# Managing Public Employees in the Public Interest

#### EMPLOYEE PERSPECTIVES ON MERIT PRINCIPLES IN FEDERAL WORKPLACES

Title 5, United States Code, 2301. Merit System Principles

- (b) Federal personnel management should be implemented consistent with the following merit system principles:
- (1) Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge and skills, after fair and open competition which assures that all receive equal opportunity.
- (2) All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marita status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.
- (3) Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance.
- (4) All employees should maintain high standards of integrity, conduct, and concern for the public interest.
- (5) The Federal work force should be used efficiently and effectively.
- (6) Employees should be retained on the basis of adequacy of their performance, inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.
- (7) Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.
- (8) Employees should be--
- (A) protected against arbitrary action, personal favoritism, or coercion for partisan political purposes, and
- (B) prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.
- (9) Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences--
- (A) a violation of any law, rule, or regulation, or
- (B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety





#### U.S. MERIT SYSTEMS PROTECTION BOARD 1615 M Street, NW Washington, DC 20419-0001

The President
President of the Senate
Speaker of the House of Representatives

Dear Sirs:

In accordance with the requirements of 5 U.S.C. § 1204(a)(3), it is my honor to submit this U.S. Merit Systems Protection Board (MSPB) report, *Managing Public Employees in the Public Interest: Employee Perspectives on Merit Principles in Federal Workplaces*. This report discusses Federal employee perceptions of Federal agencies' adherence to the merit system principles codified at 5 U.S.C. § 2301, focusing on stewardship – how agencies manage resources and Federal employees to accomplish agency missions and serve the public interest.

Most Federal employees believe that their organizations strive to maintain high standards of conduct and concern for the public interest. However, survey results show that many Federal employees believe that their leaders fall short in making the often-difficult decisions needed to make truly efficient and effective use of the Federal workforce. For example, among the 25 stewardship-related questions in our survey, agreement was lowest for items that concerned the extent to which organizations: (1) eliminate unnecessary functions and positions; and (2) effectively address poor performance. Federal employees also expressed concerns about agency support for necessary training and development and their organizations' ability to retain their best employees. Our report contains recommendations to address perceptions and issues in these areas.

In the current environment, it is more important than ever for Federal agencies and Federal leaders to demonstrate that they are good stewards of the resources entrusted to them – including the Federal workforce. I believe you will find this report useful as you consider issues affecting the Federal Government's ability to operate efficiently and effectively in these challenging times.

Respectfully,

Susan Tsui Grundmann

# Managing Public Employees in the Public Interest: EMPLOYEE PERSPECTIVES ON MERIT PRINCIPLES IN FEDERAL WORKPLACES



A Report to the President and the Congress of the United States by the U.S. Merit Systems Protection Board

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# THE MERIT SYSTEM PRINCIPLES - 5 U.S.C. § 2301(B)

Federal personnel management should be implemented consistent with the following merit system principles:

- (1) Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge and skills, after fair and open competition which assures that all receive equal opportunity.
- (2) All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.
- (3) Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance.
- (4) All employees should maintain high standards of integrity, conduct, and concern for the public interest.
- (5) The Federal work force should be used efficiently and effectively.
- (6) Employees should be retained on the basis of adequacy of their performance, inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.
- (7) Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.
- (8) Employees should be—
  - (A) protected against arbitrary action, personal favoritism, or coercion for partisan political purposes, and
  - (B) prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.
- (9) Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences—
  - (A) a violation of any law, rule, or regulation, or
  - (B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.



### EXECUTIVE SUMMARY

he merit system principles (MSPs), in conjunction with the prohibited personnel practices (PPPs), provide a framework for managing public employees in the public interest. Much has changed since the Pendleton Act of 1883, which established a merit system in the Federal Government, and the subsequent Civil Service Reform Act of 1978, which codified the basic values of the Federal civil service as the merit system principles. The Federal workforce has become a knowledge-based workforce and the majority of Federal employees perform complex work in fast-changing fields. Predictable, routinized work is now the exception, not the norm. Personnel systems have proliferated and standardized entrance examinations and salary schedules have been replaced by a staggering variety of ways to hire and pay Federal employees. Yet the MSPs endure, covering nearly all employees, agencies, and personnel systems. The MSPs endure because they remain relevant: they embody the Nation's fundamental values and set standards for leadership, management, and conduct in the Federal Government that have stood the test of time.

Over the years, the Merit Systems Protection Board (MSPB), in its Merit Principles Survey (MPS), has asked employees about their experiences and opinions on a variety of topics related to the civil service, including the nine MSPs. In 1996, the MPS asked 15 questions related to agency adherence to the MSPs. We reported the results in our 1997 report, *Adherence to the Merit Principles in the Workplace: Federal Employees' Views*. In our 2010 Merit Principles Survey (MPS 2010), we asked a different and larger set of questions to explore the MSPs in greater depth and to emphasize agencies' affirmative responsibilities for leading and managing Federal employees.

We categorized the 2010 questions into three groups: (1) fairness; (2) stewardship; and (3) protection. The areas of fairness and protection have been the subject of several recent reports and the 2010 results regarding the MSPs reinforced our findings in those reports. We are currently at work on additional reports in these areas. However, the 2010 survey results indicated perceptions that stewardship is the area where organizations need to improve the most. Accordingly, this report focuses primarily on that theme.

In the current budgetary environment, agencies may find it more necessary to show Congress and the President that they are good stewards of the resources entrusted to them – including human capital. This is particularly true for the areas of:

(1) eliminating unnecessary functions and positions; (2) effectively addressing poor performance; (3) retaining the best employees; and (4) providing necessary training.

Success in the first two areas is particularly important for Federal agencies to demonstrate to Congress, the President, and the American people that they have done as much as possible with as few resources as possible. These are also the areas where Federal employees perceived the greatest need for improvement.

Other areas of stewardship have more nuanced issues. Retaining the best employees is an area of perceived weakness. The extent to which it is a problem if people leave an organization depends on who is going, how many are going, how quickly they leave, where they are going, and why they are going. Some movement within the civil service that results in better skills matches, greater opportunities for talented employees to contribute, or employees acquiring broader skills and perspectives may be in the interest of the Government. However, excessive turnover or losing good performers who may be disillusioned by public service harms the civil service.

In the area of training, a majority of employees agree that they have received the training necessary to do the job today, but, given the knowledge-based duties of much of the workforce, more employees should believe that they have the necessary training to do the job as well as the training to do their jobs more efficiently.

This report includes the following recommendations:

- Educate managers at all levels, from appointed executives to first line supervisors, on their responsibilities related to Federal employees and the Federal workforce under the merit system principles. As stated in our previous report on MSPs in the workplace: "If managers are to be held responsible for applying the merit principles to their HRM decisions, they need more than a passing acquaintance with these principles. They need practical guidance that's relevant to their own situations and that makes clear the consequences for their work units and their agencies of disregarding the merit principles in taking personnel actions."
- Be prepared to make the tough calls on which important programs may need to
  be trimmed or eliminated in order to provide even more crucial priorities with the
  necessary resources. Involve the workforce in efforts to locate potential methods to
  improve efficiencies and keep employees informed about what is being done and why
  it is being done.
- Identify and make appropriate investments in employee training and career
  development. The Federal workforce has become a knowledge workforce,
  with a majority of workers employed in complex, fast-changing fields such as
  information technology, medicine, security and law enforcement, and engineering.
  Unfortunately, many employees indicate that they have not received adequate
  training for their current jobs, let alone opportunities for growth and development.

<sup>&</sup>lt;sup>1</sup> U.S. Merit Systems Protection Board, *Adherence to Merit Principles in the Workplace: Federal Employees' Views*, Washington, DC, September 1997, p. 10.

The Federal Government must spend public dollars judiciously, consistent with the merit principles requiring concern for the public interest and efficient and effective use of the workforce. Yet agencies and managers must also be wary of pursuing short-term savings (such as reductions in training budgets or time allotted for training and education) at the expense of long-term organizational capability and performance. Accordingly, agencies should take steps to accurately determine competency requirements and developmental needs, to assure that training activities are linked to (and can fulfill) those needs, to emphasize to managers and employees the importance of continued education and development, and to provide supporting resources and mechanisms.

• Monitor trends, patterns, and factors in employee retention and employee engagement. In recent years, much of the Federal workforce has been characterized by high levels of retention and tenure, enabling many Federal agencies and Federal managers to pay limited attention to retention. Yet complacency is unwarranted. First, survey responses indicate that Federal agencies could improve at both keeping high performers and remediating or separating poor performers. Second, anticipated changes in workforce demographics, evolving employee expectations, and potential changes to Federal pay and benefits suggest that the future will be much less accommodating of passive approaches to turnover and retention. There have long been concerns that Federal agencies retain too many employees who do not perform acceptably. Federal executives and managers should take steps to ensure that this concern is not justified, particularly in this era of fiscal austerity.

EXECUTIVE SUMMARY				

#### Introduction

#### Touchstones for a Diverse Civil Service

he time when the Federal civil service was monolithic in terms of demographics or human resources policy and practice is long past. Employees can enter the Federal government at any level, from worker-trainee to executive. Employees are appointed to Federal service in a variety of ways, from an open competitive examination to a special appointing authority targeted to a specific group.<sup>2</sup> Employees are paid under any number of compensation systems, from Government-wide systems such as the General Schedule to the Federal Wage System to agency-specific systems tailored to particular organizations or occupations.

Yet commonalities remain. Federal agencies appoint, pay, train, and separate Federal employees to serve the public interest. To that end, almost all Federal employees work under merit systems – human resources policies and practices designed to ensure that people are recruited, managed, and retained on the basis of their abilities and performance.<sup>3</sup> Those systems share a common set of responsibilities and requirements: the merit system principles (MSPs) and the prohibited personnel practices (PPPs).

## The PPPs and MSPs: Absolute Prohibitions and Affirmative Responsibilities

The prohibited personnel practices are just that: actions and practices that Federal employees are prohibited from doing.<sup>4</sup> Those prohibitions are accompanied by enforcement mechanisms. For example, the Office of the Special Counsel (OSC) has the

<sup>&</sup>lt;sup>2</sup> One example is appointment under the Veterans Employment Opportunities Act of 1998 (VEOA), which enables certain recently-discharged military veterans to compete for competitive service appointment under agency merit promotion procedures. (More information on the VEOA authority can be found at www.fedshirevets.gov/job/shav/.) Such authorities are typically established through legislation. We note that the question of whether authorities that target select populations can be established administratively (through regulation under 5 U.S.C. § 3302) is presently unresolved. See *Dean v. Office of Personnel Management*, 115 M.S.P.R. 157 (2010).

<sup>&</sup>lt;sup>3</sup> The rules for employment by an entity that operates under the authority of the U.S. Government are extremely complex. Individuals may be employed in the legislative, judicial, or executive branches. Executive branch employees are primarily employed under title 5, but they may also be employed under different titles, including but not limited to, 38 (Veterans Benefits), 10 (Armed Forces), 22 (Foreign Relations), 39 (Postal Service), and 49 (Transportation). The extent to which title 5 laws or comparable provisions apply to other personnel systems varies greatly.

 $<sup>^4~</sup>$  The PPPs are described at 5 U.S.C. § 2302(b) and are listed in Appendix E.

authority to investigate allegations of PPPs, to pursue corrective action to rectify a PPP, and to seek disciplinary action against Federal employees who have committed a PPP.<sup>5</sup> However, a public-spirited, competent, and productive workforce cannot be attained or sustained solely by avoiding and prosecuting PPPs. The PPPs specify actions to avoid but do not say how Federal agencies *should* select, develop, recognize, or retain employees. That subject is addressed by the MSPs.

As shown in Table 1, the MSPs cover all aspects of human resources management, from recruitment to recognition and retention.

**Table 1. Overview of the Merit System Principles** 

Princi	ple and Subject	Responsibilities
1	Recruitment	<ul> <li>Strive for a diverse, representative workforce.</li> <li>Recruit broadly, conduct fair and open competitions, and select solely on ability.</li> </ul>
2	Equity	<ul> <li>Treat applicants and employees fairly, equitably, and with proper regard for their rights.</li> <li>Exclude non-merit factors from human resources decisions.</li> </ul>
3	Compensation	<ul> <li>Pay employees fairly, on the basis of the value of their work.</li> <li>Encourage and reward excellence.</li> </ul>
4	Conduct	Maintain high standards of integrity and conduct.
5	Utilization	Use the Federal workforce efficiently and effectively.
6	Retention	Base retention on performance; address poor performance through remediation or, if necessary, termination.
7	Development	Train employees to improve individual and organizational performance.
8	Neutrality	<ul> <li>Protect employees from arbitrary action, favoritism, and coercion.</li> <li>Maintain and enforce political neutrality.</li> </ul>
9	Public Interest	<ul> <li>Act in the public interest.</li> <li>Encourage and protect lawful disclosures, including whistleblowing.</li> <li>Avoid any use of official authority to interfere with elections.</li> </ul>

But see 5 U.S.C. § 2302(e)(2) (stating that "[n]otwithstanding any other provision of this title, no authority to order corrective action shall be available in connection with a prohibited personnel practice described in subsection (b)(11)"). Title 5, United States Code, § 1212 enumerates OSC's powers and functions. Additional information about OSC and its activities is available at www.osc.gov. See also U.S. Merit Systems Protection Board, *Prohibited Personnel Practices: A Study Retrospective*, Washington, DC, June 2010 for a description of the PPPs and an overview of previous and planned MSPB research related to the PPPs.

#### The MSPs are broad principles rather than specific prescriptions.

Adherence to the merit system principles is more difficult to assess than avoidance of prohibited personnel practices. The MSPs establish ideals to uphold instead of specific rules or procedures to follow. Agencies and managers have considerable responsibility – and discretion – to interpret and implement the MSPs in practice.

Some MSPs are supported by detailed guidelines or policies. For example, to implement the principle of fair and open competition, Federal agencies that conduct competitive examinations are required to provide public notice of the examination through USAJOBS<sup>6</sup> and to follow defined rules for accepting applications. <sup>7</sup> However, most principles are not so definitively supported by specific rules. For example, there is no single regulation that describes what constitutes efficient and effective use of the Federal workforce; nor is there any guideline that specifies precisely how agencies should achieve that outcome.

#### Methodology and Data Use

This report is based on—

- Analysis of selected items from the MPS 2010, a Government-wide survey that
  MSPB administered to a random sample of permanent full-time Federal employees in
  24 departments and independent agencies. Appendix A provides an overview of the
  content and administration of the MPS 2010 and Appendix B provides a replica of
  the survey instrument;
- Analysis of data from the Central Personnel Data File (CPDF), a repository of
  information on the Federal workforce maintained by the U.S. Office of Personnel
  Management. We used CPDF data to develop insight into the composition of the
  Federal workforce and to examine trends in employee retention;
- Review of selected articles and research related to Federal employee attitudes and
  the management of the Federal workforce. This review was conducted to identify
  common themes and concerns in the leadership and management of the Federal
  workforce. Consistent with this purpose, and to conserve time and staff resources,
  this review was less structured and extensive than a formal literature review; and
- Previous MSPB research on issues discussed in this report, including employee engagement, performance management, and human resource development.

<sup>&</sup>lt;sup>6</sup> USAJOBS is the Federal Government's online employment portal (www.usajobs.gov) operated by the U.S. Office of Personnel Management.

<sup>&</sup>lt;sup>7</sup> 5 CFR § 330.103 and 5 CFR § 330.105 (regarding notice to OPM and USAJOBS), 5 CFR § 330.104 (regarding vacancy announcements), and U.S. Office of Personnel Management, *Delegated Examining Operations Handbook*, Chapters 3 and 4, available as of August 2012 at www.opm.gov/deu/Handbook\_2007/DEO\_Handbook.pdf.

#### The 2010 Merit Principles Survey and the Merit System Principles

Over the years, MSPB's Merit Principles Survey has asked employees about their experiences and opinions on a variety of topics related to workplace fairness. The MPS 2010 included 25 items that asked employees about their organization's adherence to the MSPs.8 The basic concept, consistent throughout the MSPs, is that agencies should create a workplace in which the Government can attract and retain the best possible employees and maximize the performance of those employees for the benefit of the American people. Our 25 questions were designed around this concept. Some items were derived directly from the statute with some rewording for clarity or brevity. Other items describe practices and outcomes (such as retaining high-performing employees) that are implicit in the MSPs, but are not explicitly enumerated. The MPS 2010 also included items on related topics such as employee engagement, work motivation, prohibited personnel practices, and whistleblowing. Those topics are addressed by recent or planned MSPB studies and are not discussed in depth in this report.9 This report focuses primarily on the MSPs related to stewardship of the Federal workforce.

#### **Differences Across Roles and Agencies**

In this report, we occasionally discuss the responses of nonsupervisors and supervisors. We do so for two reasons. First, the roles and responsibilities of nonsupervisors and supervisors are materially different. Non-supervisors have responsibilities related to the MSPs, including demonstrating concern for the public interest (including reporting wrongdoing) and maintaining high standards of conduct and performance. However, supervisors' responsibilities are much broader, reflecting their delegated authority for recommending or making decisions in matters such as hiring, pay, training, recognition, and discipline. Second, nonsupervisors and supervisors often have different insights into an organization's policies and practices and their effects. For example, supervisors may be more familiar than employees with the policies and considerations that affect personnel decisions (including management priorities, budgets, applicants' qualifications, and employees' work histories). Nonsupervisors, on the other hand, may have a clearer and more accurate sense of how those decisions - and the motives and competence of the decision-makers – are perceived by the individuals who are affected. Thus, comparing the responses of nonsupervisors to those of supervisors can help identify reasons for a particular result and suggest lines of inquiry and courses of action.

<sup>&</sup>lt;sup>8</sup> MSPB conducted a similar exercise in its 1996 Merit Principles Survey. See U.S. Merit Systems Protection Board, *Adherence to the Merit Principles in the Workplace: Federal Employees' Views*, Washington, DC, September 1997. Results from the 1996 survey are at Appendix C. Although grounded in the merit system principles, the 1996 survey items differed in material ways from the ones discussed in this report. Consequently, direct comparison of results is not possible.

<sup>&</sup>lt;sup>9</sup> See U.S. Merit Systems Protection Board, *Blowing the Whistle: Barriers to Federal Employees Making Disclosures*, Washington, DC, November, 2011; U.S. Merit Systems Protection Board, *Prohibited Personnel Practices: Employee Perspectives*, Washington, DC, August 2011; U.S. Merit Systems Protection Board, *Federal Employee Engagement: The Motivating Potential of Job Characteristics and Rewards*, Washington, DC, December 2012.

Although the MPS was designed to produce usable results at the agency level, agency-level results are shown on a selective basis only. First, agency-level results do not necessarily reflect the practices or outcomes of a single organization. That is especially true when agencies comprise diverse missions and workforces or highly independent components or bureaus. Second, differences among individual agencies are more difficult to interpret than differences between nonsupervisors and supervisors. Agency differences can reflect many factors, including mission, workforce demographics, organizational culture, finances, quality of leadership, and human resources policies and practices. Given the natural tendency to rank agencies and interpret differences as reflective of the fairness and competence of an agency's leadership, we concluded that focusing on agency-level survey results was more likely to distract or mislead than to enlighten.

#### **Interpreting Survey Results**

In this report, we generally present the percentage of respondents agreeing with a survey item. The 25 MPS-based survey items discussed in this report are all positively worded. For any item, agreement is desirable and high levels of agreement are preferable to low levels of agreement. Comparing levels of agreement across items may provide insight into areas of relative strength and weakness. However, we caution against a simplistic approach to interpreting results and comparing levels of agreement across items.

Survey responses reflect respondents' experiences, understanding of Federal Government and human resources policies and practices, interpretations of events, and personal values and opinions. Thus, agreement cannot be directly equated with adherence to merit system principles, nor can disagreement be directly equated with failure to adhere to merit system principles or commission of a prohibited personnel practice. Respondents may misunderstand or simply disagree with an agency policy or leadership decision that is consistent with both the letter and the spirit of the law.

In this report, we present survey results, discuss possible causes and consequences, and outline some actions for agencies to consider. That discussion is neither definitive nor exhaustive. Accordingly, we suggest that readers consider the following questions while reviewing survey items and results in this report:

- What level of agreement is likely or plausibly attainable?
- Are the reported levels of agreement higher or lower than expected?
- Do the survey results point to strengths in organizational culture or human resources practice to be preserved or further developed?

<sup>&</sup>lt;sup>10</sup> There are exceptions. For example, a respondent could agree to an item with the intent to mislead. For several reasons, including the assurance of confidentiality that MSPB provides participants in its surveys, we believe that these exceptions do not apply to the results shown here.

#### **INTRODUCTION**

- What might cause an unexpected result?
- What are the possible consequences of a low level of agreement?
- What actions might Federal agencies, Federal managers, or Federal employees take to improve adherence to MSPs?

The survey results are not a report card, but rather a tool for helping agencies examine and improve how they manage the workforce. Actively engaging with the results and perspectives presented in this report is an essential first step. Tables containing aggregated responses to our 25 MPS questions are at Appendix D.

## THE ROLE OF STEWARDSHIP IN THE MERIT SYSTEM PRINCIPLES

his chapter briefly describes the themes of fairness, stewardship, and protection. It explains why stewardship is a particular concern today but also why it cannot be isolated from the important responsibility of management officials to ensure that employees are treated fairly with full protection of their rights.

#### The Interrelationship between Fairness, Protection, and Stewardship

Statistical analysis of the survey results suggested that there were three themes underlying responses to the 25 MSP-based questions.<sup>11</sup> We labeled those three factors as follows:

- Fairness perceptions of the fairness of the organization's human resources practices and decisions, especially matters related to hiring and pay;
- Stewardship perceptions of the utilization and development of employees and organizations, including matters such as leadership, alignment, support, and efficiency; and
- Protection perceptions of the effectiveness of measures to protect employees from inappropriate influences and improper actions, including leadership attributes such as openness, tolerance of criticism, and willingness to act to prevent or rectify such actions.

We note that many questions could plausibly be classified to multiple categories, reflecting the fact that the merit principles share a common vision. The three themes of fairness, stewardship, and protection are best understood as mutually supportive rather than separable or distinct. For example, supervisors are expected to reward excellent performance.<sup>12</sup> The purpose of this principle is to help employees feel valued or otherwise encourage them so they will want to continue to perform excellently and the best performers will want to remain with the Government. Thus, we treated recognition as primarily an issue of stewardship. However, it is also a question of fairness, for when greater rewards are given to those whose performance is less excellent, or rewards are withheld from those who are not personal favorites of the supervisor, it is inherently

<sup>&</sup>lt;sup>11</sup> The technique was factor analysis, following the approach used in MSPB's 2008 study of Federal employee engagement. Appendix A of that report provides a brief description of factor analysis as a method for interpreting survey results and developing scales. See Robert F. DeVellis, *Scale Development: Theory and Applications*, Sage Publications, Thousand Oaks, CA, 2012, pp. 115-158, for further information on the use of factor analysis in developing surveys and interpreting survey results.

<sup>&</sup>lt;sup>12</sup> 5 U.S.C. § 2301(b)(3).

#### THE ROLE OF STEWARDSHIP IN THE MERIT SYSTEM PRINCIPLES

unfair. Furthermore, upper-level management's tolerance of such conduct by supervisors raises the question of whether employees are being protected from this improper conduct.

The reality is that neither our 25 questions, nor the MSPs they represent, exist in isolation. Fairness cannot stand alone without the support of protection to ensure that fairness is applied; a manager who tolerates unfairness and withholds protection is not a good steward. Agencies should not lose sight of the fact that fairness, protection, and good stewardship are all necessary for a merit system to thrive. A merit system can be viewed as a three-legged stool supported by the legs of fairness, protection, and stewardship. Weaken any leg and it will wobble; remove any leg and it will fall. The MSPs, survey items, and associated themes are listed in Table 2, below.

Table 2. MPS 2010 items based on the merit system principles

MS	SP and Subject	Survey Items: My organization	Theme
1	Recruitment	<ul> <li>Recruits a diverse pool of applicants for job vacancies</li> <li>Holds fair and open competition for job vacancies</li> <li>Selects the best-qualified candidates when filling jobs</li> </ul>	
2	Equity	<ul> <li>Treats employees fairly</li> <li>Takes steps to prevent prohibited discrimination</li> <li>Takes steps to rectify prohibited discrimination</li> </ul>	Fairness
		Pays employees fairly	
3	Compensation	<ul> <li>Recognizes excellent performance</li> <li>Rewards excellent performance</li> </ul>	
4	Conduct	<ul> <li>Holds employees to high standards of conduct</li> <li>Puts the public interest first</li> </ul>	
5	Utilization	<ul> <li>Uses the workforce efficiently and effectively</li> <li>Eliminates unnecessary functions and positions</li> <li>Makes good use of employees' skills and talents</li> <li>Focuses employee attention and efforts on what is most important</li> <li>Provides employees with the resources needed to get the job done</li> </ul>	Stewardship
6	Retention	<ul> <li>Addresses poor performers effectively</li> <li>Retains its best employees</li> </ul>	
7	Development	<ul> <li>Provides employees with necessary training</li> <li>Provides employees with opportunities for growth and development</li> </ul>	
8	Neutrality	<ul> <li>Protects employees against arbitrary action</li> <li>Does not engage in favoritism*</li> <li>Protects employees from political coercion</li> </ul>	- Protection
9	Public Interest	<ul> <li>Protects employees against reprisal for whistleblowing</li> <li>Protects employees against reprisal for exercising a grievance, complaint, or appeal right</li> </ul>	

<sup>\* &</sup>quot;Favoritism" is not further defined in the eighth merit system principle, but clearly encompasses nepotism (i.e., taking a personnel action to benefit a family member), which is explicitly prohibited by 5 U.S.C. § 2302(b)(7).

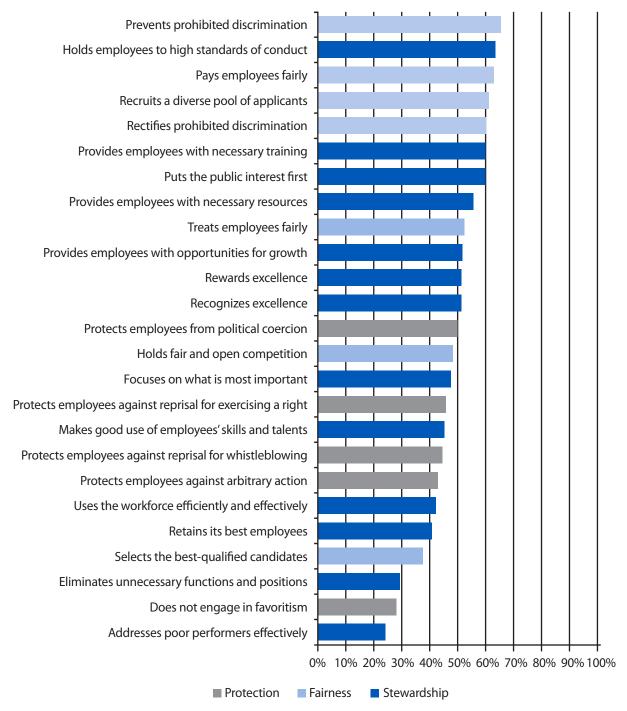
#### THE ROLE OF STEWARDSHIP IN THE MERIT SYSTEM PRINCIPLES

#### Fairness and Protection

While the MSPs are interrelated, perceptions vary greatly about how well management officials adhere to the principles. As can be seen in Figure 1, many of the questions for which the fewest employees had positive perceptions were in the stewardship group. However, several items involving fairness or protection also showed room for improvement. Reprisal for whistleblowing or the exercise of an appeal/grievance right and the coercing of political activity, which also had limited positive perceptions, are PPPs. For more information on these and other PPPs, please see our recent reports: Prohibited Personnel Practices: Employee Perceptions; Whistleblower Protections for Federal Employees; and Blowing the Whistle: Barriers to Federal Employees Making Disclosures. Additionally, favoritism, which can be found near the bottom of the chart in Figure 1, will be the subject of a future MSPB report.

