

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 08-01

December 5, 2007

TO: All Employees, Office of the General Counsel

FROM: Ronald Meisburg, General Counsel

SUBJECT: Summary of Operations (Fiscal Year 2007)

Attached is a copy of the Summary of Operations for Fiscal Year 2007. Based upon the accomplishments reported in this Summary of Operations, all employees of the Office of the General Counsel, Field and Headquarters, deserve great praise for their outstanding performance.

Please accept my sincere appreciation and congratulations for the excellent manner in which you carry out the mission of the Agency year after year. While this Summary reflects the timeliness of your work, it does not include the high quality of that work or the courteous manner which it is performed. You have my gratitude and, I am certain, the gratitude of the labor-relations community for a job well done

/s/  
R.M.

Attachment  
cc: NLRBU  
NLRBPA

Distribution:  
Regional Offices  
Washington-Special  
Release to the Public

MEMORANDUM GC 08-01

## **SUMMARY OF OPERATIONS FISCAL YEAR 2007**

### **INTRODUCTION**

This summary continues my practice of providing an annual overview of the operations of the Office of the General Counsel.

As the summary reflects, the record of performance achieved by the staffs of the Headquarters and Regional Offices of the General Counsel in Fiscal Year 2007 based on preliminary statistical reports, was once again outstanding.

Of special note in FY 2007:

- A 97% settlement rate was achieved in the Regional Offices in meritorious unfair labor practice cases.
- 93% of all initial elections were conducted within 56 days of the filing of the petition.
- Initial elections in union representation elections were conducted in a median of 39 days from the filing of the petition.
- The Regions won 85% of Board and ALJ decisions in whole or in part.
- A total of \$110,388,806 was recovered on behalf of employees as backpay or reimbursement of fees, dues, and fines, with 2,456 employees offered reinstatement.
- During the last quarter of the Fiscal Year, the Agency implemented three overarching casehandling goals. These goals compliment the interim goals under which the Office of the General Counsel has operated for over 45 years. I am pleased to report that the Agency came within less than one percentage point of reaching all three of its overarching goals, closing 78.83% of all representation cases within 100 days (target 79%), 66.14% of all unfair labor practice cases within 120 days (target 67%), and 73.4% of all meritorious unfair labor practice cases within 365 days (target 74%). As these are new and quite challenging goals, I am gratified by these results.
- The Agency's web site was recognized this year by the National Security Archive as one of the five best in the Federal Government.
- Agency representatives participated in over 500 outreach events during FY 2007.

I extend my sincere appreciation to all staff members for their continued hard work and dedication to public service and for the cooperative manner in which they have responded to the priorities in case handling. My thanks also to those who practice before us for the cooperation and assistance that they extended to us in our efforts to administer the Act effectively and efficiently.

s/  
Ronald Meisburg  
General Counsel

## **ORGANIZATION OF THE OFFICE OF THE GENERAL COUNSEL**

The Office of the General Counsel is composed of six major components. These components are responsible for the various casehandling, administrative and personnel functions of the office. The six components are: the Division of Operations-Management and Regional Offices, the Division of Advice, the Division of Enforcement Litigation, the Division of Administration, the Office of Equal Employment Opportunity and the Office of Employee Development.

The Division of Operations-Management includes Headquarters and Regional Office staffs. The Headquarters staff has the responsibility on behalf of the General Counsel for the operations of the Regional, Subregional and Resident Offices, and the coordination of the casehandling of those offices with the Washington Divisions of the Office of the General Counsel and the Board.

There are 32 Regional Offices, three Subregional Offices and 17 Resident Offices. Each Regional Office is headed by a Regional Director who is responsible for the management of the office and any attached Subregional or Resident Offices and for the investigation and initial determination of the merits of unfair labor practice cases and representation cases. The Regional Director is also responsible for resolving through settlement or litigation the unfair labor practice charges found to warrant further proceedings, and for the conduct of representation elections.

The Division of Advice has the function of rendering substantive legal advice to the General Counsel and to Regional Offices in cases presenting novel or complex issues, cases of national interest or cases which involve developing and changing areas of the law. The Division also processes requests for injunctive relief under Section 10(j) of the Act, litigates injunction cases in Federal appellate courts under Section 10(l) and 10(j), manages the General Counsel's Freedom of Information Act program and indexes and classifies Board and Court decisions under the Act.

