



STRATEGIC PLAN

FY 2022 - FY 2026

GOVERNMENT PERFORMANCE AND RESULTS ACT
(GPR)MODERNIZATION ACT OF 2010

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I. MESSAGE FROM THE CHAIRMAN AND GENERAL COUNSEL

On behalf of the National Labor Relations Board (NLRB or Agency), we are pleased to present the NLRB’s Strategic Plan for Fiscal Years (FY) 2022 – 2026. This strategic plan includes the NLRB’s strategic goals, objectives, initiatives, strategies, and associated performance measures for managing operations and assessing the NLRB’s achievements.

The NLRB is an independent federal agency established in 1935 to promote workplace democracy and, in the words of President Franklin Delano Roosevelt, “to foster the development of the employee contract on a sound and equitable basis.” For more than 86 years, the NLRB has been at the forefront of the effort to promote and protect the rights and obligations of employees, unions, and employers under the National Labor Relations Act (NLRA or the Act). This Strategic Plan will permit the NLRB to continue to adopt best practices for long-range planning.

This Strategic Plan contains five goals designed to guide and objectively measure our success in achieving the Agency’s mission. These goals focus the Agency on timely and effectively enforcing the NLRA for employees, unions, and employers; building, supporting, and retaining a talented and diverse workforce; effectively managing its budgetary and other resources; and ensuring public awareness of and equitable access to the Agency’s services. Each goal, moreover, is supported by specific objectives, initiatives, and strategies that provide a clear roadmap to achieving success. Last, each goal incorporates objective measures that will enable the Agency and the public to assess our success.

These goals are tied to specific, objective measures, all of which have annual percentage targets, specific projects, or deliverables that can be accounted for with a “yes” or a “no”. The measures, in turn, are supported by management strategies that are specifically designed to ensure that we meet those measures. Together, the measures and their underlying strategies will ensure that we achieve our goals.

Dated February 23, 2022

Lauren McFerran
Chairman

Jennifer A. Abruzzo
General Counsel

II. NATIONAL LABOR RELATIONS BOARD AT A GLANCE

FISCAL YEAR 2021 INFORMATION	
Established:	1935
Number of Employees:	1,210
Overall Case Intake:	
Unfair Labor Practice Cases:	15,081
Representation Cases:	1,638
Public Inquiries:	32,106
Toll Free Phone Inquiries:	23,833
NLRB MISSION	
<p>Vigorously advance the policies of the NLRA to promote collective bargaining by ensuring that workers can freely express their wishes regarding union representation and protecting workers’ fundamental right to act together for their mutual aid or protection.</p>	
NLRB VISION	
<p>Achieving our mission by broadening public awareness and understanding of the NLRA, effectively allocating resources, and ensuring productivity, diversity, equity, inclusivity, and accessibility among the Agency’s highly talented current and future workforce.</p>	
STRATEGIC GOALS	
<ol style="list-style-type: none"> 1. Ensure effective enforcement of the National Labor Relations Act through timely and quality consideration and resolution of unfair labor practices with appropriate remedies. 2. Protect employee free choice with timely and effective mechanisms to resolve questions concerning representation. 3. Achieve organizational excellence and serve as a model employer. 4. Manage Agency resources efficiently and in a manner that instills public trust. 5. Improve public awareness of the Agency’s mission and its activities. 	

III. ORGANIZATIONAL DISCUSSION/OVERVIEW

The NLRB is an independent federal agency created in 1935 to administer and enforce the NLRA, the primary federal statute governing labor-management relations in the private sector. The NLRA protects the right of employees to choose for themselves, without interference by employers or unions, whether to form, join, assist, or collectively bargain through a labor organization, and to otherwise join together for their mutual aid or protection, or to refrain from all such activity. The NLRB enforces these statutory rights to remedy the known inequality of bargaining power between employees and their employers, to promote the full freedom of association of workers, and to strengthen the Nation’s economy by promoting the peaceful resolution of disputes that might otherwise cause disruptions to commerce.

The NLRB has two primary functions:

- To investigate and resolve (through settlement, prosecution, or dismissal) allegations of statutorily defined unfair labor practices by employers and unions; and
- To investigate and resolve questions concerning representation among employees to determine whether the employees wish to be represented by a union.

The Board also may engage in rulemaking as appropriate to implement the policies and provisions of the Act.

Top Agency leadership consists of the five Board Members and the General Counsel, each of whom is appointed by the President with the advice and consent of the Senate. The President designates one of the five Board Members as Chairman. Day-to-day management of the Agency is divided between the Chairman, the full Board, and the General Counsel. Board members serve staggered five-year terms and the General Counsel serves a term of four years from commission. The NLRA assigns separate and independent responsibilities to the Board and the General Counsel. The five-member Board primarily acts as a quasi-judicial body in deciding cases on the basis of formal records in administrative proceedings. The General Counsel’s role is administrative and prosecutorial.

Neither the Board nor the General Counsel may initiate cases or investigations. All NLRB proceedings originate with the filing of charges or petitions by employees, labor unions, employers, or other private parties. Unlike some other federal agencies, Board remedial orders are not self-enforcing. There is no time limit requiring parties to petition for court review. If the parties do not voluntarily comply with Board orders remedying unfair labor practices, the Board must request that the appellate courts enforce its orders.

The Board and the General Counsel maintain a Headquarters in Washington, D.C., and the Agency also maintains a network of Field offices and three satellite offices of administrative law judges. Approximately 70 percent of the Agency’s staff is employed in the Field offices, where all unfair labor practice charges and representation petitions are initially processed. Currently, the Field offices include 26 Regional Offices, nine (9) Sub-Regional Offices, and 13 Resident Offices.

IV. MEASURING OUR PERFORMANCE

Performance measures are not a new concept for the Agency. Our system of organization and measurement has been highly regarded for decades and has served as a model used by other federal agencies. We have long used performance measures to pursue a dual approach to excellence in customer service, striving to deliver results that are both timely and of high quality. Our consistent emphasis on timeliness recognizes that the rights afforded employees under the NLRA are most meaningful when they can be quickly invoked and enforced to stop and remedy unfair labor practices or to effectuate employees' choice regarding union representation. Accordingly, we have set objectively measurable time targets for both unfair labor practice and representation cases to ensure a high level of responsiveness to the public as well as efficiency within our organization.