Figure 1. Responses to survey items on merit principle adherence by level of agreement

#### My organization-



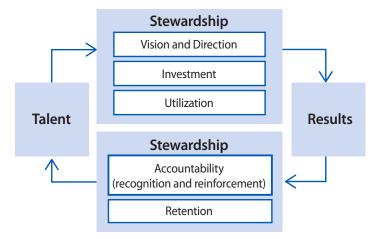
#### Stewardship Matters

Stewardship is a particularly timely issue because of budget constraints that agencies currently face and are expected to confront for the foreseeable future. If agencies find they can no longer "do more with less," they may need to make hard decisions about what they can do with the resources they have. Federal employees are a valuable resource, and one that agencies must use as wisely as possible. Accordingly, this report focuses on employee perceptions surrounding stewardship of the Federal workforce.

## The MSPs Require that Federal Agencies Serve as Stewards of the Federal Workforce

Federal supervisors and managers are entrusted with leading Federal employees to further the public interest. Accordingly, the merit system principles require that leaders do more than hire on the basis of merit and treat employees fairly. The merit system principles also require that leaders be good stewards of Federal organizations and the Federal workforce. Talent and good intentions, although necessary, are not sufficient. Figure 2, below, illustrates the relationship between talent, stewardship, and results. <sup>13</sup>

Figure 2. The role of stewardship in translating talent into organizational results<sup>14</sup>



Stewardship has both immediate aspects (such as demonstrating concern for the public interest and focusing work efforts on organizational goals) and longer-term aspects (such as retaining employees on the basis of performance and providing training to improve performance). Figure 3 shows survey respondents' agreement with items related to the concept of stewardship.<sup>15</sup>

<sup>&</sup>lt;sup>13</sup> Analysis of survey responses, using a technique called structural equation modeling, found statistical relationships among survey items that are consistent with the idea that stewardship is central to organizational efficiency and effectiveness.

<sup>&</sup>lt;sup>14</sup> The concepts and relationships in this diagram are similar to the systems and linkages in OPM's Human Capital Accountability and Assessment Framework (HCAAF). See www.opm.gov/hcaaf\_resource\_center/index.asp.

<sup>&</sup>lt;sup>15</sup> The data in Figure 3 is the same as in Figure 1, with questions regarding fairness and protection omitted to help focus the reader's attention on stewardship.

Figure 3. Agreement with statements related to stewardship of the organization and the workforce, MPS 2010



Overall, Federal employees appear to view their organization's intentions more positively than its actions. A majority of employees agree that their organization is attentive to the public interest and holds employees to high standards of conduct. However, respondent perceptions of human capital practices are less positive, especially in areas related to vision (such as focusing on what is important) and alignment (such as eliminating unnecessary functions and positions). In the following chapters, we discuss these issues related to stewardship in greater depth.

THE ROLE OF STEWARDSHIP IN THE MERIT SYSTEM PRINCIPLES				

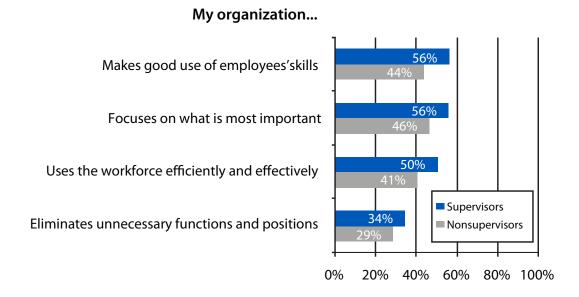
#### VISION AND DIRECTION

ision and direction affect how employees perceive leadership efforts to establish goals, clarify and communicate organizational priorities, and align organizational structures and work efforts with those goals and priorities.

#### The Need for Clearer Direction and Better Utilization of Staff

As illustrated in Figure 4, below, many respondents believe their organization makes suboptimal use of the workforce. Employees' concerns encompass both high-level leadership – such as establishing a clear vision and focusing on what is most important – and the day-to-day management of organizations and individuals.

Figure 4. Agreement with items related to vision and direction, by supervisory status, MPS 2010



These results, although not reassuring, are not completely surprising. Leading organizations is challenging, especially in the public sector. Missions are broadly defined; stakeholders may hold opposing views of an agency's proper role and priorities; and law and regulation may limit leadership discretion in a variety of ways including functions, policies and procedures, organizational structure, and resource management. Such conditions can produce unfocused programs or organizations, making it difficult to

define clear goals and align resources and work efforts with those goals. It has been said that Federal "[p]rograms are bound by multiple, often conflicting, legislative objectives. The complex politics of passing enabling legislation and then negotiating annual appropriations forces some programs to be all things to all people." <sup>16</sup>

There are limits to what any individual employee can do to resolve problems such as overlapping missions, conflicting objectives, and insufficient resources.<sup>17</sup> That does not, however, absolve Federal leaders of their responsibility to provide the clearest possible direction, make difficult decisions, and communicate important if unpalatable truths. That responsibility is reinforced by the Government Performance and Results Modernization Act of 2010, which explicitly requires the heads of Federal agencies to establish priority goals, evaluate progress toward those goals, and publicize associated strategies, results, barriers, and plans for improvement.<sup>18</sup> We acknowledge that the vast majority of Federal executives take their responsibilities seriously, and many have served and continue to serve with distinction. Yet survey results should prompt agency executives and managers, both career and non-career, to ask themselves if they are truly providing their organizations and employees with the vision and direction they need and deserve. The survey results should also prompt employees who believe that vision and direction are lacking to ask whether they have communicated that concern to agency leaders – and perhaps, also, to consider taking the initiative when necessary.

#### The Importance of Communication

One possible contributor to employee perceptions related to leadership is a lack of communication and information. Some employees may not be fully aware of the extent of the challenges their agencies face on the budgetary and legislative fronts, while senior leaders may not fully recognize the difficulties that line employees face as a result of conflicting priorities, indecisive leadership, or inadequate or misdirected resources. Results from MSPB's 2007 Merit Principles Survey (MPS 2007) indicate that communications from senior leaders to the workforce are often inadequate: only 56 percent of nonsupervisors and 66 percent of first-level supervisors agreed that managers communicate the goals and priorities of the organization. While goals may be difficult to prioritize when there is so much important work to be done, communicating

<sup>&</sup>lt;sup>16</sup> From Red Tape to Results: Creating a Government that Works Better and Costs Less, Washington, DC, September 7, 1993, p. 74.

See, for example, The Campaign for High Performance Government, Creating a High-Performance Government: A Once-in-a-Generation Opportunity, New York University, Robert F. Wagner School of Public Service, June 21, 2001. This report describes the problems of overlapping or conflicting missions and their consequences for accountability, organizational performance, and the public interest.

<sup>&</sup>lt;sup>18</sup> P.L. 111-352. 31 U.S.C. §§ 1120 and 1122, respectively, establish requirements for developing priority goals and transparency (i.e., publicity) of programs, priority goals, and results.

<sup>&</sup>lt;sup>19</sup> U.S. Merit Systems Protection Board, *Managing for Engagement: Communication, Connection, and Courage*, Washington, DC, July 2009, pp. 14-17; U.S. Merit Systems Protection Board, *A Call to Action: Improving First-Level Supervision of Federal Employees*, Washington, DC, May 2010, pp. 49-51.

leadership decisions regarding priorities should not be as great a challenge. It is also quite possible that agency leaders do not receive sufficient notice from their subordinates about a lack of information and are therefore unaware of breakdowns in communication, despite initiatives such as OPM's Employee Viewpoint Survey.<sup>20</sup>

Agencies currently face very tight budgets, and the strained fiscal situation is expected to remain in place – if not worsen – in coming years. One area in which employees had the lowest positive perception of their management officials was in officials meeting their responsibilities to eliminate unnecessary functions and positions. This may be a question of insufficient action by agency management, or a a lack of employee understanding about management decisions and their rationale. In either case, if cuts are required over the next few years, it will be vital that management and employees to work together on absorbing the pain with as little damage to the organization as possible.

Management should not only listen to employees about where to make cuts, but should actively seek the advice of employees who do the jobs and may know best where efficiencies can be found. And, when cuts in valuable positions and initiatives are made to protect even more crucial programs, management should be open with employees about what is being done, and particularly why it is being done. Even when the affected individuals who must find a way to do as much as possible with as little as possible find that they cannot agree with management decisions, it is important that they nevertheless believe that management made its decisions in good faith with a genuine focus on the public good.

Its effect on engagement is one reason for management to persuade employees that unnecessary functions and positions are being trimmed or eliminated to protect more crucial projects. As can be seen in Figure 5, employees who believe that management eliminates unnecessary functions and positions tend to be more engaged than employees who do not share that perception.<sup>21</sup>

<sup>&</sup>lt;sup>20</sup> See 5 CFR § 250, Subpart C. The Employee Viewpoint Survey (formerly the the Federal Human Capital Survey) is an annual employee survey administered Governmentwide by OPM pursuant to National Defense Authorization Act for Fiscal Year 2004, which required agencies to survey their employees annually on topics including leadership practices and the work environment.

<sup>&</sup>lt;sup>21</sup> Engagement is defined as a heightened connection to some or all aspect of work (such as the job itself, the organization, or coworkers). See U.S. Merit Systems Protection Board, *The Power of Federal Employee Engagement*, Washington, DC, September 2008, pp. 2-4 for an overview of employee engagement and its relationship to organizational performance. The questions used to calculate engagement scores is at Appendix F.

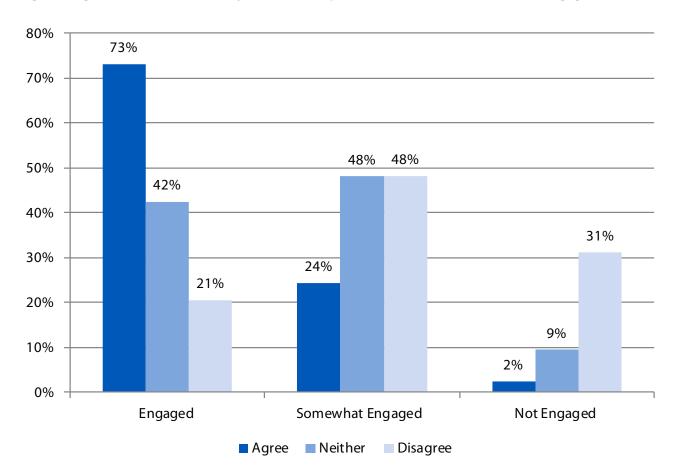


Figure 5. Agreement that unnecessary functions and positions are eliminated and level of engagement

Similarly, as shown in Figure 6, there is a clear relationship between employee perceptions that management eliminates unnecessary functions and positions and employees' intention to remain with the organization.

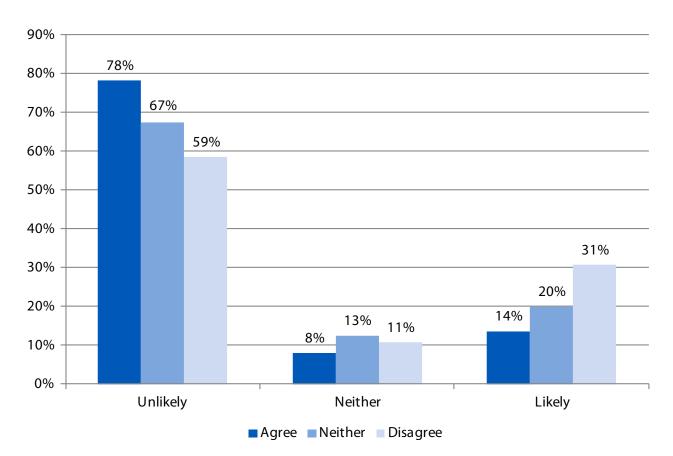


Figure 6. Agreement that unnecessary functions and positions are eliminated and expressed intention to leave the agency

Thus, by eliminating unnecessary functions and positions, agency leaders can not only save funds that would be spent on those functions and positions, it is likely that they can also increase their potential to retain valuable employees and the engagement level of those individuals.

However, it is important to recognize that what is "unnecessary" may be a subjective question. That is why it is so important for supervisors, managers, and leaders to explain to employees what management is doing and why it is being done.

VISION AND DIRECTION	

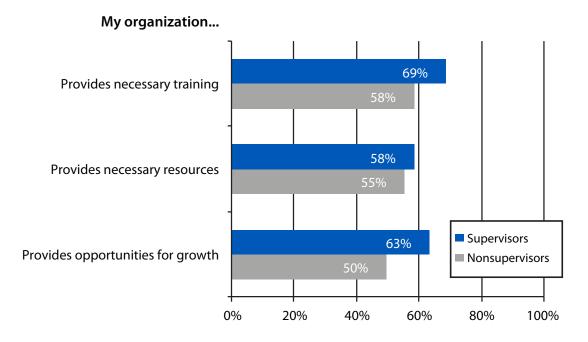
# Investing in Employee and Organizational Productivity

e define investment as providing the training, development, and other resources needed to support immediate productivity and long-term individual and organizational performance.

## More Investment in Employees is Needed

As shown in Figure 7, below, a majority of respondents Government-wide agreed that their organizations provide necessary training and resources. Yet in every agency surveyed, a significant percentage of nonsupervisors – ranging from 11 percent to fully 40 percent – disagreed. Concern about the adequacy of training and resources is not limited to nonsupervisors. Compared to other survey questions discussed in this report, differences in agreement between nonsupervisors and supervisors were relatively small.<sup>22</sup>

Figure 7. Agreement with statements related to support of employee performance and development, by supervisory status, MPS 2010



For almost every survey item (statement) related to fairness or protection, the difference in agreement between supervisors and nonsupervisors exceeded 15 percentage points. For example, there was a difference of 18 percentage points between nonsupervisors and supervisors in agreement to the statement "My organization treats employee fairly."

