

**U.S. Department of Labor
Office of the Secretary**



November 2020

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TAB 1: AGENCY ORGANIZATIONAL OVERVIEW

Mission

The Department of Labor (DOL or Department) is a cabinet-level department with the mission to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. In carrying out this mission, the DOL component agencies administer and enforce more than 180 federal laws and thousands of federal regulations which cover many workplace activities for about 10 million employers and 150 million workers. The Secretary of Labor heads the Department and is the principal advisor to the President on the development and execution of policies and the administration and enforcement of laws relating to wage earners, their conditions, and their employment opportunities. The agency, the Office of the Secretary (OSEC), supports the Secretary in fulfilling the Secretary's responsibilities.

Authorizing Legislation

The Act to Establish the Bureau of Labor, 1884, was amended by the Act of 1913 to establish the Department of Labor (29 U.S.C. 1); this act also authorizes the Departmental Management functions.

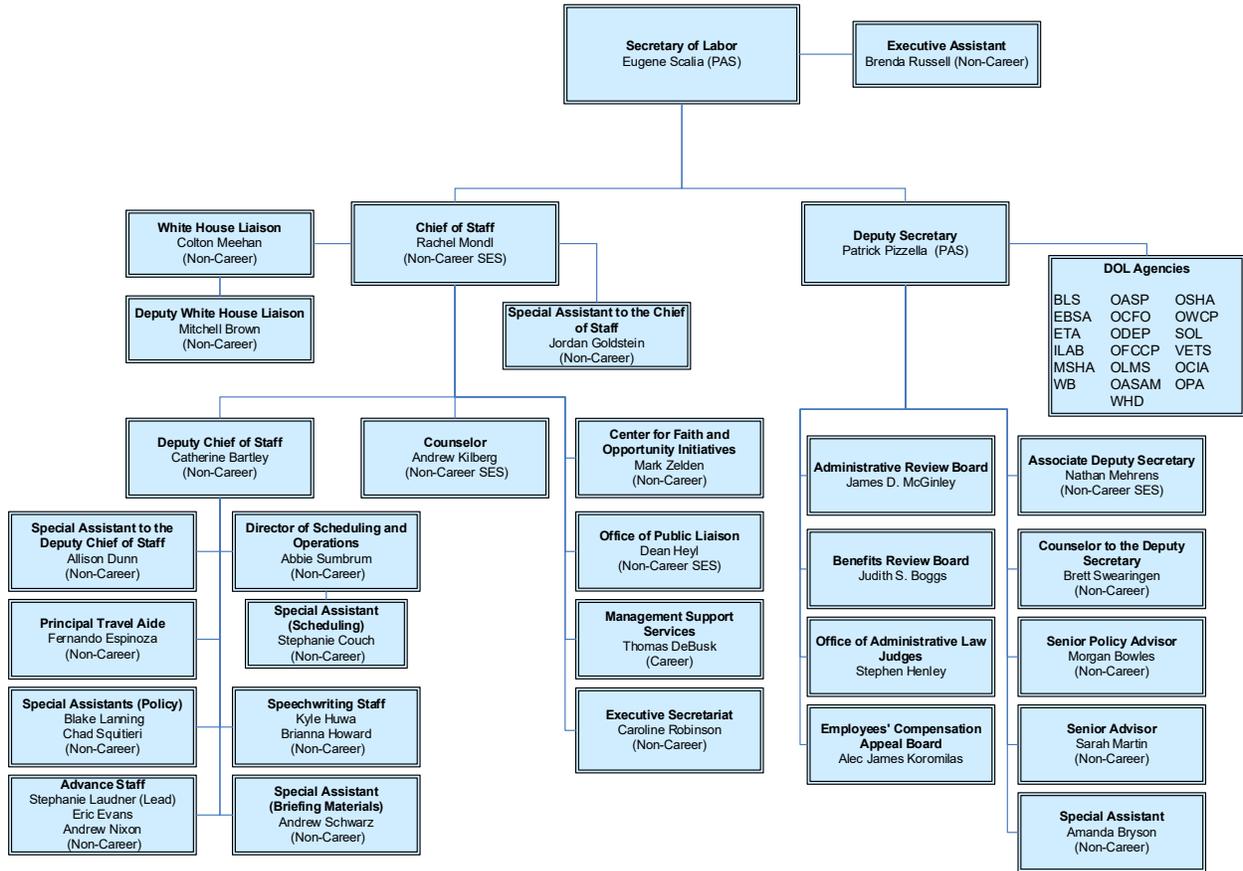
Organizational Structure

OSEC is funded from two budget activities in the Departmental Management appropriation: 1) Program Direction and Support¹ (PDS), and 2) the Adjudicatory Boards.

¹ The Office of Public Affairs, the Office of the Assistant Secretary for Policy, and the Office of Congressional and Governmental Affairs are all funded by the PDS budget activity as well. However, given their size and scope, each of these entities has their own transition briefing book.

TAB 1: Agency Organizational Overview

Organizational Chart



TAB 1: Agency Organizational Overview

Workforce At-A-Glance

**DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 11/1/2020 - OSEC**

AGENCY			
Subagency	National Office	Total	
OSEC	65	65	
Total	65	65	
RACE & GENDER			
Ethnicity	F	M	Total
Asian		2	0
Black		12	5
Hispanic		1	2
Two or more Races		0	1
White		19	23
Total		34	31
			65

BARGAINING UNIT	
Local 12	14
Non-BU	51
SUPERVISORY**	
Non Supervisor	54
Supervisor	11
WORK SCHEDULE	
F-Full Time	65
REGIONS	
Natl Ofc	65
Total	65

GRADE DISTRIBUTION	
00	4
01	1
02	1
07	6
08	2
09	3
10	1
11	8
12	8
13	6
14	11
15	14
Total	65
DISABLED STATUS	
No Disability	62
Non-targeted	3
APPOINTMENT TENURE	
Indefinite	31
Permanent	33
Temporary	1
RETIREMENT ELIGIBILITY	
Early Out	9
Eligible	8
Not Eligible	48

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	65	
Total	65	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Asian	1	0
Black	5	2
Hispanic	0	2
White	12	15

* Permanent and Temporary Employees

** Supervisor count includes manager levels 2 and 4

Key Leaders

Secretary's Office

- **Eugene Scalia**, Secretary of Labor
- **Rachel Mondl**, Chief of Staff (non-career)
- **Catherine Bartley**, Deputy Chief of Staff (non-career)
- **Colton Meehan**, White House Liaison (non-career)
- **Andrew Kilberg**, Counselor (non-career)

Office of the Deputy Secretary of Labor

The Deputy Secretary is the Department's chief operating officer. As such, the Deputy Secretary oversees key operational functions such as: strategic planning; budget formulation; financial management; information technology; and human resource management. Additionally, the Deputy Secretary provides the leadership and management of DOL's agencies necessary to support the Secretary and the Department's mission. In doing so, the Deputy Secretary utilizes performance management, program evaluation, and cross agency collaboration. The Deputy Secretary also oversees the administration of DOL's adjudicatory boards, which are responsible for reviewing and determining thousands of appeals each year. The Deputy Secretary's staff supports these efforts by working directly with agency leadership and senior staff.

