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OSC Facilitates Settlement of a VA Whistleblower Reprisal Claim

FOR IMMEDIATE RELEASE

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The U.S. Office of Special Counsel (OSC) has facilitated the settlement of a whistleblower retaliation claim brought against the Department of Veterans Affairs (VA) by David Tharp, a psychologist with the VA's post-traumatic stress disorder (PTSD) program in Waco, Texas.

Dr. Tharp joined the VA's Center of Excellence for Research on Returning War Veterans in July 2009 as a team leader to research and treat PTSD and traumatic brain injury (TBI). Shortly thereafter, Dr. Tharp began reporting research and financial improprieties and waste, including improper diversion of research funds, falsification of records, failure to conduct any published research on TBI/PTSD, and the underutilization of a multimillion dollar mobile MRI scanner. Following these disclosures, Dr. Tharp's manager took steps to prevent him from earning the same pay as the other team leaders and subjected Dr. Tharp to a hostile work environment. She also refused to give him performance appraisals and denied Dr. Tharp the bonuses that were given to his peers.

In September 2010, Dr. Tharp made disclosures to the VA Inspector General (IG) regarding time and attendance fraud and preferential treatment of employees by his manager. A month later, he deployed to Afghanistan with the Air Force Reserve and, while on active duty, provided testimony to the IG. Upon his return to the VA in July 2011, Dr. Tharp's manager forced him to take a different position doing administrative and technical support work unrelated to psychology. In February 2012, the IG issued a [report](#) substantiating Dr. Tharp's allegations against his manager. After the issuance of the IG report, the manager retired from the VA.

To settle Dr. Tharp's claim, the VA has agreed to provide him compensatory damages, adjust his pay level, and take other actions to make him whole.

Dr. Tharp is also a lieutenant colonel in the Air Force Reserve who served in Afghanistan. In 2012, the Air Force Association named Dr. Tharp the VA Employee of the Year, and, in 2014, Disabled American Veterans selected him for its 2014 Outstanding Veterans Health Administration Employee Award.

"Dr. Tharp has served our nation and veterans both in uniform and as a civilian. He deserves our gratitude for his disclosures to improve care at the VA," said Special Counsel Carolyn Lerner. "I appreciate the VA's efforts to work with OSC to settle Dr. Tharp's meritorious claims."

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.