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OSC Obtains Record-Breaking Results for Whistleblowers in FY 2015

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In fiscal year (FY) 2015, OSC surpassed previous records for the number of favorable actions for whistleblowers and the federal merit system, as detailed in its annual report released today. Favorable actions include stays, corrective actions, disciplinary actions, and systemic changes to agency practices. Corrective actions may include reinstatement of an employee who has been fired, back pay, compensatory damages, and other forms of relief. Stays delay adverse employment actions against federal employees while OSC investigates their whistleblower reprisal claim. Disciplinary actions involve measures taken against supervisors who committed prohibited personnel practices (PPP), including whistleblower retaliation. Systemic changes consist of alterations to agency policies, directives, and procedures, such as rescinding a “gag order” that improperly restricts employees’ ability to blow the whistle.

Last year, OSC obtained:

- 277 favorable actions for 212 federal employees who filed PPP complaints—an increase of 59% from 174 actions for 142 employees in 2014 and a 230% increase from 2011;
- 233 favorable actions for 175 federal employees who filed whistleblower reprisal complaints (a subset of PPPs)—an increase of 69% from 138 actions for 112 employees in 2014 and a 264% increase from 2011;
- 81 favorable actions through OSC’s Complaints Examining Unit (CEU). OSC has emphasized early resolution of meritorious complaints and empowered CEU employees (who conduct the initial review of cases) to seek and obtain corrective actions for whistleblowers. This emphasis on early resolution provides relief to employees more quickly than a full investigation and is a significant factor in OSC’s record-setting number of victories for whistleblowers and other employees. CEU’s 2015 total is more than double the 31 favorable actions obtained by CEU in 2014 and nearly seven times the number obtained in 2013, the first year that OSC began seeking favorable actions for employees at the CEU stage of their case;
- OSC’s expanded Alternative Dispute Resolution program is also responsible for increasing the number of corrective actions obtained on behalf of whistleblowers and other federal employees with 81 percent of completed mediations resulting in settlement; and
- 62 informal stays of adverse employment actions against federal employees with reprisal claims, providing temporary relief—a nearly three-fold increase from 21 informal stays in 2014 and a five-fold increase from 2011. OSC also obtained three formal stays from the Merit Systems Protection Board.

OSC has secured favorable actions at a faster rate than its caseload has grown. While incoming PPP claims have grown by 57% since 2011, OSC has obtained a 230% increase in favorable actions over that same time.

In addition to its work protecting whistleblowers, OSC also obtained at least 19 disciplinary actions against employees associated with confirmed wrongdoing in whistleblower disclosure cases.

“I am very proud of the results that OSC employees are obtaining through hard work and the strategic use of our resources,” said Special Counsel Carolyn Lerner. “We are building on these successes in the current fiscal year.”

OSC’s FY 2015 annual report can be found [here](#).

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.