Deputy Secretary's Office

- **Patrick Pizzella**, Deputy Secretary of Labor (non-career)
- **Nathan Mehrens**, Associate Deputy Secretary (non-career)
- **Brett Swearingen**, Counselor (non-career)

Adjudicatory Boards

- Office of the Administrative Law Judges (OALJ)
- Administrative Review Board (ARB)
- Benefits Review Board (BRB)
 - Office of the Ombudsman for the Energy Employees Occupational Illness Compensation Program
- Employee Compensation Appeals Board (ECAB)

Management Support Services (MSS) (total staff: career-12)

MSS provides administrative support to OSEC and works closely with the Office of the Assistant Secretary for Administration and Management in areas including: budget; facilities; human resources; IT; procurement; property management; recordkeeping; FOIA's; security; and travel. Additionally, MSS works closely with the Office of the Chief Financial Officer with regard to financial management. Another key service provided through MSS is the executive motor pool which provides transportation for the Secretary, Deputy Secretary, and DOL's Assistant Secretaries.

- **Thomas DeBusk**, Director (career)
- **Janet Newkirk**, Deputy Director of Operations (career)
- **Ronetta Norris**, Deputy Director of Administration (career)

TAB 1: Agency Organizational Overview

The following are also component offices within OSEC; overviews of these offices are found in Tab 2.

- Office of the Executive Secretariat (ExecSec)
- Office of Public Liaison (OPL)
- Centers for Faith and Opportunity Initiatives (CFOI)

TAB 2: OSEC OFFICES

Office of the Executive Secretariat

The Office of the Executive Secretariat (ExecSec) is part of the immediate Office of the Secretary and serves as a liaison for Executive Correspondence between the Office of the Secretary (including, the Office of the Deputy Secretary) and DOL agencies. ExecSec establishes, implements, and manages procedures to assist agencies in producing timely, accurate, and quality responses to correspondence addressed to the Secretary, Deputy Secretary, and DOL's Executive Staff from sources internal and external to the Department.

ExecSec also secures appropriate clearance of decision memoranda and other documents requiring Secretarial or Deputy Secretarial signature and approval, and assists the decision making process by providing relevant policy and background information. Additionally, ExecSec assists in the day-to-day management of DOL agencies. ExecSec's Agency Liaison Officers (ALOs) cover assigned portfolios of DOL agencies and assist in the processing and clearing of Executive correspondence. Finally, ExecSec's Committee Management Officer (CMO) is responsible for the oversight of the Department's 12 Federal Advisory Committees.

Organizational Structure

Within ExecSec, there are two divisions: Policy and Operations. Policy consist of four ALOs and the CMO. Operations consists of two teams: the Correspondence Intake Team (CIT) and the Technical Review Team (TRT). An additional team; the Special Correspondence Team (SCT) focuses on special correspondence and projects directly for OSEC and the Director, including the internal functions of ExecSec. Policy reports directly to the Director and Operations reports to the Supervisor of Operations.

In 2018, ExecSec completed development and deployed the new electronic Correspondence Tracking System (CTS). The new system allowed for ExecSec to move from the previous paper-based process to an electronic system, following the requirement mandated that Executive branch components must submit records electronically to the National Archives and Records Administration (NARA) by 2022. Currently the Office of the Chief Information Officer (OCIO) and NARA are finalizing the requirements to begin the transfer of records electronically.

Upon receipt of Executive Correspondence, ExecSec enters into CTS, and assigns it to the appropriate DOL agency for review and response. ExecSec then tracks the agency's progress in preparing the response and manages any departmental clearances.

ExecSec's move to CTS has allowed the office to operate with less staff. Over the course of FY 2018 and 2019, ExecSec went from 19 FTEs to 14, nearly a 30% staff reduction through attrition or reassignment.

Key Leaders

- **Caroline Robinson**, Executive Secretary (non-career)
- **Anthony Waterloo**, Director of the Office of the Executive Secretariat (career)

Key Issues

ExecSec has established processes for achieving our mission; however, there are some key procedural matters that must be addressed quickly by the incoming Secretary and Deputy Secretary. These matters include: signature blocks; auto-pen and electronic signatures and use; sign-off authority; blanket approvals; briefing book archiving; the handling of Executive (including Secretarial) correspondence; and the clearances and approval processes. Given that the work ExecSec performs is integral to the Office of the Secretary, ExecSec requests to brief the key Transition personnel and the Secretary, Deputy Secretary, and their appropriate staff as early as possible.

Office of Public Liaison

The Office of Public Liaison (OPL) serves to advance the Secretary's efforts to effectively engage stakeholders by making the Department inclusive, transparent, accountable and responsible. OPL is DOL's primary liaison to external organizations, stakeholder and advocacy groups, and the private sector. While DOL agencies maintain their own external relationships, OPL is used to both consult on and manage longer-term, more strategic initiatives. OPL serves as trusted messengers to complement the outreach efforts of DOL's agencies to ensure a broad cross section of stakeholder participation in all facets of the Department's efforts. OPL also supports many of the Secretarial- and Presidential-level roll-outs of regulations, guidance documents, and new initiatives. OPL facilitates and coordinates external meeting requests, ensures that obstacles to participation are mitigated, and provides recommendations to inform and influence Departmental resources, programs and policies.

OPL works in close coordination with the Office of Congressional and Intergovernmental Affairs (OCIA) and the Centers for Faith and Opportunity Initiatives (CFOI) to form the Secretary's outreach team. OPL is based in the National Office but does extensive outreach to the regions by leveraging the regional presences of DOL's agencies.

