

**ANNUAL REPORT
TO CONGRESS
—for—
FISCAL YEAR 2023**



U.S. OFFICE OF SPECIAL COUNSEL
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The Special Counsel

The Honorable Kamala Harris
President of the Senate
Washington, D.C. 20510

The Honorable Mike Johnson
Speaker of the House of Representatives
Washington, D.C. 20515

Dear President and Speaker:

I respectfully submit the Report to Congress for fiscal year 2023 from the U.S. Office of Special Counsel. A copy of this report will also be posted on our website.

Sincerely,

A handwritten signature in cursive script that reads "Hampton Dellinger".

Hampton Dellinger
Special Counsel

cc: The Honorable Charles Schumer, Majority Leader, U.S. Senate
The Honorable Mitch McConnell, Minority Leader, U.S. Senate

The Honorable Steve Scalise, Majority Leader, U.S. House of Representatives
The Honorable Hakeem Jeffries, Minority Leader, U.S. House of Representatives

The Honorable Gary Peters, Chair, Senate Committee on Homeland Security
and Governmental Affairs
The Honorable Rand Paul, Ranking Member, Senate Committee on Homeland Security and
Governmental Affairs

The Honorable James Comer, Chair, House Committee on Oversight and Accountability
The Honorable Jamie Raskin, Ranking Member, House Committee on Oversight and
Accountability

The Honorable Patty Murray, Chair, Senate Committee on Appropriations
The Honorable Susan Collins, Vice Chair, Senate Committee on Appropriations

The Honorable Kay Granger, Chair, House Committee on Appropriations
The Honorable Rosa DeLauro, Ranking Member, House Committee on Appropriations

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THE SPECIAL COUNSEL

Henry J. Kerner was sworn in to serve as Special Counsel on October 30, 2017. Mr. Kerner's term ended on October 22, 2023.

Karen Gorman served as Acting Special Counsel from October 2023 – March 2024.

Hampton Dellinger was sworn in to serve as Special Counsel on March 6, 2024.

A MESSAGE FROM SPECIAL COUNSEL HAMPTON Y. DELLINGER

It is my pleasure to provide this overview of the work completed by the U.S. Office of Special Counsel (OSC) in fiscal year (FY) 2023. I began my term as Special Counsel after the end of FY 2023. I credit my colleagues along with my predecessor, former Special Counsel Henry Kerner, with the successes reflected in this report.

I look forward to continuing OSC's important mission by working with Congress, stakeholders, and the agency's talented career staff to protect federal workers and address governmental misconduct. I also look forward to maintaining our collaborative relationship with Congress to identify how OSC can perform its vital mission even better. OSC represents one of the most cost-effective methods of promoting good government, safeguarding the merit system, and protecting taxpayers. With the continued support of Congress, OSC will be able to keep pace with its rising caseload in future non-pandemic years and continue to promote a better and more accountable government. As OSC's track record demonstrates, a relatively small investment in OSC pays huge dividends in curbing fraud, waste, and abuse.

Sincerely,

A handwritten signature in cursive script that reads "Hampton Dellinger".

Hampton Dellinger

April 29, 2024

PART 1 – INTRODUCTION TO OSC

Mission

OSC’s mission is to safeguard employee rights and hold the government accountable for misconduct. To achieve this mission and promote good government in the federal executive branch, OSC’s obligations are, broadly speaking: (1) to uphold the merit system by protecting federal employees, applicants, and former employees from prohibited personnel practices, curbing prohibited political activities in the workplace, and preserving the civilian job rights of federal employees who are veterans or members of the National Guard or Reserve; and (2) to provide a safe channel for federal employees, applicants, and former employees to disclose wrongdoing at their agencies. In addition, through its Hatch Act enforcement role, OSC helps secure public trust in government by upholding the nonpolitical nature of the civil service and federal programs. These responsibilities work in tandem to maintain the integrity and fairness of the federal workplace and to make the government more accountable.

Statutory Background

The Civil Service Reform Act of 1978 (CSRA) established OSC on January 1, 1979. Under the CSRA, OSC operated as an autonomous investigative and prosecutorial arm of the Merit Systems Protection Board (MSPB or Board). Pursuant to the CSRA, OSC: (1) receives and investigates complaints alleging prohibited personnel practices (PPPs); (2) receives and investigates complaints regarding prohibited political activities by federal employees and covered state and local employees and provides Hatch Act advisory opinions on the political activities of those employees; and (3) receives disclosures from federal whistleblowers about government wrongdoing. Additionally, when appropriate, OSC files petitions for corrective and/or disciplinary action with the Board in PPP and Hatch Act cases.

When Congress enacted the Whistleblower Protection Act of 1989 (WPA), OSC became an independent agency within the executive branch, with continued responsibility for the functions described above. The WPA also enhanced protections for employees who allege reprisal for whistleblowing and strengthened OSC’s ability to enforce those protections.

Congress passed legislation in 1993 that significantly amended the Hatch Act provisions applicable to federal and District of Columbia government employees. The 1993 amendments to the Hatch Act did not affect covered state and local government employees.

The following year, Congress enacted the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). USERRA protects the civilian employment and reemployment rights of those who serve or have served in the Armed Forces, including the National Guard and Reserve, and other uniformed services. It prohibits employment discrimination based on past, present, or future military service; requires prompt reinstatement in civilian employment upon return from military service; and prohibits retaliation for exercising USERRA rights. Under

USERRA, OSC may seek corrective action for service members whose rights have been violated by federal agencies (*i.e.*, where a federal agency is the civilian employer).

OSC's 1994 Reauthorization Act expanded protections for federal employees and defined new responsibilities for OSC and other federal agencies. For example, the Reauthorization Act extended protections to approximately 60,000 employees at the Department of Veterans Affairs (VA) and extended whistleblower retaliation protections to employees of listed government corporations. Further, the Reauthorization Act broadened the scope of personnel actions covered under these provisions. Finally, the Reauthorization Act required that federal agencies inform employees of their rights and remedies under the WPA in consultation with OSC.

The Whistleblower Protection Enhancement Act of 2012 (WPEA) was signed into law in November 2012 and strengthened the WPA. This law overturned legal precedents that narrowed protections for government whistleblowers; provided whistleblower protections to employees who were not previously covered, including Transportation Security Administration (TSA) officers; restored OSC's ability to seek disciplinary actions against supervisors who retaliate; and held agencies accountable for retaliatory investigations.

That same year, Congress passed the Hatch Act Modernization Act of 2012 (HAMA). HAMA modified the penalty provision of the Hatch Act to provide a range of possible disciplinary actions for federal employees. It also permits state or local government employees to run for partisan political office unless the employee's salary is entirely funded by the federal government. Lastly, it changed the status of District of Columbia government employees by treating them as state and local employees rather than as federal employees.

In October 2017, the Dr. Chris Kirkpatrick Whistleblower Protection Act (Act) was signed into law. The Act created a new PPP: accessing an employee's medical records in furtherance of another PPP. The Act requires agencies to notify OSC if an agency employee commits suicide when there is credible evidence that, before the employee's death, a personnel action was taken against the employee after they made a protected disclosure. The Act also requires agencies to train supervisors on how to handle complaints of whistleblower retaliation and mandates disciplinary action for supervisors who violate specific sections of the WPEA. Finally, the Act requires agencies to prioritize the transfer requests of employees who have been granted stays of personnel actions by the MSPB.

In December 2017, OSC's reauthorization was signed into law as part of the National Defense Authorization Act for Fiscal Year 2018, reauthorizing OSC through 2023. The reauthorization (Section 1097) reaffirmed the original intent of 5 U.S.C § 1212 that federal agencies may not withhold information and documents from OSC by asserting common law privileges when complying with OSC's information requests. OSC's reauthorization also promotes greater efficiency and accountability within OSC; improves protections against retaliatory investigations and other forms of reprisal for whistleblowing; and requires managers across the federal government to respond appropriately to disclosures of waste, fraud, and abuse.

PART 2 – OVERVIEW OF OPERATIONS

Internal Organization

OSC's principal place of business is Washington, D.C. The agency also has a significant staffing presence in Dallas, Detroit, and Oakland, and a small, physical office in Oakland for Field Office leadership.

The agency includes several program and support units described below:

Immediate Office of Special Counsel (IOSC)

The Special Counsel and their immediate staff are responsible for policymaking and the overall management of OSC, including supervision of each of OSC's program areas. This office encompasses management of the agency's congressional liaison and public affairs activities.

Office of General Counsel (OGC)

This office provides legal advice and support on a variety of issues, including management and administrative matters, ethics, appropriations, fiscal law, privacy, disclosure of information, employment, equal opportunity, proposed legislation, and other matters. OGC provides legal review of agency policy statements and directives, interagency memoranda of understanding, and revisions to regulations. OGC trains OSC employees on their ethical obligations. OGC also handles the defense of OSC interests in litigation filed against the agency.

Case Review Division (CRD)/Clerk's Office

This division serves as the initial intake point for all PPP and disclosure cases. CRD screens all new allegations to ensure that PPPs and disclosures are directed to the appropriate OSC component. CRD also closes allegations that are duplicative, filed with MSPB, outside of OSC's jurisdiction, or untimely. Additionally, the prior Clerk's Office functional areas are now within CRD, including Freedom of Information Act (FOIA), Privacy Act, Controlled Unclassified Information, and records management.

Investigation and Prosecution Division (IPD)

IPD receives PPP cases from CRD and investigates the allegations to determine whether the evidence is sufficient to establish that a violation has occurred. If it is not, the matter is closed. If the evidence indicates a reasonable basis to believe a violation occurred, IPD may seek corrective action and/or disciplinary action. IPD works closely with OSC's Alternative Dispute Resolution (ADR) Unit in appropriate cases. If a meritorious case cannot be resolved through negotiation with the agency involved, IPD may bring an enforcement action before the MSPB.

Disclosure Unit (DU)

This unit receives and reviews disclosures from federal whistleblowers. DU recommends the appropriate disposition of disclosures, which may include referral to the head of the relevant agency to conduct an investigation and report its findings to the Special Counsel, informal referral to the Office of Inspector General (OIG) or general counsel of the agency involved, or

closure without further action. Unit attorneys review each agency report of investigation to determine its sufficiency and reasonableness. The Special Counsel then sends the report, along with any comments by the whistleblower, to the President and appropriate Congressional oversight committees. OSC also posts the report and whistleblower comments in its public file on OSC's website.

Retaliation and Disclosure Unit (RDU)

This unit reviews related PPP complaints and disclosures submitted by the same complainant. The assigned RDU attorney serves as the single OSC point of contact for both filings, performing a similar function to the IPD and DU attorneys. Where appropriate, RDU attorneys investigate PPP complaints, obtain corrective or disciplinary actions, and refer disclosures for investigation. RDU attorneys also refer cases to ADR.

Hatch Act Unit (HAU)

This unit enforces and investigates complaints of unlawful political activities by government employees under the Hatch Act and represents OSC in seeking disciplinary actions before the MSPB. In addition, HAU is responsible for providing advisory opinions on the Hatch Act to federal, state, and local employees, as well as to the public at large.

USERRA Unit

This unit enforces USERRA on behalf of veterans and service members who work (or apply to work) at federal civilian agencies by reviewing, resolving, and (if necessary) litigating USERRA complaints referred from the U.S. Department of Labor (DOL). The USERRA Unit also provides outreach and assistance to veterans, service members, and agencies about their rights and responsibilities under USERRA.

Alternative Dispute Resolution Unit (ADR)

This unit supports OSC's operational program units, mediating appropriate matters where both the affected employee and agency consent to ADR. ADR is equipped to negotiate global settlements of claims brought to OSC and other claims, for example resolving PPP and Title VII discrimination claims stemming from the same personnel action.