#### INVESTING IN EMPLOYEE AND ORGANIZATIONAL PRODUCTIVITY

These perceptions are disquieting. It is one thing for some employees to express dissatisfaction with promotions and awards, which are limited in availability and allocated on a competitive basis. It is entirely another for many employees to have reservations about whether their organizations provide the essential ingredients for acceptable individual and organizational performance. The provision of *necessary* training and resources should not be a matter of debate or uncertainty; yet survey results and previous MSPB research suggest that it is for many Federal employees.<sup>23</sup>

Additionally, there is a difference between training that is necessary to get the mission done and training that is necessary to get the mission done effectively and efficiently. Historically, our survey respondents have seen these as two very different things. In our 1992, 1996, 2000, and 2005 surveys, we asked respondents separate questions to capture perceptions regarding training that respondents believed was necessary to do their jobs and training that they felt was necessary to do their jobs *effectively*. As shown in Figure 8, respondents were less likely to agree that they had the training that would help them function effectively. When looking to improve the efficiency and effectiveness of the workforce with fewer funds, agencies should be cautious about cutting training. A penny saved is not a penny earned if the saved penny is not invested wisely. Rather, agencies may find that a penny today that is wisely invested in the right training may save many dollars in years to come by providing more effective employees. Here is a difference of the mission done of th

<sup>&</sup>lt;sup>23</sup> A 1995 MSPB study reported that approximately one-third of employees believed that they needed more training and that many agencies believed that some training and development needs remained unmet. See U.S. Merit Systems Protection Board, *Leadership for Change: Human Resource Development in the Federal Government*, Washington, DC, July 1995, pp. 7-9. Results from the 2005 Merit Principles Survey also show that significant percentages of employees perceive their training as inadequate or suboptimal. U.S. Merit Systems Protection Board, *Accomplishing Our Mission: Results of the Merit Principles Survey 2005*, February 2007, pp. 16-19.

<sup>&</sup>lt;sup>24</sup> Because of limited space on the survey, the 2007 and 2010 surveys did not ask about training to perform the job more effectively.

<sup>&</sup>lt;sup>25</sup> U.S. Merit Systems Protection Board, *Accomplishing our Mission: Results of the Merit Principles Survey 2005*, Washington DC, February 2007, p. 16.

<sup>&</sup>lt;sup>26</sup> For guidance on selecting training with the greatest potential for a return on investment, please see U.S. Merit Systems Protection Board, *Making the Right Connections: Targeting the Best Competencies for Training*, Washington, DC, February 2011.

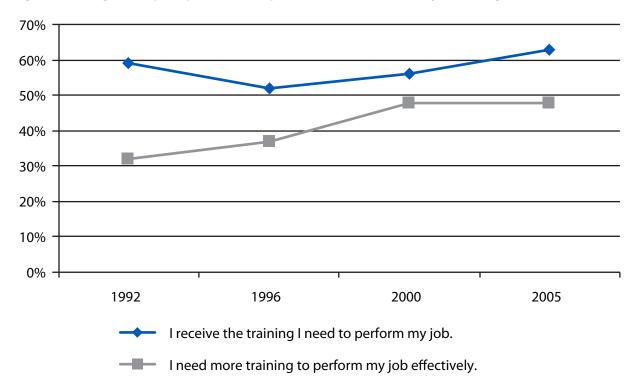


Figure 8. Divergence in perceptions of receipt of essential and valuable job training

In addition to the challenges of providing the right training, only half of nonsupervisors agree that their organization provides opportunities for growth and development. Given the distinctive characteristics of Federal work and the Federal workforce, that is problematic. Figure 9, shows that the Federal workforce is increasingly composed of knowledge workers.<sup>27</sup> Nearly two-thirds of Federal employees are employed in professional and administrative occupations such as information technology specialist, management analyst, attorney, and environmental engineer.<sup>28</sup>

<sup>&</sup>lt;sup>27</sup> There is no single, universally-accepted definition of "knowledge workers," but generally accepted characteristics of knowledge workers include: (1) the worker's personal ownership of the resources (such as skills, knowledge, and judgment) essential to performance and productivity; (2) non-routine work, in which the worker must define and decide how to accomplish assignments; and (3) a high degree of specialization – a knowledge worker's job cannot be done satisfactorily by non-specialists (who may include the worker's immediate supervisor). See, for example, Peter F. Drucker, *Management Challenges for the 21st Century*, Harper Business, New York, NY, 1999, pp. 17-22 and 142-154.

<sup>&</sup>lt;sup>28</sup> Knowledge workers in the Federal Government are not confined to professional and administrative occupations, although those occupations are the most obvious examples of knowledge work.

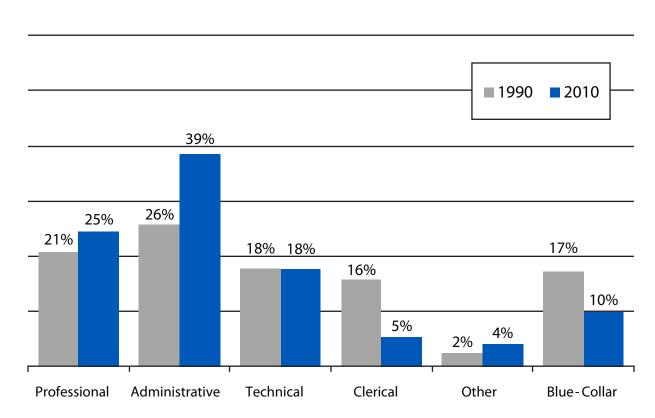
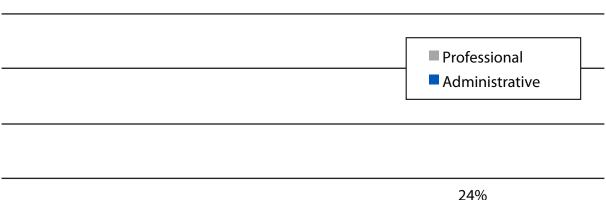


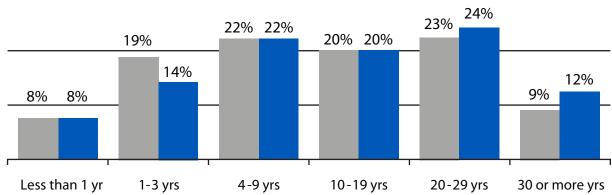
Figure 9. Distribution of permanent full-time Federal employees by occupational category, 1990 and 2010<sup>29</sup>

Figure 10, shows that most Federal knowledge workers have considerable tenure in the Federal service. In professional occupations, 52 percent of employees have 10 or more years of Federal service; in administrative occupations, 56 percent.

The U.S. Office of Personnel Management's Handbook of Occupational Groups and Series defines six categories for occupations in the Federal Government. Professional work requires knowledge in a field of science or learning characteristically acquired through education or training equivalent to a bachelor's or higher degree with major study in or pertinent to the specialized field, as distinguished from general education. Work is professional when it requires the exercise of discretion, judgment, and personal responsibility for the application of an organized body of knowledge that is constantly studied to make new discoveries and interpretations, and to improve data, materials, and methods (for example, mathematics and engineering). Administrative work involves the exercise of analytical ability, judgment, discretion, and personal responsibility, and the application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more fields of administration or management. While these positions do not require specialized education, they do involve the type of skills (analytical, research, writing, judgment) typically gained through a college level education, or through progressively responsible experience. Technical work is typically associated with and supportive of a professional or administrative field. It involves extensive practical knowledge, gained through experience and/or specific training less than that represented by college graduation. Work in these occupations may involve substantial elements of the work of the professional or administrative field, but requires less than full knowledge of the field involved. Clerical occupations involve structured work in support of office, business, or fiscal operations. Clerical work is performed in accordance with established policies, procedures, or techniques; and requires training, experience, or working knowledge related to the tasks to be performed. Clerical occupational series follow a one-grade interval pattern. Other white-collar occupations are occupations in the General Schedule that do not clearly fit into one of the above groupings. Included among these are series such as the Fire Protection and Prevention Series, GS-081, and Police Series, GS-083. Bluecollar occupations are occupations whose paramount requirements are trades, crafts, and labor experience and knowledge.







These data have implications for how Federal agencies approach employee development. Clearly, the Federal knowledge workforce has substantial experience and institutional knowledge that can be quite valuable. However, the data also show that recent hires account for only a small portion of the Federal Government's professional and administrative workforce. Thus, the Federal Government cannot rely solely on external hiring to assure that employees possess the necessary levels of knowledge and proficiency. In-service training and development of current employees are essential for the Federal workforce to possess the collective knowledge and proficiency needed to accomplish its various missions. Restated, unless the Federal Government makes prudent long-term investments in its employees, its human capital will depreciate. Ultimately, such depreciation of workforce knowledge and skills could seriously compromise the ability of Federal agencies to effectively discharge their responsibilities to the American people.

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Relevant experience can provide procedural knowledge, build work relationships, and sharpen situational judgment. Such contributors to job performance can require considerable time (months or years) to develop. Nevertheless, experience must not be equated with proficiency. (That is why heavy reliance on assessments of training and experience (T&E) to evaluate and select job applicants can be problematic, especially when those assessments are mechanical. See U.S. Merit Systems Protection Board, *Identifying Talent through Technology: Automated Hiring Systems in Federal Agencies*, Washington, DC, August 2004, pp. 7-8.) MSPB is currently conducting research on the appropriate use of T&E assessments in Federal employment.

## A Long-Term View of Employee Development and Performance

Federal agencies are rightly expected to use public resources wisely. Managers and employees must treat training as an organizational investment – an expenditure of resources that will benefit the public through improved productivity or performance – rather than an employee benefit. Accordingly, agencies may not fund training for the sole purpose of obtaining a degree or certificate,<sup>31</sup> nor may they pay for individual memberships in professional or trade organizations, except in limited circumstances.<sup>32</sup> Employee education and training must be directed to the attainment of competencies rather than credentials and to the attainment of public goods rather than private benefits.

However, we caution against taking a narrow, short-term view of what constitutes job-related, beneficial training. Some training needs are obvious: they flow directly from an employee's position description, work assignments, or performance standards. However, important training needs are not always obvious. Training does not only enable employees to successfully complete today's tasks and projects; it also prepares employees for the future. The accompanying discussion, "Maintaining a Knowledge Workforce in a Merit System," outlines why a broad, future-oriented view of employee development is important.

<sup>&</sup>lt;sup>31</sup> We emphasize "sole purpose." The Homeland Security Act of 2002 expanded agency ability to support training pursuant to an academic degree. See U.S. Office of Personnel Management, "Training and Development: Fact Sheets with Questions & Answers," at www.opm.gov/hrd/lead/policy/fea-00.asp for more information on the requirements governing such training. For information related to certification and certificate programs, See Linda M. Springer, Director, U.S. Office of Personnel Management, "Memorandum for Chief Human Capital Officers, Subject: Fact Sheet on Certification and Certificate Programs" August 13, 2008, accessed in August 2011 at www. chooc.gov/Transmittals/Attachments/trans1489.pdf.

<sup>&</sup>lt;sup>32</sup> U.S. Office of Personnel Management, *Training Policy Handbook*, "Membership in Professional Organizations," available at www.opm.gov/hrd/lead/pubs/handbook/lrbsa10.asp.

#### Maintaining a Knowledge Workforce in a Merit System

Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance. 5 U.S.C. § 2301(b)(7)

The merit principle above rightly requires that agency expenditures on training be justified by anticipated benefits to the public. However, the wording of the merit principle should not lead decision-makers or stakeholders to believe that the "cases" in which education and training can improve performance are infrequent. Such cases arise routinely. Nor should existing restrictions on training lead agencies, managers, or training officials to take too narrow a view of what constitutes job-related, value-added employee development. Training should help employees anticipate and prepare for the challenges of the future, not just accomplish work in the present.

A commitment to employee training and development is important for other reasons. First, employer support of training and career growth surely factors into employee decisions about seeking alternative employment. That is particularly true of knowledge workers, who may—

- · View themselves as members of a profession, not only as public servants;
- Derive satisfaction and motivation from their contributions to, and personal stature in, their chosen field; and
- Regard employability, rather than tenure, as their source of job security. Employability
  demands continuing education in addition to continuing performance, especially in fastchanging fields in which skills and knowledge can have a short "shelf life."

Second, previous MSPB research confirms the importance of prospects for personal and professional growth to employee engagement.\* Engagement – an employee's emotional commitment to the organization's success – affects both individual effort and organizational outcomes.\*\* Thus, Federal agencies that do not support the continuing education of their employees run two additional risks: the risk of unwanted turnover and the risk of employee disengagement.

<sup>\*</sup> U.S. Merit Systems Protection Board, *The Power of Federal Employee Engagement*, Washington, DC, September 2008, pp. 7-10.

<sup>\*\*</sup> Id., pp. 3-4 and pp. 27-35.

#### INVESTING IN EMPLOYEE AND ORGANIZATIONAL PRODUCTIVITY

Agency support of training and development is not an all-or-nothing proposition. As outlined in guidance from OPM,<sup>33</sup> agencies can support employee training and development without covering the full cost (e.g., tuition and time) of every activity.

Second, agencies do not have to wait for the need for training and development to become pressing – or for a suitable training course or developmental activity to present itself – to demonstrate their commitment to employees' continuing education and growth. Agencies may establish individual learning accounts (ILAs), in which employees are allotted resources to pursue job-related training and development.<sup>34</sup> Based on successful pilot experiments with ILAs in Federal agencies,<sup>35</sup> OPM has encouraged broader use of this flexibility.<sup>36</sup>

We encourage agencies to take a broad view of what constitutes useful training and development. But this broad view must be complemented by a close attention – on the part of both employers and employees – to the benefits produced by training and development. Such attention is not only good management practice; as noted in the accompanying discussion, "Investing in Employees: Persuade Effectively, Spend Wisely," it is critical to any effort to sustain or increase investments in training and development.

<sup>&</sup>lt;sup>33</sup> See U.S. Office of Personnel Management, *Human Resource Development (HRD) Flexibilities*, available at http://www.opm.gov/hrd/lead/policy/flex.asp#related1 as of June 2010. Under the heading of "Sharing the Costs of Training and Education with Employees," this online guide provides examples of how training costs can be shared under 5 U.S.C. § 4109(a)(2).

OPM defines an ILA as "a specified amount of resources such as dollars, hours, or learning technology tools... or a combination of the three that is set aside for an individual employee to use for his or her learning and development." U.S. Office of Personnel Management, "Individual Learning Accounts," accessed in August 2011 at www.opm.gov/hrd/lead/ila/ilaguide.asp.