Organizational Structure

OPL has two non-career FTE.

Key Personnel

- **Dean Heyl**, Director (non-career)
- **Sylvester Giustino**, Deputy Director (non-career)

Centers for Faith and Opportunity Initiatives

The Centers for Faith and Opportunity Initiative (CFOI) at the U.S. Department of Labor (DOL) engages faith-based organizations and community members to maximize their participation in policies, partnerships, and funding opportunities, and minimize regulatory burdens that interfere with their First Amendment freedoms.

The work of CFOI includes:

- Building relationships with faith-based and non-profit stakeholders to provide information and seek input on the important work of DOL.
- Coordinating with various DOL agencies on policy issues of interest to faith-based and non-profit stakeholders.
- Creating partnerships between faith-based stakeholders and DOL's workforce development and grant-making agencies.
- Serving the White House Office for Faith and Opportunities Initiatives and similar offices within other executive branch agencies.

The establishment of CFOI at DOL stems from Presidential Executive Order (EO) 13831, which created the White House Faith and Opportunity Initiative. The White House Faith and Opportunity Initiative is responsible for establishing policies, priorities, and objectives for the Federal Government's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based and other community organizations. It works closely with corresponding offices across the Administration and at the White House. The EO generally requires Executive Branch Departments to have a Center for Faith and Opportunity Initiatives. DOL CFOI's outreach efforts are utilized to inform stakeholders of DOL actions in both funding opportunities as well as rule-making and enforcement.

Organizational Structure

CFOI has four non-career FTEs which include a Director, Deputy Director, and Chief of Staff.

Key Leadership

- **Mark Zelden**, Director (non-career)
- **Nicole Hudgens**, Deputy Director (non-career)
- **David Thomas**, Chief of Staff (non-career)

Initiatives

Outreach: Outreach is a key focus of CFOI to increase DOL's partnerships faith-based stakeholders in education, health care, social services, criminal justice, pro-life efforts, and pro-family interests. Along with DOL's OPL, CFOI maintains an active list of strategic contacts comprised of leaders of national, regional, and state organizations, as well as a variety of denominations, and associations who can reach thousands of more organizations and Americans.

CFOI works closely with White House Office of Public Liaison (WH OPL) in support of DOL outreach efforts to faith and community organizations.

Grants Partnerships: CFOI has worked with DOL grant-making agencies, primarily the Employment and Training Administration (ETA), to increase opportunities for faith-based organizations and participation in grants as grantees and sub-grantees. DOL CFOI continues to build ongoing relationships with these groups.

Policy, Rulemaking & Enforcement

Policy Issues

Under Executive Order 13831, CFOI works with DOL agencies to ensure faith-based organizations are given the fullest ability under law “to compete on a level playing field for grants, contracts, programs, and other Federal funding opportunities.” CFOI also works in compliance with the Order to make policy recommendations in multiple Administrative documents as they relate to “religious liberty, strengthening marriage and family, education, solutions for substance abuse and addiction, crime prevention and reduction, prisoner reentry, and health and humanitarian services.”

Specifically, CFOI has partnered with other agencies and departments to address policy issues including:

- Combating the Opioid Epidemic
- Occupational Licensing
- Veterans Assisted Suicide Prevention Programs
- REO Grant Announcements
- Resources addressing COVID-19

TAB 3: ADJUDICATION OFFICES

Office of the Administrative Law Judges (OALJ)

Federal Administrative Law Judges (ALJs) within the DOL's Office of Administrative Law Judges (OALJ) preside over formal hearings concerning many labor-related matters. The OALJ mission is to render fair and equitable decisions under the governing law and the facts of each case. Hearings concerning Black Lung Benefits, Longshore Workers' Compensation and Permanent Alien Labor Certification constitute the largest part of the office's work. The Department's ALJs, however, also hear and decide cases arising from over 65 other labor-related statutes and regulations, including federal contract and wage disputes, requests for mine safety variances, and retaliation cases involving corporate fraud, safety violations in the nuclear, aviation, railway, public transit, and commercial trucking industries and violations of environmental, consumer protection and food safety laws. OALJ is an adjudicatory agency and does not make policy or issue policy statements.

Authorizing Legislation

The ALJs conduct these formal hearings under the Administrative Procedure Act (APA), 5 U.S.C. §§ 554-557 where a statute, Executive Order or regulation requires notice and opportunity for a hearing on the record.

Organizational Structure

Federal ALJs are appointed under the APA, 5 U.S.C. § 3105. Their appointments are made by the Secretary pursuant to the procedures set forth in Secretary's Order 07-2018 (August 16, 2018). These procedures include the posting of a solicitation for applications; screening by DOL's Office of Executive Resources; interviews by a panel consisting of the Department's Chief Administrative Law Judge, the Chief Human Capital Officer, and Assistant Secretary for Policy, and a member of the Employees' Compensation Appeals Board; reviews by the Deputy Secretary; and final decision by the Secretary. There are approximately 1,900 ALJs assigned to 26 Federal agencies. The Department of Labor employs 43 ALJs, all within the OALJ, along with legal and administrative support staff of 129 FTE. DOL's OALJ is the third largest employer of ALJs in the Federal government, with the Social Security Administration employing over 1,600 ALJs and the Office of Medicare Hearings and Appeals employing about 100 ALJs.

OALJ's National Office is located in Washington, DC.

Workforce At-A-Glance

DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 9/1/2020 - ALJ

AGENCY			
Subagency	National Office	Regional Office	Total
ALJ	48	102	150
Total	48	102	150
RACE & GENDER			
Ethnicity	F	M	Total
Asian	2	0	2
Black	20	5	25
Hispanic	8	4	12
Two or more Races	0	1	1
White	62	48	110
Total	92	58	150

BARGAINING UNIT	
Local 12	24
NCFL	47
Non-BU	79
SUPERVISORY**	
Non Supervisor	109
Supervisor	41
WORK SCHEDULE	
F-Full Time	147
P-Part Time	3
REGIONS	
1 Boston	12
2 New York	12
3 Philadelphia	24
5 Chicago	22
6 Dallas	15
9 San Francisco	17
Natl Ofc	48
Total	150

