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OSC Resolves Cases of Prohibited Personnel Practices

FOR IMMEDIATE RELEASE

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The Office of Special Counsel (OSC) recently resolved numerous cases of prohibited personnel actions within government agencies. These cases are summarized below:

- The U.S. Air Force settled the case of a human resources systems manager who was terminated after he reported to his supervisor that a coworker illegally altered a military identification card. The systems manager at Hill Air Force Base in northern Utah, who was in his probationary period in 2010 when he reported the colleague, subsequently filed a complaint with the Inspector General since he felt the supervisor had failed to take action. The systems manager was then terminated for poor performance, which was determined to be retaliation for whistleblowing. Under the terms of the November 2012 settlement agreement, the systems manager was re-instated, provided with back pay and had all leave and benefits restored.
- At the same Air Force Base in northern Utah, an electronics maintenance technician disclosed in a town hall meeting that his department lacked proper tools and that coworkers repaired aircrafts improperly. The technician had received perfect performance scores and cash awards each of the last eight years, but three months after his disclosure, he was given a lower performance score and no cash award, which was determined to be retaliation for whistleblowing. Last month, the Air Force settled the claim, providing the technician with a perfect performance score and a cash award for the 2010-2011 performance year.
- An OSC investigation found that the Selective Service System violated civil service laws by improperly changing a political position into a career position in the Senior Executive Service. This change took place in 2008, shortly before the political position was subject to a change in administration. OSC settled a potential disciplinary action with a human resources official who was involved in the conversion of the position. OSC did not pursue disciplinary action against the remaining subject officials because they had left federal service prior to the conclusion of OSC's investigation. The Selective Service is taking steps to educate its workforce about prohibited personnel practices.
- A manager in the headquarters office of the International Boundary and Water Commission (IBWC), in El Paso, Texas, engaged in conduct unbecoming a federal manager and illegally attempted to influence a subordinate IBWC employee to withdraw from competition for a promotion by threatening to report him and another coworker for committing fraud (a false accusation) unless the employee withdrew from competition. He served a suspension for his misconduct.

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. For more information, please visit our website at www.osc.gov.