

## **Chief FOIA Officer Report for the National Labor Relations Board**

### **I. Steps Taken to Applying the Presumption of Openness**

#### **1. Description**

The NLRB distributed Attorney General Eric Holder's Memorandum of March 19, 2009 to agency FOIA processors and conducted training in Fiscal Year 2009 on the Open Government Act for agency FOIA processors. Additionally, training on FOIA and the Open Government Act is currently being developed for a nationwide training program for FOIA processors as well as a FOIA training session for non-FOIA processors.

Information from the Case Activity Tracking System (CATS) dating from 1999 has been posted in XML form on the Agency's website at [www.nlr.gov/open](http://www.nlr.gov/open), and a link was posted to [www.data.gov](http://www.data.gov), pursuant to the Open Government Directive. The CATS data includes all ULP cases and representation cases. Previously, this information could only be obtained through a FOIA request.

In addition, the NLRB's Office of Public Affairs has developed a new subscription email service. Individuals may register on the agency's homepage for automatic email delivery of all press releases and/or announcements of personnel changes. Regions are encouraged to notify Public Affairs of noteworthy decisions, upcoming elections, complaints and settlements. More than 2,000 visitors signed up for the email notification.

The Agency is also partnering with Google Scholar to index and post in a searchable format all Board decisions. This will enable searches of NLRB decisions through Google Scholar as well as on NLRB.gov.

#### **2. Disclosure Comparisons**

For Fiscal Year 2009 the Agency had 4356 FOIA requests in which the request was granted in full. In Fiscal Year 2008, the number of full grants was 3630. The number of FOIA requests for Fiscal Year 2009 in which the request was partially granted was 498, up from 414 for Fiscal Year 2008.

## II. Steps Taken to Ensure That Your Agency Has an Effective System for Responding to FOIA Requests

The NLRB utilizes the FOIA Tracking System (FTS) to track FOIA requests. The FTS includes report capabilities which allow for monitoring of FOIA processing ensuring proper and timely responses to FOIA requests. The agency continues its longstanding practice of timely responding to FOIA requests and in Fiscal Year 2009 the NLRB responded to requests on an average of 6 days.

For those FOIA requests that involve complicated searches for data from the Agency's Case Activity Tracking System (CATS), the FOIA processors have a team of program analysts that work with the FOIA processors to ensure timely and complete responses to FOIA requests.

## III. Steps Taken to Increase Proactive Disclosures

The NLRB has heightened its efforts in proactive disclosure by increasing posting of information on its website. For example, as described above, information from the Case Activity Tracking System (CATS) has been posted in XML form on the Agency's website at [www.nlr.gov/open](http://www.nlr.gov/open). The CATS data includes all ULP cases and representation cases. Also, the Agency has increased its efforts in posting Advice Memorandums on the website. In addition, the NLRB has maintained its 77% rate of full grants in response to FOIA requests, notwithstanding an over 18% increase in FOIA requests for the last fiscal year.

## IV. Steps Taken to Greater Utilize Technology

1. Does your agency currently receive requests electronically?

NLRB receives requests at Headquarters, both for the General Counsel and Board, electronically.

2. If not, what are the current impediments to your agency establishing a mechanism to receive requests electronically.

n/a

3. Does your agency track requests electronically?

Yes.

4. If not, what are the current impediments to your agency utilizing a system to track requests electronically.

n/a

5. Does your agency use technology to process requests?

Yes.

6. If not, what are the current impediments to your agency utilizing technology to process requests?

n/a

7. Does your agency utilize technology to prepare your agency Annual FOIA Report?

Yes.

8. If not, what are the current impediments to your agency utilizing technology in preparing your Annual FOIA Report?

n/a

V. Steps Taken to Reduce Backlogs and Improve Timeliness in Responding to Requests

1. Backlog Status

NLRB has no backlog.

2. Backlog Reduction Steps

n/a

3. Steps to Improve Timeliness

Because the NLRB has no problem with timeliness in responding to requests and administrative appeals, we are focusing our efforts on continued tracking and monitoring of FOIA processing.