We have also aimed to maintain the highest standards of fairness, quality, and effectiveness, in order to promote public trust in the operation of our organizational units. We have a multi-level review system to continually evaluate the quality of casehandling work. For example, the Division of Operations-Management reviews the quality of cases processed by Field offices by critically and constructively assessing the casehandling work of the Field offices and providing timely feedback to effectuate necessary changes to ensure the highest quality standards are met. Similarly, the Board is regularly apprised of the outcomes of cases that have been appealed to the federal appellate courts, where the Board has historically achieved a high rate of judicial enforcement of its orders. This task of combining timeliness with quality is one of the Agency's highest priorities, as reflected in our general goals.

V. PROGRAM EVALUATION

The NLRB uses various techniques and mechanisms to evaluate whether programs are achieving their Government Performance and Results Act (GPRA) goals and other performance targets. The Agency monitors the status of all its cases to track its performance against yearly targets that support the Agency's overarching measures and strategic goals. As to the Board, at the beginning of each fiscal year, it evaluates its entire docket of pending cases to identify those unfair labor practice cases and representation cases that, if not issued before the end of the year, will have been pending before the Board for more than 18 months and 12 months, respectively. The Board then creates a list of these cases, prioritizes them for issuance, and ensures that all Board staff personnel are aware of these priority cases. In addition, a committee comprising senior management officials, including the Executive Secretary and the Board Members' respective Deputy Chief Counsels, communicates weekly to review the status of cases, to prioritize additional cases, and to develop lists of cases that the Board Members will jointly focus on each week in order to facilitate the issuance of decisions in those cases. These representatives also regularly report back to the Board Members on performance data and staff workload, among other issues. The Board also has an electronic casehandling management system that captures all case events in a database from which case production reports are generated. The Executive Secretary uses this database to create weekly spreadsheet reports to apprise the Board Members and their staffs of the status of all priority cases. The Board Members also regularly meet and communicate with each other to discuss cases.

It is difficult for an Agency such as the NLRB to measure "outcomes" in the sense intended by the authors of the GPRA. In the representation case area, the Agency does not control or seek to influence the results of elections but strives instead to ensure the right of employees to freely decide whether they wish to be represented by a labor organization. In the unfair labor practice area, the aim of the Agency is to timely

address and resolve charge allegations to vindicate the rights of employees, serve the broader public interest in effective enforcement of the Act, and minimize the potential for industrial strife and unrest to burden the free flow of commerce. An indicator of success in the achievement of these aims is timeliness and quality of case processing, from the filing of a representation case petition or unfair labor practice charge to the closing of the case.

The Office of the General Counsel established several committees in fiscal year 2021 to evaluate case processing. Some of those committees have submitted reports to the General Counsel for review and adjustments have already been made based on the renewed emphasis on quality. It is expected that those Committees that have not yet submitted their reports for the General Counsel's consideration may recommend adjustments to casehandling in light of the Agency's renewed ability to hire staff in the Field offices.

Further, the General Counsel has an evaluation program to assess the performance of its Field operations. The Quality Review Program of the Division of Operations-Management reviews unfair labor practice, representation, and compliance case files annually to ensure that they are processed in accordance with substantive and procedural requirements and that the General Counsel's policies are implemented and effectuated appropriately. Those reviews have assessed, among other things, the quality and completeness of the investigative file, the implementation of the General Counsel's priorities, and compliance with Agency decisions. Additionally, administrative law judge and Board decisions that constitute significant losses are reviewed to ensure quality casehandling, and the litigation success rate before the Board and before district courts with regard to injunction litigation is monitored. Further, when safe to do so, Field office site visits will be reinstated to evaluate local casehandling and administrative procedure.

In addition to the Division of Operations-Management's regular review of case decisions to determine the quality of litigation, other divisions, branches, and offices, such as the Office of Appeals, Division of Advice, Contempt, Compliance and Special Litigation Branch, and the Office of Representation Appeals, provide valuable insight and constructive feedback on the performance and contributions of Field offices.

In addition, the Agency actively engages with the public to seek feedback on our operations. As one example, senior Agency management meets regularly with the practice and procedure committee of the American Bar Association and with entities and practitioners representing various employers and labor organizations or other third-party interests, to obtain feedback on experiences when practicing before the NLRB. Similarly, the Agency recently published an Advance Notice of Proposed Rulemaking in the Federal Register seeking feedback on the Agency's expanded use of videoconference technology during the COVID-19 pandemic to conduct hearings, and whether, and to what extent, virtual hearings should remain an option even after the pandemic ends.

VI. STRATEGIC FIVE-YEAR GOALS

GOAL 1 (MISSION): ENSURE EFFECTIVE ENFORCEMENT OF THE NATIONAL LABOR RELATIONS ACT THROUGH TIMELY AND QUALITY CONSIDERATION AND RESOLUTION OF UNFAIR LABOR PRACTICES WITH APPROPRIATE REMEDIES

Objective 1: Achieve timely consideration and appropriate resolution of unfair labor practice charges at every stage of processing.

Measure 1: The Field office operations reach determinations on all unfair labor practice charges within 90 percent of the Agency’s timeliness goal.

Measure 2: Issue 90 percent of pending unfair labor practice cases that, by the end of the fiscal year, will have been pending before the Board for more than 18 months.

Measure 3: Ensure that the median age of all cases pending before the Board at the end of each fiscal year is 180 days or less.

Management Strategies:

- Maintain and enhance existing interregional assistance programs to ensure that unfair labor practice cases in offices with backlogs are transferred to offices with available staff.
- Using the Board’s electronic case management system, continually monitor the status of unfair labor practice cases pending before the Board to ensure that priority cases are on track to issue by the end of the fiscal year.

Objective 2: Demonstrate high quality performance in the prosecution and adjudication of meritorious unfair labor practice charges.

Measure 1: Conduct annual quality reviews of all Field offices’ unfair labor practice case files with overall ratings.

Management Strategies:

- Provide regular and timely feedback to the Regions of the quality of their unfair labor practice investigation and prosecution.
- Maintain and enhance alternative decision-making procedures to expedite Board and ALJ decisions in unfair labor practice cases; on the Board side, for example, maximize opportunities to circulate cases with pre-prepared draft opinions in order to fast-track the issuance of final decisions.
- Proactively pursue voluntary settlement of unfair labor practice cases, including through the Board’s Alternative Dispute Resolution program that is available to parties following the issuance of a decision by an administrative law judge.
- Utilize intra-agency working groups and committees to continually evaluate quality of investigations, litigation, and compliance.
- Evaluate all losses of adjudicated unfair labor practices deemed significant to institute modifications to the Agency’s litigation program, as appropriate.

Objective 3: Promptly pursue remedies for statutory violations.

Measure 1: Ensure that at least 85 percent of Board Orders are closed or advanced to the nextstage in fewer than 300 days.

Measure 2: Ensure that at least 85 percent of Federal Circuit Court Orders are closed or advancedto the next stage in fewer than 300 days.

Management Strategy:

- Share best practices in unfair labor practice processing to assist Field offices in resolving unfair labor practice case issues promptly and fairly.

Definitions:

Advanced to the Next Stage – The following actions consists of advancements: a) the filing of a petition for court enforcement or review, b) referral to contempt, or c) issuance of a Compliance Specification.

Modifications to Case Processing – Through training and performance management, modify practices or approaches that are not consistent with the Agency’s quality standards – such modifications will also include identifying new best practices that improve the quality of the Agency’s case processing, and disseminating these, through updates to case processing guidance and related training.

Significant Losses of Adjudicated Unfair Labor Practices – Significant losses of adjudicated unfair labor practices are Administrative Law Judge or Board decisions resulting in either dismissal of the entire complaint, or dismissal of allegations that substantially affect the make-whole remedy, such as reinstatement or other terms and conditions of employment.

GOAL 2 (MISSION): PROTECT EMPLOYEE FREE CHOICE WITH TIMELY AND EFFECTIVE MECHANISMS TO RESOLVE QUESTIONS CONCERNING REPRESENTATION

Objective 1: Achieve timely resolution of all questions concerningrepresentation of employees.

Measure 1: Reach 85 percent pre-election agreement rate in representation elections not involving issues regarding the way the elections are conducted.

Measure 2: Issue 90 percent of pending representation cases that, by the end of the fiscal year,will have been pending before the Board for more than 12 months.

Measure 3: Ensure that the median age of all cases pending before the Board at the end of each fiscal year is 180 days or less.

Management Strategies:

- Using the Board’s electronic case management system, continually monitor the status of representation cases pending before the Board to ensure that priority cases are on track to issue by the end of the fiscal year.
- Maintain and enhance streamlined alternative decision-making procedures, such as circulating cases to the Board with draft opinions, rather than following the process of soliciting votes on case issues prior to a draft decision being prepared to expedite Board decisions in representation cases.
- Maintain and enhance existing interregional assistance programs to ensure that representation cases in offices with backlogs are transferred to offices with available staff.
- Identify and utilize procedures to ensure careful and timely processing of Requests for Review, Special Appeals, and Hearing Officer Reports.
- Stay abreast of other federal and state agencies’ approaches to representation case processing and share bestpractices in representation case processing internally to assist Field offices in resolving representation case issues promptly and fairly.

Objective 2: Increase employees’ opportunities to freely participate in election proceedings by making appropriate and effective use of technology.

Measure 1: Promote awareness of the option to file election petitions electronically, in English or Spanish, through the Agency’s website.

Management Strategies:

- Enhance the effectiveness of existing technologies, and investigate the potential benefits offered by new technologies, to maximize employees’ opportunities to participate in election proceedings.
- Increase greater access to the Agency’s electronic filing system for non-English filers.

GOAL 3 (SUPPORT): ACHIEVE ORGANIZATION EXCELLENCE AND SERVE AS A MODEL EMPLOYER

Objective 1: Improve employee morale and labor relations

Measure 1: Maintain target employee engagement index score of 67 percent on the Federal Employee Viewpoint Survey (FEVS), and in subsequent years establish new initiatives with the goal of increasing employee engagement.

Management Strategies:

- Examine the feasibility of creating employee resource groups (ERGs) to promote better employee engagement by following appropriate OPM and EEOC guidance and utilizing best practices of similar agencies.
- Ensure that managers engage with the Agency’s employees and their representatives to help implement and effectuate Agency policies and collective bargaining agreements that balance performance, productivity, and workplace flexibilities.

Objective 2: Increase opportunities for career enhancement through employee development

- Ensure that managers engage with the Agency’s employees and their representatives to help implement and effectuate Agency policies and collective bargaining agreements that balance performance, productivity, and workplace flexibilities.

Objective 3: Increase opportunities for career enhancement through employee development

Measure 1: Satisfaction percentage rating (65 percent or above) of the “Talent Management Index” using the annual FEVS results.

Management Strategies:

- Explore the use of employee affinity groups at headquarters and in Field offices for recruitment, retention, and developmental activities.
- Maintain a current strategic plan that includes human capital goals, objectives, and strategies and a workforce plan that is consistent with the Human Capital Framework (HCF) of the Office of Personnel Management (OPM).
- Enhance employee development and learning opportunities through Skillport, West Legal Ed, and other on-line and blended media.
- Identify core competencies for managers and actions necessary to close skill gaps.
- Promote individual development plans (IDPs) for employees by proactively encouraging participation.

Objective 4: Recruit and retain a talented and diverse workforce

Measure 1: Satisfaction percentage rating (65 percent or above) for the “Job Satisfaction Index” using the annual FEVS results.

Management Strategies:

- Clearly and consistently communicate to employees how their work supports the Agency’s ability to achieve its mission.
- Regularly seek opportunities to give employees appropriately challenging work assignments to develop their skills, grow their engagement, and enhance their opportunities for advancement.
- Create and grow participation in formal and informal mentorship programs for new hires and new supervisors, specifically to include those who identify as a member of an underrepresented group, to maximize their prospects for long-term success in the Agency.

Measure 2: Satisfaction percentage rating (65 percent or above) for the “Support for Diversity Index” using the annual FEVS results.