Diversity, Outreach and Training Unit (DOT)

This unit facilitates coordination with and assistance to agencies in meeting the statutory mandate of 5 U.S.C. § 2302(c). This provision requires that federal agencies inform their workforces, in consultation with OSC, about the rights and remedies available to them under the whistleblower protection and PPP provisions of the Whistleblower Protection Act. OSC designed and implemented a five-step educational program, the Section 2302(c) Certification Program. Unit staff also provide related training government-wide. OSC provides formal and informal outreach, including making materials available on the agency website. This unit also helps develop and implement training programs for OSC's staff, in order to meet compliance requirements.

Operations Division

The Operations Division manages OSC's budget and financial operations and oversees the agency's technical, analytical, and administrative needs. Component units are the Budget and Finance Office, Human Capital Office, Administrative and Security Office, and Information Technology Office. Procurement operations as well as travel are included under the Budget and Finance Office.

FY 2023 Budget and Staffing

During FY 2023, OSC operated with a budget authority of \$31,904,000 in appropriated funding.¹ The agency operated with a staff of approximately 129 full-time equivalent (FTE) employees.

FY 2023 Case Activity and Results

OSC received 4,611 new cases in FY 2023. While this figure is approximately 21 percent above the average level of cases received during the COVID-19 pandemic (FY 2020 through FY 2022), it is still below the average of over 5,900 cases received in the five years immediately preceding the pandemic. OSC expects a return to pre-pandemic caseload levels in future fiscal years, barring additional, unforeseen circumstances.

OSC continued to bring accountability, integrity, and fairness to the federal workplace in FY 2023. Specifically, OSC achieved an impressive number of favorable outcomes, in total and across OSC's multiple program units. For example, OSC achieved 418 favorable actions on PPP cases, which is second highest in agency history, and approximately 13 percent above the prior five-year average. On the Hatch Act front, OSC resolved 277 Hatch Act cases, which is approximately 19 percent below the average of the prior two fiscal years. In addition, OSC issued 41 warning letters and successfully obtained disciplinary actions in three (3) cases against officials who committed Hatch Act violations. OSC's USERRA Unit assisted 14 service members in asserting their employment and reemployment rights. As OSC aims to build upon this established pattern of success, future increases in resources will be necessary, as caseloads across OSC are returning to pre-pandemic heights.

Whistleblower disclosures of wrongdoing have led to immense success in ensuring identified problems are addressed and corrected. In FY 2023, OSC worked with whistleblowers to identify millions of dollars in wasteful spending and to prevent further waste.

For example, in FY 2023, an investigation required by OSC uncovered overspending of taxpayer funds amounting to \$20 million over a five-year period because the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) illegally misclassified positions and improperly gave employees law enforcement benefits. Another OSC-required investigation by the Federal Aviation Administration (FAA) substantiated whistleblower allegations that FAA failed to provide proper safety oversight of helicopter and aircraft operators, and that poor maintenance inspections contributed to two aircraft incidents. In response, FAA took steps to improve safety. Both cases show the critical importance OSC plays in ensuring a safe channel for whistleblower reports of

¹ OSC also received funds from an OSC employee on a reimbursable detail at CIGIE.

wrongdoing within the federal government, and the tangible results OSC achieves in the form of savings to taxpayers and greater safety for all.

In addition to receiving 4,611 new matters in FY 2023, OSC carried over 1,292 matters from the previous fiscal year, giving the agency a total of 5,903 matters in-house. In FY 2023, OSC resolved 4,455 matters, as shown in the charts below, which resulted in a slight increase to the agency’s pending cases, although it is still approximately 45 percent below its peak level at the end of FY 2018. Further, OSC issued 614 Hatch Act advisory opinions.

Table 1, below, summarizes overall OSC case intakes and dispositions in FY 2023, with comparative data for the previous five fiscal years. More detailed data can be found in **Tables 2-7**, relating to the four specific components of OSC’s mission—PPP cases, Hatch Act matters, whistleblower disclosures, and USERRA cases.

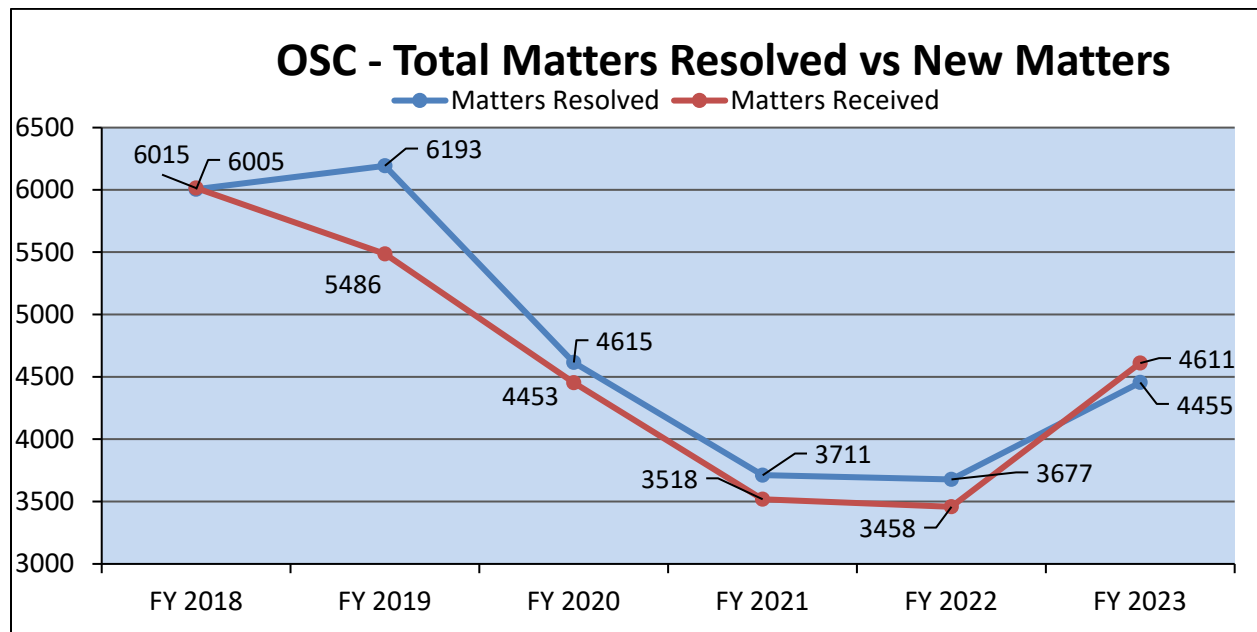
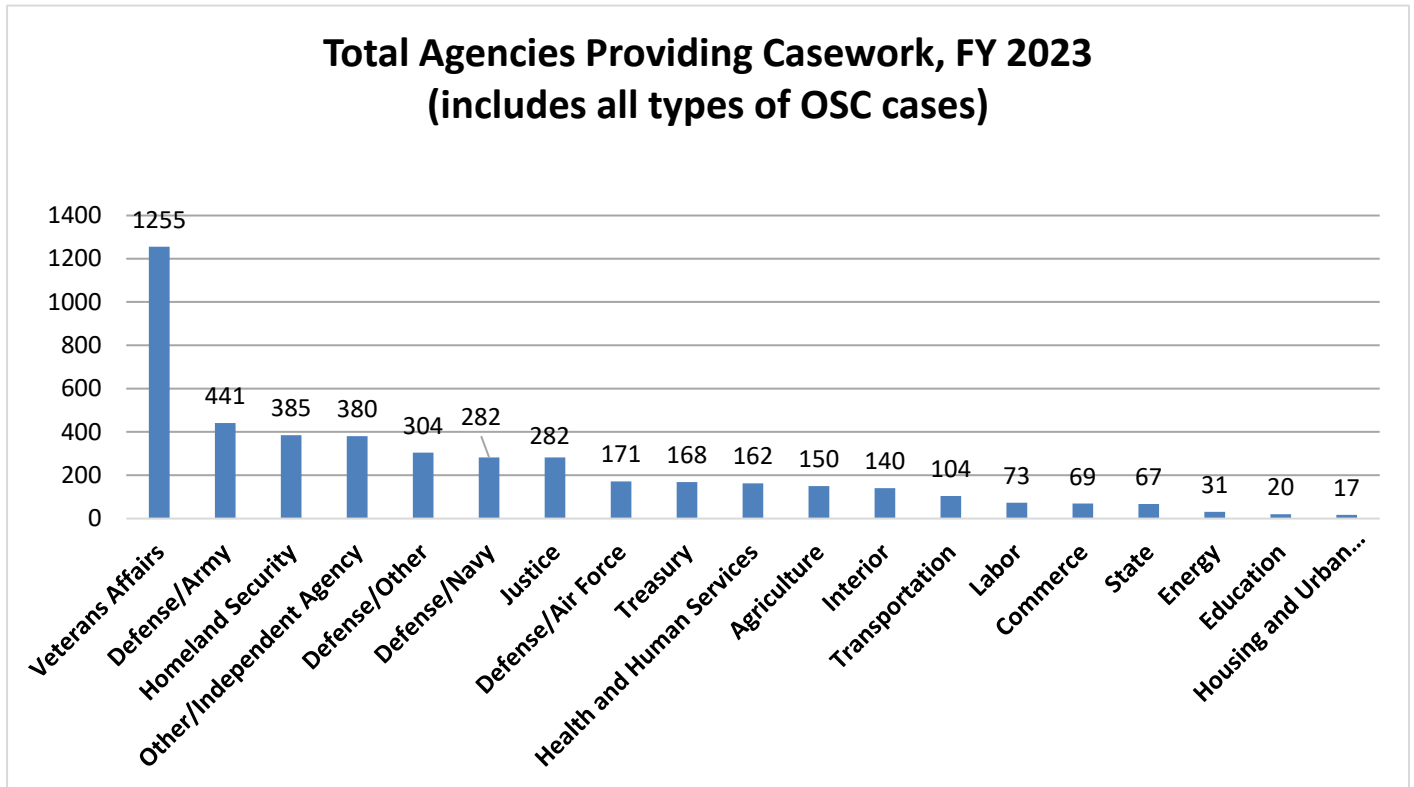


TABLE 1 - Summary of All OSC Case Activity						
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Matters² pending at start of fiscal year	2,592	2,616	1,888	1,736	1,526	1,292
New matters received	6,015	5,486	4,453	3,518	3,458	4,611
Matters closed	6,005	6,193	4,615	3,711	3,677	4,455
Matters pending at end of fiscal year	2,607	1,909	1,732	1,551	1,303	1,444
Hatch Act advisory opinions issued	1,386	1,111	1,461	1,043	757	614

² “Matters” in this table includes prohibited personnel practice cases, whistleblower disclosures, USERRA cases, and Hatch Act cases.

OSC's Docket

In addition to Hatch Act and USERRA cases, OSC is responsible for addressing whistleblower complaints and PPPs from nearly every sector of the federal government. The chart below depicts the agencies whose employees file the most cases with OSC. We continue to receive far more cases from employees of the U.S. Department of Veterans Affairs (VA) than any other agency.



PART 3 – PROHIBITED PERSONNEL PRACTICES

Summary of Workload, Activity, Costs, and Results

OSC received an average of nearly 4,000 new PPP complaints per year from FY 2016 through FY 2019. The number of PPP complaints OSC received decreased during the COVID-19 pandemic. For example, OSC received 3,101 PPP complaints in FY 2023, a 22 percent reduction from the levels seen from FY 2016-FY 2019.

However, OSC is already experiencing an increase in PPP cases which will likely return to the peaks experienced between FY 2016 and FY 2019. OSC resolved 2,879 PPP cases in FY 2023. The cost for the agency to resolve a PPP matter in FY 2023 was \$6,728. This information is being reported as required by OSC's reauthorization.

Cost of Resolving a PPP matter:	\$6,728
Note - This was the average cost for resolving a PPP matter in FY 2023, including direct costs and a proportionate share of overhead costs.	