The Division of Enforcement Litigation is responsible for the Agency's litigation in the United States Court of Appeals and the Supreme Court of the United States as well as for contempt and miscellaneous litigation in Federal and State Courts.

The Office of Appeals is a major component of the Division of Enforcement Litigation. This office reviews appeals from Regional Directors' refusals to issue complaint in unfair labor practice cases and recommends proposed action to be taken thereon by the General Counsel. It also processes appeals from the Regional Directors' denial of requests for documents under the Freedom of Information Act.

The Division of Administration is under the general supervision of the General Counsel and has been delegated responsibility for the development, direction and coordination of administrative staff support functions for both the Board and the General Counsel.

The Office of Equal Employment Opportunity is dedicated to providing timely professional assistance and advice to managers, supervisors, and employees with respect to understanding and promoting diversity in the workplace. Its mission includes providing assistance to all Agency employees to avoid or resolve discrimination and harassment complaints. In so doing, the OEEO serves as EEO counselor to Agency employees and manages the EEO complaint processing system for the Agency.

The Office of Employee Development reports directly to the General Counsel and is responsible for the training needs of Agency employees. It is the mission of the OED to develop an agency-wide approach to training, to assist managers in providing employees with needed development opportunities and to help managers and supervisors manage their own careers and obtain developmental opportunities.

## **I. General Information**

The information set forth below reflects the work of the various case handling Divisions during the Fiscal Year 2007 based on preliminary statistical reports. During the last quarter of the Fiscal Year, the Agency implemented three overarching casehandling goals. These goals compliment the interim goals under which the Office of the General Counsel has operated for over 45 years. I am pleased to report that the Agency came within less than one percentage point of reaching all three of its overarching goals, closing 78.83% of all representation cases within 100 days (target 79%), 66.14% of all unfair labor practice cases within 120 days (target 67%), and 73.4% of all meritorious unfair labor practice cases within 365 days (target 74%). As these new and challenging goals were in effect for only a quarter of the fiscal year, these results are quite positive.

## **II. Regional Offices**

### Case Intake

The NLRB's processes can be invoked only by the filing of an unfair labor practice charge or a representation petition by a member of the public. The Agency has no authority to initiate proceedings on its own.

Total case intake during FY 2007 was 25,471, compared to 26,723 cases in FY 2006, representing a 4.7% decrease in intake. Unfair labor practice case intake was 22,147, a 4.0% decrease from the FY 2006 intake of 23,080. Representation case intake was 3,324, an 8.8% decrease from the FY 2006 intake of 3,643. Petitions filed in unit deauthorization, unit amendment and unit clarification (UD, AC and UC) cases decreased by 1.8% from the previous year's intake with the filing of 278 petitions in FY 2007 compared to 283 filed in FY 2006.

### Regional Professional Staff

The average professional staff handling the workload in the Regional Offices decreased during FY 2007 to 855 employees as compared to 883 in FY2006. The Agency has engaged in limited hiring from FY 2002 through FY 2007 due to delays in the enactment of our final budgets and the decline in case intake. Despite this reduced hiring, the Field Offices were able to contain their inventory of pending cases, even achieving a slight decrease. There were 3,821 situations pending at the end of FY 2006. At the end of FY 2007, that number decreased to 3,792.

### Outreach Activities

Agency representatives participated in over 500 outreach events during FY 2007. A significant number of these events had several hundred people in attendance such as the Government on Display at the Mall of America In Minneapolis, the Cincinnati Latino Festival, and a Webcast to all ALCOA U.S. facilities. In addition, many Regional Offices have published newsletters to their local communities.

The Agency also received over 35 requests for speakers through the Speakers Bureau located on the Agency's Webpage, including requests from government officials from Dubai and Shenzhen, China visiting the United States. It is particularly gratifying to note that many of the requests were from individuals and organizations that would not have contacted the NLRB if not for the Website's Speakers Bureau.

The Agency has also completed filming an English/Spanish video about NLRB representation case processing for nationwide distribution to the public. The final product will be placed on DVDs and sent to the Regions for distribution and placed on the Agency's Webpage.

### Information Officer Inquiries

The Agency's Public Information Program continues to provide assistance to members of the public by assisting members of the public file charges and petitions with the Agency and by referring inquiries not covered by the NLRA to appropriate agencies or organizations, thereby preventing a large number of non-meritorious charges from being filed with the Agency.

