columbia
Chairperson, Committee on
Labor and Workforce Development
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Suite 115
Washington, DC 20004

Dear Councilmember Silverman:

Enclosed are follow-up responses to the Office of Employee Appeals' answers to the Performance Oversight Hearing for Fiscal Years 2016 and 2017-to-date. Please feel free to contact me directly if you have additional questions before our scheduled hearing on February 15, 2017.

Sincerely,

A handwritten signature in black ink, reading "Sheila Barfield". The signature is written in a cursive style with a large, stylized 'S' and 'B'.

Sheila Barfield
Executive Director

February 13, 2017

The Honorable Elissa Silverman
Council of the District of Columbia
Chairperson, Committee on
Labor and Workforce Development
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Suite 115
Washington, DC 20004

Dear Councilmember Silverman:

In response to your follow-up questions of the Office of Employee Appeals' answers to the Performance Oversight Hearing for Fiscal Years 2016 and 2017-to-date, I herewith submit the following answers:

1. As a follow up to **Questions #9, #12, and #19**, below is our revised answer which includes a more detailed response outlining the categories of expenses paid with the Agency's purchase card.

Office of Employee Appeals					
FY 2016 - FY 2017 SmartPay (Credit) Card Usage					
Fiscal Year	Card Holder		Purchase Limit	Total Spent	Remarks
	Name	Title			
FY 2016	Smith Barrow, Gabrielle	Operations Manager	\$5,000 Single & \$20,000 Cycle Limits	\$ 75,256.37	Major agency PCARD expenses include employee training; Court Reporting & related services (>85%)
	Agency Total			\$ 75,256.37	
FY 2017 (YTD)	Smith Barrow, Gabrielle	Operations Manager	\$5,000 Single & \$20,000 Cycle Limits	\$ 18,400.00	
	Agency Total			\$ 18,400.00	
			Court Reporting	\$30,789.52	
			Out of town travel & lodging	\$11,167.95	
			Judicial training	\$20,842.04	
			Local travel	\$200.00	
			Supplies & equipment	\$7,663.63	
			Courier services	\$1,059.03	
			Consulting Services	\$1,675.00	
			Advertising Services	\$1,859.20	
				\$75,256.37	

2. As a follow-up to **Question #47**, we spoke with the Associate Director at the Mayor's Office of Talent and Appointments. Here is an update of the status of the Post-confirmation Mayor's Order that would appoint Sheree Price as chair. The tracking for the Mayor's Order is as follows:

1-18-2017	Legislation completed my MOTA staff
1-31-2017	Review by Steven Walker
1-31-2017	Submitted for legal sufficiency
2-01-2017	Entered in IQ
2-03-2017	Submitted to ODAI
2-03-2017	IQ approved

In sum, the Mayor's Order is just awaiting signature, but it has been approved.

3. As a follow-up to Question #33, below is our revised answer including an explanation of any variances between fiscal year appropriations and actual expenditures.

Office of Employee Appeals							
Proposed Operating Budget by Division and Activity							
Program/Activity	FY 2016				FY 2017		
	Approved Budget	Revised Budget	Actual Expenditure	Explanation	Approved Budget	Revised Budget	Actual YTD Expenditure
1000 AGENCY MANAGEMENT PROGRAM							
1040 INFORMATION TECHNOLOGY	65,240	65,240	70,247	Variance due to employee salary adjustment and higher actual expenses in employee benefits	68,822	68,822	20,945
1085 CUSTOMER SERVICE	49,553	49,553	57,136	Variance due to employee salary adjustment and higher actual expenses in employee benefits	52,935	52,935	16,966
1090 PERFORMANCE MANAGEMENT	192,879	192,879	198,923	Variance due to the additional 1 FTE hired close to the end of the fiscal year	200,661	200,661	61,636
1100 OFFICE OF EMPLOYEE APPEALS	665,273	645,273	544,562	Variance due to Salary Lapse	704,766	704,766	160,256
1000 AGENCY MANAGEMENT PROGRAM	972,945	952,945	870,868		1,027,184	1,027,184	259,803
2000 ADJUDICATION							
2001 ADJUDICATION PROCESS	621,931	568,715	613,882	Funds reprogrammed from this line to NPS for Judicial training, website & computer upgrade.	600,266	600,266	179,214
2002 APPEALS	87,090	160,306	126,882	Unspent NPS balance including \$16.9K uncollected MOU funds	122,627	122,627	4,901
2003 MEDIATION	62,687	62,687	72,401	Expenses are higher due to increased WAE hours	65,216	65,216	18,941
2000 ADJUDICATION	771,708	791,708	813,165		788,109	788,109	203,056
Total Proposed Operating Budget	1,744,654	1,744,654	1,684,033		1,815,293	1,815,293	462,859

The following expenditures are included in each program/activity:

- 1040 Information Technology- Network Assistant
- 1085 Customer Service- Receptionist
- 1090 Performance Management- Executive Director; Administrative Assistant
- 1100 Office of Employee Appeals- General Counsel; Operations Manager; Paralegal; Hearing Examiner; Administrative Assistant
- 2001 Adjudication Process- 4 Hearing Examiner positions (one of these positions is part-time); Senior Administrative Judge; Deputy General Counsel
- 2002 Appeals- Agency's NPS budget
- 2003 Mediation- Hearing Examiner (Part-time)

4. As a follow-up to Question # 50, the Office of the Chief Technology Officer (OCTO) continues to work with the agency in making enhancements to the agency's website.

Specifically, approximately 2000 decisions are being reviewed by the agency to determine under which subject matter category each decision should be placed. OCTO has a list of the subject matter categories (developed by OEA) which they will then link to the decisions. When the process is complete, anyone wishing to search OEA's decisions by subject matter can click on a drop down box, select from a list of subject matter categories, and view all of the decisions pertaining to that particular subject matter.

5. As a follow-up to Question #51, OEA would like to upgrade its database so that more accurate reports regarding the agency's operations can be produced.