Based on the data trend from current case filings, OSC expects the receipt of new PPP complaints to continue to rise in future fiscal years. PPP cases are the most time- and resource-intensive cases for the agency. PPP cases also represent a critical route through which OSC builds whistleblower confidence by ensuring whistleblowers are protected from retaliation.

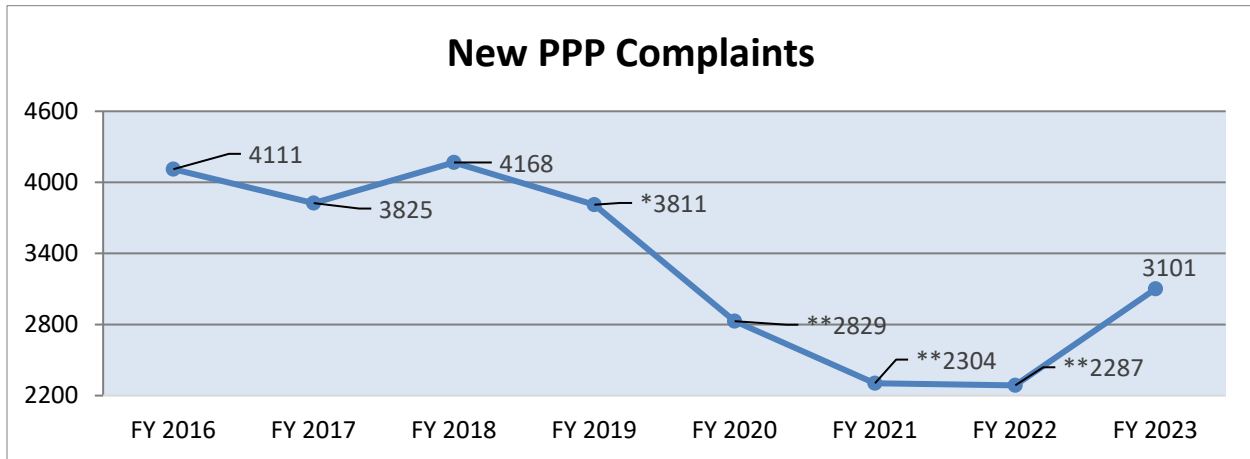


Figure 1:

*OSC experienced a partial government shutdown in FY 2019, which impacted the total number of PPP complaints the agency would have likely received during a standard fiscal year.

**OSC experienced a significant reduction in PPP complaints during the COVID-19 pandemic.

Receipts and Investigations

Table 2, below, contains FY 2023 summary data (with comparative data for the four previous fiscal years) on OSC's receipt and processing of all PPP complaints.

TABLE 2 – Summary of All Prohibited Personnel Practice Complaints Activity – Receipts and Processing³					
	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Pending complaints carried over from prior fiscal year	2,057	1,409	1,147	1,046	940
New complaints received⁴	3,811	2,829	2,304	2,287	3,101
Total complaints	5,868	4,238	3,451	3,333	4,041
Total complaints processed and closed	4,447	3,096	2,390	2,382	2,879

³ Complaints frequently contain more than one type of allegation. This table, however, records all allegations received in a complaint as a single matter.

⁴ "New complaints received" includes a few re-opened cases each year, as well as prohibited personnel practice cases referred by the MSPB for possible disciplinary action.

Complaint processing times	Within 240 days	3,659	2,476	1,883	1,870	2,446
	Over 240 days	788	621	499	522	433
Percentage processed within 240 days		82%	80%	79%	79%	85%

Table 3 contains summary data for FY 2023 (with comparative data for the four previous fiscal years) on all favorable actions obtained in connection with OSC’s processing of whistleblower reprisal and other prohibited personnel practice complaints.

TABLE 3 – Summary of All Favorable Actions – Prohibited Personnel Practice Complaints						
		FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Total favorable actions negotiated with agencies (all PPPs)	No. of actions⁵	319	405	393	424	418
	No. of matters	259	323	295	310	289
Total favorable actions negotiated with agencies (reprisal for whistleblowing)	No. of actions	234	317	304	324	312
	No. of matters	192	265	223	261	234
Disciplinary actions negotiated with agencies		27	13	33	37	35
Stays negotiated with agencies		31	54	38	44	45
Stays obtained from MSPB		1	0	0	2	1
Stay extensions obtained from MSPB		1	0	0	2	9
Corrective action petitions filed with the MSPB		0	0	0	0	0
Disciplinary action complaints filed with the MSPB		0	0	0	0	0

As seen on **Table 3**, OSC continues to provide complainants with positive outcomes, having achieved 418 favorable actions for PPP complaints in FY 2023, the second most in agency history (OSC achieved its agency record in FY 2022). The 418 favorable actions achieved represent an increase of approximately 13 percent from OSC’s prior five-year average. Of the favorable actions in FY 2023, 312 involved instances of whistleblower retaliation. OSC negotiated 45 stays with agencies to protect employees from premature or improper personnel actions. OSC also achieved 35 disciplinary actions, upholding merit system principles and sending a strong message that retaliation and other misconduct will not be tolerated.

⁵ The “number of actions” refers to the total number of favorable actions that were obtained; the “number of matters” refers to the total number of cases (or matters) from which the favorable actions were derived (e.g., one case/matter may have multiple favorable actions).

Subpoenas

OSC’s most recent reauthorization requires the agency to report on the number of subpoenas issued during the fiscal year.

Subpoenas issued - FY 2023	0
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Re-opened PPP Cases

OSC’s most recent reauthorization also requires the agency to report on the number of instances in which OSC reopened a PPP case after an initial determination had been made and the actions that resulted from the reopened investigation.

Total PPP cases that were requested to be reopened in FY 2023 ⁶	25
• Status – Request to Reopen Denied (Previous determination was upheld)	12
• Status – Cases Reopened	34
○ Status – Reopened Cases Closed	31
○ Status - No determination yet/case status still open	3

PPP Cases Resolved by an Agreement

Another requirement of OSC’s most recent reauthorization is for OSC to provide a list of PPP complaints that were resolved by an agreement between the individual and their employing agency, organized by agency and agency component.⁷

TOTAL PPP Cases Resolved by an Agreement in FY 2023 (87)	
Department/Agency	Count of Cases
Agriculture	1
Commerce	2
Defense/Air Force	3
Defense/Army	15
Defense/Navy	6
Defense/Other	5
Energy	1
Health and Human Services	3
Homeland Security	5
Housing and Urban Development	1
Interior	6
Justice	7

⁶ These numbers may not match because some cases are still in “reopen” status following a request for reopening in the prior fiscal year. Further, some cases are reopened without a request for reopening.

⁷ Due to OSC’s move to its new electronic case management system in August 2019, and the continued development of the system, the data for FY 2023 will continue to be provided at the department/agency level.

Other/Independent Agency	6
State	2
Transportation	4
Treasury	1
Veterans Affairs	19

Prohibited Personnel Practice Successes

OSC protects federal employees and applicants for federal employment from PPPs. The following are examples of recent successes in resolving PPP complaints filed with OSC.

- Complainant, a language instructor, alleged retaliation for having filed earlier OSC whistleblower retaliation complaints and successful appeals to the MSPB. MSPB referred this case to OSC following a full hearing, in which the Administrative Judge found that he was not selected for a job because he blew the whistle and filed complaints. OSC facilitated intensive settlement negotiations between the complainant and his employing agency that resulted in the complainant retiring in exchange for over \$500,000 in damages and \$60,000 in attorney's fees. The agency also agreed to train all of its employees on PPPs and to issue a reprimand to the official who retaliated against the whistleblower.
- Complainant, a Safety Manager, was placed under the wrong retirement code. The agency had placed him under FERS, with him contributing 0.8% of his salary to the pension system, when they should have placed him under FERS-FRAE, contributing 4.4% of his salary to the pension system. The agency recently discovered the retirement code error and reported it to the National Finance Center. The agency billed complainant almost \$24,000 because he underpaid into the pension system due to this error. After OSC completed an investigation, the agency agreed to waive complainant's \$24,000 bill. OSC's investigation revealed that this was a systemic problem throughout the agency, as over 700 employees had been placed under the wrong retirement code and were over- or under-billed for several years. The agency agreed to increase the frequency of auditing and improve the auditing process for retirement errors. This included writing a new Job Aid for auditors. The agency also agreed to conduct an internal retirement coding training for human resources employees.
- Complainant, an Environmental Protection Specialist, alleged that the agency violated due process by proposing his removal for being AWOL even though his absence from the workplace was caused by the agency's debarment order. That order was based on a criminal conviction that had been overturned and expunged from complainant's record. The agency therefore based its proposed removal on the debarment order rather than the alleged criminal conduct for which he had been found legally innocent. OSC determined that complainant had been denied notice and an opportunity to challenge the merits underlying his proposed removal. OSC facilitated a settlement in which the agency agreed to pay complainant \$50,000, restore 200 hours of leave, rescind the debarment order, and give complainant a clean record. Additionally, complainant voluntarily transferred to a different agency.

- Complainant, a Management Analyst for the Department of the Army's European Command (EUCOM), alleged obstruction of competition, unauthorized preference, discrimination, and other prohibited practices based on his non-selection for two positions he applied for at Department of Army's Africa Command (AFRICOM) in summer 2021. Both hiring actions had the same deciding official, a Director of an AFRICOM directorate. After investigation and with OSC's assistance, the parties executed a settlement agreement, whereby AFRICOM agreed to pay complainant a lump sum of \$45,000, including back pay, consequential damages, and nonpecuniary compensatory damages. AFRICOM also offered complainant a position to remedy his non-selection, but complainant declined.

Notable FY 2023 Amicus Curiae Briefs

- OSC filed an amicus brief in *Jindal v. Merit Systems Protection Board* (MSPB), a whistleblower retaliation appeal in the U.S. Court of Appeals for the Federal Circuit. Jindal alleged that the Department of Defense took several personnel actions in retaliation for his protected disclosures. The MSPB found, at the jurisdictional stage, that Jindal could not establish that his disclosures were a contributing factor in the agency's actions because he had withdrawn them as part of a Last Chance Agreement before the personnel actions occurred. OSC argued in its brief that a withdrawn protected disclosure can still be a contributing factor in subsequent personnel actions, and that the MSPB's contrary conclusion is inconsistent with the plain text of the statute, precedent, and congressional intent. OSC further argued that the MSPB's finding, if allowed to stand, would create an unwarranted gap in whistleblower protections, discourage whistleblowing, hinder legitimate oversight efforts, and disincentivize whistleblowers from engaging in settlement. The Federal Circuit vacated the MSPB's decision and remanded the case. Shortly after OSC submitted its brief, the MSPB filed a motion with Jindal's consent asking that the case be remanded due to legal error by the administrative judge.

Mediation Successes

Mediation reduces the amount of time and money required to investigate, litigate, and otherwise resolve a case. Parties value mediation because they have a direct hand in discussing the dispute with each other and creating resolutions with provisions beyond what a court could provide. The following are some examples of recent OSC case resolutions through mediation:

Note: Mediations at OSC are conducted pursuant to the ADR Act of 1996 and we therefore cannot provide identifying information about mediation cases.

- Complainant alleged that after making disclosures regarding a senior leader, he was subjected to a hostile work environment, denied overtime and leave, and he was not selected for a promotion. During the mediation session, the agency representatives voiced their appreciation for the complainant's whistleblowing and other protected activities, acknowledged the difficulties the complainant had experienced, and expressed their interest in supporting the complainant's future career within the

agency. The parties reached an agreement in which the agency agreed to provide Complainant with a promotion, backpay, moving expenses, correct Complainant’s time and attendance records, modify Complainant’s performance appraisal, and enroll him in a specialized training program.

