



DECISION

MEMORANDUM FOR THE SECRETARY

THROUGH:

PATRICK PIZZELLA
Deputy Secretary

8/24
[Signature]

NICHOLAS C. GEALE
Chief of Staff

FROM:

STEPHEN R. HENLEY *Sent 8/20/18*
Chief Administrative Law Judge

SUBJECT:

Appointment of Department Administrative Law Judges

PRIORITY:

Very Important

SUMMARY

The Office of Administrative Law Judges (OALJ) requests your appointment of eleven administrative law judges (ALJ). (Attachment 1).

BACKGROUND/STATEMENT OF ISSUES

The U.S. Department of Labor engages ALJs to conduct hearings and issue decisions in cases arising under more than 80 labor-related statutes, Executive Orders, and DOL regulations. *See* 5 U.S.C. § 3105 (“Each agency shall appoint as many administrative law judges as are necessary for proceedings required to be conducted in accordance with sections 556 and 557 of [the Administrative Procedure Act].”); *see also* 5 C.F.R. §§ 6.2-6.4, 6.8; Executive Order of July 10, 2018 Excepting Administrative Law Judges From the Competitive Service, Exec. Order No. 13,843, 83 Fed. Reg. 32,755 (July 13, 2018).

The Office of Personnel Management previously approved my request to post a vacancy announcement on USA Jobs from April 26, 2018 to May 10, 2018 for ALJs currently employed by other federal agencies but interested in transferring to a similar position with the Department of Labor. I received responses from 42 individuals. Several applicants later withdrew from consideration or were interested in a transfer to a district office without a current vacancy. The remaining candidates were subsequently interviewed by myself, one of OALJ’s Associate Chief Judges, and a District Chief Judge.

On August 8 and 15, 2018, a review panel consisting of the Acting Assistant Secretary for Policy, the Chief Judge and Chair of the Employees' Compensation Appeals Board, the Chief Human Capital Officer, and me as Chief Judge of the Office of Administrative Law Judges, assessed and evaluated the candidates' qualifications. Additionally, the review panel examined the information from the previous interviews and conducted an independent evaluation of the candidates. The review process was based on objective criteria, including bar licensure; litigation and other relevant legal experience; judicial temperament; case management skills; analytical, oral and written communication skills; and the ability to work in a demanding, high-stress, high-volume work environment. As described, this process has complied with the interim procedures for ALJ hiring previously approved by the Secretary. I have included for your review and consideration the resumes of the eleven individuals recommended for appointment (Attachment 1), along with resumes of the other applicants. (Attachment 2).

The review panel recommends the appointment of the following eleven administrative law judges as Department of Labor administrative law judges. It is your prerogative to select some, none or all of these individuals.

Stewart F. Alford IV
Noran J. Camp
John A. Henderson
[REDACTED]

Theodore W. Annos
Patricia J. Daum
Susan L. Hoffman
Jennifer Whang

Francine L. Applewhite
Angela F. Donaldson
Sean M. Ramaley

OTHER DOL AGENCIES INVOLVED

The Office of the Deputy Secretary; the Office of the Solicitor, Office of Legal Counsel; the Office of the Assistant Secretary for Policy; the Office of the Assistant Secretary for Administration and Management; and the Employees' Compensation Appeals Board.

OTHER FEDERAL AGENCIES INVOLVED

Office of Personnel Management

CONGRESSIONAL INTEREST

None

LATEST DATE(S) FOR ACTION

We request your decision as soon as possible.

CONTACT

Stephen R. Henley, Chief Administrative Law Judge, at (202) 693-7424.

cc: Jonathan Berry, Acting Assistant Secretary for Policy; Christopher Godfrey, Chief Judge and Chair, Employees' Compensation Appeals Board; Sydney Rose, Chief Human Capital Officer

DECISION

Subject: Appointment of Department Administrative Law Judges

Recommended Course of Action: Appoint the above-listed eleven individuals as Department administrative law judges authorized to execute and fulfill the duties of that office according to law and regulation.

Approved:



Date:

SEP 12 2018

Disapproved:

Date:

Let's Discuss:

Date:

COMMENTS: