



## U.S. Merit Systems Protection Board

### Policy Governing the Designation of Agency Initial Contacts

On October 16, 2023, MSPB will launch its new e-Appeal system, which provides the same extensive capabilities of the former e-Appeal Online and offers additional functionality for monitoring agency cases. The Board's regulations provide that "[a]gencies are required to designate a specific individual as an initial agency representative to whom the Board will serve a copy of an appeal when it is docketed" and that "[a]gency initial contacts are responsible for monitoring case activity regularly at e-Appeal." See 5 C.F.R. § 1201.14(g)(1). All agency representatives are required to register as e-filers and use e-Appeal as the exclusive system for electronic filing with the MSPB. 5 C.F.R. § 1201.14(b), (e)(5). The instant policy sets forth the requirements for the designation of agency initial contacts pursuant to 5 C.F.R. § 1201.14(g)(2).

Each agency work unit must designate with the Board a specific individual, with a unique email address, as the agency initial contact. E-Appeal provides flexibility in reasonably allowing the agency to define its work unit in a manner supporting its organizational structure for handling MSPB appeals. An agency work unit may encompass the entire agency/subagency, or it may be structured by location and geographic area. The agency initial contact must provide the Board with the definition or coverage of the work unit to facilitate notification of new Board appeals.

The agency initial contact is responsible for updating the work unit's information with the Board as necessary, including any update to the designated initial contact, their email address and contact information, and work unit coverage. Failure to maintain accurate initial contact information for a work unit could lead to sanctions or a finding against the agency in any case in which the agency fails to appear or respond to orders.

E-Appeal provides the agency initial contact and work unit with expanded functionality to assist in fulfilling the initial contact's monitoring obligations. The initial contact can designate five users in the work unit as "superusers," who, in addition to the initial contact, can monitor all appeals in the work unit; preregister, deactivate, and edit agency users in the work unit; and invite agency representatives in the work unit to designate themselves on a case. For more information regarding e-Appeal's functionality for initial contacts and superusers, please refer to the "Information for Agency Users" and "e-Appeal Guide for Agency Users," available at the [MSPB e-Appeal Information Hub](#).

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