GRADE DISTRIBUTION	
01	1
02	8
03	28
04	1
07	4
08	11
09	11
11	43
12	22
13	12
14	4
15	5
Total	150
DISABLED STATUS	
No Disability	126
Non-targeted	21
Targeted	3
APPOINTMENT TENURE	
Indefinite	51
Permanent	99
RETIREMENT ELIGIBILITY	
Early Out	14
Eligible	41
Not Eligible	95

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	11	
TECHWORLD PLAZA	37	
Total	48	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Asian	1	0
Black	4	1
Hispanic	0	3
White	21	28

* Permanent and Temporary Employees
** Supervisor count includes manager levels 2 and 4

Key Leadership

- **Stephen R. Henley**, Chief Administrative Law Judge
- **Carrie Bland**, Associate Chief Administrative Law Judge for Black Lung
- **Paul R. Almanza**, Associate Chief Administrative Law Judge position for Immigration and Longshore

The entire agency is supported by the Office of Program Operations under Director Angel Perez and 16 FTE. OALJ has eight district offices ranging in size from 12 to 19 FTE managed by a District Chief Administrative Law Judge. These locations are in Washington, DC; Boston, MA; Cherry Hill, NJ; Cincinnati, OH; Covington, LA; Newport News, VA; Pittsburgh, PA; and San Francisco, CA.

Administrative Review Board (ARB)

The Secretary has delegated to the ARB the authority to issue agency decisions for the Secretary, (subject to the Secretary's review), in cases arising under a wide range of worker protection laws.² These statutes include, but are not limited to, whistleblower protections for workers in the environmental, transportation, and securities industries, H-1B and other immigration provisions. In addition, the ARB hears cases involving child labor, employment discrimination, job training, seasonal and migrant workers, and federal construction and service contracts.³ The Board's cases generally arise upon appeal from decisions of Department of Labor Administrative Law Judges or the Administrator of the Department's Wage and Hour Division. Depending upon the statute at issue, parties may appeal an adverse decision to federal district or circuit courts and ultimately to the United States Supreme Court. The Board's mission is to issue legally correct, just, and timely decisions.

Organizational Structure

The Board offices are located in the Frances Perkins Building. The Secretary of Labor has granted authority and assigned responsibility to the Board to issue final agency decisions after review or on appeal of matters arising under a wide range of employee protection laws. The jurisdiction of the Board includes, but is not limited to, the following areas of law: environmental, transportation, and securities whistleblower protection; temporary immigration programs; child labor; employment discrimination; job training; and federal construction and service contracts. The Board's cases generally arise on appeal from decisions by Department of Labor Administrative Law Judges or determinations by the Administrator of the Department's Wage and Hour Division. Depending upon the statute at issue, parties may appeal the Board's decisions to federal district or appellate courts and ultimately to the United States Supreme Court. The mission of the Board is to do justice under the law by rendering legally correct and well-reasoned appellate decisions in a timely and efficient manner, treating all those who come before the Board fairly and impartially.

² Secretary's Order No. 01-2020 (Delegation of Authority and Assignment of Responsibility to the Administrative Review Board), 85 Fed. Reg. 13,186 (March 6, 2020).

³ <https://www.dol.gov/arb/areas.pdf>

Workforce At-A-Glance

**DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 9/1/2020 - ARB**

AGENCY			
Subagency	National Office	Total	
ARB	15	15	
Total	15	15	
RACE & GENDER			
Ethnicity	F	M	Total
Black	2	1	3
Hispanic	1	0	1
White	5	6	11
Total	8	7	15

BARGAINING UNIT	
Local 12	9
Non-BU	6
SUPERVISORY**	
Non Supervisor	13
Supervisor	2
WORK SCHEDULE	
F-Full Time	15
REGIONS	
Natl Ofc	15
Total	15

GRADE DISTRIBUTION	
00	5
11	2
13	5
15	3
Total	15
DISABLED STATUS	
No Disability	12
Non-targeted	2
Targeted	1
APPOINTMENT TENURE	
Indefinite	5
Permanent	10
RETIREMENT ELIGIBILITY	
Early Out	2
Eligible	3
Not Eligible	10

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	15	
Total	15	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Black	0	1
Hispanic	1	0
White	4	3

* Permanent and Temporary Employees
** Supervisor count includes manager levels 2 and 4

*Key Leadership*⁴

- **James D. McGinley**, Chair and Chief Administrative Appeals Judge
- **James A. Haynes**, Administrative Appeals Judge
- **Thomas H. Burrell**, Administrative Appeals Judge
- **Heather C. Leslie**, Administrative Appeals Judge
- **Randel K. Johnson**, Administrative Appeals Judge

Supporting the Board is a staff consisting of a General Counsel, seven Attorney-Advisors and two Paralegals. There are no vacant Judge or staff positions.

Key Initiatives

The Board is actively contributing to various Departmental efforts to improve its customer service through improved filing and recordkeeping using IT resources.

⁴ <https://www.dol.gov/arb/members.htm>

Benefits Review Board (BRB)

The BRB was created by Congress in 1972 to review appeals of decisions arising under the Black Lung Benefits Act, Title IV of the Coal Mine Health and Safety Act, 30 U.S.C. §901 et seq., and the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. §901 et seq., and its extensions, including the Outer Continental Shelf Lands Act, 43 U.S.C. §1331 et seq., the Defense Base Act, 42 U.S.C. §1651 et seq., and the Nonappropriated Fund Instrumentalities Act, 5 U.S.C. §8171 et seq.. The Board has authority to resolve appeals, filed by any party-in-interest, which raise a substantial question of law or fact. These appeals primarily involve decisions of administrative law judges in disputes between employees and employers as to benefits entitlement and coverage. The Board determines whether the administrative law judge's findings are supported by substantial evidence and determinations are in accordance with law. The Board's decisions may be appealed to the U.S. Courts of Appeals in the circuit where the injury arose, and from there to the U.S. Supreme Court.

Additionally, the Office of the Ombudsman (Ombudsman) for the Energy Employees Occupational Illness Compensation Program reports to the BRB Chairman. The Ombudsman has three primary responsibilities: 1. to provide information to claimants and potential claimants, and other interested parties on the benefits available under the Energy Employees Occupational Illness Compensation Program Act and on the requirements and procedures applicable to the provision of these benefits; 2. to make recommendations to the Secretary of Labor on where to locate resource centers for the acceptance and development of claims; and 3.) to submit an annual report to Congress outlining the numbers and types of complaints, grievances, and requests for assistance received by the Ombudsman, and providing an assessment of the most common difficulties encountered by claimants and potential claimants during the year.