- Complainant alleged whistleblower retaliation including being denied training and being subjected to a hostile work environment after making disclosures regarding public health and safety. During the mediation session, Complainant and agency representatives engaged in extensive discussions, which allowed the parties to rebuild trust and mutual respect. The parties discussed options to meet Complainant’s interest in gaining expertise in emerging areas under the agency’s purview, and the agency’s interest in supporting Complainant’s career advancement. Through mediation, the parties developed an innovative and customized program of trainings and site visits to build Complainant’s knowledge and expertise in emerging areas. The agency also agreed to send Complainant to the Federal Executive Institute to attend a leadership training program, and to restore annual leave.
- Complainant alleged that he received a proposed suspension and formal counseling and was subjected to a hostile work environment in retaliation for reporting violations of safety regulations to his supervisors, the OIG, and Congress. The mediation provided a forum for the complainant to speak directly with agency representatives and share the mental and physical toll that the hostile work environment and other retaliatory personnel actions had taken on him and his family. This led to increased understanding and a rebuilding of trust between the parties. The agency agreed to make a payment to the Complainant for compensatory damages; restore sick leave taken due to the retaliation; rescind the suspension; provide a clean record; and, to the extent allowable, assist him in the disability retirement application process.

Table 4 - ADR Program Activity – Mediation of Prohibited Personnel Practice Complaints						
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Cases Reviewed for Mediation	174	70	60	39	65	73
Mediations Offered	86	58	57	39	45	60
Mediations Conducted	39	39	40	31	38	34
Cases Withdrawn Before Mediation Completed	11	2	10	3	6	8

Completed Mediations	28	37	30	28	32	26
Completed Mediations Resulting in Settlement	21	24	23	16	27	21
Percentage of Completed Mediations Resulting in Settlement	75%	65%	77%	57%	84%	81%
Cases Resolved Without Need for Mediation	1	0	2	1	0	1
Carryover to Next FY – Mediations in Process	19	18	22	17	13	15
Carryover to Next FY – Cases in Review	2	4	1	2	3	0

PART 4 – WHISTLEBLOWER DISCLOSURES

Overview

OSC provides a safe and secure channel for whistleblowers. Whistleblowers are often in the best position to detect wrongdoing by government agencies and to disclose waste, fraud, abuse, illegality, and dangers to public health and safety. Through this process, OSC contributes to improving the efficiency and accountability of government.

Over the last few years, OSC has handled record numbers of disclosures from federal whistleblowers. Specifically, in FY 2023, OSC received 1,237 disclosures. Additionally, OSC sent 70 whistleblower disclosure reports to the President and Congress, and agencies substantiated wrongdoing in 44 of those cases. OSC processed 99.8 percent of whistleblower disclosures within the statutorily required 45-day timeframe in FY 2023, a near-perfect result.

Many substantiated disclosures result in enormous and direct financial returns to the government. However, the real measure of OSC’s financial contribution is preventive. By providing a safe channel for whistleblower disclosures, OSC helps address threats to public

health and safety that pose the very real risk of serious harm to the public and huge remedial and liability costs for the government.

Disclosure Successes

OSC is authorized to refer to the head of an agency for investigation whistleblower disclosures of wrongdoing in six areas: (1) violations of a law, rule, or regulation; (2) gross mismanagement; (3) gross waste of funds; (4) abuse of authority; (5) substantial and specific danger to public health or safety; and (6) censorship related to research, analysis, or technical information. In FY 2023, examples of OSC successes involving whistleblower disclosures include the following:

- **Violation of law, rule, or regulation; gross mismanagement; substantial and specific danger to public health and safety**

Contamination in Sterile Processing Service at VA Facility. OSC referred to the Secretary of Veterans Affairs allegations of wrongdoing at the Veterans Healthcare System of the Ozarks (VHSO), Gene Taylor Community Based Outpatient Clinic (CBOC), Springfield, Missouri. The whistleblowers, employees in the CBOC's Sterile Processing Service (SPS), disclosed that VHSO and CBOC management violated Occupational Safety and Health Administration regulations and Veterans Health Administration directives on environmental controls, risk assessments, and safety thereby placing SPS patients and staff at risk. They alleged the following: the SPS decontamination and reprocessing rooms did not consistently meet temperature, humidity, and air turnover requirements; the SPS did not have an anteroom where staff could put on and remove personal protective equipment (PPE), which created a contamination risk; improper risk assessments eliminated the need for an emergency shower in the SPS; and the SPS reprocessing room was improperly labeled as a decontamination room, requiring SPS staff to wear PPE in that room.

The agency substantiated that the SPS decontamination and reprocessing rooms did not consistently meet temperature, humidity, and air turnover requirements. The investigation substantiated that the SPS area did not have an anteroom, but concluded an anteroom was not required. The investigation also concluded that the SPS workflow in the decontamination and reprocessing rooms presented a high-risk of cross-contamination due to room configuration, equipment location, and the non-linear workflow of employee movement.

Consequently, the reports recommended several corrective actions, which the CBOC is implementing. The CBOC also suspended endoscopy procedures and SPS operations while these areas undergo a redesign and renovation to address the above cross-contamination risks. Further, VHSO quality management clinically reviewed all endoscopy procedures performed while the suite was operational and followed all patients for 30-days post-procedure. None of the procedures resulted in any complications, infections, or other negative impacts to patients. The Special Counsel determined the agency findings appeared reasonable.

- **Violations of law, rule, or regulation; a gross waste of funds; and gross mismanagement**

Widespread Misclassification of Positions and Improper Payment of Law Enforcement Benefits. OSC referred to the Attorney General allegations of wrongdoing at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in Washington, D.C. The whistleblowers, employees in ATF’s Office of Human Resources and Professional Development, alleged violations of laws, rules, and regulations; a gross waste of funds; and gross mismanagement arising from ATF’s long-standing practice and policy of systematically and intentionally misclassifying upper-level non-law-enforcement jobs as law-enforcement positions and recruiting and filling these coveted, primarily supervisory jobs with only special agents or Industry Operations Investigators (IOIs) in furtherance of its Career Plans for Special Agents and IOIs. The whistleblowers further alleged that despite not performing law enforcement functions, the individuals selected for these positions retained the benefits specific to law enforcement personnel, including enhanced retirement benefits and Law Enforcement Availability Pay (LEAP). In paying LEAP to persons not actively occupying primary or secondary law enforcement roles, the whistleblowers alleged that the agency failed to comply with the annual certification and legal and policy requirements for payment of LEAP.

The agency substantiated the allegations, finding long-standing misclassification of upper-level jobs, which resulted in ATF overpaying agents by up to \$20 million over a five-year period. That cost could be much higher given that the unlawful job classifications had been common practice at ATF far longer than the five-year timeframe reviewed by investigators. In response to these findings, OPM suspended ATF’s authority to classify federal law enforcement positions. ATF has also begun the process of updating position descriptions to accurately reflect job duties. As of March 2023, 36 of the employees who held misclassified positions had been reassigned and another 14 had retired. ATF’s Internal Affairs Division is currently investigating the circumstances surrounding the implementation of the illegal policies and practices. The Special Counsel determined that the agency report appears reasonable.

- **Violation of law, rule, or regulation; gross mismanagement, abuse of authority, substantial and specific danger to public safety**

Failure to Provide Oversight of Helicopter and Aircraft Operators. OSC referred to the Secretary of Transportation allegations of wrongdoing at the Federal Aviation Administration (FAA) Flight Standards District Office (FSDO), Honolulu, Hawaii. The whistleblower, a principal operations inspector at the Honolulu FSDO, alleged that FSDO management failed to provide proper safety oversight of helicopter and aircraft operators as required by Federal Aviation Regulations (FAR) 14 C.F.R. parts 91 and 135. The agency partially substantiated the allegations finding that in 2018, FSDO management improperly removed operational restrictions on Novictor Aviation, LLC, improperly granted check airman authority to its owner/operator, and improperly approved Aviation Concepts Inc.’s training program. The investigation also found that maintenance inspections were contributing factors in two aircraft accidents.

The agency corrective actions taken and underway included updating guidance in FAA Order 8900.1, Vol. 2, Ch. 2, Sec. 3 – *Evaluate Part 121/135 Management Personnel*, which should be

completed in September 2023. The Special Counsel determined that the report meets all statutory requirements, and the findings appear reasonable.

- **Substantial and specific danger to public health or safety**

Operating Room Closure Adversely Affects Patient Care. OSC referred to the Secretary of Veterans Affairs (VA) allegations of wrongdoing at the Phoenix VA Health Care System (Phoenix VAHCS), Phoenix, Arizona. The whistleblower alleged a substantial and specific danger to public health due to the closure of the operating room (OR) at the Phoenix VAHCS since July 2021. The agency substantiated the allegations and confirmed that on July 23, 2021, the agency halted SPS and OR operations pending a full review of instruments, infrastructure, and processes in response to persistent oily residue and black particles appearing on operating instruments returned by the SPS. In the interim, Phoenix VAHCS transferred all patients needing surgery to nearby hospitals. After extensive troubleshooting, the agency determined that the persistence of black particles on instruments suggested that the problem may be due to the water hardness in the region. The agency then began a process to “passivate,” or make less reactive, the stainless-steel surgical instruments. On October 14, 2021, the OR began performing emergency surgeries. By November 15, 2021, the agency determined that there was a sufficient supply of appropriately sterilized equipment to begin performing elective surgeries. The investigation further found that limited bed capacity, the COVID-19 pandemic, and high transmission of the West Nile virus in Maricopa County resulted in longer than usual times to transfer patients to local hospitals. The investigation identified three cases where there were significant delays, one of which likely contributed to the patient’s clinical deterioration.

The agency conducted an external clinical review of the care those three patients received and addressed regional transfer concerns with local public health organizations. The investigation also found that MSAs played an important role in tracking and coordinating the transfers to area hospitals by arranging calls, transport ambulances, and transportation consultants. However, in at least one case, the MSA did not document efforts to transfer the patient. In addition, the investigation identified concerns about leadership’s communication with staff about why the OR closed and any reopening plans. In response to the investigation, the agency aligned the Chief of the Emergency Department (ED) under the facility’s Chief of Staff, in compliance with VHA Directive 1101.05(2), *Emergency Medicine*. Further, the agency initiated a review process for metrics related to the ED transfer process and consulted with the Emergency Medicine Program Office regarding ED flow, quality metrics, transfer policies, and operations. The Special Counsel determined that the report appears reasonable and meets all statutory requirements.

Table 5, below, contains FY 2023 summary data (with comparative data for the three previous fiscal years) on the receipt and disposition of whistleblower disclosure cases.

TABLE 5 - Summary of Whistleblower Disclosure Activity – Receipts and Dispositions⁸

	FY 2020	FY 2021	FY 2022	FY 2023	
Pending disclosures carried over from prior fiscal year	317	264	241	199	
New disclosures received	1,160	906	928	1,237	
Total disclosures	1,477	1,170	1,169	1,436	
Disclosures referred to agency heads for investigation and report	81	65	27	19	
Referrals to agency IGs	0	0	0	0	
Agency head reports sent to President and Congress	89	76	74	70	
Results of agency investigations and reports	Disclosures substantiated in whole or in part	62	53	45	44
	Disclosures unsubstantiated	27	23	29	26
Disclosure processing times	Within 45 days ⁹	1,144	897	911	1,216
	Over 45 days	65	22	6	3
Substantial likelihood ¹⁰ determinations made	94.6%	97.6%	99.3%	99.8%	
Disclosures processed and closed	1,213	929	967	1,285	

PART 5 – HATCH ACT

Overview

OSC aims to reduce prohibited political activities by: (1) educating and warning employees about unlawful partisan political activity; and (2) bringing disciplinary actions against federal employees who violate the Hatch Act. To achieve these goals, this year OSC issued 614 advisory opinions, issued 41 warning letters, and obtained 19 corrective actions and three disciplinary actions, either by negotiation or MSPB orders.

Advisory Opinions

The Hatch Act Unit (HAU) has the unique responsibility of providing Hatch Act information and advice to the White House; Congressional offices; federal employees; some state and local

⁸ Many disclosures contain more than one type of allegation. This table, however, records each whistleblower disclosure as a single matter, even if multiple allegations were included.

⁹ The FY 2018 National Defense Authorization Act altered disclosure processing time standards from 15 to 45 days. OSC began using 45 days as a metric in FY 2018.

¹⁰ A Substantial Likelihood Determination is the point at which OSC determines whether to close a disclosure file or to refer a disclosure to an agency for investigation. Pursuant to statute, 5 USC § 1213(b), OSC must make a Substantial Likelihood Determination within 45 days.

government employees; the public at large; and the news media. HAU advises individuals on whether they are covered by the Hatch Act and whether their political activities are permitted. In FY 2023, OSC responded to 614 requests for advisory opinions, including 17 formal written advisory opinions.

Hatch Act Unit Successes

OSC protects federal employees from political coercion in the workplace, safeguards against improper political activity by agency officials, and ensures that federal programs are administered in a nonpartisan fashion. Examples of recent OSC successes under the Hatch Act include the following:

MSPB Litigation

- OSC prevailed in a case that had been pending before the MSPB since 2017. The case involved a U.S. Department of Commerce National Oceanic and Atmospheric Administration (NOAA) employee who ran for the U.S. House of Representatives 8th Congressional District in Washington State numerous times. In January 2017, an MSPB administrative law judge (ALJ) concluded that the employee violated the Hatch Act and should be removed from his federal employment as a penalty for his violations. The employee appealed, and because of a lack of quorum at the MSPB, the employee maintained his employment with NOAA and continued to run for the same partisan political office every two years. In January 2023, the MSPB affirmed the ALJ's decision and ordered the employee removed, and the Federal Circuit affirmed.
- OSC filed complaints against two U.S. Department of Veterans Affairs employees, a husband and wife who share and operate a joint Facebook account. The complaints alleged that the employees solicited political contributions and engaged in political activity while on duty using their Facebook account. In April 2023, OSC settled the case against the wife, who agreed to accept a three-day unpaid suspension as a penalty for violating the Hatch Act. OSC anticipates that the case against the husband will go to a hearing in 2024.
- In September 2023, OSC filed a complaint against a Pentagon Force Protection Agency employee alleging that the employee violated the Hatch Act by running for partisan political office, knowingly soliciting, accepting, or receiving political contributions, and engaging in political activity while wearing a uniform or official insignia identifying his employing agency. OSC expects the case will go to a hearing in 2024.
- OSC continued to litigate a complaint against a U.S. Environmental Protection Agency employee whom OSC alleges violated the Hatch Act by running for partisan political office and knowingly soliciting, accepting, and receiving political contributions. A hearing was held in August 2023 in Harrisonburg, Virginia. A decision in the case is pending.

Cases Involving High-Level Presidential Appointees

- In May 2023, OSC sent a report to President Biden detailing how Rachael Rollins, former U.S. Attorney for the District of Massachusetts, willfully violated the Hatch Act on multiple occasions. Ms. Rollins's first violation arose in July 2022 when, in disregard of legal advice from her own agency, and in violation of the Hatch Act, she attended a political party fundraiser in her official capacity. Her second violation occurred throughout August and September 2022, when she repeatedly attempted to sabotage the campaign of a political candidate by leaking non-public U.S. Department of Justice (DOJ) information to the media to plant a story that the candidate she opposed was facing a DOJ investigation. OSC's report concluded that Ms. Rollins's intentional violations of the Hatch Act warranted disciplinary action. Ms. Rollins resigned from her position as U.S. Attorney.
- In April 2023, OSC sent a report to President Biden detailing how Secretary of Health and Human Services Xavier Becerra violated the Hatch Act when he promoted the reelection of a U.S. Senator while speaking in his official capacity. By doing so, Secretary Becerra used his official authority or influence to interfere with or affect the results of an election. Secretary Becerra received training on the Hatch Act, and the report states that he should have known the Hatch Act prohibited him from supporting a Senator's reelection while speaking in his official capacity. OSC's report concluded that Secretary Becerra's violations warranted disciplinary action.
- During FY 2023, OSC received and/or investigated several complaints involving senior White House officials. OSC found that some of the officials had violated the Hatch Act but that the violations did not warrant disciplinary action. Accordingly, OSC closed those cases by issuing warning letters to the White House officials advising them that future violations could result in OSC pursuing disciplinary action. Where applicable, OSC also achieved corrective actions.

Disciplinary Action Obtained through Settlement Negotiations

- OSC settled a case against a Department of Labor political appointee who, while on duty and acting in her official capacity during a teleconference with employees from a private organization, asked one of the employees which candidate they were supporting in the upcoming gubernatorial election in that employee's home state. She then expressed her support for one of the candidates. In response to OSC's charges of Hatch Act violations, the appointee agreed to serve a 10-day unpaid suspension.

Corrective Actions

- In cases involving employees currently running for partisan political office in violation of the Hatch Act, OSC typically issues employees a "cure letter" allowing them an opportunity to come into compliance with the law by either withdrawing from the

election or resigning their government employment. In Fiscal Year 2023, OSC achieved seven favorable corrective actions in response to cure letters. Four employees chose to resign from their government employment, while three others chose to withdraw their candidacies for partisan political office.

- In cases involving violations of Hatch Act prohibitions other than the candidacy prohibition, OSC achieved 12 favorable corrective actions. These corrective actions included remedial Hatch Act training and/or removal of prohibited partisan political content from social media posts or the federal workplace.

Outreach and Training

- HAU filmed a series of training videos about the Hatch Act that are now posted on OSC’s website. The videos cover a range of Hatch Act topics, including the rules applicable to both federal and state or local government employees.
- OSC prepared for the launch of a new regular webinar series for federal executive branch ethics officials. There are two different webinar offerings. One is a semiannual webinar intended to teach new ethics officials what they need to know in order to advise employees at their agencies about the Hatch Act. The other is a quarterly series that offers experienced ethics officials a “deep dive” on discrete Hatch Act topics. The webinars launched in October 2023.

Table 6, below, contains FY 2023 summary data (with comparative data for the five previous fiscal years) on OSC’s Hatch Act enforcement activities.

TABLE 6 - Summary of Hatch Act Complaint and Advisory Opinion Activity							
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	
Formal written advisory opinion requests received	52	46	60	23	21	21	
Formal written advisory opinions issued	46	52	56	28	22	17	
Total advisory opinions issued¹¹	1,155	1,111	1,461	1,043	757	614	
New complaints received¹²	263	281	440	289	224	263	
Complaints processed and closed	286	245	280	375	313	277	
Warning letters issued	49	49	34	62	73	41	
Corrective actions taken by cure letter recipients	Withdrawal from partisan races	5	4	2	4	7	3
	Resignation from covered employment	2	2	0	0	7	4

¹¹ All oral, e-mail, and written advisory opinions issued by OSC.

¹² Includes cases that were reopened.

	Other	3	5	10	0	8	12
	Total	10	11	12	4	22	19
Disciplinary action complaints filed with MSPB		2	0	4	3	5	1
Disciplinary actions obtained (by negotiation or ordered by MSPB)		6	5	8	7	8	3
Complaints pending at end of fiscal year		133	168	323	236	145	131

PART 6 – USERRA ENFORCEMENT PROGRAM

Overview

OSC continues to assist reservists and National Guard members who face obstacles in their federal civilian jobs due to their military service. OSC receives USERRA cases from the U.S. Department of Labor (DOL), which first investigates and attempts to resolve the cases. OSC received 10 new cases from DOL in FY 2023 and closed or resolved 14 cases by the end of the fiscal year. OSC obtained corrective action for one service member during FY 2023. Also, one case in which OSC is representing a service member before the MSPB remained pending at the end of the fiscal year.

USERRA Successes

OSC protects the civilian employment rights of federal workers who are veterans or serve in the National Guard and Reserves by enforcing USERRA. Examples of recent OSC successes under USERRA include the following:

- A Letter Carrier for the U.S. Postal Service (USPS) in Auburn, Maine, was called to active duty with the Maine Air National Guard following the September 11, 2001, terrorist attacks. Until his honorable discharge in December 2015, he served almost continuously in direct support of the Global War on Terrorism. During that time, he regularly provided copies of his orders to USPS, maintained his employment benefits (including making retirement contributions and paying his union dues), and repeatedly expressed his desire to return to his postal job once his service ended. USPS gave him no indication that it would not reemploy him and even sent him letters thanking him for his service and a debit card to purchase his postal uniform. However, when he notified USPS that he wished to return to his Letter Carrier position, USPS told him it would not reinstate him because he had “abandoned” his civilian employment, despite his USERRA reemployment rights. OSC represented him before the MSPB, and after a five-year legal battle, won him reinstatement at USPS, with full back pay and benefits, retroactive to January 2016.
- An Air Traffic Controller (ATC) with the Federal Aviation Administration (FAA) left his position for active duty in the U.S. Navy. As his Navy service was ending, he notified his former manager that he wished to return to the FAA to resume his civilian career. After the manager refused to assist him, he contacted the FAA’s Human Resources, which incorrectly

advised him he would have to apply for open positions like any new hire, despite the FAA's obligation to promptly reinstate him under USERRA. He subsequently sent several applications to various FAA regions but was not offered a position for over a year. While he was onboarding to his new position, the FAA medically disqualified him, forcing him to work in much lower-paying jobs for three years while he appealed his disqualification. OSC received his USERRA complaint and immediately contacted the FAA, which granted his medical appeal and reinstated him, but at a significantly lower salary level than he would have attained had he been properly reinstated four years earlier. He also lost out on substantial pay, benefits, and seniority due to the delay, setting his career back and costing him and his family significant income. OSC negotiated with the FAA on his behalf, and it agreed to compensate him four years' worth of lost wages, fully restore his seniority and retirement credit, and raise his pay to reflect reinstatement at the time of his honorable discharge from the Navy.

- A Registered Nurse at the Department of Veterans Affairs (VA) failed to receive a performance bonus due to her absence for service in the U.S. Army Reserve. OSC intervened on her behalf and the VA agreed to retroactively award her the bonus.
- A Foreign Affairs Officer with the State Department alleged that his performance rating was downgraded following his absence for active duty in the U.S. Navy Reserve. OSC contacted the agency and it agreed to upgrade his rating for the period in question.

In addition to resolving individual USERRA cases, OSC also provides outreach and technical assistance to help federal agencies better comply with USERRA, often in conjunction with DOL. Most recently, OSC has provided USERRA training to the Navy, National Security Agency, Immigration & Customs Enforcement, Army Intelligence & Security Command, and Air Force. OSC also maintains telephonic and email hotlines to answer USERRA questions from service members and employers nationwide. Lastly, OSC reports its compliance with timeliness requirements for processing USERRA cases to Congress, DOL, and the Departments of Defense and Justice on a quarterly basis.

Table 7, below, contains FY 2023 summary data with comparative data and disposition of USERRA referral cases.

TABLE 7 - Summary of USERRA Referral and Litigation Activity¹³

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Pending referrals carried over from prior fiscal year	6	5	3	5	9
New referrals received from VETS ¹⁴ during fiscal year	21	24	19	19	10
Referrals closed	22	26	17	15	14
Referrals closed with corrective action	2	3	0	3	1
Referrals closed with no corrective action	20	23	17	12	13
Referrals pending at end of fiscal year	5	3	5	9	5
Litigation cases carried over from prior fiscal year	1	1	1	1	1
Litigation cases closed	0	0	0	0	0
Litigation closed with corrective action	0	0	0	0	0
Litigation closed with no corrective action	0	0	0	0	0
Litigation pending at end of fiscal year	1	1	1	1	1

PART 7 – DIVERSITY, OUTREACH, & TRAINING

Overview

The Outreach and Education Program assists agencies with meeting the statutory mandate of 5 U.S.C. § 2302(c) and provides training to federal entities and stakeholders in each of the areas within OSC’s jurisdiction: PPPs under the Civil Service Reform Act, Hatch Act, whistleblower disclosures, and USERRA.

