

Workload Oversight in the Miami Hearing Office

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June 2016

Office of Audit Report Summary

Objective

To determine whether Agency managers were taking the necessary steps to improve the Miami, Florida, Hearing Office's workload performance.

Background

As we noted in our November 2015 report, *Fiscal Year 2015 Inspector General Statement on the Agency's Major Management and Performance Challenges*, improving the responsiveness and oversight of the hearings process remains an Agency challenge. The pending hearings backlog has increased annually since Fiscal Year (FY) 2010, standing at more than 1 million cases at the end of FY 2015. The average processing time (APT) for hearing cases has also increased since FY 2012, rising to 480 days by the end of FY 2015. The Miami Hearing Office's APT rose to 675 days in FY 2015.

Over the last 5 FYs, Miami Hearing Office receipts have outpaced hearing office dispositions 4 of 5 years even with outside assistance, resulting in an increase in pending claims and worsening timeliness. As of the date of our review, the pending hearings per administrative law judge (ALJ) had increased 79 percent from FY 2011 levels, while the ALJs were 80 percent as productive as the average ALJ in FY 2015.

Findings

In recent years, the Office of Disability Adjudication and Review (ODAR) has taken steps to create a permanent management team in the Miami Hearing Office, assisted with receipts and dispositions, and increased the staff's technical competency. However, even with decreasing receipts and outside assistance, the Miami Hearing Office has struggled with management changes, increased pending levels, poor office morale, lower than average ALJ productivity, and high APT.

From FYs 2011 through 2015, the Miami Hearing Office had seven different hearing office chief ALJs and nine different hearing office directors. The constant turnover in Miami's management team contributed to poor morale and communication issues. In addition, ALJ retirements, transfers, and administrative actions as well as low productivity have reduced ALJ adjudicatory capacity.

In the past 5 years, ODAR has taken some steps to improve the Miami Hearing Office's performance by

- assigning ALJs from other hearing offices to adjudicate cases in Miami or remotely;
- transferring Miami's cases to other offices to assist with adjudication, writing, and case work-up;
- issuing directives to Miami ALJs who have cases pending in ALJ-controlled statuses past established benchmarks; and
- training the Miami support staff.

Consistent internal management, improved communication, continual regional oversight, ongoing outside support, sufficient training of employees, and standards for transferring ALJs will be necessary to ensure that the Miami Hearing Office has the ability and resources to reduce its backlog of cases.

Recommendations

We made several recommendations to ensure appropriate oversight, training, and accountability of the Miami team as well as workload standards for transferring ALJs. In general, the Agency agreed with our recommendations.