Organizational Structure

By statute, the Board consists of five Members appointed by the Secretary of Labor, one of whom is designated as Chairman and Chief Administrative Appeals Judge. Its FTEs include personnel assigned to the Office of the Clerk of the Appellate Boards (OCAB) that services all three of the Adjudicatory Boards, as well as one staff member who performs IT-related business activities for the Boards. The BRB is located at the Frances Perkins Building and has no regional presence.

Workforce At-A-Glance

DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 9/1/2020 - BRB

AGENCY			
Subagency	National Office	Total	
BRB	54	54	
Total	54	54	
RACE & GENDER			
Ethnicity	F	M	Total
Asian	1	2	3
Black	19	4	23
Hispanic	2	0	2
White	15	11	26
Total	37	17	54

BARGAINING UNIT	
Local 12	37
Non-BU	17
SUPERVISORY**	
Non Supervisor	44
Supervisor	10
WORK SCHEDULE	
F-Full Time	53
P-Part Time	1
REGIONS	
Natl Ofc	54
Total	54

GRADE DISTRIBUTION	
00	6
05	1
07	4
08	1
09	1
11	7
12	2
13	15
14	11
15	6
Total	54
DISABLED STATUS	
No Disability	50
Non-targeted	2
Targeted	2
APPOINTMENT TENURE	
Indefinite	3
Permanent	51
RETIREMENT ELIGIBILITY	
Early Out	11
Eligible	28
Not Eligible	15

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	54	
Total	54	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Asian	1	2
Black	6	3
Hispanic	1	0
White	14	11

* Permanent and Temporary Employees
** Supervisor count includes manager levels 2 and 4

Key Leadership

- **Judith S. Boggs**, Chairman and Chief Administrative Appeals Judge
- **Daniel T. Gresh**, Acting Vice-Chairman and Administrative Appeals Judge
- **Greg J. Buzzard**, Administrative Appeals Judge
- **Melissa L. Jones**, Administrative Appeals Judge
- **Jonathan Rolfe**, Administrative Appeals Judge
- **Alexander F. Smith**, General Counsel
- **Thomas O. Shepherd**, Clerk of the Boards

Initiatives

The BRB is lead proponent for the Boards with the implementation of the Department OCIO e-File/e-Serve initiative, which will allow parties to submit a new appeal electronically, get electronic service of documents, file briefs/motions and check the status of an existing appeal.

Employees' Compensation Appeals Board (ECAB)

The Board's mission is to hear and decide cases on appeal from decisions of the Office of Workers' Compensation Programs (OWCP) in an impartial and expeditious manner. The decisions of the Board are made in accordance with its statutory mandate, based on a thorough review of the case record as compiled by OWCP and shared through the iFECs electronic records application. Injured federal workers have the opportunity for a full evidentiary hearing with OWCP's Branch of Hearings and Review prior to review of the record by the Board.

Authorizing Legislation

[ECAB](#)⁵, was created in 1946 by statute to hear appeals taken from determinations and awards under the [Federal Employees' Compensation Act](#)⁶ with respect to claims of federal employees injured in the course of their employment. The Board has final authority to determine the liability of the Federal government with respect to the disability or death of employees. The Board hears appeals from decisions and orders of the Department of Labor's [Office of Workers' Compensation Programs](#) (OWCP).⁷ There is no further administrative or judicial appeal of ECAB decisions. The Board and its staff, consisting of 31 individuals at present, are located in the Francis Perkins Building.

Organizational Structure

[The Board](#), by statute, consists of three permanent judges (members) who have been appointed by a Secretary of Labor and are SL-level employees.⁸ One judge is designated as Chairman of the Board, Chief Judge, and administrative manager. To address the increasing number of FECA claims filed and to address ECAB's backlog, over the past twenty-five years, alternate member positions have been created to increase ECAB's capacity. The Board's alternate members are either SL-level or GS 15-level employees and generally perform the same duties as permanent judges.

⁵ <http://www.dol.gov/ecab/welcome.html>

⁶ <https://www.dol.gov/owcp/dfec/regs/compliance/fecafact.htm>

⁷ <https://www.dol.gov/owcp/>

⁸ <https://www.dol.gov/ecab/members.htm>

Workforce At-A-Glance

**DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 9/1/2020 - ECAB**

AGENCY			
Subagency	National Office	Total	
ECAB	31	31	
Total	31	31	
RACE & GENDER			
Ethnicity	F	M	Total
Asian		1	2
Black		7	3
Two or more Races		1	0
White		13	4
Total	22	9	31

BARGAINING UNIT	
Local 12	20
Non-BU	11
SUPERVISORY**	
Non Supervisor	22
Supervisor	9
WORK SCHEDULE	
F-Full Time	30
P-Part Time	1
REGIONS	
Natl Ofc	31
Total	31

GRADE DISTRIBUTION	
00	4
06	1
07	2
11	7
13	9
14	3
15	5
Total	31
DISABLED STATUS	
No Disability	25
Non-targeted	5
Targeted	1
APPOINTMENT TENURE	
Indefinite	4
Permanent	27
RETIREMENT ELIGIBILITY	
Early Out	6
Eligible	12
Not Eligible	13

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	31	
Total	31	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Asian	1	0
Black	4	1
Two or more Races	1	0
White	11	3

* Permanent and Temporary Employees
** Supervisor count includes manager levels 2 and 4

Key Leadership

- **Alec James Koromilas**, Chairman and Chief Judge
- **Christopher James Godfrey**, Vice Chair and Judge
- **Janice B. Askin**, Judge
- **Judge Patricia Howard Fitzgerald**, Alternate member
- **Judge Valerie Evans-Harrell**, Alternate member

ECAB also consists of three attorney supervisors who report to the Vice Chair. The attorney supervisors are responsible for supervision of 17 staff attorneys who prepare draft decisions and orders for the Board. There is a docket preparation unit consisting of one supervisor, who reports to the Vice Chair, and three staff who are responsible for preparation and publication of final decisions and orders from the Board. The Chairman supervises the Administrative Officer of the Adjudicatory Boards. The Chairman has one confidential assistant. ECAB utilizes a

TAB 3: Adjudication Offices

consolidated Docket, under the Clerk of the Appellate Boards, which is supervised by the Chief Judge of the Benefits Review Board (BRB). All decisions and orders of the Board are [published for public review following necessary redaction](#).⁹