In FY 2002, OSC developed a five-step voluntary educational program, the 2302(c) Certification Program (Certification Program). This program offers guidance to agencies and provides easy-to-use methods and training resources to assist agencies with fulfilling their statutory obligations. OSC developed supervisory training to meet the annual training requirement mandated under the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017.

Two of the primary goals of OSC’s Certification Program are to ensure that federal agencies inform their workforces, in consultation with OSC, about the rights and remedies available to them under the whistleblower protection and PPP provisions of the Civil Service Reform Act,

¹³ This table has been reorganized with some categories and figures changed from prior reports to correct discrepancies and more clearly present relevant information.

¹⁴ This refers to the U.S. Department of Labor Veterans’ Employment & Training Service.

and to train supervisors to prevent violations of the statutes. Agencies that complete the program receive a certificate of compliance from OSC. At the end of FY 2023, 119 agencies and agency components were either certified or registered for certification.

As noted above, OSC also conducts formal and informal training/outreach presentations to educate the federal workforce in each of the areas within OSC's jurisdiction, as well as train supervisors on their obligations under the relevant statutes. OSC conducted **123** trainings in FY 2022, and **335** trainings in FY 2023.¹⁵ 291 of the FY 2023 trainings focused on prohibited personnel practices, and whistleblower disclosures.

In response to the COVID 19 pandemic and the resulting government-wide movement toward telework, OSC's ongoing training functions underwent a significant transformation to meet the needs of this virtual environment and the individualized needs of our customer agencies. OSC has maintained a rigorous training schedule because of the switch to virtual trainings.

In FY 2023, there was a dramatic increase in the number of trainings conducted and while most are conducted virtually, there has also been a slight increase in the number of in-person trainings.

Finally, OSC has continued its policy of issuing press releases when OSC files a significant litigation petition, achieves significant corrective or disciplinary action through settlement, or publicly issues a PPP report. Many of these cases generate considerable press coverage, which contributes to federal employees' and managers' awareness of the prohibitions under, for instance, the Hatch Act or whistleblower protection laws. In addition, both training and press coverage serve to educate federal employees about their ability to make disclosures, which can save lives and billions of taxpayer dollars as well as hold managers accountable for wrongdoing.

OSC's Strategic Goal 1 under its Strategic Plan is to protect and promote the integrity and fairness of the Federal workforce, including by expanding training efforts nationwide and effectively communicating with stakeholders and the public. The Strategic Plan, and the goal tables that were developed to track agency performance against the Strategic Plan, can be found on OSC's website (<https://osc.gov/Reports>).

Annual Survey Program

Each year as per our statutory authorization requirement, OSC surveys people who have contacted the agency for assistance during the previous fiscal year.

OSC updated its statutory survey in FY 2020 based on lessons learned from the agency's FY 2019 pilot project survey. OSC distributed the updated survey by email to target populations of individuals who had filed complaints with, or requested advisory opinions from, OSC during FY 2023. The results of this survey are in Appendix 2.

¹⁵ Please note that separate outreach presentations may include more than one training, such as, PPP training, Whistleblower Disclosure training and/or Annual Supervisory training.

FURTHER INFORMATION

Prohibited Personnel Practices

Individuals with questions about prohibited personnel practices not answered on the agency website can contact OSC at:

Telephone: (800) 872-9855
(202) 804-7000

Email: info@osc.gov

There are two ways to file a prohibited personnel complaint with OSC, on paper or electronically. A complaint can be filed through OSC's on-line filing portal (<https://oscportal.powerappsportals.us>). Alternatively, a complaint may be filed on paper, using Form OSC-14, which is available online (<https://osc.gov/Documents/Resources/Forms/OSC%20Form-14%20Prohibited%20Personnel%20Practice%20Form.pdf>) and can be filled out online, printed, and mailed or faxed to the address above.

Whistleblower Disclosures

Information about reporting a whistleblower disclosure to OSC in confidence is available on the agency website, or at:

Telephone: (800) 572-2249
(202) 804-7000

Fax: (202) 254-3711

A disclosure can be filed electronically with OSC (<https://oscportal.powerappsportals.us>). Alternatively, Form OSC-14 can be used to file a disclosure with OSC. The form is available online (<https://osc.gov/Documents/Resources/Forms/OSC%20Form-14%20Disclosure%20Form.pdf>) and can be filled out online, printed, and mailed or faxed to the address above.

Hatch Act

Our website has additional information about the Hatch Act, including frequently asked questions by Federal, state and local Government employees, and selected OSC advisory opinions on common factual situations. Requests for other advice about the Hatch Act can be made by contacting:

Telephone: (800) 85-HATCH
(800) 854-2824

(202) 804-7002

Fax: (202) 254-3700

Email: hatchact@osc.gov

A Hatch Act complaint can be filed electronically with OSC (<https://oscportal.powerappsportals.us>). Alternatively, complaints alleging a violation of the Hatch Act can be made by using Form OSC-14. The form is available online (<https://osc.gov/Documents/Resources/Forms/OSC%20Form-14%20State%20Hatch%20Act%20Complaint%20Form.pdf>) and can be filled out online, printed, and mailed or faxed to the address above.

USERRA

USERRA complaints must be filed with the U.S. Department of Labor, Veterans' Employment & Training Service (<https://www.dol.gov/agencies/vets>), not OSC. The OSC website has additional information about USERRA, including a link to the DOL-VETS USERRA complaint form (<https://osc.gov/Services/Pages/USERRA-FileComplaint.aspx>). Questions not answered on the website about OSC's role in enforcing USERRA may be directed to:

Telephone: (202) 804-7022

Email: userra@osc.gov

Diversity, Outreach and Training Program

Many OSC forms and publications are available in the "Resources" section of the agency website. Questions not answered on the agency website about the 2302(c) Certification Program and OSC diversity, outreach, and training activities should be directed to:

Telephone: (202) 804-7093

Email: certification@osc.gov

For callers with hearing and/or speech disabilities, all OSC telephone numbers listed in this section may be accessed using TTY by dialing the Federal Relay Service at: 1 (800) 877-8339.

Appendix 1

2023 OSC FEVS Core Survey Results

OSC's reauthorization in the 2018 National Defense Authorization Act required the agency to publish the results of its Federal Employee Viewpoint Survey (FEVS) in the Annual Report.

OSC employees reported very high job satisfaction on the 2023 FEVS Core Survey. OSC ranked first for small agencies in the performance confidence, employee experience, and DEIA categories. On questions that allowed for a positive or negative response, OSC employees replied with an average positive response rate of 87.2 percent on the 2023 survey. This figure increased from 83.7 percent on the 2022 survey. Additionally, the 2023 survey identified 89 areas of strength for OSC, and no areas as challenges for the agency.¹⁶ OSC will continue to assess FEVS scores in future years to ensure the continuation of very high levels of employee job satisfaction.

The below table shows the percentage of positive, neutral, and negative responses to questions on the 2023 FEVS. OSC highlighted the positive response column green and the negative response column red in an effort to make the table easier to read, since the table spans over multiple pages and column headings are only on the first page.

Question Number	Question Text	Number of Respondents	Percent Positive	Percent Neutral	Percent Negative
Q1	I am given a real opportunity to improve my skills in my organization.	70	85.9%	6.6%	7.5%
Q2	I feel encouraged to come up with new and better ways of doing things.	71	81.3%	8.9%	9.7%
Q3	My work gives me a feeling of personal accomplishment.	70	89.2%	4.7%	6.1%
Q4	I know what is expected of me on the job.	71	92.9%	5.6%	1.5%
Q5	My workload is reasonable.	71	87.9%	6.6%	5.5%

¹⁶ The FEVS defines an item as a strength if the item has a positive response rate of at least 65 percent. Similarly, the survey defines an item as a challenge if the item receives a negative response rate of at least 35 percent.

Q6	My talents are used well in the workplace.	70	80.9%	13.3%	5.8%
Q7	I know how my work relates to the agency's goals.	69	98.6%	1.4%	0.0%
Q8	I can disclose a suspected violation of any law, rule, or regulation without fear of reprisal.	69	82.7%	12.7%	4.7%
Q9	I have enough information to do my job well.	71	92.8%	4.3%	3.0%
Q10	I receive the training I need to do my job well.	70	93.7%	3.4%	2.9%
Q11	I am held accountable for the quality of work I produce.	71	98.5%	1.5%	0.0%
Q12	I have a clear idea of how well I am doing my job.	69	85.9%	10.6%	3.5%
Q13	I have the autonomy to decide how I do my job.	71	88.4%	7.4%	4.2%
Q14	I can make decisions about my work without getting permission first.	71	77.0%	8.8%	14.3%
Q15	The people I work with cooperate to get the job done.	71	100.0%	0.0%	0.0%
Q16	In my work unit poor performers usually (<i>select all that apply</i>):	The answers to this question do not align with the positive, neutral, negative format. Please see additional information below.			
Q17	In my work unit, differences in performance are recognized in a meaningful way.	62	70.8%	22.2%	7.0%

Q18	Employees in my work unit share job knowledge.	71	96.0%	2.1%	1.8%
Q19	My work unit has the job-relevant knowledge and skills necessary to accomplish organizational goals.	71	96.6%	1.6%	1.8%
Q20	Employees in my work unit meet the needs of our customers.	67	100.0%	0.0%	0.0%
Q21	Employees in my work unit contribute positively to my agency's performance.	69	98.7%	1.3%	0.0%
Q22	Employees in my work unit produce high-quality work.	69	100.0%	0.0%	0.0%
Q23	Employees in my work unit adapt to changing priorities.	68	100.0%	0.0%	0.0%
Q24	New hires in my work unit (i.e. hired in the past year) have the right skills to do their jobs.	53	94.3%	3.7%	2.1%
Q25	I can influence decisions in my work unit.	71	77.8%	13.8%	8.3%
Q26	I know what my work unit's goals are.	71	96.0%	0.0%	4.0%
Q27	My work unit commits resources to develop new ideas (e.g., budget, staff, time, expert support).	70	81.1%	10.4%	8.5%
Q28	My work unit successfully	67	93.0%	5.8%	1.2%

	manages disruptions to our work.				
Q29	Employees in my work unit consistently look for new ways to improve how they do their work.	69	88.6%	8.5%	2.9%
Q30	Employees in my work unit incorporate new ideas into their work.	70	83.8%	13.3%	2.8%
Q31	Employees in my work unit approach change as an opportunity.	67	80.2%	16.1%	3.6%
Q32	Employees in my work unit consider customer needs a top priority.	69	94.1%	5.9%	0.0%
Q33	Employees in my work unit consistently look for ways to improve customer service.	71	92.5%	6.0%	1.5%
Q34	Employees in my work unit support my need to balance my work and personal responsibilities.	71	93.1%	6.9%	0.0%
Q35	Employees are recognized for providing high quality products and services.	71	86.3%	9.7%	4.0%
Q36	Employees are protected from health and safety hazards on the job.	69	91.2%	6.2%	2.7%
Q37	My organization is successful at	70	93.9%	4.8%	1.3%

	accomplishing its mission.				
Q38	I have a good understanding of my organization's priorities.	71	91.3%	4.0%	4.7%
Q39	My organization shares results (for example, town halls, email, distribution of reports) from the Federal Employee Viewpoint Survey (FEVS).	66	92.7%	4.7%	2.6%
Q40	Information is openly shared in my organization.	70	81.3%	11.4%	7.3%
Q41	The approval process in my organization allows timely delivery of my work.	71	81.7%	8.3%	10.0%
Q42	My organization effectively adapts to changing government priorities.	69	85.8%	8.7%	5.5%
Q43	My organization has prepared me for potential physical security threats.	71	80.1%	12.6%	7.3%
Q44	My organization has prepared me for potential cybersecurity threats.	71	98.7%	0.0%	1.3%
Q45	In my organization, arbitrary action, personal favoritism and/or political coercion are not tolerated.	69	68.3%	15.9%	15.8%