The Agency's 51 Field Offices received 189,172 public inquiries in FY 2007, a 3.8% increase from the 182,161 received during FY 2006. The public can contact the Agency through a toll-free telephone service designed to provide easy and cost-free access to information to the public. Callers to the toll-free number may listen to messages recorded in English and Spanish that provide a general description of the Agency's mission and connections to other government agencies or to Information Officers located in the Agency's Regional Offices. In FY 2007, the toll-free telephone service received 68,556 calls, of which 24,547 were connected to Regional Offices for

further assistance. In FY 2006, the toll-free telephone service received 68,018 calls, of which 25,849 were for further assistance by the Regions.

The rate of charge acceptance (percent of inquiries from the public in which the contact results in an unfair labor practice charge being filed) was approximately 4.6% in FY 2007, which is slightly higher than the 3.8% rate experienced in FY 2006. Since the inception of the Public Information Program in 1978, the Agency has reduced its charge acceptance rate from 9.2% to a low of 3.8% rate.

### Electronic Filing

The Agency's web site, [www.nlr.gov](http://www.nlr.gov), was recognized this year by the National Security Archive as one of the five best in the Federal Government. To extend its public services efforts across the Internet, the Agency launched a new interactive web site last year with expanded document collections, improved navigational structure, a searchable database of case information (ECIS) and new features allowing users to transact business with the Agency online. The new web site received 5,313,173 visitors and 10,327,584 page views in FY 2007. 96% of the site's visitors were able to find an answer to their question without requiring additional assistance. The Agency's popular "Frequently Asked Questions" page provided 95,830 answers in response to 68,209 searches. In addition, Agency personnel provided 2,604 direct email responses to specific inquiries from the public.

The Agency steadily has been expanding its electronic filing program for the public since July 2002, when the General Counsel began to permit charging parties to E-file extension-of-time requests in cases before the Office of Appeals. In FY 2007, the General Counsel expanded access to the offices under his supervision through the Agency's website, determining that parties may use the web site to E-file most casehandling documents with Regional, Subregional, and Resident Offices. Among the expanded list of documents that can now be sent to our offices electronically are Briefs (ULP and R cases), Answers to Complaints or Compliance Specifications, Motions for Summary Judgment, Petitions to Revoke Subpoenas, Motions for Bills of Particulars, and Election Objections. In addition, the Office of Appeals now will accept the E-filing of appeals from a Regional Director's refusal to issue complaint and a Regional Director's compliance determination, including the actual appeal, supporting statements, supplemental statements, and responses to the appeal. During FY 2007, field offices received over 4,000 electronic submissions through the Agency's E-Filing process and the Office of Appeals received over 1,000 such submissions.

A significant new feature of the Agency's web site, "My NLRB," provides users with a web interface to various databases with case information and links to documents associated with selected cases. Users may register to be recognized by the system when they enter their user ID and password, which will make the E-filing process easier by automatically filling in certain information required on the online filing forms. The system also can save searches and other user preferences for registered users, who might want to follow the progress of certain cases.

## Unfair Labor Practice Cases

### Settlements

The Agency's effectiveness and efficiency in administering the Act is greatly enhanced by its ability to obtain voluntary resolution of unfair labor practice cases, which, after investigation, are deemed worthy of prosecution. (See merit factor, below). Over the years, the Agency has achieved an excellent settlement record due to the efforts of Agency staff and the cooperation of the Bar. In FY 2007, the Regions obtained 7,214 settlements of unfair labor practice cases, representing a rate of 97.0% of total merit cases, compared to 7,667 settlements in FY 2006 and a rate of 96.7 %. Over the last 10 years the settlement rate has ranged from between 91.5% and 99.5%.

### Complaints

In FY 2007 the Regional Offices issued 1,182 complaints as compared to 1,329 in FY 2006. The median time to issue complaints was 98 days in FY 2007, compared to the median of 94 days in FY 2006. The median number of days from issuance of complaint to opening of the unfair labor practice hearing was 88 days in FY 2007, the same as the median in FY 2006.

### Merit Factor

The percentage of unfair labor practice cases in which a Regional Director achieves a settlement, adjustment, or determines that formal proceedings are warranted is called the merit factor. In FY 2007 the merit factor was 36.6%, compared to 37.1% in FY 2006. Since 1980, the merit factor has fluctuated between 32% and 40%.

### Litigation Results

The Regional Offices won 85% of Board and Administrative Law Judge decisions in whole or in part in FY 2007, slightly under the 86.4% rate experienced in FY 2006. Over the last 10 years, the percentage of wins ranged between 78% and 88%.