⁹ <https://www.dol.gov/ecab/decisions.htm>

TAB 4: BUDGET

Program Direction and Support (PDS)

BUDGET AUTHORITY AND FTE SUMMARY

(Dollars in millions)

	FY 2017 Enacted	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Pres. Bud.
Budget Authority	\$29.6	\$29.6	\$30.3	\$30.3	\$32.3
FTE	97	76	105	96	110

At-A-Glance

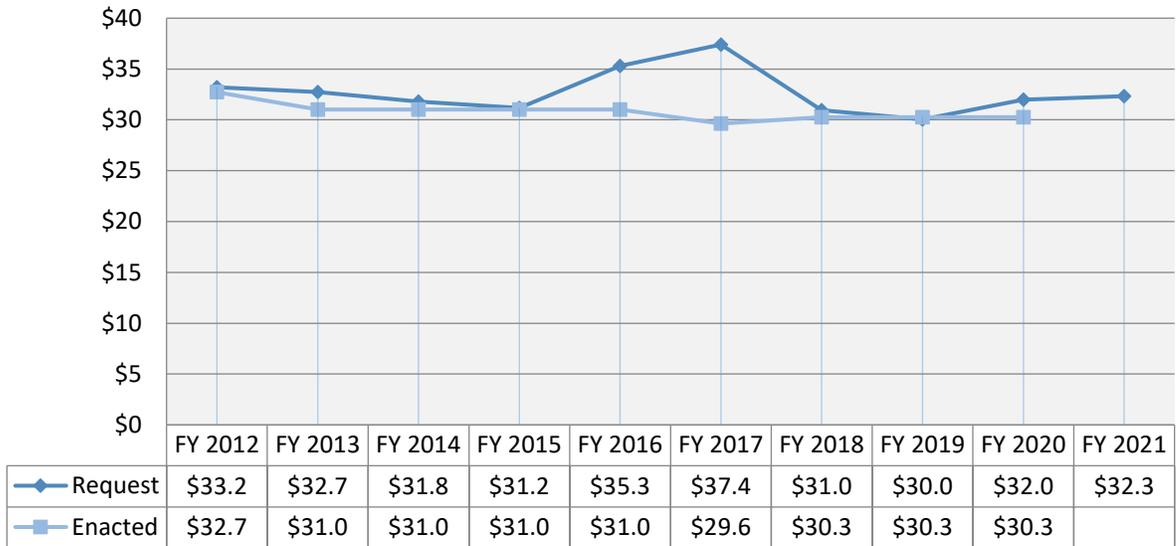
- The Office of the Secretary (OSEC) is funded in the Program Direction and Support (PDS) activity, a component of the Departmental Management (DM) appropriation. OSEC also receives funding from the Working Capital Fund. Details on that funding can be provided upon request.
- The PDS activity funds the following offices:
 - The Office of the Secretary of Labor;
 - The Office of the Deputy Secretary of Labor;
 - The Office of the Assistant Secretary for Policy;
 - The Office of Congressional and Intergovernmental Affairs;
 - The Office of Public Affairs (OPA);
 - The Center for Faith and Opportunity Initiatives; and
 - The Office of Public Liaison.
- All budget data are reported at the budget activity level, so tables show PDS data.
- Additionally, the Secretary is allocated a Reception and Representation Fund (R&R Fund) of \$28,000 annually for the purpose of official workforce development-related receptions and engagements.
- The Secretary also has available a Gifts and Bequests account. This account is funded through philanthropic gifts and bequests from external, non-governmental entities to the Department and made be used in furtherance of the Department’s mission. All gifts are subject to review by the Office of the Solicitor (SOL).

Budget and FTE Trends

- PDS’s enacted budget authority has been stable since FY 2013.

