

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 13-23(NxGen)

January 7, 2013

To: All Regional Directors, Officers-in-Charge,  
and Resident Officers

From: Anne Purcell, Associate General Counsel

Subject: NxGen Best Practices

During the NxGen NxPert and the Managers conferences, participants brainstormed ways to improve the Regions' NxGen case processing. Set forth below are some best practices which are based on suggestions made during these conferences, our experience in reviewing cases for Quality Reviews, and information gathered from training and assisting Regions to use NxGen effectively. It is our intention to survey the Regions in the near future to gather more best practices in light of the Regions' experience with NxGen. We will share the results of that survey as the information is gathered.

**Best Practices:**

1. Upload Documents into NxGen in a Timely Manner
2. Name Documents Accurately to Facilitate Finding Information
3. Use Versioning to Eliminate Duplicate Documents in NxGen
4. Do Not Upload Scanned Versions of Signed Documents
5. Upload Email Chains and Name Emails Based on Content
6. Verify All Documents are in NxGen and Ensure that Each Document has the Appropriate Visibility and Status
7. Place Links to NxGen Documents in Agenda Outlines and FIRs
8. Assign Responsibilities for NxGen Tasks
9. Advise Headquarters Offices About Material Developments in Cases Pending Before Their Offices
10. Review Monthly and Quarterly Reports
11. Ensure the Case Name in NxGen is Correct
12. Do Not Upload Internal Forms Used to Guide Data Entry

**1. Upload Documents into NxGen in a Timely Manner**

Timely uploading documents into NxGen is critical. To the extent practicable, documents should be uploaded as soon as they are created or received. This will permit appropriate review of the case file as the case progresses and will avoid the

necessity of uploading a large number of documents at one time. In any event, documents should be uploaded within a few days of being created or received.

Regions should also consider developing a process to upload documents that are received while a Board agent is out of the office for several days. There have been occasions where agents have been waiting to receive certain documents from parties when they have actually been submitted. Arrangements could be made so that documents received are immediately scanned into the NxGen system whenever the recipient is out of the office.

Some regional managers have required that all documents in a case be uploaded in NxGen prior to any Agenda determination. This practice will ensure that all necessary documents are uploaded at the decision stage and is a good first step in ensuring that all case documents are uploaded as the case proceeds.

Case notes often do not make it into the NxGen casefile. These documents frequently are much more than a record of contacts with parties and witnesses; they are a source of valuable information about substantive issues. Therefore, all case notes should be uploaded and periodically updated throughout the life of a case. Although a variety of case logs are currently in use, a best practice is to create and edit a Case Log template – instructions are found at [http://insider.nlr.gov/sites/default/files/documents/users/user129/nxgen\\_newsletter\\_11-6-12\\_-\\_case\\_log.doc](http://insider.nlr.gov/sites/default/files/documents/users/user129/nxgen_newsletter_11-6-12_-_case_log.doc)

## **2. Name Documents Accurately to Facilitate Finding Information**

Many users have raised concerns about the difficulty of finding documents when reviewing NxGen files. Proper naming of documents is key to addressing these concerns. Documents should be named so that anyone reviewing the case file will understand what the document (or email) contains. When all the documents are similarly named it can be extremely difficult to find which document contains the relevant information. For example, identifying an email only by a date is not very helpful when trying to determine who or what the email is about. Likewise, using the EMI prefix is misleading when the content or attachment to the email is a position statement, agenda minute or FIR.

A best practice would be to place the date of the document in the naming convention to allow for easy identification of appropriate documents at a later date. Some suggestions for naming documents are set forth below:

Affidavit	AFF.Case number.Last name, first name (date).doc
ICM [Internal Case Memo]	ICM.Case number.Direction of regional management on subpoena enforcement (date).doc
Letter	LTR.Case number.Email from ER attorney re delay of PST (date).pdf

Letter	LTR.Case number.Email chain with ER attorney re election arrangements (dates).msg
Log	LOG.Case number.Log of (agent name) (dates)
Position Statement	PST.Case number.Position Statement of Charged Party dated (date).pdf
Settlement Agreement	SET.Case number.Informal SA (date)
Stip	AGR.Case number.Stip (date)

### **3. Use Versioning to Eliminate Duplicate Documents in NxGen**

Many Regions are putting multiple drafts of the same document into NxGen. For example, there may be as many as three drafts of a dismissal letter, FIR, or settlement agreement. Storing multiple drafts of the same document as separate files increases the number of documents in the NxGen case file and makes it more difficult to locate the final document.