### Remedies

The Regional Offices recovered \$110,388,806 on behalf of employees as backpay or reimbursement of fees, dues, and fines in FY 2007, compared to \$110,727,428 in FY 2006. In FY 2007, a total of 2,456 employees were offered reinstatement, compared to 2,927 in FY 2006.<sup>1</sup>

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<sup>1</sup> Remedies secured may vary from year-to-year because occasional cases involve extraordinarily large amounts of money or large numbers of employees.



## Section 10(l) Activity

The Regional Offices filed three petitions for 10(l) injunctions with the appropriate district courts in FY 2007, the same number filed in FY 2006. Two of the petitions were granted in full, and the third was dismissed upon motion by the General Counsel after the parties reached a settlement.

### Representation cases

#### Elections

The Regions conducted 2,080 initial representation elections in FY 2007, of which 91.2% were held pursuant to agreement of the parties, compared to 2,430 initial elections and an 88.1% election agreement rate for FY 2006. This is substantially above our target of 85%. In FY 2007, the median time to proceed to an election from the filing of a petition was 39 days, unchanged from FY 2006, and below our target median of 42 days. 93.9% of all initial representation elections were conducted within 56 days of the filing of the petition in FY 2007, compared to 94.1% in FY 2006, and above our target of 90%.

#### Regional Director Decisions

In FY 2007, Regional Directors issued 186 pre-election decisions in contested representation cases after hearing in a median of 36 days, well below our target median of 45 days. In FY 2006, Regional Directors had issued 214 pre-election decisions in a median time of 36 days.

## **III. Division of Enforcement Litigation**

### Appellate Court Branch

In FY 2007 the Appellate Court Branch received 119 cases. Private parties filed petitions to review the Board's order in 66 of the 119 cases, and the Regional Offices referred the remaining 53 cases for court enforcement. By filing briefs in 70 cases and closing 47 cases on compliance, default judgment, or dismissal of court proceedings the Branch disposed of 117 cases in 2007. In FY 2006, the total intake of enforcement and review cases was 121 cases and dispositions totaled 128. Oral arguments were presented in 55 cases in FY 2007, compared with 70 cases in FY 2006.

The median time for filing applications for enforcement was 25 days in FY 2007, compared with 26 days in FY 2006, and well within our goal of 30 days. The median time for both enforcement and review cases from receipt of cases to filings of briefs was 175 days in FY 2007, compared to 174 days in FY 2006.

In FY 2007, the United States Courts of Appeals decided 67 enforcement and review cases involving the Board, compared with 79 in FY 2006. Of these cases, 97.0% were enforced in whole or in part in FY 2007, and 86.6% were won in full, compared with success rates in whole or in part and in whole in FY 2006 of 79.7% and 75.9%, respectively. In FY 2007, 3.0% of enforcement and review cases were remanded entirely, compared with 11.4 % in FY 2006. Also in FY 2007, no cases were lost in full; in FY 2006, 8.9% of the cases were lost in full.

### Supreme Court Branch

In FY 2007, oppositions to private parties' petitions for certiorari were filed in two cases; in five cases, a waiver of response was filed. In FY 2006, four oppositions were filed, and a waiver of response was filed in a fifth case. In addition, during FY 2007, 15 memoranda respecting certiorari were submitted to the Board, as compared to 23 memoranda in FY 2006. In FY 2007, as in FY 2006, the Board did not file any petitions for certiorari or briefs on the merits.

In FY 2007, as in FY 2006, the Supreme Court decided no Board cases on the merits. The Court denied seven private party petitions for certiorari and granted none. In FY 2006, the Court denied four private party petitions for certiorari and granted none.

### Special Litigation Branch

In FY 2007, the Special Litigation Branch had an intake of 223 cases and closed 233 cases. This compares with an intake of 206 cases and the closing of 203 cases in FY 2006. In FY 2007, ethics cases addressing contacts with represented persons or other issues during Board proceedings comprised 155 of the 223 cases received and 156 of the 233 cases closed. In FY 2006 ethics cases comprised 150 of the total 206 cases received and 149 of the 203 cases closed.

In FY 2007, the Branch filed 35 briefs: 9 appellate court briefs, 13 district court briefs, 13 bankruptcy court briefs. The Branch also sent 104 memos to the Board and Regional offices, including 93 ethics memos. This compares to FY 2006 when the Branch filed 30 briefs, 11 to the appellate courts, 17 to the district courts, 1 to a bankruptcy court, and 1 federal agency brief. In FY 2006 the Branch also sent 105 memos to the Board and Regional offices, including 85 ethics memos.