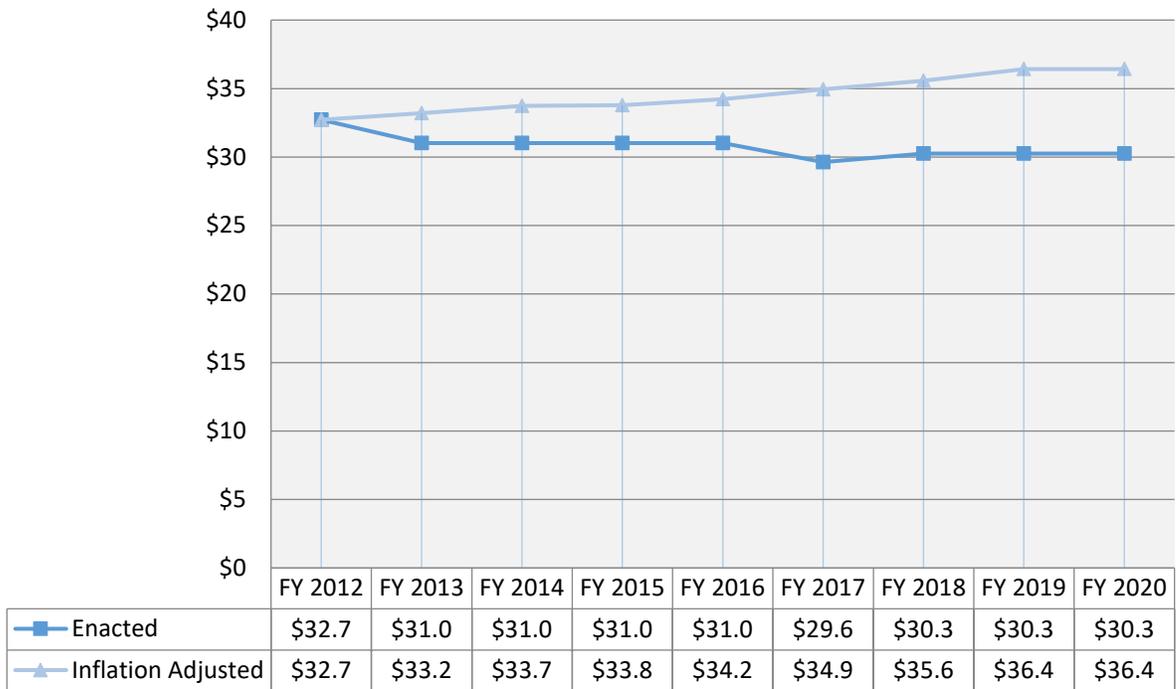
PDS

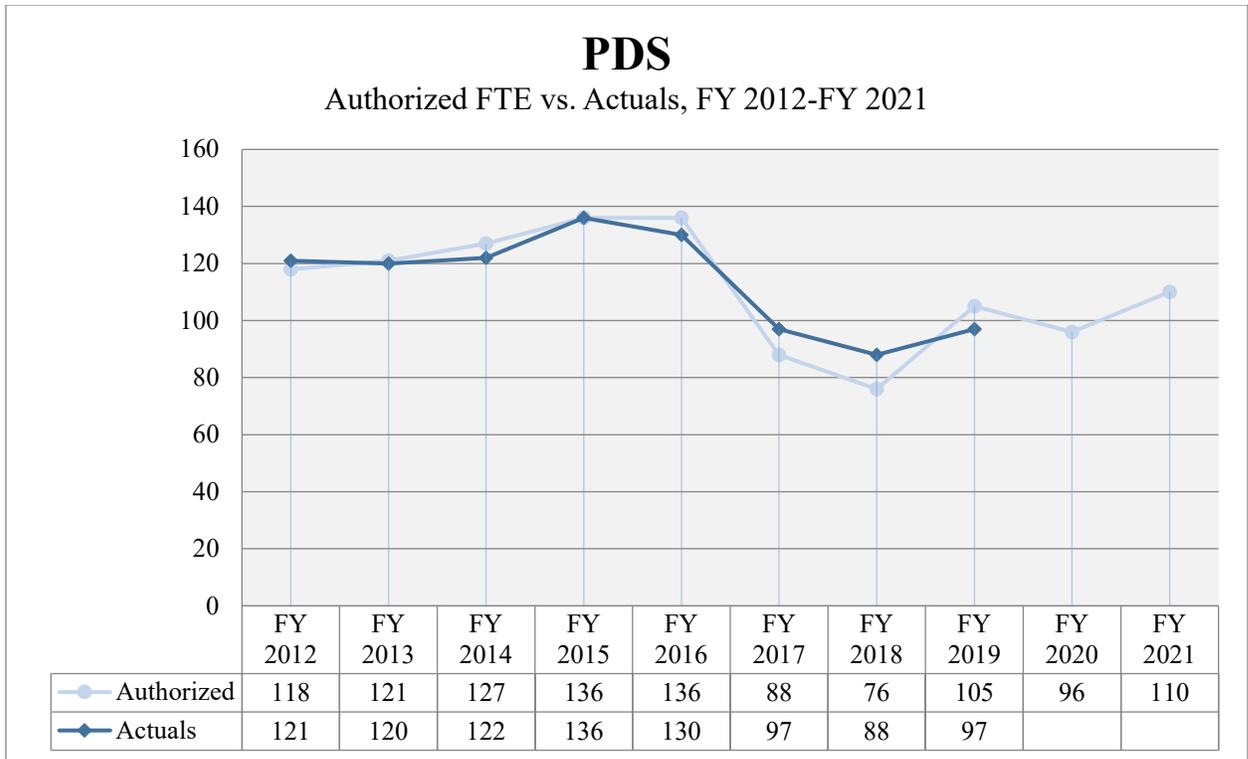
Request vs. Enacted, FY 2012-FY 2021
(Dollars in millions)



PDS

FY 2012 Inflation Adjusted BA vs. FY 2012-FY 2020 Enacted BA
(Dollars in millions)





Adjudication Offices

BUDGET AUTHORITY AND FTE SUMMARY

(Dollars in millions)

	FY 2017 Enacted	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Pres. Bud.
Budget Authority	\$55.7	\$57.3	\$57.4	\$58.3	\$61.9
FTE	259	244	230	230	230

At-A-Glance

- The Adjudication budget is funded in the Departmental Management (DM) appropriation and supports the Office of Administrative Law Judges (OALJ), the Benefits Review Board (BRB), the Employees' Compensation Appeals Board (ECAB), and the Administrative Review Board (ARB).
- Adjudication is funded by both general funds and the Black Lung Disability Trust Fund (BLDTF). The BLDTF supports staff and expenses in OALJ and the BRB to adjudicate cases related to black lung benefits. As a mandatory appropriation, BLDTF has been subject to sequestration since FY 2013.
- The head tables and subsequent graphs include both general fund and BLDTF resources.

Budget and FTE Trends

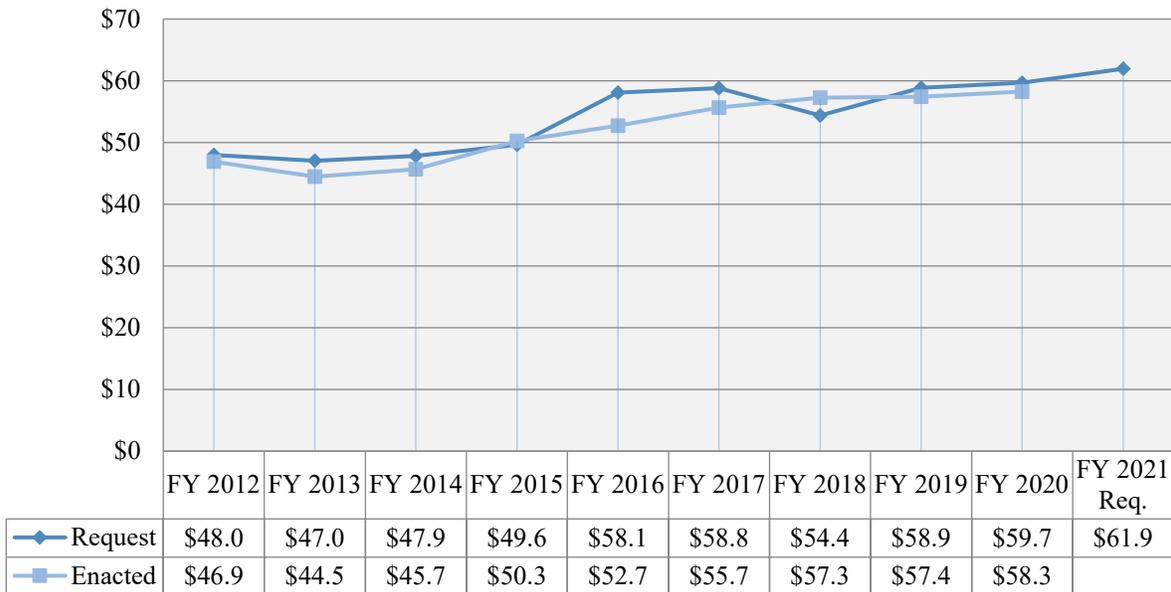
- The majority of the net change in budget authority in recent years for the Adjudication was the result of an increase in BLDTF authority in FY 2015 for OALJ. Beginning in FY 2014, the appropriations committees put significant attention on the backlog of black lung cases before OALJ. An additional \$4.6 million above the FY 2015 enacted level was provided in the BLDTF to reduce this backlog in black lung cases. The funding was used to hire additional administrative law judges and support staff, as well as make IT investments to improve efficiency.
- In addition, the activity was appropriated an additional \$2.6 million in general funds in FY 2016 and \$3.0 million in FY 2017. In FY 2016, the report language did not specify where this increase should be directed, although there were two program increases in the FY 2016 President's Request for OALJ (\$3.0 million to adjudicate immigration cases and \$2.0 million to provide resources for productivity increases). In FY 2017, Senate report language directed increased resources to OALJ.
- Since FY 2017, the Adjudication activity has been flat-funded. The Department has periodically reprogrammed funds from this account. Funds have been temporarily available due to one-time surpluses from temporary reductions in staffing due to attrition or delays in hiring up.