Management Strategies:

- Involve all Agency employees as participants and responsible agents of diversity, mutual respect, and inclusion.
- Reassess Agency mentoring programs to ensure they are used as tools to maintain a diverse workforce and consistently provide opportunities to participate in such programs in all organizational units.
- Encourage participation in special emphasis observances.
- Fully and timely comply with all relevant federal laws, regulations, applicable executive orders, management directives and policies related to promoting diversity, equity, inclusion, and accessibility in the workplace.
- Demonstrate leadership accountability, commitment, and involvement regarding diversity, equity, inclusion, and accessibility.
- Provide on-going diversity, equity, inclusion, and accessibility training for senior leadership.
- Evaluate all levels of management on their proactivity in maintaining an inclusive work environment.
- Continue to attract qualified and diverse applicants from different demographics, including veterans and persons with disabilities, by following the Office of Personnel Management (OPM) and Equal Employment Opportunity Commission (EEOC) guidance and utilizing best practices of similar agencies.

GOAL 4 (SUPPORT): MANAGE AGENCY RESOURCES EFFICIENTLY AND IN A MANNER THAT INSTILLS PUBLIC TRUST

Objective 1: Make effective use of Agency’s resources by proactively planning how best to deploy those resources, and continually monitor and reevaluate the execution of such plans to ensure we have strong processes and internal controls in place to identify and prevent any misuse or inefficiencies in the allocation of Agency resources.

Measure 1: Achieving a clean audit opinion by ensuring that OCFO’s operations are guided by appropriate processes and internal controls.

Management Strategies:

- Effective management of fiscal resources by administering the NLRB’s budget through the development and implementation of an annual Operating Plan that aligns the budget resources to the Agency’s priorities and the Strategic Plan.
- Meeting contracting goals through strengthened acquisition planning and creating innovative business strategies that achieve cost-effective contracting solutions.

Measure 2: Continue to support telework by employees and contractors, as well as virtual access to Agency processes by members of the public, to create opportunities to reduce costs associated with maintaining the Agency’s footprint in its Headquarters and Field offices, in accordance with General Service Administration (GSA) directives.

Management Strategies:

- Increase information sharing within the Agency through mechanisms that are easy for employees to contribute to and access.
- Employ ongoing, transparent project oversight from the Administrative Systems Integrated Project Team comprised of users/customers and developers.
- Modernize the Agency’s systems using technological advances, automation tools, and artificial and business intelligence protocols to continuously improve the productivity of the Agency while maintaining aspects of the current systems based on organizational priorities.
- Achieve more effective and efficient program operations in the NLRB administrative functions by automating and improving processes and information sharing within the Agency.

Objective 2: Conduct all internal and external Agency business in an ethical and timely manner.

Measure 1: Make progress towards an employee satisfaction percentage rating (65 percent or above) for the Agency’s ethical culture using the annual FEVS results.

Measure 2: Continue to respond to Freedom of Information Act (FOIA) inquiries in a timely manner.

Management Strategies:

- Fully and timely comply with all relevant federal laws, regulations, applicable executive orders, management directives and policies related to ethics in the workplace.
- Use technology to maintain an ethics education program that reaches all NLRB employees at all levels.
- Ensure substantial compliance with employee ethics training and financial disclosure requirements.

Objective 3: Develop a culture of Enterprise Risk Management (ERM) and Internal Controls to support the Agency’s decision-making process.

Measure 1: Reach an ERM maturity level-3 by FY 2026.

Management Strategies:

- Establish and develop an ERM program to include policies and procedures that will strengthen leadership decision making.
- Integrate Internal Control activities into Agency operations.

Definition:

Substantial Compliance – Compliance with the substantial or essential regulatory requirements that satisfies their purpose or objective even though there may be individual deficiencies beyond the organization’s control.

GOAL 5 (MISSION): IMPROVE PUBLIC AWARENESS OF AGENCY MISSION AND ACTIVITIES

Objective 1: Improve agency outreach and public engagement, especially among members of underserved communities.

Measure 1 : Increase the number of users who access the NLRB’s English and non-English language digital resources, including our public website and social media platforms.

Measure 2: Increase the number of participants, including foreign language speakers, in the NLRB’s outreach to students.

Management Strategies:

- Expand Agency outreach programs to better reach underserved communities.
 - Begin gathering and analyzing meaningful demographic data about individuals and organizations—on a voluntary and anonymous basis—that use or are considering using Agency services.
 - Expand digital resources for non-English speakers
 - Augment the Agency’s outreach effort by creating a dedicated Outreach Committee chaired by a senior official from the Division of Operations-Management with partners from Field offices, the Office of Congressional and Public Affairs, and other Headquarters Mission Support Divisions, with responsibility to develop and implement national and field outreach initiatives that expand access to underserved and underrepresented communities.
 - Continue the NLRB Equity Assessment Team’s exploration of additional ways to achieve the key goal of Executive Order 13985 to advance equity for all in understanding and accessing the Agency’s services.
 - Employ increased non-traditional outreach to the following underserved populations:
 - Historically Marginalized Populations
 - Immigrant Populations
 - Youth Population
 - Improve accessibility and functionality of Agency website and social media. Institute an automated satisfaction survey for website users and evaluate responses for further action.
 - Engage with organizations to better educate workers and employers, through activities, such as:
 - Letters of Agreement (LOA) with embassies
 - Joint outreach with sister agencies
 - Memorandums of Understanding (MOU) with other agencies related to coextensive investigations
 - Focus on Protected Concerted Activity, Collective Bargaining, and Union Activity:
 - Expand public usage of the NLRB’s social media network, including the NLRB’s Smartphone app and other technology
 - Provide additional information on the NLRB’s public website
 - Continually evaluate opportunities for the Agency to make greater use of existing and new social media platforms
 - Develop more internal informational materials housed in a centralized location for use by board agents at recruitment and outreach events
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VII. EXTERNAL FACTORS AFFECTING ACHIEVEMENT OF STRATEGIC PLAN

Various factors can affect achievement of each Strategic Goal and our ability to implement the supporting objectives and management strategies. These factors include budget, case intake, settlements, vacancies in the Office of the General Counsel or on the Board, the potential effect of statutory changes, and circumstances affecting government as a whole, such as the current pandemic.

BUDGET

Our goals and measures assume appropriate funding of the Agency’s budget, as submitted by the President to Congress. As a labor-intensive agency, over 90 percent of our budget is dedicated to fixed costs, including about 80 percent for salaries and benefits. If less than appropriate funding is authorized, the Agency’s ability to produce the results and benefits set forth in this plan may be impacted.