Instead of making each draft a separate document in NxGen, we strongly encourage Regions to use the NxGen versioning process to upload drafts of documents. This results in one document in the NxGen case file with drafts stored in that document task that can be viewed, if desired, after the document is finalized. See Section 9 in the Working with Documents instructions at [http://insider.nlr.gov/sites/default/files/documents/users/user129/working\\_with\\_documents\\_rev\\_10-1-12.docx](http://insider.nlr.gov/sites/default/files/documents/users/user129/working_with_documents_rev_10-1-12.docx). Avoiding the use of duplicate documents and removing all drafts will greatly reduce the burden of reviewing the NxGen file for all users. For instance, a supervisor reviewing the case file will not have to open every document to determine whether it is a draft or a final. Similarly, the Office of Appeals requires that every document in the NxGen file be reviewed. If the versioning process is used, there will be fewer documents for the Appeals attorney to review and the timely processing of the case will be easier. While we discourage saving drafts as separate documents, if a Region does this, the documents must have Side visibility to allow for headquarters' review.

### **4. Do Not Upload Scanned Version of Signed Documents**

A document with the /s/ designation showing it has been signed is the only document that is required in the NxGen file. It is not necessary for the Region to scan a signed version of *any* document it issues, including orders and motion. If a Region wants to have a scan of the signature, however, the scanned version (which is a pdf document) should be uploaded as a new version in the document task containing the final Word version of the document. This is accomplished by using the Check Out editing function in which the user will “check out” the Word version and “check in” the

pdf version. Uploading the scanned version as a separate document creates duplicate documents in NxGen and in some situations, creates multiple Due Dates for filing an Appeal or an Answer. Using the versioning process eliminates multiple documents, while still retaining the original Word document, which can be useful when drafting similar documents at a later date.

Unless there is a litigation hold, when the final version of a document is uploaded, duplicates of that document which are located in Outlook, hard drives, and network drives should be deleted from these secondary storage locations.

#### **5. Upload Email Chains and Name Emails Based on the Content**

It is not necessary to separately upload into NxGen each email received from the same individual. The best practice is to upload the last email in a chain of emails. If an email chain already in NxGen must be supplemented, the versioning process should be used to upload subsequent emails. Do not copy the email or place all emails into an Adobe portfolio because this removes all metadata contained in the Outlook email.

If the email contains a document, such as an affidavit or position statement, the email should be uploaded using the proper document Type and Subtype, for example, AFF or PST. It is not necessary to upload both the email and the attachment since the email will automatically include the attachment once uploaded. However, if the email contains multiple attachments, the Region may wish to upload each attachment separately for ease of identification. Alternatively, the Region may use bookmarks to identify attachments within the document.

#### **6. Verify All Documents Are in NxGen and Ensure Each Document Has the Proper Visibility and Status**

The Region should set up a verification process to ensure all documents are contained in NxGen and that all scanned documents are complete and contain legible pages. Regional personnel should conduct this review periodically throughout the lifespan of a case. This might occur prior to an agenda, at the time a case is submitted to Advice or Appeals, and at the time the case closes.

The status and visibility of documents should be checked when any Action status is changed to Complete. A document in the NxGen Training Library shows the correct Status and Visibility of most regional documents. See: [http://insider.nlr.gov/sites/default/files/two\\_column\\_layout/2011/09/finalizing\\_docs\\_latest\\_version\\_6-1-12.xls](http://insider.nlr.gov/sites/default/files/two_column_layout/2011/09/finalizing_docs_latest_version_6-1-12.xls). This document will be updated periodically as document types are added.

Currently many documents in NxGen have the Status of Uploaded. We are working with the NxGen developers to put the correct Status on documents when they are scanned or added into NxGen so users will not have to go back into NxGen and change the status for every document. We hope to implement this change in the near future.

All documents should be reviewed for proper Status and Visibility when a case is submitted to a headquarters office, and specifically when a Comment on Appeal is being prepared for the Office of Appeals. When the documents are not in their proper Status or Visibility, the Office of Appeals, like other offices, must contact the Region to ask that the changes be made prior to review of the case. This results in interruptions to those in the Regions and delays in processing the case in headquarters.

When a case is closed in NxGen, the case should be reviewed to make sure that each Action status is correct. Some Regions have assigned the responsibility of ensuring correct Action and Document statuses to a particular employee, perhaps a NxPert who is responsible for making sure the file contains the proper documents, and that all scanned documents are complete and legible.

## **7. Place Links to NxGen Documents in Agenda Outlines and FIRs**

Many Regions have found it helpful to place [links to NxGen documents](#) in Agenda Outlines or FIRs. These links provide a way to quickly view the document. Placing a link to a document instead of attaching a copy of the document in an email or Agenda Minute also avoids overloading people's email.