<sup>&</sup>lt;sup>35</sup> U.S. Office of Personnel Management, *Individual Learning Account Pilot Initiative: A Learning Tool for the 21st Century*, Washington, DC, March 30, 2001, pp. 7-9, available as of June 2011 at www.opm.gov/hrd/lead/ila/ilarpt\_3.pdf.

<sup>&</sup>lt;sup>36</sup> Kay Coles James, Director, U.S. Office of Personnel Management, "Memorandum for Heads of Departments and Agencies, Subject: Individual Learning Accounts," Washington, DC, September 7, 2001, accessed in May 2012 at www.opm.gov/hrd/lead/ila/ilamemok.asp.

### Investing in Employees: Persuade Effectively, Spend Wisely

Federal agencies have often found it difficult to obtain adequate budgets for employee learning and development. That obstacle is even greater in times of fiscal austerity, and agencies currently face a likely future of multiple years of austerity. Yet, the need to retain and sustain a high-performing workforce remains clear and compelling. Unfortunately, the survey results in this report, and previous MSPB research, suggest that many Federal agencies are not doing a good job of maintaining, let alone building, their human capital.\* One contributor to this situation appears to be insufficient investment in training. As budgets become even tighter, this challenge may become greater. What can Federal agencies and Federal leaders do? Below, we offer two suggestions drawn from previous MSPB studies related to human resource development.

First, build a strong business case. Abstract arguments that "we need to spend more on training" are unlikely to persuade CFOs, agency heads, or Congressional appropriators to loosen their purse strings or open their wallets. Funding requests that are anchored by individual development plans, career programs, and human capital plans that systematically identify competency requirements and developmental needs – and describe the public benefits of meeting those needs – are more likely to succeed.\*

Second, choose training investments with care. Ensure that learning activities can produce the desired outcomes, such as greater proficiency in a particular competency. Because competencies differ in trainability, it is not always possible or cost-effective to eliminate a deficiency in knowledge or proficiency through training. For example, competencies related to motivation and mental style (characteristics such as flexibility and decisiveness) are much less trainable than knowledge and language competencies.\* Be prepared to explain to agency leaders and the Congress what the agency received in return for its investment in order to build trust that funds authorized for training will save the Government money in the end by having a more efficient and productive workforce.

- \* See U.S. Merit Systems Protection Board, Making the Right Connections: Targeting the Best Competencies for Training, Washington, DC, February 2011, p. 5; U.S. Merit Systems Protection Board, The Federal Workforce for the 21th Century: Results of the Merit Principles Survey 2000, Washington, DC, November 2003, pp. 7-8; U.S. Merit Systems Protection Board, The Changing Federal Workplace: Employee Perspectives, Washington, DC, March 1998, pp. 12-13; U.S. Merit Systems Protection Board, Leadership for Change: Human Resource Development in the Federal Government, Washington, DC, July 1995, pp. 8-9.
- \*\* See U.S. Merit Systems Protection Board, *Making Leadership for Change: Human Resource Development in the Federal Government*, Washington, DC, July 1995, pp. 32-33, and U.S. Merit Systems Protection Board, "Keeping the Target on Training," *Issue of Merit*, Washington, DC, June 2005.
- \*\*\* U.S. Merit Systems Protection Board, *Making the Right Connections: Targeting the Best Competencies for Training*, Washington, DC, February 2011, pp. 13-18.

There are limits to what can be accomplished through training and development. Visions of reengineered functions, quantum leaps in productivity or quality, and fresh insights into seemingly intractable problems are very appealing. We encourage managers and employees to appreciate that training and development can yield benefits much greater than incremental improvements in performance. However, managers and employees must not let such visions deter them from conducting a realistic and rigorous assessment of both training and trainee. OPM guidance (including the new *Training Evaluation* 

Field Guide)<sup>37</sup> provides information on planning and delivering training and development activities that provide a good return on expectations.<sup>38</sup>

## Employees' Responsibility to Manage Their Careers and Development

We have strongly encouraged Federal agencies to examine and increase, if needed, their investment in the continuing education and development of their employees. That examination should be complemented by active efforts on the part of employees to manage their own development and career growth. As OPM guidance states, employee training and development is a shared responsibility,<sup>39</sup> not a burden to be shouldered by the agency alone. Elements of that shared responsibility can include:

- Identifying training needs;
- Identifying opportunities to meet training needs and build competencies, including courses, on-the-job learning, and developmental assignments;
- Applying and sharing knowledge acquired through training;<sup>40</sup>
- Providing feedback on training quality and effectiveness;
- Making reasonable investments in learning and development, especially for learning and development that substantially increases future employability or chances for promotion to needed positions.<sup>41</sup>

There are also practical reasons why employees should recognize and accept that responsibility. Although Federal agencies must not shirk their responsibility to provide essential training and make sufficient investments in their human capital, Federal agencies cannot underwrite all the training and development that might be beneficial to the agency or that an employee might consider important to her or his advancement and employability. Accordingly, employees should examine their willingness and ability to invest time and money in their own development and careers – and indicate that willingness when preparing development plans and requesting training. As discussed previously, Federal agencies have the flexibility to establish ILAs and provide partial support of job-related training and development. Such flexibility is more likely to be used when employees communicate, in words and actions, that they consider their careers sufficiently important to be worthy of their own time or money.

<sup>&</sup>lt;sup>37</sup> OPM's *Training Evaluation Field Guide* (January 2011) available as of August 2012 at www.opm.gov/hrd/lead/pubs/FieldGuidetoTrainingEvaluation.pdf.

<sup>&</sup>lt;sup>38</sup> OPM uses the term "return on expectations" in its guidance to emphasize that planning and evaluation should not focus exclusively on monetary costs and benefits, as might be implied by more common term "return on investment."

<sup>&</sup>lt;sup>39</sup> U.S. Office of Personnel Management, *Training and Development Fact Sheets with Questions & Answers*, available as of August 2012 at www.opm.gov/hrd/lead/policy/fea-00.asp, states that "The responsibility for performance-based individual and organizational learning is shared by the employees, the supervisor, agency management, and the agency human resource development office."

<sup>&</sup>lt;sup>40</sup> This includes supporting knowledge management programs – organizational initiatives aimed at identifying, collecting, distributing, and applying knowledge (both individual and institutional).

<sup>&</sup>lt;sup>41</sup> Of course, any agency-supported development must benefit the agency.

## **EMPLOYEE RETENTION**

etention rates in the Federal Government generally have been quite high, as shown in Figure 11, below. In recent years, Federal agencies have retained more than 92 percent of their permanent full-time employees. The one exception was in 2003, when over 100,000 Federal employees were transferred to the newly-created Department of Homeland Security (DHS).<sup>42</sup> Otherwise, losses to retirement, resignation, termination, and other causes generally have been low in recent years.

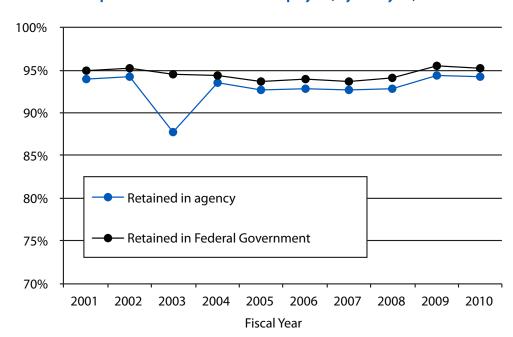


Figure 11. Retention rates for permanent full-time Federal employees, by fiscal year, 2001-2010

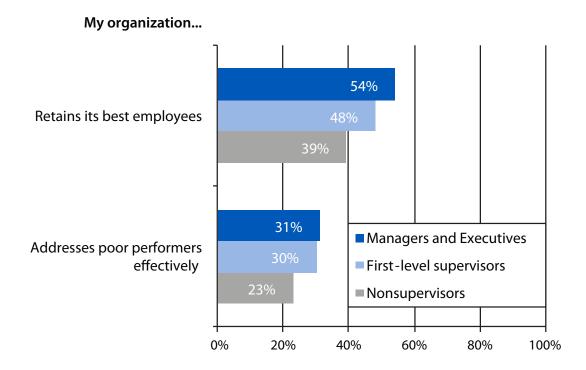
However, for reasons discussed below, the issue that managers and agency leaders should examine is not overall retention rates. Far more important is who is leaving, why they go, and to where they go.

<sup>&</sup>lt;sup>42</sup> In March 2003, approximately 108,800 permanent full-time Federal employees were moved to DHS from other Federal agencies. Source: MSPB analysis of data from OPM's Central Personnel Data File.

## Retaining the Better Employees

As illustrated in Figure 12, below, there is a consensus among Federal employees at all levels that Federal agencies often fail to deal effectively with poor performance.<sup>43</sup> Yet this issue, which we will discuss later, should not overshadow another concern: the retention of high-performing employees. Although a majority of managers and executives agreed that their organization is able to retain its best employees, first-line supervisors and nonsupervisory employees were less confident of this.

Figure 12. Agreement with statements related to addressing poor performers and retaining high performers, by supervisory status, MPS 2010



As odd as it may seem, it is not *always* in the public interest as a whole for a work unit or organization to retain its best employees. Some movement within Government is healthy for individuals and organizations because it allows talented employees to expand their careers, learn new ways of doing things, and advance to positions of greater responsibility. Even a lateral move, to a position at the same grade in a different organization, may be good for all involved if the new position is a better match to the employee's skill set, temperament, or area of interest. Additionally, movement of a few employees allows an organization to bring in individuals with different experiences and new perspectives.

<sup>&</sup>lt;sup>43</sup> Our MPS 2010 did not define "poor performers." Thus, it is possible that some employees defined poor performers as those who were less than optimal, whereas management may have looked at it from the angle of performance that failed to meet a critical element of the position such that an adverse action would be justified.

However, when employees move because something about the job or work environment is undesirable, such movement is problematic. Losing too many employees too fast can cause an organization to expend too much energy adapting, leaving it with too little energy to focus on the work that needs to be done. Thus, efforts should be made by organizations to make the current location as attractive as possible compared to its competitors. Also, if a skilled individual does not leave for another agency, but rather becomes disenchanted with public service because of negative experiences working for a particular organization or agency, then the public has lost that person's valuable services.

When a good employee accepts a position outside the organization, there may be some feeling among the employees who remain that management should have done more to retain the departing employee. But, there can also be another point made: management may have done a good job growing and developing the individual to such an extent that some other organization thought the person was an asset worth acquiring. While this may be of little comfort to those who lost a good co-worker, it is nevertheless a sign that management did something right for the civil service. If management can make a legitimate case that working for the organization can one day lead to better opportunities for employees, those who have not yet left may be less inclined to see the lack of retention of the best employees as a sign of poor management.

We analyzed data from OPM's Central Personnel Data File (CPDF) to determine whether the Federal Government tends to lose its best performers. <sup>44</sup> In that analysis, we focused on resignations, rather than movement within the Federal Government (such as transfers and reassignments) or retirements. Internal movement can be a net gain for the Federal Government, rather than a loss. <sup>45</sup> Furthermore, retirements may be briefly delayed but are nevertheless inevitable. As shown in Figure 13, in FY 2011, 51 percent of employees who did not resign had a rating that was above average (higher than Fully Successful), compared to 45 percent of those who resigned. Thus, high-performing employees do not appear to be leaving the Federal Government at a disproportionate rate.

<sup>&</sup>lt;sup>44</sup> All data on resignations discussed in this report is from the FY 2011 CPDF for the full-time permanent Federal workforce.

<sup>&</sup>lt;sup>45</sup> Also, the Central Personnel Data File does not clearly identify an employee's motive(s) for changing jobs or agencies.

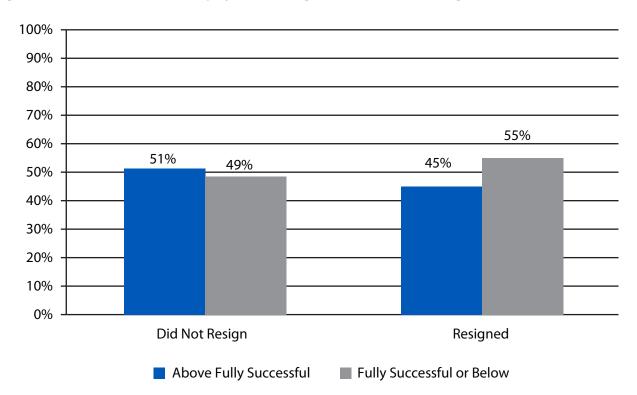


Figure 13. Performance levels of employees who resigned and who did not resign, FY 2011

One reason why high-performing employees stay may be the opportunity to make a difference. In our 2005 Merit Principles Survey, employees indicated that they were motivated by "personal pride or satisfaction in [their] work," a "desire to help [the] work unit meet its goals," a "desire not to let [their] coworkers down," and their sense of "duty as a public employee." It makes sense therefore that employees who are doing well would want to remain, while those who are told that their performance is not exceptional might be inclined to leave the Federal service.

However, agencies should not be complacent. Keeping good performers is only part of the issue. Keeping good performers in the positions that make the most difference to the mission or who are hardest to replace is even more important. While overall only 3.7 percent of the CPDF population resigned in FY 2011, 8.9 percent of the employees in the "medical, hospital, dental, and public health group" resigned. This job family has a population of more than 80,000 Federal employees, of whom more than 7,000 were lost. Individuals in this job family will often possess skills that translate well to the private sector. This is also a skill set where the Government may find stiff competition when recruiting for new employees.

<sup>&</sup>lt;sup>46</sup> U.S. Merit Systems Protection Board, Accomplishing Our Mission: Results of the Merit Principles Survey 2005, February 2007, p. 48.

Individual occupations should also be examined. For example, the Government employed more than 4,000 social workers (GS-0185), and more than 6 percent of them resigned in FY 2011. However, it is not only the occupations that require a college degree which suffer disproportionate losses. Of the 1,922 Office Automation Clerks and Assistants employed in FY 2011, 6.9 percent resigned. This is almost double the overall resignation rate for the Government as a whole. Regardless of the extent to which certain skill sets may be widely available in the American workforce as a whole, excessive churn should be avoided because filling positions costs time and money.