CASE INTAKE

Although the Agency projects caseload based on certain known factors and recent history, it cannot control the number of cases filed. As explained above, the Agency does not initiate unfair labor practice or representation cases, but instead responds to charges and petitions filed by employees, unions, employers, and other members of the public. As a result, public perceptions about unionization and the role of the Agency, employment trends, stakeholder strategies, globalization of the economy, industrial economic trends, corporate reorganizations, and the level of labor-management cooperation efforts can all have an impact on case intake and the complexity of the work. Difficult issues can arise when companies relocate or close, dissipate or hide assets, file for bankruptcy, reorganize or operate through a different corporate entity. An unexpectedly large increase in intake or in the complexity of issues would likely result in significant delays in processing cases. Based on historical data and taking into account the extraordinary economic conditions caused by the COVID pandemic and climate-related issues affecting safety and health, it is projected that overall case intake over the next five years will increase from FY 2021 case intake figures. Given current Agency initiatives, we anticipate that case intake will increase for both ULP and representation cases. The Agency notes that current FY 2022 intake for ULP and representation cases shows an increase in intake compared to the same time period in FY 2021.

SETTLEMENTS

While the Agency has experienced outstanding success in achieving voluntary resolutions of unfair labor practice and representation cases pending before the Agency, as well as cases being litigated in the courts, it cannot control the desires of the other parties. Parties may conclude that litigation serves their strategic interests. The Agency's due process procedures provide for administrative hearings, briefs, and appeals. Disputes cannot always be resolved informally or in an expeditious manner. It is estimated that a one percent drop in the settlement rate will cost the Agency more than \$2 million as the process becomes formal and litigation takes over.

GENERAL COUNSEL and BOARD MEMBER VACANCIES

The timely nomination of Presidential appointees and their confirmation by the Senate is another factor outside the control of the Agency. A failure to timely appoint and confirm a General Counsel and Board Members can lead to vacancies that adversely affect the timeliness of case processing. The Agency has experienced vacancies in these critical positions lasting many months, which significantly impairs the Board's ability to issue decisions and the General Counsel's ability to prosecute matters. The adverse impact of operating with less than a full Board has been fully described in past Congressional hearings conducted by the Government Reform and Oversight Committee. Having a full complement of Board Members and a Senate-confirmed General Counsel increases the Agency's ability to achieve its goals, objectives, and measures.

LEGISLATIVE CHANGES

Any regulatory or statutory changes either in the Act or in the management of the federal government could affect the Agency's ability to meet the goals of this plan.

OTHER EXTERNAL FACTORS

The NLRB has achieved great success in maintaining its operations over the course of the COVID-19 pandemic and climate-related emergencies. Nevertheless, it must be recognized that future events could impact the Agency's ability to achieve its strategic goals. The Agency is actively evaluating its experiences to prepare as much as possible, but future events are fraught with uncertainty.

VIII. OFFICE OF INSPECTOR GENERAL STRATEGIC PLAN



United States Government
National Labor Relations Board
Office of Inspector General

Strategic Plan
Fiscal Years 2021 to 2026

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A MESSAGE FROM THE INSPECTOR GENERAL

I am pleased to present the National Labor Relations Board (NLRB) Office of Inspector General (OIG) Strategic Plan for Fiscal Years 2021 to 2026. The Plan provides an overview of the OIG's strategic goals and objectives.

Our Strategic Plan is the culmination of a process requiring reflection and dialogue, during which OIG staff views and input were solicited and considered when finalizing our strategic goals, objectives, and priorities. Our approach is to strive for excellence in process and results. Through our goal-oriented approach, we produce relevant, timely, and impactful results; maintain a high morale among our staff by seeking employee engagement and engaging in transparent decision making. We also leverage technology to share information and foster collaboration.

These strategic goals will guide the OIG staff as they provide independent oversight of the NLRB's programs and operations.



David Berry
Inspector General

STRATEGIC ENVIRONMENT

OFFICE OF INSPECTOR GENERAL STRUCTURE

The OIG is composed of the Audits Section, the Investigations Section, and the Legal Counsel Section. The Audits Section conducts, coordinates, and supervises independent audits of the Agency's programs and operations. The Investigations Section investigates allegations of criminal, civil, and administrative violations relating to NLRB programs and operations by NLRB employees as well as external parties. The Legal Counsel Section serves as the general counsel to the Inspector General and the OIG staff in all matters relating to the OIG's operations and activities.

The OIG continues to develop a culture of leadership, which will ensure consistency and continuity in the OIG's business practices and operations. Our strategic planning process provides OIG employees with opportunities to contribute to the development of the OIG's strategic goals, objectives, and priorities.

MISSION, VISION, AND VALUES

Mission

The mission of the OIG is to promote the integrity, efficiency, and effectiveness of the critical programs and operations of the NLRB and to detect and prevent fraud and abuse in such programs. We accomplish this mission by the following:

- Conducting independent and objective audits and other reviews of NLRB programs and operations;
- Conducting independent and objective investigations of potential criminal, civil, and administrative violations that undermine the ability of the NLRB to accomplish its statutory mission;
- Preventing and detecting fraud and abuse in NLRB programs and operations;
- Identifying vulnerabilities in NLRB systems and operations and making recommendations to improve them;
- Communicating timely and useful information that facilitates management decision making and the achievement of measurable gains; and
- Keeping the Congress, Chairman, and Board fully and currently informed of significant issues and developments.

Vision

The OIG is an independent, professional organization that contributes to the success of the NLRB and acts as a catalyst for positive change in the NLRB's programs and operations. We realize this vision by being engaged, insightful, proactive, and versatile.

Values

The OIG recognizes several values that apply to its work. These values are also fundamental to the OIG accomplishing its mission and conducting its daily operations.

INTEGRITY: Consistent with the Inspector General Act, as amended, the OIG is independent and objective in its activities. We hold ourselves and each other to the highest ethical standards.

EXCELLENCE: The OIG is committed to the highest standards of excellence in pursuing its mission.

ACCOUNTABILITY: The OIG embraces the responsibility with which it is charged. We hold ourselves accountable to the public and take responsibility for achieving the OIG's mission.

EFFECTIVENESS: The OIG strives to work creatively, proactively, and effectively in performing its oversight work and continually looks for ways to make its business processes more efficient and effective.