If you wish to send a link that allows someone to edit the document, you can send a link to the page that allows the user to edit that document. Instructions for sending such a link can be found at: [http://insider.nlr.gov/sites/default/files/documents/users/user105/instructions\\_to\\_send\\_link\\_to\\_quick\\_edit\\_a\\_document.docx](http://insider.nlr.gov/sites/default/files/documents/users/user105/instructions_to_send_link_to_quick_edit_a_document.docx).

Using links to a document in NxGen ensures that the necessary documents are in NxGen. This is another way for the Region to verify that all necessary documents for making a determination on the case are already contained in NxGen

## **8. Assign Responsibilities for NxGen Tasks**

Many Regions have identified someone in the regional office who is responsible for the various NxGen tasks. A suggested guideline showing what regional positions might be responsible for various NxGen duties was distributed during the Managers conference this year and can be found in the NxGen Training Library at: [NxGen Work Assignment Suggestions](#) [http://insider.nlr.gov/sites/default/files/documents/users/user129/nxgen\\_work\\_assignment\\_suggestions.docx](http://insider.nlr.gov/sites/default/files/documents/users/user129/nxgen_work_assignment_suggestions.docx). Whether your Region adopts this protocol is not important. What is important is that assignments are made to ensure that the NxGen files are complete and accurate.

## **9. Advise Headquarters Offices About Material Developments in Cases Pending before Them**

The Office of Appeals has asked that Regions be reminded to tell the Office of Appeals about material developments that impact cases on appeal. Whenever the

Region modifies an earlier determination, obtains information concerning a remand, or otherwise reconsiders the case following an appeal and issues a new letter to the parties, especially one with a new appeal date, the Office of Appeals must be advised by email to Bob Tendrich and Deborah Yaffe. This instruction applies equally to all headquarters offices when material developments in the case occur. Hopefully, in the future there may be notifications to the Office of Appeals and other headquarters offices through NxGen, but until that time, please contact headquarters as developments occur.

## **10. Review Monthly and Quarterly Reports**

Regions should consider establishing a practice of reviewing Monthly and Quarterly Reports in NxGen. In a number of Regions, this responsibility is assigned to the NxGen NxPert or another designated employee. This review would ensure that all statistics are recorded on the proper reports in a timely fashion. Those which should be reviewed are:

- Monthly Closing Report
- C Cases Pending Investigation
- Open Case Report
- My Region's Potential Overage
- Overage by Month Report
- Disposition Due Date Report
- Election Median Report
- Pending Disposition – Open Action Report – reports cases where a Determination has been made, but the Disposition has not been recorded in NxGen

## **11. Ensure the Case Name in NxGen Is Correct**

When a case is created, the Case Name in NxGen should be the correct legal name of the Union or Employer, if known, *even if that is not how it appears on the charge or petition*. For example, if the charge is filed naming USPS as the Employer, the case name should be United States Postal Service. Acronyms of Unions or Employers should not be used. In a charge filed against a Union, the case name should be the Union's correct legal name followed by the name of the Employer involved in parentheses. If the name of the Employer and/or Union is later corrected in the Complaint, DDE or Election Agreement, the Case Name field in NxGen should also be corrected.

The Division of Operations has received many requests from the Executive Secretary's office and the Division of Judges for the Case Name to be corrected in NxGen. The Board and the Judges Division use the NxGen Case Name in their document templates. These offices do not have the ability to change the Case Name in NxGen and must contact the Regions to make the correction.

For guidance on the correct union names, a document entitled [List of Unions and Acronyms](#) has been placed in the NxGen Training Library for quick reference.

[http://insider.nlr.gov/sites/default/files/documents/users/user129/union\\_names\\_and\\_acronyms\\_dec\\_2012.xls](http://insider.nlr.gov/sites/default/files/documents/users/user129/union_names_and_acronyms_dec_2012.xls).

## **12. Do Not Upload Internal Forms Used to Guide Data Entry**

Some Regions are using internal forms to guide support staff with NxGen data when a case is docketed or a determination is made. While we do not encourage the use of these forms, if a Region uses them they should *not* upload the forms into NxGen because the form is not part of the official record. Please discard the form after the NxGen data has been checked.

Thank you for your continued cooperation in working in NxGen. Should you have any questions about this memorandum, please feel free to contact your AGC or Deputy or Supervisory Program Analyst Marge Hamrick.

/s/  
A. P.

cc: NLRBU