Q46	I recommend my organization as a good place to work.	71	88.2%	5.5%	6.2%
Q47	I believe the results of this survey will be used to make my agency a better place to work.	69	70.6%	22.9%	6.5%
Q48	Supervisors in my work unit support employee development.	70	94.6%	4.3%	1.1%
Q49	My supervisor supports my need to balance work and other life issues.	71	100.0%	0.0%	0.0%
Q50	My supervisor listens to what I have to say.	70	94.7%	2.8%	2.4%
Q51	My supervisor treats me with respect.	70	97.6%	0.0%	2.4%
Q52	I have trust and confidence in my supervisor.	69	91.6%	5.6%	2.8%
Q53	My supervisor holds me accountable for achieving results.	69	98.4%	1.6%	0.0%
Q54	Overall, how good a job do you feel is being done by your immediate supervisor?	71	95.0%	3.9%	1.1%
Q55	My supervisor provides me with constructive suggestions to improve my job performance.	70	87.4%	9.9%	2.7%
Q56	My supervisor provides me with performance feedback	71	88.4%	7.9%	3.7%

	throughout the year.				
Q57	In my organization, senior leaders generate high levels of motivation and commitment in the workforce.	70	76.3%	13.6%	10.1%
Q58	My organization's senior leaders maintain high standards of honesty and integrity.	68	79.1%	17.0%	3.9%
Q59	Managers communicate the goals of the organization.	71	85.0%	11.6%	3.4%
Q60	Managers promote communication among different work units (for example, about projects, goals, needed resources).	70	76.8%	15.9%	7.4%
Q61	Overall, how good a job do you feel is being done by the manager directly above your immediate supervisor?	66	84.8%	11.2%	4.0%
Q62	I have a high level of respect for my organization's senior leaders.	71	80.1%	12.0%	7.9%
Q63	Senior leaders demonstrate support for Work-Life programs.	69	82.4%	12.1%	5.5%
Q64	Management encourages innovation.	71	77.2%	12.7%	10.0%

Q65	Management makes effective changes to address challenges facing our organization.	71	69.6%	22.2%	8.2%
Q66	Management involves employees in decisions that affect their work.	71	66.7%	21.4%	11.9%
Q67	How satisfied are you with your involvement in decisions that affect your work?	71	78.5%	11.9%	9.6%
Q68	How satisfied are you with the information you receive from management on what's going on in your organization?	70	77.8%	12.4%	9.8%
Q69	How satisfied are you with the recognition you receive for doing a good job?	71	79.7%	16.4%	3.9%
Q70	Considering everything, how satisfied are you with your job?	71	87.5%	6.7%	5.8%
Q71	Considering everything, how satisfied are you with your pay?	71	73.8%	13.8%	12.3%
Q72	Considering everything, how satisfied are you with your organization?	71	83.5%	12.4%	4.1%
Q73	My organization's management practices promote diversity (e.g.,	67	74.6%	10.2%	15.2%

	outreach, recruitment, promotion opportunities).				
Q74	My supervisor demonstrates a commitment to workforce diversity (e.g., recruitment, promotion opportunities, development).	66	88.6%	7.4%	4.1%
Q75	I have similar access to advancement opportunities (e.g., promotion, career development, training) as others in my work unit.	67	76.2%	19.4%	4.3%
Q76	My supervisor provides opportunities fairly to all employees in my work unit (e.g., promotions, work assignments).	67	84.4%	10.1%	5.5%
Q77	In my work unit, excellent work is similarly recognized for all employees (e.g., awards, acknowledgements).	63	86.7%	10.3%	3.0%
Q78	Employees in my work unit make me feel I belong.	71	86.0%	11.2%	2.8%
Q79	Employees in my work unit care about me as a person.	68	88.3%	8.8%	3.0%
Q80	I am comfortable expressing opinions that are different from other	69	87.8%	8.0%	4.2%

	employees in my work unit.				
Q81	In my work unit, people's differences are respected.	69	90.0%	7.3%	2.7%
Q82	I can be successful in my organization being myself.	69	85.7%	13.2%	1.2%
Q83	I can easily make a request of my organization to meet my accessibility needs.	35	95.2%	2.4%	2.5%
Q84	My organization responds to my accessibility needs in a timely manner.	27	93.7%	3.1%	3.2%
Q85	My organization meets my accessibility needs.	27	93.7%	3.1%	3.2%
Q86	My job inspires me.	71	81.5%	10.9%	7.6%
Q87	The work I do gives me a sense of accomplishment.	69	90.9%	2.6%	6.5%
Q88	I feel a strong personal attachment to my organization.	70	74.3%	18.0%	7.7%
Q89	I identify with the mission of my organization.	68	93.4%	1.7%	4.9%
Q90	It is important to me that my work contribute to the common good.	70	99.1%	0.9%	0.0%
Q91	Please select the response that BEST describes your current teleworking schedule.	The answers to this question do not align with the positive, neutral, negative format. Please see additional information below.			
Q91a	What is your current remote work status? <i>(Note: Only those</i>	The answers to this question do not align with the positive, neutral, negative format. Please see additional information below.			

<i>who answered "I telework every work day (i.e., remote work agreement)" to Question 91 received Question 91a.</i>	
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Question 16; N=71	
In my work unit poor performers usually:	
Remain in work unit and improve over time	19.3%
Remain in work unit and continue to underperform	8.1%
Leave work unit -removed or transferred	7.6%
Leave work unit -quit	11.1%
No poor performers in work unit	31.8%
Do not know	28.6%

Question 91; N=70	
Please select the response that best describes your current teleworking schedule.	
I telework every workday (i.e., remote work agreement)	38.1%
I telework 3 or 4 days per week	45.6%
I telework 1 or 2 days per week	16.3%
I telework, but only about 1 or 2 days per month	0.0%
I telework very infrequently, on an unscheduled or short-term basis	0.0%
I do not telework because I have to be physically present on the job	0.0%
I do not telework because of technical issues that prevent me from teleworking	0.0%
I do not telework because I did not receive approval to do so, even though I have the kind of job where I can telework	0.0%
I do not telework because I choose not to telework	0.0%

Question 91a; N=26	
For those who answered "I telework every workday" to the previous question, what is your current remote work status?	
I do not have an approved remote work agreement.	0%
I have an approved remote work agreement and live outside the local commuting area (more than 50 miles away)	48.8%
I have an approved remote work agreement and live inside the local commuting area (less than 50 miles away)	43.8%
I do not know	7.4%

Appendix 2: Results of OSC’s FY 2023 Annual Complainant Survey

The following pages contain the results from OSC’s FY 2023 Annual Survey of case filers. The results are broken down by responses per unit, and are listed in the following order: PPP, Whistleblower Disclosure, and Hatch Act. OSC received no responses to the USERRA portion of the Annual Survey in FY 2023.

2023 ANNUAL SURVEY QUESTIONS: PPP/RDU

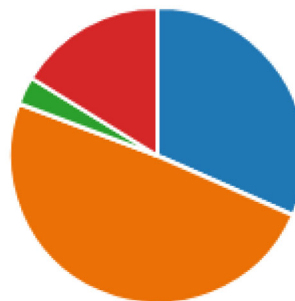
229
Responses

18:28
Average time to complete

Closed
Status

1. Did the agency against which you filed your OSC complaint inform you about your rights and responsibilities regarding prohibited personnel practices?

● Yes.	72
● No.	112
● I am not a federal employee.	7
● I do not recall.	37



2. What was the primary issue involved in your OSC complaint? (Check all that apply)

● Retaliation for whistleblowing or...	148
● Illegal hiring or selection practice	84
● Discrimination	77
● Other	64



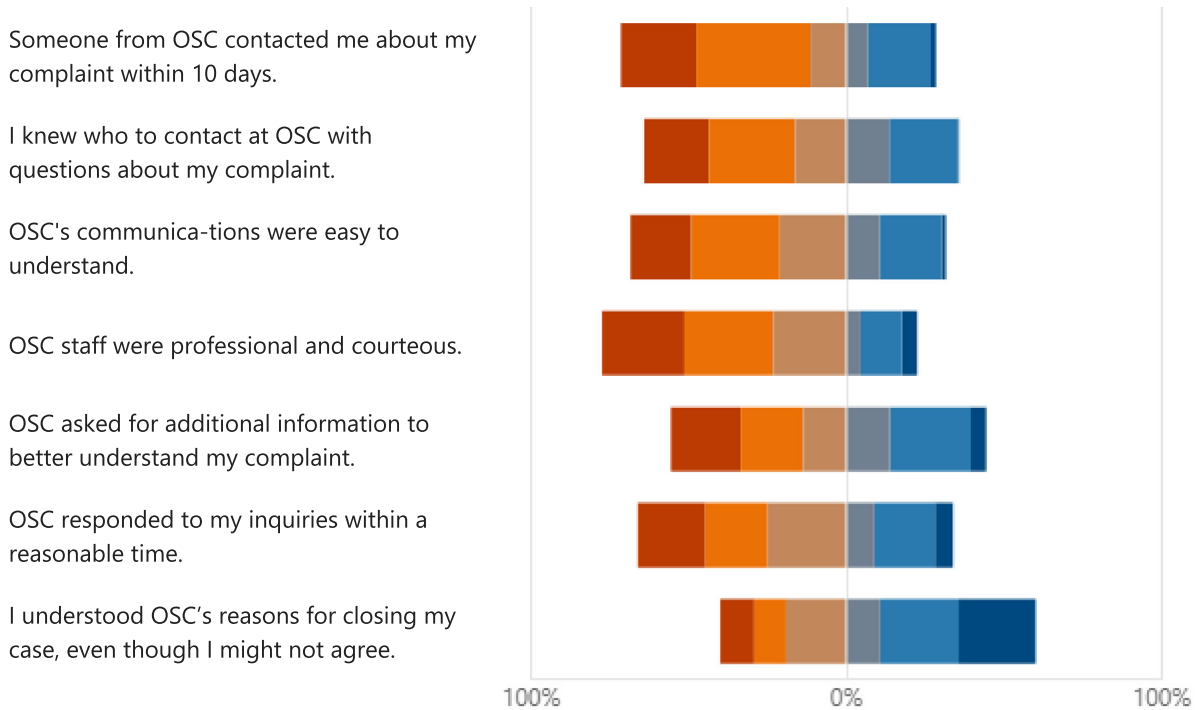
3. Please identify the stage of review or investigation of your OSC complaint.

- OSC received my complaint 52
- OSC is working on my complaint 51
- OSC is trying to resolve or medi... 6
- OSC anticipates closing or has cl... 115



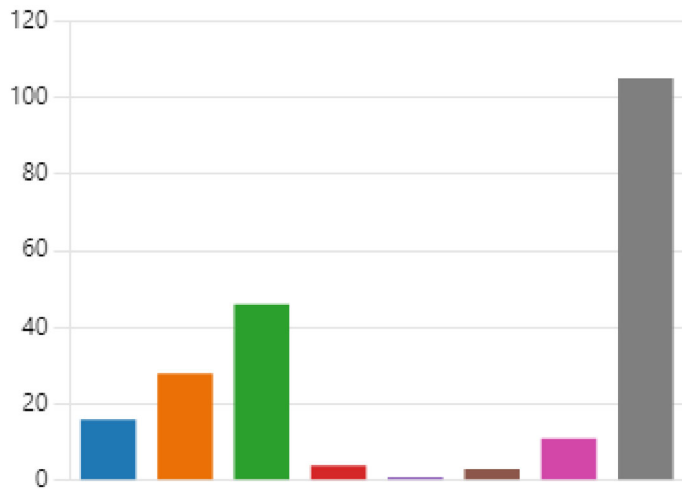
4. Please indicate the level of agreement with each of the following statements about your experience with OSC.