TEAMWORK: The OIG recognizes that its success lies in working together; fostering an inclusive and mutually supportive environment; and providing each team member opportunities to contribute, develop, grow, and learn.

FAIRNESS: The OIG treats its employees and all its stakeholders with dignity, fairness, professionalism, and respect. We follow applicable professional standards and ensure that we make decisions in a fair and ethical manner.

OIG Leadership Values

OIG management has identified the following leadership values that guide OIG leadership in its daily endeavor to strive for continued excellence with our results, people, and processes.

INTEGRITY: We do the right thing for the right reasons. Our actions are guided by consistent principles of honesty, accountability, fairness, courage, trust, and humility.

COMPETENCE: We hire leaders who are skilled in their fields of expertise and know how to lead others to accomplish accurate, reliable, value-added results. Our leaders develop and mentor our staff, set the right goals and objectives, and adapt to changing conditions to achieve optimal effectiveness, efficiency, and organizational success.

COLLABORATION: We work together in a manner that facilitates harmonious communication internally and externally. Our leaders encourage the exchange of information, feedback, and other points of view to achieve the OIG's mission.

OUR APPROACH: THE OIG STRIVES FOR CONTINUED EXCELLENCE WITH OUR RESULTS, PEOPLE, AND PROCESSES.

STRATEGIC GOAL 1: Deliver results that promote integrity, efficiency, and effectiveness in the NLRB's programs and operations.

OBJECTIVE 1.1: Produce relevant, timely, and impactful results.

Priorities:

- Issue accurate, clear, concise, and convincing products;
- Continuously monitor and assess NLRB programs and operations to identify emerging and high-risk areas, and target resources accordingly;
- Complete audits in a timely manner as established in the Annual Audit Plan and the individual audit plans;
- Issue the Annual Audit Plan in the first month of the Fiscal Year; and
- In administrative misconduct matters, within 90 days complete investigative field work and issue the report.

OBJECTIVE 1.2: Continually enhance the quality of our products in accordance with applicable professional standards.

Priorities:

- Identify opportunities to enhance quality controls and streamline reporting processes;
- Issues reports that contain no typographical errors; and
- Ensure the integrity of OIG operations through timely and effective quality assurance programs.

STRATEGIC GOAL 2: Advance an inclusive and dynamic OIG culture that inspires high performance.

OBJECTIVE 2.1: Maintain high staff morale through employee engagement and transparent decision making.

Priorities:

- Leverage individual and team contributions to achieve high-level organizational performance;
- Employ, retain, and engage a highly qualified, motivated, and diverse workforce;
- Ensure that all OIG employees meet or exceed the OIG training requirements;
- Promote initiatives that improve employee satisfaction and foster a positive work environment; and
- Foster a transparent environment that includes updating staff on decisions/directions affecting the OIG.

OBJECTIVE 2.2: Increase collaboration and staff knowledge to promote information sharing, continuous learning, and teamwork in support of the OIG's mission.

Priorities:

- Create more collaborative communication opportunities to enhance the OIG staff's understanding of critical issues and decisions;
- Encourage collaboration and information sharing throughout the OIG; and
- Provide opportunities for the OIG staff to develop professional and leadership skills.

STRATEGIC GOAL 3: Improve the effectiveness and efficiency of OIG processes through continuous innovation, collaboration, and communication.

OBJECTIVE 3.1: Leverage technology to share information and foster collaboration.

Priorities:

- Seek opportunities to use technology to improve information gathering and presentation; and
- Continue to provide employees with the information technology and tools that enhance mobility, collaboration, and communication.

OBJECTIVE 3.2: Enhance the OIG's processes to further the OIG's mission.

Priorities:

- Review and solicit feedback on OIG policies, procedures, and processes to identify potential improvements and/or sound business practices;
- Review NLRB policies and procedures to assess OIG applicability and issue guidance to staff as needed; and
- Develop and use innovative methods to identify oversight opportunities.

OBJECTIVE 3.3: Continue the OIG's efforts to communicate the mission and role of the office to our stakeholders.

Priorities:

- Continue effective communication with internal and external stakeholders;
- Meet monthly with the Board and at least annually with the Agency's Congressional oversight committee staff; and
- Enhance outreach efforts to promote awareness of the OIG's mission by meeting with new Presidential appointees and Regional Directors to ensure that they have an understanding of the OIG mission and processes; conducting outreach with field staff through the exchange programs; and offering outreach programs to the bargaining units.

OIG GENERAL OFFICE CONTACT INFORMATION

TELEPHONE: (202) 273-1960

WEB: <https://www.nlr.gov/about-nlr/who-we-are/inspector-general>

MAIL: Office of Inspector General
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

REPORT FRAUD, WASTE, OR ABUSE

To report suspected fraud, waste, or abuse in NLRB programs or operations, as well as NLRB staff or contractor misconduct, use our online OIG hotline complaint form at <https://apps.nlr.gov/webform/webform1.aspx>, call (800) 736-2983 or (202) 273-1960, or email at OIGHotline@nlrb.gov.

In accordance with the Inspector General Act, as amended, information regarding the identity of individuals who contact the OIG to make a report is held in confidence. Although the OIG encourages complainants to provide information on how we may contact them for additional information, we also accept anonymous complaints.

COMMENTS AND IDEAS

The NLRB OIG also seeks ideas for possible future audits, evaluations, or reviews. We will focus on high-risk programs, operations, and areas where substantial economies and efficiencies can be achieved. Please send your input to OIGHotline@nlrb.gov.

IX. APPENDICES

The appendices provide additional information regarding Agency performance measures, outlines of the types of cases arising under the Labor Management Relations Act, the basic procedures in the processing of cases within the Agency, and overviews of each strategic goal.

A-1 PERFORMANCE MEASURES

In support of our mission-related goals and objectives, the Agency has a long, successful history of performance measurement focusing on the highest quality investigation, litigation, and compliance of unfair labor practice charges and representation cases. Alongside quality, we have also always emphasized efficiency in our case handling process because we know that timely resolving labor disputes and questions concerning representation is equally essential to ensuring that the public enjoys the full benefits and protections afforded by the Act.

In support of the mission-related goals in this Fiscal Year 2022-2026 strategic plan, the Agency developed five goals with respective objectives, measures, and management strategies that help drive the mission and vision of the Agency.

