

UNITED STATES OFFICE OF GOVERNMENT ETHICS



MEMORANDUM

FEB 16 2018

TO: OGE Employees

FROM: David J. Apol 
Acting Director and General Counsel

SUBJECT: Whistleblower Protection/Prohibited Personnel Practices

The purpose of this memorandum is to ensure that all agency employees are aware of and understand the prohibited personnel practices as well as whistleblower protections available to federal employees.

The December 5, 2013, White House National Action Plan calls for covered agencies to certify compliance with the Whistleblower Protection Act's notification requirements. To that end, I have included below links to information about the U.S. Office of Special Counsel (OSC), which is an independent agency that protects federal employees from prohibited personnel practices, including whistleblower retaliation and unlawful hiring practices. OSC also provides an independent, secure channel for disclosing and resolving wrongdoing in federal agencies.

The Whistleblower Protection Act of 1989 and the Whistleblower Protection Enhancement Act of 2012 provide the right for all covered federal employees to make whistleblower disclosures and ensure that employees are protected from whistleblower retaliation. Whistleblowing is defined as the disclosure of information that an employee reasonably believes evidences: a violation of any law, rule or regulation; gross mismanagement; gross waste of funds; an abuse authority; a substantial and specific danger to public health or safety; or censorship related to scientific research or analysis. Employees may make lawful disclosures to anyone, including, for example, management officials, and/or OSC.

Please review the following fact sheet, "[Your Rights as a Federal Employee](#)," which provides detailed information on the thirteen prohibited personnel practices and employees' rights to file complaints with OSC. Additionally, I encourage you to review the following materials: "[Know Your Rights When Reporting Wrongs](#)" and "[The Role of the U.S. Office of Special Counsel](#)," which describe different avenues for making whistleblower disclosures and OSC's role in accepting complaints from federal employees.

Federal employees have the right to be free from prohibited personnel practices, including retaliation for whistleblowing. It is the policy of the Office of Government Ethics to provide a work environment free from whistleblower retaliation. This agency is committed to making sure that all employees are aware of their rights as well as the safeguards that are in place to protect them.

