

FY 2000 RESULTS: STRATEGIC GOAL 2

Strategic Plan Goal # 2: To fulfill congressional intent that OSC be more aggressive in protecting federal employees from prohibited personnel practices, particularly those who have suffered reprisal for whistleblowing.

PROGRAM PERFORMANCE GOALS	FY 1999 RESULTS	FY 2000 RESULTS
<p>Bring before the Merit Systems Protection Board (MSPB, or “the Board”) more cases in which OSC believes that a prohibited personnel practice (especially reprisal based on whistleblowing) has occurred.</p>	<p>3 stays obtained from MSPB 3 enforcement actions filed at MSPB (1 in matter involving alleged reprisal for whistleblowing) 2 enforcement actions favorably resolved by decision/settlement at MSPB (1 in matter involving alleged reprisal for whistleblowing)</p> <p>[OSC also filed 3 Hatch Act disciplinary action complaints, disciplinary action ordered in 3 matters.]</p>	<p>2 stays obtained from MSPB (1 in matter involving alleged reprisal for whistleblowing) 4 enforcement actions filed at MSPB (1 in matter involving alleged reprisal for whistleblowing) 6 enforcement actions favorably resolved by decision/settlement at MSPB (50% in matters involving alleged reprisal for whistleblowing or protected 1st amendment speech)</p> <p>[OSC also filed 4 Hatch Act disciplinary action complaints; settled one.]</p>
<p>Seek more stays, corrective actions, and disciplinary actions in cases in which OSC believes that a prohibited personnel practice (especially reprisal based on whistleblowing) has occurred.</p>	<p>12 stays obtained from agencies (83% in matters involving alleged reprisal for whistleblowing) 52 favorable actions obtained from agencies (69.2% in matters involving alleged reprisal for whistleblowing)</p>	<p>11 stays obtained from agencies (82% in matters involving alleged reprisal for whistleblowing) 58 favorable actions obtained from agencies (87% in matters involving alleged reprisal for whistleblowing)</p>
<p>Identify and enter appearances in cases in which OSC’s expertise could enhance protections for victims of prohibited personnel practices, with a particular emphasis on favorable developments in whistleblower protection law.</p>	<p>2 interventions at MSPB in related cases involving allegations of reprisal for whistleblowing to argue that denial of a security clearance is a covered personnel action under the WPA. OSC’s argument did not prevail. (<u>Roach v. Dept. of the Army</u> / <u>Hesse v. Dept. of State</u>)</p> <p>1 filing as <i>amicus</i> at MSPB in case involving allegation of reprisal for whistleblowing. OSC argument prevailed. (<u>Keefe v. Dept. of Agriculture</u>)</p>	<p>1 intervention at MSPB case on behalf of employee in case involving allegation of reprisal for whistleblowing - led MSPB to reverse ruling that had restricted scope of protected disclosures under the Whistleblower Protection Act. <u>Ganski v. Dept. of the Interior</u>.</p> <p>1 filing as <i>amicus</i> at MSPB in case involving allegation of reprisal for whistleblowing. <u>Schmittling v. Dept. of the Army</u>.</p>