B-1 ORGANIZATIONAL CHART



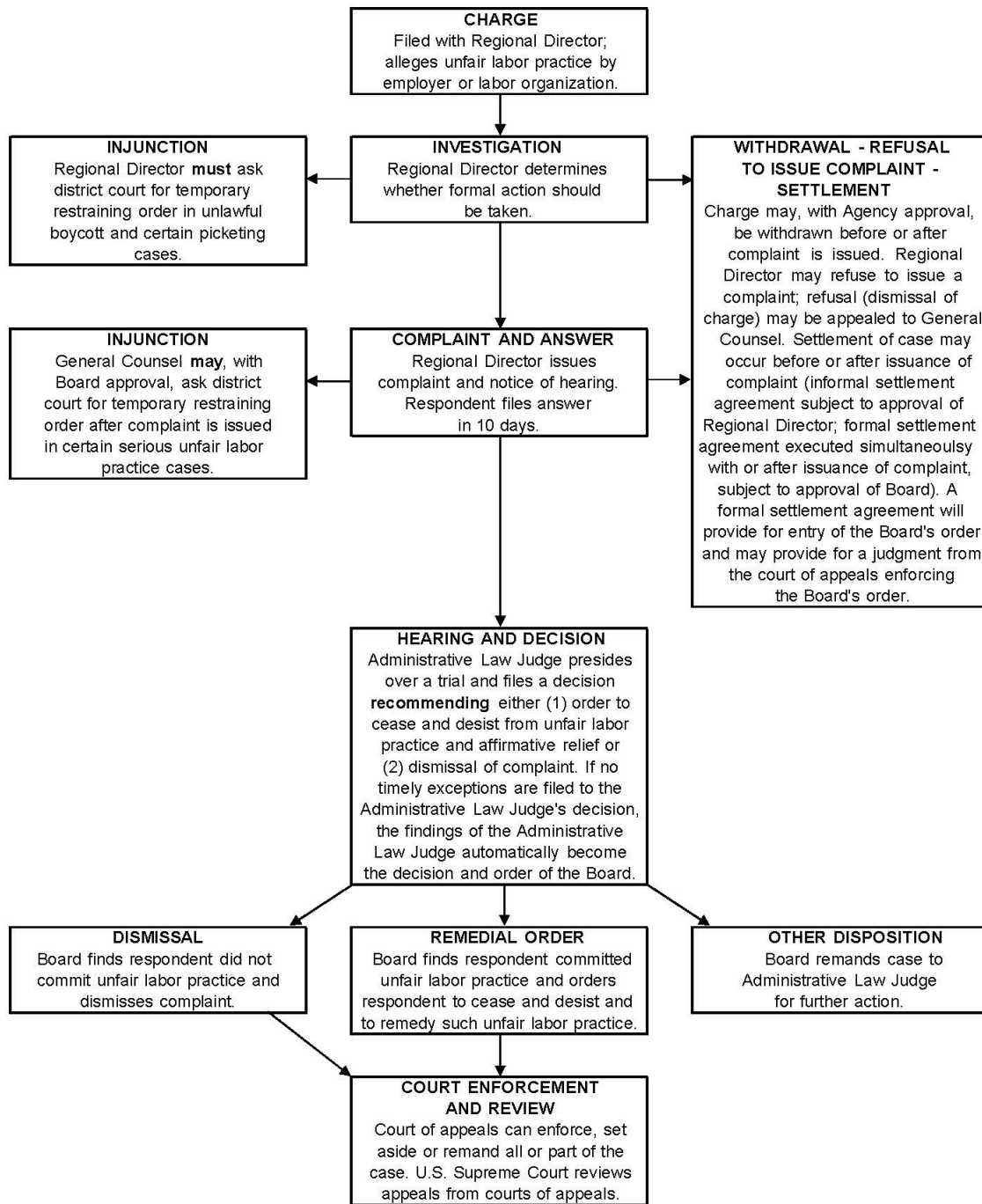
C-1 TYPES OF NLRB CASES

1. CHARGES OF UNFAIR LABOR PRACTICES (C CASES)						
Charges Against Employer	Charges Against Labor Organization					Charge Against Labor Organization and Employer
Section of the Act CA	Section of the Act CB	Section of the Act CC	Section of the Act CD	Section of the Act CG	Section of the Act CP	Section of the Act CE
8(a)(1) To interfere with, restrain, or coerce employees in exercise of their rights under Section 7 (to join or assist a labor organization or to refrain).	8(b)(1)(A) To restrain or coerce employees in exercise of their rights under Section 7 (to join or assist a labor organization or to refrain).	8(b)(4)(i) To engage in, or induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce, to engage in a strike, work stoppage, or boycott, or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object is: (A) To force or require any employer or self-employed person to join any labor organization or to enter into any agreement prohibited by Section 8 (e). (B) To force or require any person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person, or force or require any other employer to recognize or bargain with a labor organization as the representative of its employees unless such labor organization has been so certified.	(C) To force or require any employer to recognize or bargain with a particular labor organization as the representative of its employees if another labor organization has been certified as the representative. (D) To force or require any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another trade, craft, or class, unless such employer is failing to conform to an appropriate Board order or certification.	8(g) To strike, picket, or otherwise concertedly refuse to work at any health care institution without notifying the institution and the Federal Mediation and Conciliation Service in writing 10 days prior to such action.	8(b)(7) To picket, cause, or threaten the picketing of any employer where an object is to force or require an employer to recognize or bargain with a labor organization as the representative of its employees, or to force or require the employees of an employer to select such labor organization as their collective-bargaining representative, unless such labor organization is currently certified as the representative of such employees: (A) where the employer has lawfully recognized any other labor organization and a question concerning representation may not appropriately be raised under Section 9(c). (B) where within the preceding 12 months a valid election under Section 9(c) has been conducted, or (C) where picketing has been conducted without a petition under Section 9(c) being filed within a reasonable period of time not to exceed 30 days from the commencement of the picketing; except where the picketing is for the purpose of truthfully advising the public (including consumers) that an employer does not employ members of, or have a contract with, a labor organization, and it does not have an effect of interference with deliveries or services.	8(e) To enter into any contract or agreement (any labor organization and any employer) whereby such employer ceases or refrains or agrees to cease or refrain from handling or dealing in any product of any other employer, or to cease doing business with any other person.
8(a)(2) To dominate or interfere with the formation or administration of a labor organization or contribute financial or other support to it.	8(b)(1)(B) To restrain or coerce an employer in the selection of its representatives for collective bargaining or adjustment of grievances.					
8(a)(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization.	8(b)(2) To cause or attempt to cause an employer to discriminate against an employee.					
8(a)(4) To discharge or otherwise discriminate against employees because they have given testimony under the Act.	8(b)(3) To refuse to bargain collectively with employer.					
8(a)(5) To refuse to bargain collectively with representatives of its employees.	8(b)(5) To require of employees the payment of excessive or discriminatory fees for membership.					
	8(b)(6) To cause or attempt to cause an employer to pay or agree to pay money or other things of value for services which are not performed or not to be performed.					
2. PETITIONS FOR CERTIFICATION OR DECERTIFICATION OF REPRESENTATIVES (R CASES)				3. OTHER PETITIONS		
By or in Behalf of Employees		By an Employer	By or in Behalf of Employees		By a Labor Organization or an Employer	
Section of the Act RC	Section of the Act RD	Section of the Act RM	Section of the Act UD	Board Rules UC	Board Rules AC	
9(c)(1)(A)(i) Alleging that a substantial number of employees wish to be represented for collective bargaining and their employer declines to recognize their representative. *	9(c)(1)(A)(ii) Alleging that a substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative. *	9(c)(1)(B) Alleging that one or more claims for recognition as exclusive bargaining representative have been received by the employer. *	9(e)(1) Alleging that employees (30 percent or more of an appropriate unit) wish to rescind an existing union-security agreement.	Subpart C Seeking clarification of an existing bargaining unit.	Subpart C Seeking amendment of an outstanding certification of bargaining representative.	