- Strongly Agree
- Agree
- Neither Agree nor Disagree
- Disagree
- Strongly Disagree
- N/A



5. How was your OSC complaint resolved?

● Closed for lack of jurisdiction (e...	16
● Closed because of deferral to EE...	28
● Closed on the merits (e.g., no p...	46
● Complaint was settled for correc...	4
● I declined corrective action offer...	1
● I withdrew my complaint	3
● I do not recall	11
● Other	105



6. If other please write below

153
Responses

Latest Responses

"Case is ongoing. "

"Still open"




"The OSC attorney misrepresented my claims"

7. After filing your complaint with OSC, did you (or do you intend to) file a complaint with the Merit Systems Protection Board (MSPB) regarding the same matter?

● Yes	72
● No	92
● N/A	60



8. If your OSC complaint is closed, please check all that apply.

 I was successful at OSC	5
 I was successful at MSPB	5
 Not applicable	209



2023 ANNUAL SURVEY QUESTIONS: Disclosure Unit

95

Responses

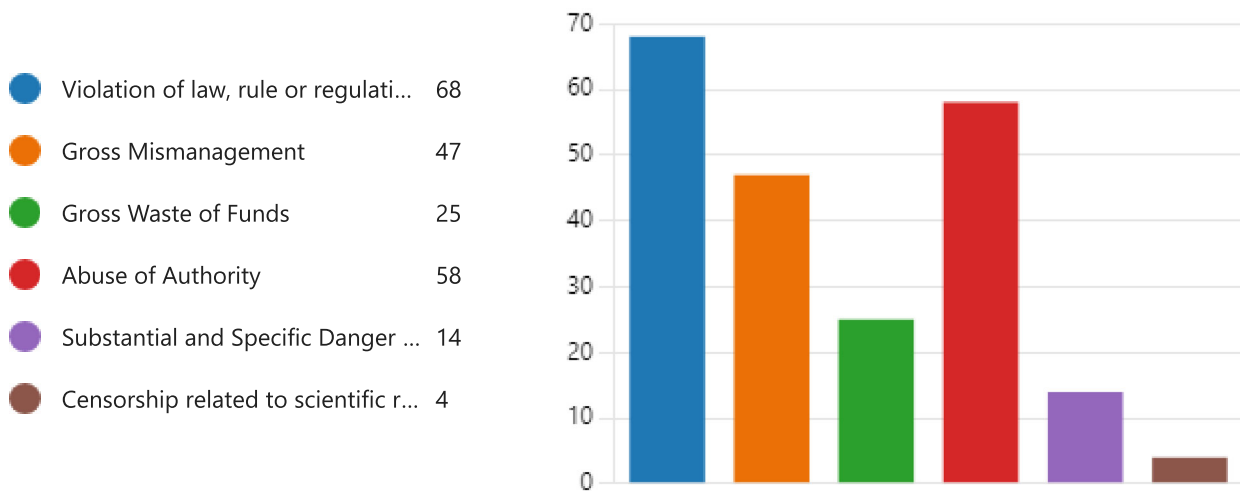
09:21

Average time to complete

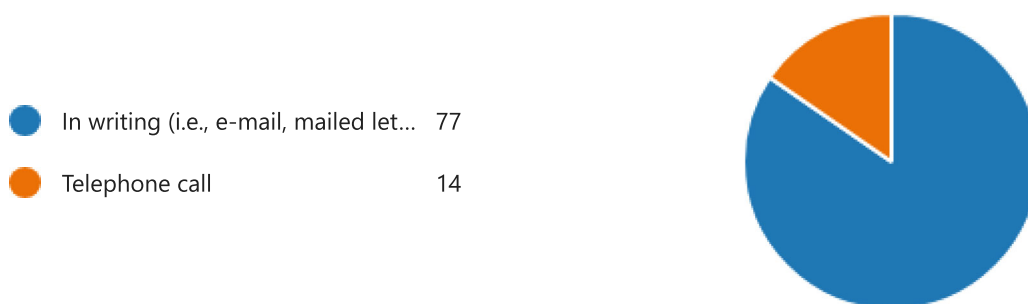
Closed

Status

1. Which of the following allegations did you allege in your disclosure? (Select all that apply).

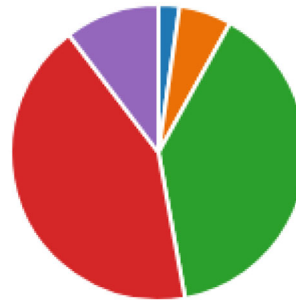


2. How did an OSC staff member first contact you in order to substantively discuss your claims?



3. If you contacted OSC during the pendency of your disclosure, approximately how many days passed before an OSC staff member responded?

● Same day	2
● Next day	5
● 1-3 days	34
● Over 3 days	37
● I did not receive a response	9



4. When speaking with OSC staff member(s) about your disclosure, did you understand the information provided to you?

● Yes	55
● No	18
● I understood some, but not all, ...	20

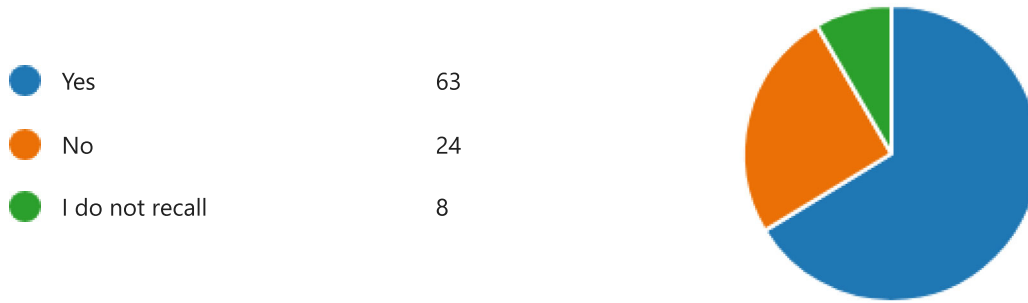


5. Please Explain

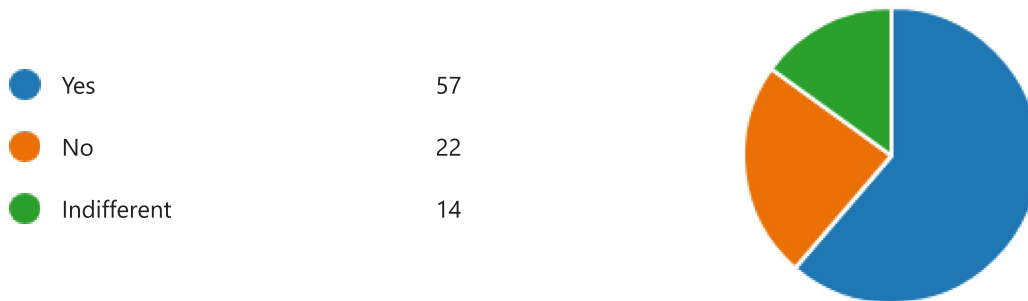
46
Responses

Latest Responses
"I am able to interpret and apply legal arguments "

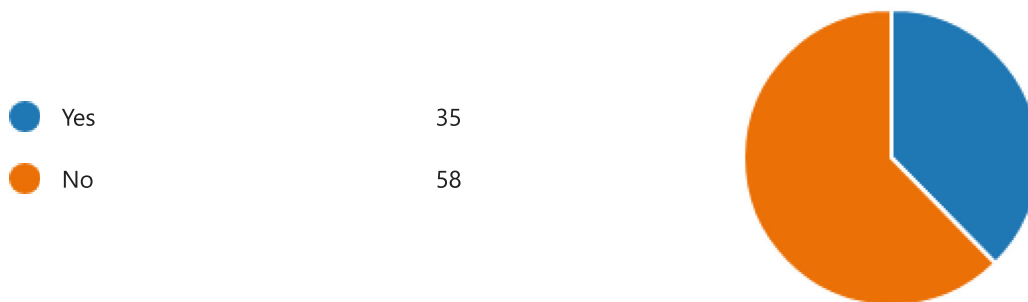
6. During the pendency of your matter could you (or can you) reach the OSC staff member assigned to your disclosure by email or telephone?



7. Did you understand the written communications (i.e., e-mail, letter) you received from OSC?



8. When you received a letter regarding the determination on your disclosure, did you take the opportunity to ask OSC staff member(s) questions about it?



9. Why or why not?

74
Responses

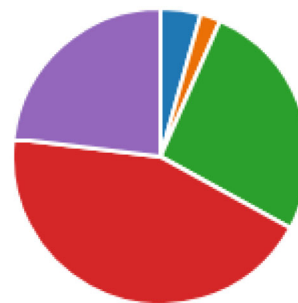
Latest Responses

"He didn't seem knowledgeable. I got several conflicting inform..."

"The OSC attorney misrepresented my claims in an effort to val..."

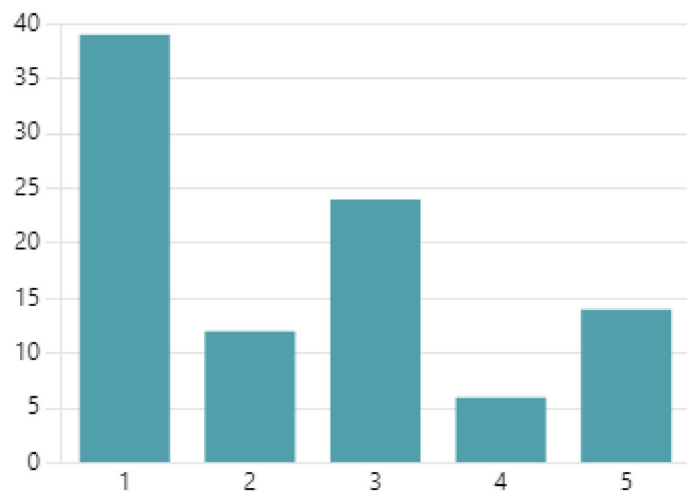
10. Approximately how many days passed before the OSC staff member responded to your inquiry about the determination in your disclosure?

Same day	4
Next day	2
1-3 days	24
Over 3 days	40
I did not receive a response	21



11. Please rate your overall experience with OSC. 1 is the lowest score and 5 is the highest score.

2.41
Average Rating



12. Please let us know how well we did or how we can improve.

65
Responses

Latest Responses

"Your staff should be neutral. If your staff are able to misreprese..."

2023 ANNUAL SURVEY QUESTIONS: Hatch Act

8

Responses

00:38

Average time to complete

Closed

Status

1. OSC acknowledged receipt of my Hatch Act advisory request or complaint in a timely fashion.

● Strongly Agree	4
● Agree	3
● Neither Agree nor Disagree	0
● Disagree	0
● Strongly Disagree	1



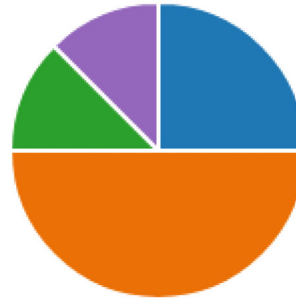
2. While my advisory request or complaint was pending, the assigned OSC employee sufficiently communicated with me about my matter.

● Strongly Agree	3
● Agree	0
● Neither Agree nor Disagree	3
● Disagree	1
● Strongly Disagree	1



3. The communications I received from OSC about my advisory request or complaint were clear and easy to understand.

Strongly Agree	2
Agree	4
Neither Agree nor Disagree	1
Disagree	0
Strongly Disagree	1



4. I received my requested Hatch Act advisory opinion or resolution of my complaint in a timely fashion.

Strongly Agree	4
Agree	2
Neither Agree nor Disagree	2
Disagree	0
Strongly Disagree	0



5. My experience with OSC's Hatch Act Unit was satisfactory.

Strongly Agree	3
Agree	1
Neither Agree nor Disagree	2
Disagree	1
Strongly Disagree	1

