



U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505

Federal Agencies Are Required to Educate Employees on Whistleblower Protections

FOR IMMEDIATE RELEASE

CONTACT: Nick Schwellenbach, (202) 254-3631; nschwellenbach@osc.gov

WASHINGTON, D.C./January 5, 2017 –

The U.S. Office of Special Counsel (OSC) reminds agencies across the federal government about their obligation to participate in OSC's [2302\(c\) Certification Program](#). Agencies are required to become certified under OSC's program. It is named after the section of the U.S. Code (5 U.S.C. § 2302(c)) that requires agency heads, in consultation with OSC, to ensure that "agency employees are informed of the rights and remedies available to them" under civil service and whistleblower protection laws. Congress created this provision after finding that many federal employees had limited understanding of their right to be free from prohibited personnel practices (PPPs), especially retaliation for whistleblowing.

The [certification process](#) begins with registering and consulting with OSC. Then, the certification steps include: (1) placing informational posters about prohibited personnel practices (PPP) and whistleblower protection laws at agency facilities; (2) providing information about protections under whistleblower protection laws to new employees as part of the orientation process; (3) providing annual notification to current employees about their rights and remedies under whistleblower protection laws; (4) providing PPP training for supervisors; and (5) posting a link to OSC's website on the agency's webpage or intranet.

After ensuring that the steps have been completed, OSC certifies agencies under its 2302(c) program and reports annually to Congress on federal agencies' participation. OSC experts are [available to train](#) agency employees about PPPs, and OSC strongly recommends that high-level managers receive in-person training. OSC has also made an online training [quiz](#) available. Every three years, agencies need to recertify.

At the beginning of 2017, 100 federal agencies or agency components [are certified](#) under OSC's program and 44 agencies or components [are registered](#) to become certified. Some of the larger agencies that became certified in 2016 include the Department of Homeland Security, the Department of Justice, the Department of Labor, the Department of Treasury, the Social Security Administration, and the Securities and Exchange Commission. The number of certified agencies has doubled since [February 2016](#) – the last time OSC issued a [reminder](#).

While not required under OSC's 2302(c) program, OSC highly recommends the dissemination of information regarding [prohibited and permitted political activities](#) under the [Hatch Act](#). OSC staff are also available to provide Hatch Act training.

"It's a new year and an opportunity to remind agencies of their obligation to inform their employees about their whistleblower rights and responsibilities under the law," said Special Counsel Carolyn N. Lerner. "Education is an important step towards creating an environment where whistleblowers feel free to disclose wrongdoing. By embracing whistleblowers, agency leaders can improve the services that the federal government provides to the American people while reducing waste, fraud, and abuse."

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.