In FY 2007, the Branch participated in 7 oral arguments (2 of which were by telephone) and received 13 decisions, as follows: 6 in appellate courts (4 wins / 2 losses), 5 in district courts (4 wins / 1 loss), and 2 in bankruptcy courts (1 win / 1 loss). This compares with FY 2006 when the Branch participated in 5 oral arguments (1 of which was by telephone) and received 15 decisions, as follows: 8 in appellate courts (7 wins / 1 loss), and 7 in district courts (all wins).

### Contempt Litigation and Compliance Branch

In FY 2007, 333 cases were referred to the Contempt Litigation and Compliance Branch for consideration for contempt or other appropriate action to achieve compliance with the Act, compared to 318 cases in FY 2006. Of the 132 contempt or other formal submissions, voluntary compliance was achieved in 27 cases during the fiscal year, without the necessity of filing a contempt petition or other initiating papers, and 18 other cases settled after the filing of a formal pleading in court, but before trial. In 39 other cases, it was determined that contempt or other proceedings were not warranted. In FY 2006, voluntary compliance was achieved in 24 of the 112 formal submissions without the necessity of filing a contempt petition or other initiating papers, and 34 cases were settled after the filing of formal pleadings in court, but before trial. In 49 other cases, it was determined that contempt or other proceedings were not warranted.

Fourteen civil contempt or equivalent adjudications were awarded in favor of the Board in FY 2007 (including four assessing fines and one issuing a writ of body attachment), compared to 13 in FY 2006. During FY 2007, the Contempt Litigation and Compliance Branch also obtained 29 other court orders in aid of compliance, compared to 24 in FY 2006. During FY 2007, the Branch collected \$34,250 in fines and \$17,945,292 in backpay or other compensatory damages, while recouping \$320,481 in court costs and attorneys' fees incurred in contempt litigation. In FY 2006, the Branch collected \$4,066,434 in backpay or other compensatory damages, while recouping \$148,088 in court costs and attorneys' fees incurred in contempt litigation. Collections may vary from year-to-year because occasional cases involve extraordinarily large amounts of money or large numbers of employees.

In FY 2007, the Branch also conducted 161 asset/entity database investigations, pursuant to requests from the Regions, as compared to 207 in FY 2006.

### Office of Appeals

In FY 2007, the Office of Appeals received 2,168 appeals from Regional Directors' refusals to issue complaints, a 2.5% decrease from the 2,224 appeals received in FY 2006. In FY 2007, the office disposed of 2,286 appeals, a 7.7% increase from the 2,123 cases decided in FY 2006. The rate of reversal of Regional Directors' dismissals was 1.4%, a slight increase over the 1.3% in FY 2006. Median time to process appeals in FY 2007 was 29 days, 14 days more than the time it took in FY 2006, when the median was 15 days. Median time to process 33 sustained appeals was 87 days in FY 2007, also 14 days more than the 73 days in FY 2006 necessary to process 27 sustained appeals. The goal for processing sustained appeals is 90 median days. In FY 2007, the Office of Appeals also received 25 appeals under the Freedom of Information Act, and closed 25, virtually unchanged from the 24 appeals received under the Freedom of Information Act in FY 2006 with 23 appeals closed.

#### **IV. Division of Advice**

##### Regional Advice Branch

During FY 2007, the Division of Advice processed its cases in a median of 21 days, the same rate of case processing as in FY 2006. Also, during FY 2007, the Division received 769 cases and closed 799 cases, compared to 787 cases received and 744 cases closed in FY 2006. The median age of cases pending at the end of FY 2007 was 26 days, as compared to 21 days in FY 2006.

##### Injunction Litigation Branch

In FY 2007, the Injunction Litigation Branch received 68 cases to consider for discretionary injunctive relief under Section 10(j) of the Act, as compared to 69 cases received in FY 2006. The General Counsel requested that the Board authorize Section 10(j) relief in 39 cases (57%) in FY 2007, as compared to 30 submissions (43%) in FY 2006. The Board authorized Section 10(j) proceedings in 25 cases and denied the General Counsel requests in only 3 cases. Eleven cases submitted by the General Counsel settled or were withdrawn prior to the Board acting on the request. Four cases settled after Board authorization. Regional Offices filed 10(j) petitions in 21 cases. The “success rate”, i.e., the percentage of authorized Section 10(j) cases in which the Agency achieved either a satisfactory settlement or substantial victory in litigation was 85% in FY 2007, compared to 94% in FY 2006.

