

MSPB NOMINATION HEARING TESTIMONY

JULIA AKINS CLARK

MEMBER

U.S. MERIT SYSTEMS PROTECTION BOARD

SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS

July 19, 2018

Chairman Lankford, Ranking Member Heitkamp and Members of the Committee:

Thank you for the opportunity to appear before you regarding my nomination to be a Member of the U.S. Merit Systems Protection Board. I am honored to be nominated to this important position and, if confirmed, pledge to serve with the highest degree of professionalism and integrity.

I am the daughter of career public servants, who taught me through their example the essential role career public servants play in the delivery of efficient, effective, and high-quality government services to the American people. I joined the federal civil service upon law school graduation, by accepting a position as an Honors Program Trial Attorney in the U.S. Department of Justice. Subsequently, I devoted my legal career to upholding the public's interest in maintaining a high-quality career civil service. For over twenty years, I represented civil servants' workplace interests, as a private labor organization attorney. For the last nine years, I have served as a senior official in two independent agencies—the Federal Labor Relations Authority and the Congressional Office of Compliance—administering federal laws designed to protect civil servants' workplace rights.

In my work as private attorney, I was privileged to represent the workplace interests of NASA scientists, engineers and technicians, Naval Shipyard engineers and technicians, including those with nuclear energy responsibilities, Army Corps of Engineers research scientists and emergency preparedness employees, Environmental Protection Agency scientists, Congressional Research Service experts, General Accountability Office analysts, Administrative Law and Immigration Judges and many others. I was privileged to rejoin the federal government in August 2009 as the General Counsel of the Federal Labor Relations Authority, where I was entrusted by the President and Senate with enforcement of labor-management relations provisions of the Civil Service Reform Act of 1978. Since January 2017, I have served as Deputy General Counsel of the Office of Compliance, the legislative branch's independent agency tasked with protecting legislative branch employees' workplace rights under the Congressional Accountability Act.

My experience as both a public servant and a private attorney has prepared me for the important adjudicatory responsibilities Congress has conferred upon the MSPB Member. I pledge my

unqualified commitment to protect the Merit System Principles and to promote a federal civil service free of Prohibited Personnel Practices by carrying out the MSPB Member's responsibilities fairly, impartially and in the public interest. I further wholeheartedly embrace the MSPB's stated vision—that by fulfilling the agency's statutory mission, the MSPB will promote a highly qualified, diverse federal workforce that is fairly and effectively managed, and provides the best possible government services to the American people.

I want to thank the Committee for expediting the consideration of my nomination in the interest of restoring the Board's quorum. I understand well the challenge facing the incoming Board who must adjudicate well over a thousand backlogged cases. When I assumed my responsibilities as FLRA General Counsel, a backlog of 200 unfair labor practice complaint cases and 800 appeals cases had accumulated due to extended vacancies in the General Counsel and Deputy General Counsel positions. Working with career staff, we developed and implemented a plan to address the backlog and managed to clear it within six months. I am confident that, if confirmed, the new Board will similarly develop a consensus plan, with assistance from MSPB staff, to address the MSPB's backlog as expeditiously as possible.

I would also like to thank the Committee staff, my fellow nominees and Acting MSPB Chairman Robbins for their professional and collegial approach to the preparations for this hearing. Further, I want to express my appreciation to my family, friends and work colleagues over the years for their guidance and support. Most especially, I want to thank the thousands of federal civil servants I have been privileged to meet over the course of my career. They are the foundation of my faith in the enduring value of the federal civil service system to the American people.