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OSC Lauds Passage of Laws Filling Gaps in Whistleblower Protections

FOR IMMEDIATE RELEASE

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The U.S. Office of Special Counsel (OSC) applauds the U.S. Congress for enacting two bills that will fill small but important gaps in the Whistleblower Protection Act as amended.

The Follow the Rules Act (H.R. 657) protects employees who face retaliation for refusing to violate a rule or regulation. The Whistleblower Protection Act of 1989 made it a prohibited personnel practice to retaliate against an employee for refusal to violate the law, but did not expressly address the refusal to violate rules and regulations. This legislation, signed into law earlier this month, makes clear that refusal to violate rules and regulations is protected.

The second bill (S. 1083), which the President signed yesterday, addresses a problem created by the current lack of a quorum on the Merit Systems Protection Board (Board). The legislation allows one Member of the Board to act upon a request from OSC to extend a stay of a personnel action during any period when the Board lacks a two-Member quorum.

OSC seeks stays of personnel actions where it has reasonable cause to believe whistleblower retaliation or another prohibited personnel practice has occurred, to provide OSC time to investigate while minimizing harm to the employee. This bill allows this important Board function to continue until it regains a quorum.

OSC thanks the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Oversight and Government Reform for their efforts to protect government whistleblowers by advancing these important bills.

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 and Reemployment Rights Act. OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially whistleblower retaliation, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.