In addition to requests for Section 10(j) authorization, the Injunction Litigation Branch handled 167 other cases during FY 2007, compared to 88 such cases in FY 2006. These cases involved litigation advice to Regions in their litigation of 10(j) and 10(l) cases, first contract bargaining cases submitted under Memoranda GC 06-05 and 07-08, appeals from district court decisions in 10(j) or 10(l) cases, and contempt of district court decrees. The Branch handled five appeals that were pending at the beginning of the fiscal year and two appeals that were filed during FY 2007, compared to six appeals that were pending at the beginning of FY 2006 and five appeals that were filed during FY 2006. Of these seven appeal cases in FY 2007, the Branch satisfactorily resolved six appeals before decision, and had one appeal pending at the end of FY 2007. This compares to 11 cases in FY 2006, in which the Branch lost two decisions and satisfactorily resolved five others before decision; four were pending at the end of FY 2006. The Branch also handled two requests for contempt proceedings in FY 2007, the same number as processed in FY 2006.

#### **V. The Office of Equal Employment Opportunity (OEEO)**

The Office of Equal Employment Opportunity (OEEO) handled six (6) complaints of alleged discrimination filed during FY 2007. At the beginning of the fiscal year, there were seven (7) cases pending investigation. At the end of FY 2007, there were four (4) cases pending investigation. The median number of days pending for cases under

investigation was 133 days in FY 2007, as compared to 84.75 days in FY 2006.<sup>2</sup> FY 2007, the OEEO issued final Agency decisions in 15 complaints, 12 of which were previously consolidated for hearing at the EEOC. OEEO achieved settlements in three (3) formal complaints. At the close of FY 2007, there were twelve (12) cases pending appeal at the Equal Employment Opportunity Commission (EEOC), five (5) cases pending hearing at the EEOC, and one (1) case pending in the United States District Court.

## **VI. Office of Employee Development (OED)**

The Agency's Office of Employee Development (OED) has initiated and developed numbers of programs to ensure ongoing development for the managers, supervisors, professionals, and support staff in our 51 field offices as well as our headquarters staff. Included among these programs is a comprehensive legal writing training program tailored to the work of the Agency and a cutting edge program to develop and publish over 28 instructional materials and guides to field office managers for training of professionals on labor law topics.

The Agency's Professional Development Modules include substantive materials for the core presentation on the particular training topic, an exercise or other practice activity with Instructor's notes, PowerPoint slides, plus checklists and resource materials for the participants' use. All modules are made available on the Agency Intranet. The substantive material is first developed by field and headquarters managers, reviewed by technical experts at headquarters, and then prepared for publication by OED staff. In FY 2006, the Regions made a total of 125 presentations using the modules. During FY 2007, that number increased to 128 presentations. The Agency also established a mentoring program for all new employees and for employees new to their positions.

The Agency has also established stakeholder "Sounding Boards" to consider innovative ways to meet training objectives, determine competencies critical for success, and provide guidance on the skills required for development of managers and support staff. The Agency continues to employ the NLRB Management Development Program, (MDP) a flexible program to ensure that the Agency has well-qualified candidates for future managerial vacancies. Based upon Sounding Board recommendations, all new supervisors have been assigned a mentor for a minimum of one year.

The Agency has initiated a similar approach for support staff employee development, working with a Support Staff Advisory Committee comprised of support staff employees, union representatives, and managers. The Agency has provided vendor training in Conflict Management, Time Management, Interpersonal Skills and Oral Communications to both Headquarters and Field support staff employees. During FY 2007, OED began developing a series of training sessions on grammar taught by an outside consultant. Live sessions of the consultant teaching grammar to headquarters support staff have been videotaped and will be distributed for use in the field.

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<sup>2</sup> OEEO's Summary of Operations Report for FY 2006 inadvertently reported 122 median days under investigation.

To provide timely training to all staff on information technology topics, substantive compliance issues and administrative topics, the Agency initiated a program of video conference training conducted by subject matter experts each Tuesday. Most training sessions are videotaped, edited and posted on the Intranet. During FY 2007, the Agency conducted 47 "Training Tuesday" seminars on topics of general interest, for targeted Agency staff. These seminars complement videos that have been posted on the Intranet.