Resignations may also make it difficult to create and maintain a workforce representative of society (the first merit principle). The Federal workforce currently has more men than women (57.5 percent versus 42.5 percent). Retention rates have implications for diversity because women resign from the Federal Government at a higher rate than men.<sup>47</sup> As long as women are more likely than men to resign, agencies will continue to have difficulties achieving equity in representation among the sexes.<sup>48</sup> Whenever an agency finds that it has disproportionate resignation rates, agencies should look at how they are matching candidates to the positions and how they treat those individuals once on board. We encourage agencies to use exit interviews to study both who is leaving and why they leave.

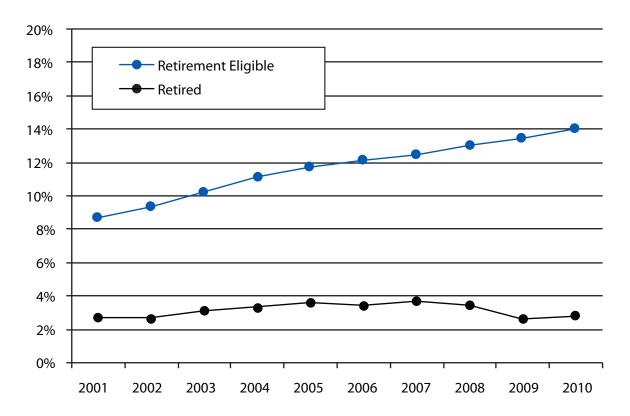
## Unavoidable Decline in Retention Expected

Federal agencies should also anticipate increased losses to retirement. As shown in Figure 14, below, retirement eligibility and retirement rates have diverged. Retirement eligibility has increased steadily while retirement rates have changed little.

<sup>&</sup>lt;sup>47</sup> In FY 2011, 4.1 percent of women resigned, but only 3.4 percent of men resigned.

<sup>&</sup>lt;sup>48</sup> For more on women in the Federal workforce, see U.S. Merit Systems Protection Board, *Women in the Federal Government: Ambitions and Achievements*, Washington, DC, May 2011.

Figure 14. Estimated retirement eligibility and retirement rates among permanent full-time Federal employees, fiscal years 2001-2010<sup>49</sup>



This trend is not sustainable. Although many Federal employees may choose, for financial or personal reasons, to continue their Federal careers after becoming eligible to retire, they will not defer retirement indefinitely. Additionally, agencies should anticipate increased turnover as they replace employees who have retired. As shown in Figure 15, separation (both employee- and agency-initiated) is most likely during an employee's early years of service. Thus, agencies should anticipate the loss of not only retirement-eligible employees, but also some of the new hires brought in to fill gaps created by retirements.

<sup>&</sup>lt;sup>49</sup> Source: MSPB analysis of data from OPM's Central Personnel Data File. "Retirement eligible" indicates eligibility for a full (unreduced) annuity at the beginning of the specified fiscal year, based on retirement system, occupation, age, and service creditable for leave.

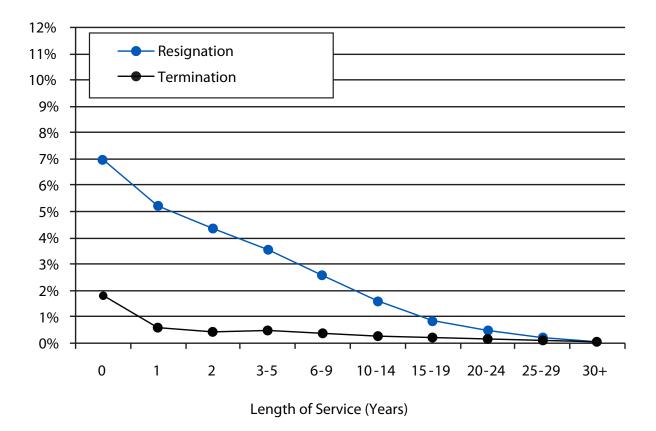


Figure 15. Average resignation and termination rates by length of service<sup>50</sup>

## **Addressing Retention**

Table 3, outlines some actions and issues related to employee retention for agencies to consider. Actions and issues are placed in two categories. The first category, monitoring, includes actions that agencies can take to understand the nature, scope, and underlying causes of problems in retention. The second category, improvement, covers aspects of employment important to retention that may be particular areas of concern in Federal agencies.

<sup>&</sup>lt;sup>50</sup> Source: MSPB analysis of data from OPM's Central Personnel Data File. Figures are averages for fiscal years 2001 through 2010. Resignations do not include retirements or transfers (moves to another Federal agency); the terminations shown here do not include separations for reasons unrelated to performance, conduct, or suitability.

Table 3. Possible actions and issues related to retention of valued employees

Category	Possible Actions and Issues
	Track. Examine workforce demographics (e.g., age, service, and retirement eligibility) and trends in retention and turnover. Data should shed light on how well the organization is retaining its most valuable employees and on factors contributing to retention, which will probably require analyses along nontraditional lines (e.g., by skill set or level of performance).
Monitoring	<ul> <li>Seek perspective. Use tools such as employee surveys, stay interviews,* and exit interviews to collect information on employee concerns and organizational strengths and weaknesses as an employer.</li> </ul>
	Communicate. Encourage more frequent and substantive conversations between supervisors and employees. Include career goals and intentions in supervisor-employee discussions (e.g., performance evaluation and development planning). One-on-one discussions can provide information that is more specific, timely, and actionable than survey and statistical data.
	Ensure that employees have the opportunity to make a difference. Does the job offer rewards other than a paycheck? Do employees receive challenging work assignments that are a good match for their skills? Does the organization establish goals that are ambitious yet realistic – and provide the resources needed to accomplish those goals?
	<ul> <li>Recognize excellence. Do leaders take the time to identify and acknowledge organizations' and individuals' noteworthy achievements?</li> </ul>
	<ul> <li>Support growth and development. What future does the organization offer employees who perform well, demonstrate initiative, and seek opportunities to learn and advance?</li> </ul>
Improvement	<ul> <li>Provide effective supervision. Good supervisors are indispensable to productivity, fairness, and retention. How do supervisors view and carry out human resources responsibilities? Previous OPM and MSPB research have found substantial room for improvement in the recruitment, selection, development, and support of Federal supervisors.</li> </ul>
	<ul> <li>Monitor the work environment. Is the agency a good place to work? Attention to positive aspects of work must be accompanied by a willingness to acknowledge and address situations that can be detrimental to morale, performance, and retention. Those situations include misconduct, poor performance, and workplace conflict.</li> </ul>

<sup>\*</sup> A stay interview is an interview conducted with a current employee to identify factors and conditions that would encourage the employee to stay with the organization. See U.S. Merit Systems Protection Board, "Retaining High-Performing Federal Employees," *Issues of Merit*, January 2012 for a fuller discussion of how exit interviews and stay interviews can guide and support employee retention.

In our next chapter, we offer data and observations on two issues related to retention – the role of monetary rewards in recognition and motivation and the importance of addressing deficiencies in employee performance or conduct.

## RECOGNITION, REWARDS, AND ACCOUNTABILITY

easuring performance, ensuring employee recognition and incentives, and addressing deficient conduct or performance are crucial components of good stewardship of the Federal workforce.

## Measuring, Rewarding, and Incentivizing Performance

The MSP-based items in our survey did not directly solicit employees' views related to performance standards, performance evaluations, or other tools for establishing and assessing individual or organizational performance. However, data from other MSPB research<sup>51</sup> and sources indicate that many Federal organizations struggle to define and implement measures of organizational and employee performance that are rigorous, credible, and useful.<sup>52</sup>

Comprehensive discussion of issues and potential improvements in performance measurement is beyond the scope of this report. However, readers should understand that full realization of the merit system principles (notably those related to pay, recognition, and performance-based retention) is predicated on the ability to define and measure organizational and individual performance, and that issues in areas of recognition, reinforcement, and accountability are, at least in part, issues of performance measurement and performance management.

The merit principles establish an expectation that Federal agencies should provide fair and competitive pay and recognize excellent performance. <sup>54</sup> Fortunately, as noted

<sup>&</sup>lt;sup>51</sup> See U.S. Merit Systems Protection Board, *Managing for Engagement: Communication, Connection, and Courage*, Washington, DC, July 2009, pp. 22-29, for documentation and discussion of employee perceptions and issues in performance management, including goal-setting and feedback.

<sup>&</sup>lt;sup>52</sup> See, for example, U.S. Government Accountability Office, Results-Oriented Cultures: Modern Performance Management Systems Are Needed to Effectively Support Pay for Performance, GAO-03-612T, April 1, 2003 and Human Capital: Senior Executive Performance Management Can Be Significantly Strengthened to Achieve Results, GAO-04-614, May 2004. We note that recent initiatives by the U.S. Office of Personnel Management to improve employee performance evaluation (for example, the development of a Performance Appraisal Assessment Tool, www.opm.gov/perform/paat.asp) and the United States Congress to improve organizational performance management (e.g., P.L. 111-352, the Government Performance and Results Modernization Act of 2010) are strong, if indirect, evidence of this struggle.

<sup>&</sup>lt;sup>53</sup> MSPB has announced plans to conduct research in this area. See U.S. Merit Systems Protection Board, *2011-2013 Research Agenda*, Washington, DC, February 2011, pp. 22-23.

<sup>&</sup>lt;sup>54</sup> Title 5, United States Code, § 2301(b). The third merit principle states that "Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance."

#### **RECOGNITION, REWARDS, AND ACCOUNTABILITY**

previously, a majority of respondents agreed that they are paid fairly, which suggests that measures to make Federal pay more competitive have made a positive difference.<sup>55</sup> In the MPS 2010, 63 percent of respondents agreed with the statement "My organization pays employees fairly," with a majority of employees agreeing in every agency surveyed.<sup>56</sup> However, several consecutive years of pay freezes may erode some of this progress.<sup>57</sup> Additionally, our survey was conducted before Congress began actively debating changes to Federal benefits programs such as retirement plans and associated contributions. In a survey we conducted for our 2008 report, *Attracting the Next Generation: A Look at Federal Entry-Level New Hires*, respondents indicated that pay and benefits were important to their decision to work for the Government:

- 97 percent said yearly salary increases were important when considering job offers;
- 94 percent said vacation and 89 percent said sick leave were important when considering job offers;
- 88 percent said health insurance was important when considering job offers; and
- 84 percent said a 401(k)-type retirement plan and 77 percent said a fixed pension were important when considering job offers.<sup>58</sup>

Typically, these aspects of the employment package are determined by Congress and the President rather than Federal agencies.<sup>59</sup> Nevertheless Federal agencies and managers should remain attentive to the competitiveness of their compensation systems and the fairness of their compensation decisions. Federal agencies will struggle to recruit high-quality employees if they lack viable salary structures, competitive benefit programs, flexibilities to address special situations, or sufficient funds. Also, in times of fiscal austerity (and reduced opportunities for promotions, awards, and pay increases), employees may scrutinize management decisions more closely and judge them more stringently. Employees who believe they are underpaid or unfairly paid may quit, or remain with the organization while expressing dissatisfaction through increased complaints, reduced effort, and other costly ways.

The most visible and far-reaching measure is the Federal Employees Pay Comparability Act of 1990, which established a system of locality pay and a method for adjusting pay rates to reduce differences between Federal and non-Federal pay rates for employees under the General Schedule. These provisions of FEPCA remain in effect.

 $<sup>^{56}</sup>$  We note that the 2010 MPS preceded announcements of limits on salary adjustments and awards that affect nearly all survey respondents.

<sup>&</sup>lt;sup>57</sup> Amanda Palleschi, "Feds are less satisfied with their pay, survey finds," Government Executive, available at http://www.govexec.com/pay-benefits/2012/05/feds-are-less-satisfied-their-pay-survey-finds/55965/# (discussing the Partnership for Public Service's comparison of the results of OPM's 2010 survey to OPM's 2011 survey).

<sup>&</sup>lt;sup>58</sup> U.S. Merit Systems Protection Board, *Attracting the Next Generation: A Look at Federal Entry-Level New Hires*, Washington, DC, January 2008, p. 33.

<sup>&</sup>lt;sup>59</sup> Under certain circumstances, an agency may set the annual leave accrual rate for a new employee higher than would otherwise be granted. See 5 U.S.C. § 6303(e); U.S. Office of Personnel Management, *Questions and Answers on Providing Credit for Determining an Employee's Annual Leave Accrual Rate*, available at http://www.opm.gov/oca/compmemo/2005/2005-07\_QA.asp.

Many observers have recommended changes to Federal pay – most notably the General Schedule pay system – to strengthen incentives for performance. We cannot predict what the Nation's finances and the Federal Government's pay systems will look like in the future. Currently, though, there are several reasons why Federal agencies and leaders may do better to view monetary rewards as a way to communicate appreciation and reinforce desired behaviors than as a way to motivate employees to work harder and perform better. <sup>60</sup>

First, as discussed in our recent report, Federal Employee Engagement: The Motivating Potential of Jobs and Rewards, employee motivation does not depend solely, or even primarily, on money. For example, there is a strong relationship between job characteristics (the nature of work and conditions under which work is performed) and motivation. When we asked Federal employees to assess the importance of various rewards to their decisions to seek new employment or continue their current employment, they rated personal satisfaction, having interesting work, and job security as the most important items on the list. The rewards rated least important were informal perks, awards and bonuses, and forgiveness for small mistakes.<sup>61</sup> Thus, financial rewards are not the most effective drivers of employee performance or retention.

Second, Federal pay systems and stakeholder expectations may not support delivering monetary rewards that are truly reflective of the effort required to achieve outstanding results or the value (such as cost savings, enhancements to public health or safety, or technical innovations) of those results. In June 2011, OPM and the Office of Management and Budget jointly issued guidance instructing agencies to review and limit their use of performance rewards.<sup>62</sup> The intent – to assure that rewards recognize outstanding rather than ordinary performance – is entirely appropriate. Yet the memorandum also makes it clear that there are limits on what Federal agencies may do with their funds and delegated authorities. An organization that claims to pay for performance will have little credibility if employees deliver outstanding results without receiving commensurate rewards.

Third, recent experience with performance-oriented pay systems in the Federal Government indicates that those systems require high levels of transparency, supervisory competence, and capability in individual performance measurement and management to be credible with stakeholders, including the public and the employees involved. For

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Monetary rewards include both one-time payments (e.g., cash awards) and continuing payments (e.g., increases to base pay).