Upcoming Issues

- Both OALJ and the Boards are actively involved IT modernization efforts, including eFile/eServe efforts that are underway and a request for a court management system included in the FY 2022 OMB Submission.
- OALJ's lease is ending and the agency plans to move into the Frances Perkins Building. The FY 2021 President's Budget included a request for move resources and resources to cover increased rent costs.

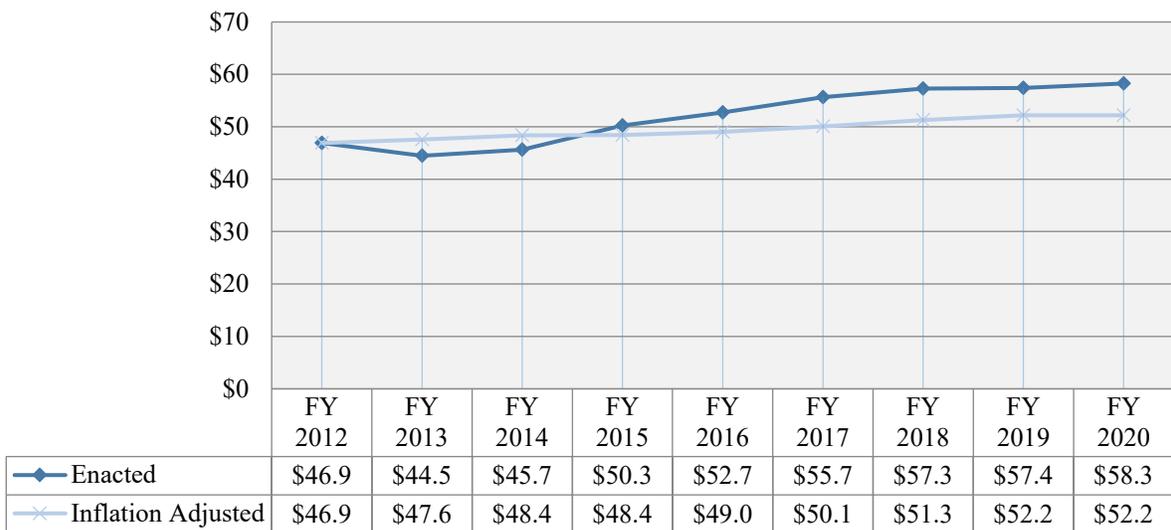
Adjudication

Request vs. Enacted, FY 2012-FY 2021
(Dollars in millions)



Adjudication

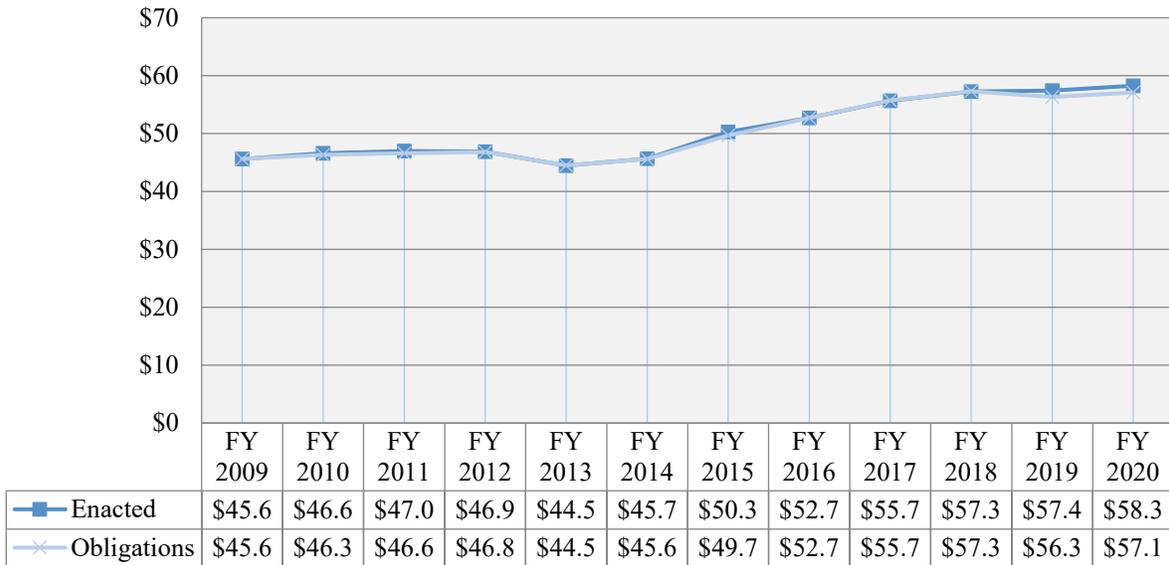
FY 2012 Inflation Adjusted BA vs. FY 2012-FY 2020 Enacted BA
(Dollars in millions)



Adjudication

Budget Authority vs. Obligations, FY 2012-FY 2020

(Dollars in millions)



Adjudication

Authorized FTE vs. Actuals, FY 2012-2021

