



FEDERAL LABOR RELATIONS AUTHORITY

1400 K Street, NW
Washington, DC 20005

Improving Agency Disclosure of Information Implementation of Executive Order 13392

REVIEW OF FOIA OPERATIONS

- A. Characterize overall nature of agency's FOIA operations (degree of detail optional), with optional reference to areas preliminarily considered for agency review. (Agencies may also describe any particular FOIA challenges that they face).**

The Federal Labor Relations Authority (FLRA) is an independent administrative federal agency created by Title VII of the Civil Service Reform Act of 1978 (also known as the *Federal Service Labor-Management Relations Statute*) (the Statute). [P.L. 95-454, 5 U.S.C. §7101 *et seq.*] The Statute allows certain non-postal federal employees to organize, bargain collectively, and to participate through labor organizations of their choice in decisions affecting their working lives. [The Postal Reorganization Act (P.L. 91-375, Aug. 12, 1970) governs labor-management relations in the Postal Service.]

The Statute establishes distinct components within the FLRA, including the *Authority*, the *General Counsel of the Authority* (OGC), and the *Federal Service Impasses Panel* (FSIP). Presidential appointees are included in each of these three components. The Authority, OGC, and FSIP maintain their respective headquarters offices at a common site in Washington, DC. The OGC also includes staff in seven regional offices (Atlanta, Boston, Chicago, Dallas, Denver, San Francisco, Washington DC) and one satellite office (Brea, CA).

The FLRA has delegated the responsibility for responding to FOIA requests among its three principal subdivisions. [5 C.F.R. § 2411.2] OGC Regional Directors are assigned responsibility for making initial FOIA determinations on FOIA requests for records in their respective regional offices, however, those initial determinations may be appealed to the General Counsel. [5 C.F.R. § 2411.7(a)]

Of the overall small volume of FOIA requests filed with the FLRA annually, the agency receives relatively few FOIA status inquiries. Status inquiries have not been specifically tracked in the past. Based upon the experience of the Authority, however, such requests would be minimal. For instance, in FY 2005, the Authority received 39 FOIA requests, and 1 status inquiry. During the same period, the OGC, including the regional offices, received 70 FOIA requests; the FSIP received 13 FOIA requests. For all requests, the median number of working days to process was seven (7). As of the end of FY 05, there were 12 requests pending.

B. List all areas selected for review.

How FOIA requests are received

Processing of FOIA requests

Timeliness of FOIA responses

Agency web page, including reading room and FOIA on-line access

Review of existing regulations and FOIA reference guide

Knowledge of FOIA by agency personnel

Fee Assessment

C. Narrative statement summarizing results of review.

Our initial review reflects that responsible FLRA employees process FOIA requests timely and with minimal or temporary backlog. Areas of improvement include the following areas: (1) *Updating and improving a user-friendly online reading room* - - although the current website provides a large amount of information about the agency, the public's ability to access such information can be improved. (2) *Improving FOIA processing and tracking agency wide* - - the agency does not currently have multi-track processing nor a comprehensive agency wide case tracking system. (3) *Agency personnel training* - - enhance capacity and knowledge, skills, and abilities of current staff while also planning for succession of staff.

D. List all areas chosen as improvement areas for Agency plan.

Agency web page

Customer Feedback Survey

Case Tracking

FLRA FOIA regulations

Training of FOIA Personnel

Fee Assessment

E. For each improvement area provide name and brief statement of improvements sought to be made.

Agency Web Page

- Goal(s) Improve and redesign the Agency's website to enhance user capabilities to obtain and understand information.

- Steps to be taken Modify, clarify, and update some information; post appropriate agency documents to reduce FOIA requests; and establish FOIA requestor center.
- Measure of success Success will be measured via customer feedback; reduction in number of steps required to retrieve on-line data; and whether FOIA requests and types of requests are reduced.

Customer Feedback Survey

- Goal(s) Develop and post an online customer survey.
- Steps to be taken Assess other agency surveys; develop FLRA customer survey; receive OMB approval, as required, for collection of such information from non-government individuals; implement survey online; and monitor and adjust, as needed, after implementation.
- Measure of success Success will be measured via accomplishment of the goal and through customer response and feedback.

Case Tracking

- Goal(s) Develop and implement an agency wide case-tracking system+ to permit greater coordination among the various agency components and improve analysis and tracking of FOIA requests and thus the ability to assess utilization of agency resources.
- Steps to be taken Assess other agency case-tracking systems; develop FLRA agency wide system; implement; and monitor and adjust, as needed, after implementation.
- Measure of success Success will be measured via accomplishment of the goal and through FOIA staff and responsible management response and feedback.

FLRA FOIA regulations

- Goal(s) Conduct comprehensive review of FLRA FOIA regulations and revise as necessary to ensure such regulations are customer-centered.
- Steps to be taken Review other agency FOIA regulations; revise existing regulations consistent with this plan and the intent of E.O. 13,392; submit proposed regulation for public comment through publication in the Federal Register; post final regulation on the FLRA website.
- Measure of Success Publication of the final FOIA regulations in the Federal Register and subsequent posting on the FLRA website.

Training of FOIA Personnel

- Goal(s) Ensure FLRA FOIA personnel understand new FOIA requirements pursuant to E.O. 13,392 Implementation Guidance.
- Steps to be taken Provide internal training of FOIA personnel, utilizing video-conferencing to include all regional office personnel. Create checklist for processing FOIA requests and clarifying accountabilities and responsibilities within the FOIA program.
- Measure of Success Completion of training; compliance with checklist; spot monitoring of work-product and customer feedback.

Fee Assessment

- Goal(s) Ensure consistent fee assessment across the FLRA FOIA program.
- Steps to be taken Review and revise, as needed, the current process of fee assessment among the various components. Develop a matrix for use by all components identifying how fees are assessed. Update agency regulation and website information, as needed.

- Measure of Success Creation of a monitoring system (internal online log) that identifies for each FOIA request whether fees were assessed, how such fees were determined, and consistency of application of fees.

F. For the entire plan, group the improvement areas into the following time periods:

Areas anticipated to be completed by December 31, 2006

Training of Staff on E.O. 13,392

Areas anticipated to be completed by December 31, 2007

Redesign of FLRA website

Upgrade of FOIA case-tracking system

Customer Feedback Survey

Areas anticipated to be completed after December 31, 2007

Revision of FLRA FOIA regulation

Fee Assessment