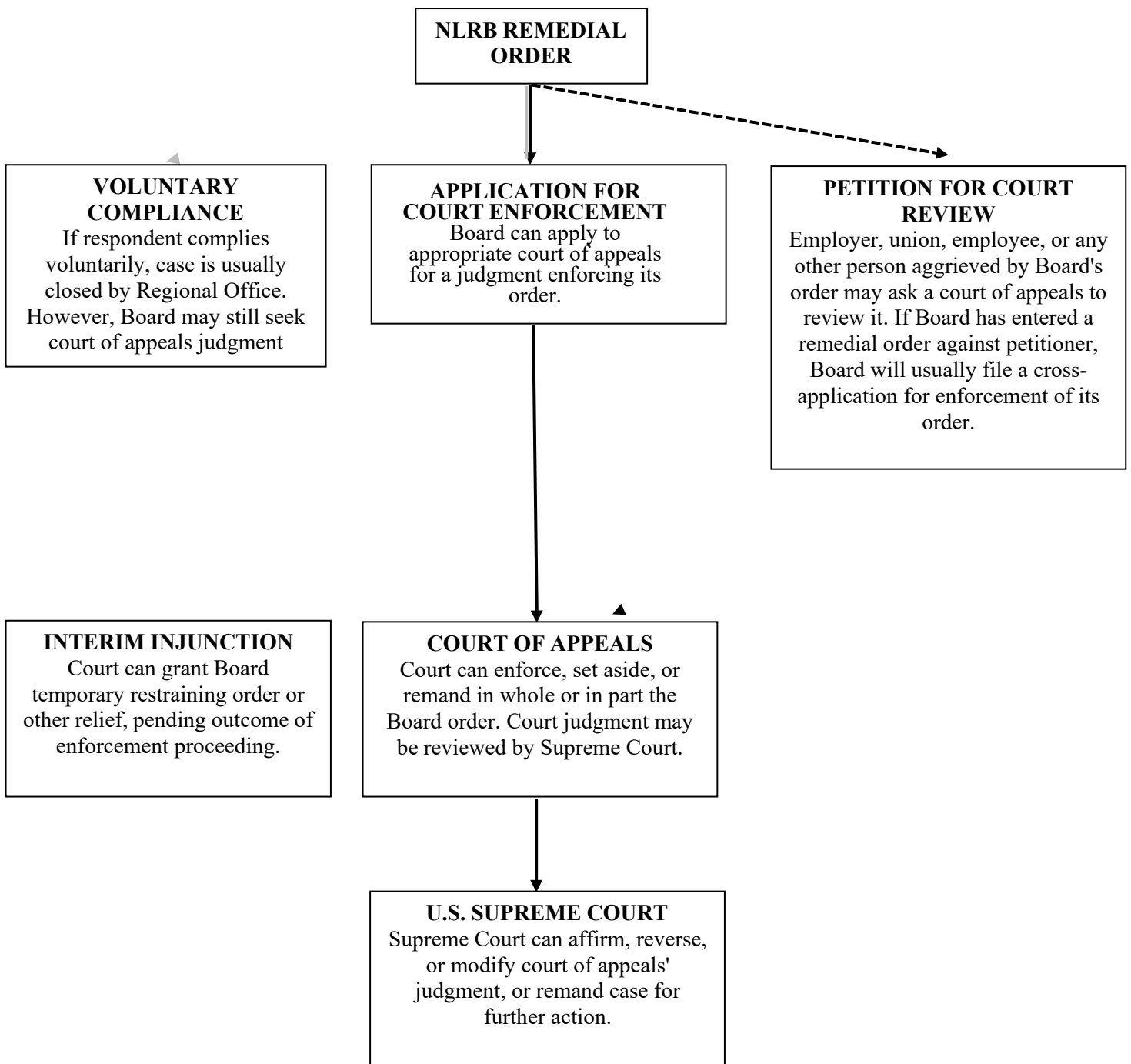
* If an 8(b)(1) charge has been filed involving the same employer, these statements in RC, RD, and RM petitions are not required.

Charges filed with the National Labor Relations Board are letter-coded and numbered. Unfair labor practice charges are classified as "C" cases and petitions for certification or decertification of representatives as "R" cases. This chart indicates the letter codes used for "C" cases and "R" cases, and also presents a summary of each section involved.

C-2 PROCEDURES IN CASES INVOLVING CHARGES OF UNFAIR LABOR PRACTICES



C-3 NLRB ORDER ENFORCEMENT CHART



C-4 OUTLINE OF REPRESENTATION PROCEDURES UNDER SECTION 9(c)