<sup>&</sup>lt;sup>61</sup> U.S. Merit Systems Protection Board, Federal Employee Engagement: The Motivating Potential of Job Characteristics and Rewards, Washington, DC, December 2012.

<sup>&</sup>lt;sup>62</sup> John Berry, Director, Director, U.S. Office of Personnel Management and Jeffrey Zients, Deputy Director for Management & Chief Performance Officer, Office of Management & Budget, "Memorandum for Heads of Executive Departments and Agencies, Subject: Guidance on Awards for Fiscal Years 2011 and 2012," June 10, 2011, accessed in July 2011 via www.chcoc.gov.

many reasons – such as a lack of clarity in organizational goals, insufficient attention to defining and measuring performance, and deficiencies in the selection and training of supervisors – those conditions are often not met. Organizations contemplating the use of monetary awards to drive individual and organizational performance should honestly assess their organizational and cultural readiness for that approach to compensation<sup>63</sup> and should be realistic about how and when they will achieve that readiness under conditions that may include tremendous organizational and financial pressures.

Finally, the use of monetary rewards to motivate employees, although attractive in theory, can prove counterproductive in practice. Financial incentives can indeed focus attention and effort, but such incentives can also divert attention and effort from goals or behaviors (such as teamwork and cooperation) that are not explicitly measured or rewarded. Also – even assuming that the prospect of a financial reward will spur employees to heightened levels of effort and accomplishment – such rewards can only be effective if they are properly allocated. There is a risk that an employee may conclude that a very small reward indicates that management views the employee's contributions as having very little value to the organization. As explained above, more survey respondents reported that serving the public and receiving appreciation were important to them than reported that awards and bonuses were important.<sup>64</sup> A message to an employee that his or her services are inconsequential and that his or her efforts are not appreciated may be counterproductive. Thus, it is important that when agencies use the limited tools that they have for recognizing contributions, they use those tools wisely and ensure that the message received by an employee is the message that management intended to send.

## **Addressing Performance Issues**

Retaining good employees cannot be separated from the issue of addressing performance and conduct problems. Organizations should focus most of their time and energy on good employees, who constitute the vast majority of the workforce. But "most" is not "all." Employees rightly expect agency leaders to hold *every* employee accountable for meeting high standards of conduct and performance. An agency that explicitly or implicitly asks productive employees to do the work of unproductive employees is, in effect, punishing them for performing. Over time, that can discourage or drive out many good employees.

The issue of addressing problems in conduct and performance has been thoroughly documented in research by MSPB, OPM, and others, as are the steps that agencies can

<sup>&</sup>lt;sup>63</sup> See U.S. Merit Systems Protection Board, *Designing an Effective Pay for Performance Compensation System*, Washington, DC, January 2006, pp. 3-19, for a discussion of questions related to the objectives, design, and implementation of a pay for performance system.

<sup>&</sup>lt;sup>64</sup> U.S. Merit Systems Protection Board, Federal Employee Engagement: The Motivating Potential of Jobs and Rewards, Washington, DC, December 2012.

and should take when such problems arise. <sup>65</sup> However, supervisors are not always willing to take those steps. Our MPS 2007 presented the following statement and question to respondents who were supervisors: "Some organizations include employees who are poor performers, i.e., their performance is below minimum standards. Consider the last time you directly supervised an employee of this type. What actions did you take?" Among respondents who indicated they had directly supervised this type of employee, thirty-four percent admitted that they had not taken any action – formal or informal – to address this situation. Notably, supervisors who reported taking no action in response to poor performance outnumbered supervisors who reported that they had no experience with a poor performer.<sup>66</sup>

Taking action is not, and should not be, limited to formal or adverse actions. Supervisors should take basic steps such as asking poor performers how the supervisor can help or providing a mentor for employees with performance issues. A failure to engage in this process deprives employees of an opportunity to improve and is inconsistent with merit system principles. The relevant principles include efficient and effective use of the Federal workforce; correction of inadequate performance; and educating and training employees to improve organizational and individual performance.<sup>67</sup> These three principles are ill-served when poor performance is left unaddressed, or is addressed solely through formal action without first providing a real opportunity for the employee to understand what is necessary and have the tools to improve his or her performance.

Nevertheless, formal action may be necessary if informal action is impractical or unsuccessful. Data from a survey of proposing and deciding officials for removals and suspensions of more than 14 days, conducted by MSPB in 2008, indicate that agency officials are often reluctant to exercise their authority to implement formal actions for performance and conduct deficiencies.

Agency leaders have an affirmative obligation to the public and to employees. The merit system principles require concern for the public interest and fair treatment of employees. Fairness to employees includes mitigating the hazards (such as an increased risk of accident, workplace violence, and other incidents) and avoiding the impositions (such as additional workload or having to apologize for substandard service or products) that can result from ignoring or tolerating problems in performance or conduct. While we

<sup>65</sup> See, for example, U.S. Merit Systems Protection Board, *The Probationary Period: A Critical Assessment Opportunity*, Washington, DC, August 2005; U.S. Merit Systems Protection Board, *Federal Supervisors and Poor Performers*, Washington, DC, July 1999, and U.S. Office of Personnel Management, Office of Merit Systems Oversight and Effectiveness, *Poor Performers In Government: A Quest for the True Story*, Washington, DC, January 1999.

<sup>&</sup>lt;sup>66</sup> The response options were: "I have not yet had experience with this type of employee" (7,225 responses); I have had experience with this type of employee, but I did not take any special actions to help the employee improve" (7,889 responses); and "[I] had experience with this type of employee and took actions to help the employee improve" (15,588 responses).

<sup>&</sup>lt;sup>67</sup> 5 U.S.C. § 2301(b)(5)-(7).

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commend officials for wanting to be certain that an adverse action is warranted, undue hesitance to act when action is warranted can contribute to employee perceptions that management tolerates conduct or performance deficiencies. Officials cannot be good stewards if they ignore poor performers.

## Conclusions and Recommendations

he merit system principles provide a framework for managing the Federal workforce to serve the public interest. Specifically, they provide for—

- Fairness. The principles, in establishing that personnel decisions should be based on merit (ability and accomplishment) and free of discrimination, help the Federal Government recruit and retain competent employees and avoid practices that are inappropriate and detrimental to individual and organizational performance;
- Stewardship. The principles establish affirmative responsibilities that are much broader than simply treating employees evenhandedly. The principles emphasize, to both Federal agencies and Federal managers, that public employees are a public resource, to be utilized wisely, treated with respect, and developed for future missions; and
- Protection. The principles recognize that public service entails responsibilities that
  can transcend allegiance to individual managers and agencies. To that end, Federal
  agencies and Federal employees are charged with refraining from actions that serve
  personal or political, rather than public interests and they have the responsibility
  to listen to and protect those employees who voice concerns about the wisdom or
  propriety of agency actions.

## **Findings**

Stewardship appears to be an area in which employees perceive a particular need for improvement, and in the current budgetary environment, agencies may find it more necessary than ever to be able to show Congress and the President that they are good stewards of the resources entrusted to them – including human capital. This is particularly true for the areas of: (1) eliminating unnecessary functions and positions; (2) effectively addressing poor performance; (3) retaining the best employees; and (4) providing necessary training.

The first two items – eliminating unnecessary functions and positions and effectively addressing poor performing employees – are particularly vital for agencies if they are going to show Congress, the President, and the American people, that they have done as much as possible with as few resources as possible. These are also the stewardship areas for which employees indicated their agencies were the greatest need of improvement.

Other areas of stewardship have more nuanced issues. Retaining the best employees is an area of perceived weakness. However, the extent to which it is a problem if people leave an organization depends on who is going, how many are going, how quickly they leave, where they are going, and why they are going. Some movement within the civil service that results in better skills matches, greater opportunities for talented employees to contribute, or employees acquiring broader skills and perspectives may be in the interest of the Government. However, excessive churn or losing good performers who may be disillusioned by public service harms the civil service.

In the area of training, a majority of employees feel they have the training necessary to do the job today, but given the knowledge-based duties of much of the workforce, more employees should believe that they have the necessary training to do the job as well as the training to do their jobs more efficiently.

## Recommendations

In light of our findings, we make the following recommendations for supervisors, managers, and senior leaders in Federal agencies:

- Educate managers at all levels, from appointed executives to first line supervisors, on their responsibilities related to Federal employees and the Federal workforce under the merit system principles. As stated in our previous report on MSPs in the workplace: "If managers are to be held accountable for applying the merit principles to their HRM decisions, they need more than a passing acquaintance with these principles. They need practical guidance that's relevant to their own situations and that makes clear the consequences for their work units and their agencies of disregarding the merit principles in taking personnel actions. 68
- Be prepared to make the tough calls on which important programs may need to be trimmed or cut in order to provide even more crucial priorities with the necessary resources. Involve the workforce in efforts to locate potential methods to improve efficiencies and keep employees informed about what is being done and why it is being done.
- Identify and make appropriate investments in employee training and career development. The Federal workforce has become a knowledge workforce with a majority of workers employed in complex, fast-changing fields such as information technology, medicine, security and law enforcement, and engineering. Unfortunately, many employees indicate that they have not received adequate training for their current jobs, let alone opportunities for growth and development. The Federal Government must spend public dollars judiciously, consistent with the merit principles requiring concern for the public interest and efficient and

<sup>&</sup>lt;sup>68</sup> U.S. Merit Systems Protection Board, *Adherence to the Merit Principles in the Workplace: Federal Employees' Views*, Washington, DC, September 1997, p. 10.

effective use of the workforce. Yet agencies and managers must also be wary of pursuing short-term savings (such as reductions in training budgets or time allotted for training and education) at the expense of long-term organizational capability and performance. Accordingly, agencies should take steps to accurately determine competency requirements and developmental needs, assure that training activities are linked to (and can fulfill) those needs, emphasize to managers and employees the importance of continued education and development, and provide supporting resources and mechanisms.

• Monitor trends, patterns, and factors in employee retention and employee engagement. In recent years, much of the Federal workforce has been characterized by high levels of retention and tenure, enabling many Federal agencies and Federal managers to pay limited attention to retention. Yet complacency is ill-advised. First, survey responses indicate that Federal agencies should improve at both keeping high performers and remediating or separating poor performers. Second, anticipated changes in workforce demographics, evolving employee expectations, and potential changes to Federal pay and benefits suggest that the future will be much less accommodating of passive approaches to turnover and retention. There have long been concerns that Federal agencies retain too many employees who do not perform acceptably. Federal executives and managers should take steps to ensure that these concerns are not justified, particularly in this era of fiscal austerity.

CONCLUSIONS AND RECOMMENDATIONS							

# APPENDIX A: Information on the 2010 Merit Principles Survey

## **Survey Topics**

Topics covered in the MPS include—

- Employee engagement the employee's connection to the workplace and factors that influence that connection, such as pride in work, leadership, and career development
- Workforce motivation the effects of job characteristics and performance–reward linkages on goal-directed work effort
- Adherence to merit system principles adherence to values such as selection based on ability, effective use of the workforce, and protection from coercion and reprisal
- Fairness the employee's perceptions of the fairness of his or her treatment in various aspects of human resources management
- Prohibited personnel practices the employee's experience of discrimination and other improper or illegal personnel practices
- Leadership perceptions of career and non-career leaders in the agency
- Disability issues related to the agency's employment of persons with disabilities, including affirmative employment and reasonable accommodation
- Whistleblowing the observation and reporting of possible wrongdoing in the workplace and the consequences of any report made
- Competency requirements the employee's perspective on the most critical requirements for the current job, and sources of information about those requirements

## Survey Sampling and Administration

The 2010 MPS was administered to permanent, full-time Federal employees in the 18 departments and 6 independent agencies listed below. Those departments and agencies accounted for over 97 percent of the permanent, full-time Federal workforce as of September 2009. Thus, the survey results provide a good representation of Government-wide Federal employee opinion.

Table 4. Departments and Independent Agencies Participating in the MPS 2010

Departments	Independent Agencies
Department of the Air Force	Environmental Protection Agency
Department of the Army	Federal Deposit Insurance Corporation
Department of the Navy	General Services Administration
Department of Defense	National Aeronautics and Space Administration
Department of Agriculture	Office of Personnel Management
Department of Commerce	Social Security Administration
Department of Justice	
Department of Labor	
Department of Energy	
Department of Education	
Department of Health and Human Services	
Department of Homeland Security	
<ul> <li>Department of Housing and Urban Development</li> </ul>	
Department of Interior	
Department of State	
Department of Transportation	
Department of the Treasury	
Department of Veterans Affairs	

Employees were selected through stratified random sampling drawn from records in OPM's Central Personnel Data File. The strata (groups surveyed) were designed to provide usable measures of employee opinion by supervisory status (nonsupervisor and supervisor), department or agency, and (for some agencies) selected major components or bureaus.

For almost all employees, the survey was administered online through email invitations and a dedicated, secure web site. At the request of the Department of Transportation, MSPB distributed paper surveys to approximately 1,300 employees in the Federal Aviation Administration who could not receive or respond to an online survey. Employees were informed that survey participation was voluntary and that their responses would be confidential.

## Response Rate and Weighting

Survey distribution and return and acceptance figures are shown in Table 5. Surveys were reviewed for completeness and legibility (for paper surveys). To be accepted, a survey had to contain valid (non-missing) responses to 25 or more core items. Ultimately, MSPB accepted 42,020 surveys, for a final response rate of 58 percent.

Table 5. MPS 2010 distribution, return, and acceptance

Format	Distributed	Returned		Returned		Accepte	d (Valid)
Electronic (web)	70,675	42,800	61%	41,680	59%		
Paper	1,295	362	28%	340	26%		
Total	71,970	43,162	60%	42,020	58%		

The sampling plan required oversampling (surveying a higher proportion of the population) of some groups to provide statistically reliable results. Accordingly, MSPB calculated response weights to produce results that are representative of Government-wide employee opinion. All survey results in this report are weighted unless stated otherwise.

