

Workload Review of the Dover Hearing Office
A-12-15-50040



December 2015

Office of Audit Report Summary

Objective

To determine whether Agency managers maintained appropriate oversight of the workload at the Dover, Delaware, Hearing Office as well as personnel processing that workload.

Background

Administrative law judges (ALJ) in the Social Security Administration's (SSA) Office of Disability Adjudication and Review (ODAR) conduct hearings on appealed claims. ODAR managers provide necessary guidance and oversight of this workload.

During Fiscal Years (FY) 2011 to 2014, the Dover Hearing Office experienced worsening average processing times (APT) on hearing cases (a 49-percent increase) as well as a 25-percent decline in ALJ productivity.

In October 2014, SSA management began receiving letters alleging an ALJ in the Dover Hearing Office was issuing poor quality decisions. The letters stated the ALJ was not deciding disability cases consistent with Agency policy and procedures. Similar letters were sent to the Congress and Office of the Inspector General.

Findings

Philadelphia regional managers attributed some of Dover's workload challenges to high ALJ turnover. In FY 2014, four of the five ALJs left the office, while three ALJs transferred to the office. No other office in the Philadelphia Region had a comparable turnover rate.

To address Dover's increasing APT and pending claims, the Region realigned hearing requests by (1) transferring existing cases to other hearing offices in the Region for processing and decision-writing assistance, (2) assigning Dover's permanent remote site to another hearing office, and (3) redirecting cases from two field offices to another hearing office for disposition.

We determined that ODAR managers began addressing quality issues with the subject ALJ's performance even before receiving the previously mentioned letters. However, we believe insufficient oversight and mentoring earlier in the ALJ's career contributed to the ALJ's inability to acquire the required skills. In FY 2015, ODAR managers (1) placed the ALJ under a training plan, (2) assigned new mentors, and (3) reduced the ALJ's hearing workload.

At the time of our review, management was still determining the effectiveness of these corrective actions. Should the ALJ's productivity and quality remain inadequate, Agency managers have other non-disciplinary and disciplinary options they should explore. The Agency should also encourage the Office of Personnel Management to assess the need for a probationary period for new ALJs.

Recommendations

1. Ensure the mentor portion of the *New ALJ* training program is being enforced nationwide and mentoring problems are timely addressed.
2. Continue working with the noted ALJ to ensure adherence to all quality and workload standards and take necessary actions to the extent the ALJ is unable to meet these standards.
3. Encourage the Office of Personnel Management (OPM) to propose necessary regulatory changes to establish a probationary period for newly hired ALJs.

The Agency agreed with recommendations 1 and 2 and will apprise OPM of recommendation 3.