APPENDIX A: INFORMATION ON THE 2010 MERIT PRINCIPLES SURVEY						

## Appendix B: The 2010 Merit Principles Survey Instrument



#### U.S. MERIT SYSTEMS PROTECTION BOARD 1615 M Street, NW Washington, DC 20419-0001

July 2010

#### Dear Federal Colleague:

Your opinion counts! The U.S. Merit Systems Protection Board (MSPB) asks that you take a few minutes to participate in our Merit Principles Survey 2010, a Government-wide survey of Federal employees that covers a variety of workforce issues, including prohibited personnel practices and whistleblower protections issues, along with other workplace issues that impact employees' abilities to carry out the missions of your agency. Because you are part of a random sample of Government employees, your views about your work and work environment will represent those of the larger Federal workforce. This is an opportunity for you to inform policy by voicing your opinions and concerns about workforce issues.

This survey is an important part of MSPB's responsibility to assess the soundness of Federal merit systems. Your responses will help us recommend to the President, Congress, agency leaders, and other decision makers how to improve the Federal workplace. The information you share will make a positive difference!

Your responses to this survey are voluntary and strictly confidential. Only MSPB staff and our survey support contractor staff will have access to the surveys and no data will be disclosed to anyone that could be used to identify individual participants.

On average, the survey will take about 30 minutes to complete. It may be completed at your work site or at home. We request that you complete the survey within the next five days and return it in the postage page envelope or fax it to 202-563-7211.

Additional information about the Merit Principles Survey is available by visiting www.mspb.gov/studies. If you have questions about this survey, please email us at MPS2010@mspb.gov or call our survey hotline at 1-888-581-7922.

Thank you! We appreciate your help.

Sincerely,

John Crum, Ph.D.

Director, Policy and Evaluation

#### **Privacy Statement**

MSPB wants to assure survey participants that your involvement in the Merit Principles Survey 2010 is both voluntary and confidential. This Privacy Statement identifies MSPB's authorization to conduct the survey and explains how we will manage the data we receive.

- The purpose of collecting this information is to study how well the Federal Government is managing its workforce in adherence to the merit system principles. The results of the survey will be shared with the President, Congress, and other Federal decisionmakers to be used in developing policy that supports both merit and mission accomplishment.
- Collection of the information is authorized by 5 U.S.C. § 1204.
- Your responses to this survey are completely voluntary. There is no penalty if you choose not to participate. However, we encourage your participation to ensure that our data is complete and representative of the Federal workforce.
- Only MSPB staff and our survey support contractor staff will have access to individually completed surveys. In accordance with the Privacy Act of 1974 (Public Law 93-579), no data will be disclosed that could be used to identify individual participants.

### **Marking Instructions**

- Place a  $\sqrt{ }$  in the box next to your response.
- Please use a No. 2 pencil or blue or black
- Please print when you write in your response.
- To change your answer, cross out the incorrect answer and put a  $\sqrt{}$  in the correct box. Also draw a circle around the correct answer.



#### **Definitions of Survey Terms**

**Executives** are members of the Senior Executive Service or equivalent.

Leaders are an agency's management team. This includes anyone with supervisory or managerial duties including supervisors, managers, and executives.

Organization means an agency, office, or division.

Supervisors are first-line supervisors who do not supervise other supervisors; typically those who are responsible for employees' performance appraisals and approval of their leave.

**Team leaders** are those who provide employees with day-to-day guidance in work projects, but do not have supervisory responsibilities or conduct performance appraisals.

Work unit means an employee's immediate work unit headed by the employee's direct supervisor.

### **Demographics**

- 1. How many years have you been a Federal civil service employee?
  - O Under 1 year
  - O 1-3 years
  - O 4-7 years
  - O 8-11 years
  - O 12-15 years
  - O 16-19 years
  - O 20-23 years
  - O 24-27 years
  - O 28-31 years
  - O 32-35 years
  - O More than 35 years
- 2. Are you Hispanic or Latino?
  - O Yes
  - O No
- 3. Racial category or categories in which you most belong? (Please mark ALL that apply.)
  - O American Indian or Alaska Native
  - O Asian
  - O Black or African American
  - O Native Hawaiian or Other Pacific Islander
  - O White
- 4. What is your current education level?
  - O Less than a high school diploma
  - O High school, equivalent diploma, or GED
  - O Some college credits but no degree
  - O Associates' college degree
  - O Bachelor's college degree
  - O Master's degree
  - O Professional degree (e.g. J.D., M.D., D.D.S.)
  - O Academic or scientific doctorate (Ph.D.)

#### 5. What is your Supervisory status?

- O Non-Supervisor (You do not supervise other employees.)
- O Team Leader (You are not an official supervisor; you provide employees with day-to-day guidance in work projects, but do not have supervisory responsibilities or conduct performance appraisals.)
- O Supervisor (You are responsible for employees' performance appraisals & approval of their leave, but you do not supervise other supervisors.)
- O Manager (You are in a management position and supervise other supervisors.)
- O Executive (Member of the Senior Executive Service or equivalent.)
- 6. Under what pay system are you working?
  - O General Schedule
  - O Wage Grade
  - O Executive (Senior Executive Service)
  - O Other
- 7. If you selected other, which best describes your pay plan?
  - O Occupation-specific pay plan
  - O Agency specific pay performance or pay banding system (wide bands with progression based primarily on performance ratings)
  - O Agency specific, but similar to the General Schedule (pay system of narrow grades and steps with progression based primarily on tenure)
  - O Not sure or other

- 8. What is your parental status? (This includes biological parent, adoptive parent, stepparent, foster parent, custodian of a legal ward, in loco parentis, or actively seeking custody or adoption of a person under the age of 18, or 18 or older but incapable of self-care because of physical or mental disability.)
  - O I am a parent
  - O I am not a parent
- 9. Do you have caregiving responsibility (though not in the role of "parent" as described above) for a person 18 years or older, who may or may not live with you, (e.g., a related adult such as a parent, grandparent, aunt, uncle, sibling, step or half relation, in-law, or unrelated adult with whom you have a legal or otherwise significant relationship, etc.) AND who is incapable of, or needs significant assistance with self-care, transportation, household management, or other similar support.)
  - O I am a caregiver of such a person
  - O I am not a caregiver of such a person

### **Engagement**

Please indicate your level of agreement or disagreement with the following statements.

	Don't Know/NA ↓							
Strongly Disagree ↓								
	Disagree ↓							
Neither Agree Nor Disagree ↓								
Agree ↓								
Strongly Agree ↓								
1.	My agency is							
	successful in	$\circ$	0	0	0			
	accomplishing	O	O	O	U	O	O	
	its mission							
2.	The work I do							
	is meaningful to	0	0	0	0	0	0	
	me							

	Don't Know/NA ↓							
	Strongly Disagree \							
	Disagree \							
Neither Agree Nor Disagree ↓								
Agree ↓								
Strongly Ag	Strongly Agree ↓							
3. My work unit								
produces high								
quality products	0	0	0	0	0	0		
and services								
4. Overall, I am								
satisfied with	0	0	0	0	0			
my supervisor								
5. Overall, I am								
satisfied with								
managers above	0	0	0	0	$\circ$			
my immediate								
supervisor								
6. I know what is								
expected of me	0	0	0	0	0	0		
on the job								
7. My job makes								
good use of my								
skills and	0	0	0	0	0	0		
abilities								
8. I have the								
resources to do	$\circ$	0	0	0	0	0		
my job well								
9. I would								
recommend my	_				_			
agency as a	0	0	0	0	O	O		
place to work								
10. I have sufficient								
opportunities								
(such as								
challenging								
assignments or	0	0	0	0	0	0		
projects) to earn								
a high								
performance								
rating								
11. Recognition								
and rewards are								
based on	0	0	0	0	0	0		
performance in		-		-		_		
my work unit								

	Don't Know/NA ↓							
	St			isagr	ee ↓			
			sagr	ee↓				
Neither Agree N		_	ee ↓					
a	Agre	ee ↓						
Strongly Agre	ee↓							
12. I am satisfied								
with the								
recognition and	0	0	0	0	$\circ$	$\bigcirc$		
rewards I	Ü					Ŭ		
receive for my								
work								
13. I am given a								
real opportunity	_	_	_	_	_	_		
to improve my	0	0	0	0	0	0		
skills in my								
organization								
14. I am treated	_	_	_	_	_	_		
with respect at	0	O	0	0	0	O		
work								
15. My opinions	0	0	0	0	0	$\circ$		
count at work								
16. A spirit of								
cooperation and	0	0	0	0	0	$\circ$		
teamwork exists								
in my work unit								
17. At my job, I am	_	_	_	_	_	_		
inspired to do	0	0	0	0	0	0		
my best work								
18. My supervisor								
provides								
constructive	0	0	0	0	0	0		
feedback on my								
job								
performance								
19. My supervisor								
provides timely								
feedback on my	0	O	0	O	0	O		
job								
performance 20. I have the								
opportunity to								
						$\circ$		
perform well at	0	0	0	0	0	$\cup$		
challenging								
work 21. How likely is it								
that you will								
leave your	0		0	0		$\bigcirc$		
agency in the					J	$\cup$		

					w/NA	<b>\</b> ↓		
	St		ly Di		ee↓			
			sagre	ee ↓				
Neither Agree No			ee ↓					
	Agree ↓							
Strongly Agre	ee↓							
22. The performance								
and/or conduct of								
other employees			_			_		
are the primary	0	0	0	0	O	O		
reasons my job								
performance is								
not higher								
23. The performance								
and/or conduct of								
my supervisors								
and managers are primary reasons	0	0	0	0	0	0		
my job								
performance is								
not higher								
24. Barriers to								
success, such as								
constraining rules								
or work								
processes, under-								
informed								
coworkers, or	0	0	0	0	0	0		
office politics, are								
the primary								
reasons my								
performance is								
not at a higher								
level								
25. Lack of resources,								
such as more								
staff, a larger								
budget, or more								
equipment and	0	0	0	0	0	0		
supplies, is a								
primary reason my performance								
is not at a higher								
level								
10 7 01								

## 26. Are you or will you become eligible to retire within the next 12 months?

Yes

O No

O Don't Know

**Motivation** 

#### Please indicate your level of agreement or disagreement with the following statements. Don't Know/NA↓ Strongly Disagree ↓ Disagree ↓ Neither Agree Nor Disagree ↓ Agree ↓ Strongly Agree \$\\$ 1. My job allows me to perform a variety of tasks that require a 0 0 0 0 0 0 wide range of knowledge, skills, and abilities 2. My job allows me to complete a single piece of work (rather 0 0 0 0 0 0 than bits and pieces) from beginning to end 3. My job has a significant positive impact on others, either 0 0 0 0 0 within the organization or the public in general 4. My job gives me the freedom to make decisions 0 Ο Ο 0 0 0 regarding how I accomplish my

work

Don't Know/NA ↓							
							$A \downarrow$
		St	rong		_	ee ↓	
	Disagree ↓						
	Neither Agree N		_	ee↓			
		Agre	ee↓				
	Strongly Agre	ee↓					
5.							
	information						
	about my job						
	performance						
	and the						
	effectiveness of	0	0	0	0	0	0
	my efforts,						
	either directly						
	from the work						
	itself or from						
	others						
6.	When I put						
	forth my best						
	effort, I achieve						
	a high	0	O	O	O	O	O
	performance						
	appraisal rating						
7.	The harder I						
	try, the more I						
	am able to						
	achieve my	0	O	O	O	O	O
	work goals and						
	objectives						

### Continue on next page

8. In my work unit, the better I perform on the job...

	Don't Know/NA ↓							
		St	rong			ee↓		
	NT '41 - 4 - NY	Ε.		isagre	ee ↓			
	Neither Agree N			ee ↓				
	Strongly A gr	Agr	ee ↓					
a.	Strongly Agre	3e \						
a.	interesting work	0	0	0	0	0		
	I receive	O		O		O		
b.	the more I							
	feel appreciated	0	0	0	0	0	0	
c.	the greater							
	the personal				0			
	satisfaction I	0	0	0	O	0	0	
	experience							
d.	the more I							
	am included in			_		_		
	important discussions and	0	0	0	0	0	O	
	decisions and							
e.	the greater							
С.	my job security	0	0	0	0	0	0	
f.	the higher							
	my awards and	0	0	0	0	0	0	
	bonuses							
g.	the greater							
	my opportunity	0	0	0	0	0	0	
	for	O		O		O		
	advancement							
h.	the more I							
	am granted informal perks							
	(not including	0	0	0	0	0	0	
	training							
	opportunities)							
i.	the more I							
	am forgiven for							
	my small	0	O	O	O	O	O	
	mistakes							
j.	the better my							
	training and	0	0	0	0	0	0	
	development							
<u>k.</u>	opportunities the more I							
K.	feel I am							
	serving the	0	0	0	0	0	0	
	public							
	Paone							

9. In each of the following questions, please indicate how important each job factor is to you in seeking and continuing employment in your organization.

		Don	't Kr	ow/0	Can't	Judg	ge↓	
					porta	nt ↓		
	Somewi				nt ↓			
	Neither I	-						
	Unimportant ↓							
	Somewhat Important ↓							
	Very Importa	nt ↓						
a.	Having	0	0	0	0	0	0	
	interesting work The							
b.	appreciation I				0			
	receive	0	0	0	O	0	O	
<u>c.</u>	The personal							
C.	satisfaction I	0	0	0	0	0	0	
	experience							
d.	Being included							
	in important							
	discussions and	0	0	0	0	0	0	
	decisions							
e.	My job security	0	0	0	0	0	0	
f.	My awards and	_	_	_		_		
	bonuses	0	0	0	0	0	0	
g.	My opportunity							
	for	0	0	0	0	0	0	
	advancement							
h.	Being granted							
	informal perks							
	(not including	0	0	0	0	0	0	
	training							
	opportunities)							
i.	Being forgiven	_	_	_	_	_	_	
	for small	0	0	0	0	0	0	
-	mistakes My training and							
j.	My training and development							
	opportunities	0	Ο	0	0	0	U	
k.	Being able to							
ж.	serve the public	0	0	0	0	0	0	
	serve the pastie							

## 10. Please indicate your level of agreement or disagreement with the following statements.

	Don't Know/NA ↓							
		St	_	ly Di	_	ee ↓		
				isagr	ee↓			
	Neither Agree N			ee ↓				
		Agre	ee↓					
	Strongly Agre	ee↓						
a.	I feel highly							
	motivated in	0	0	0	0	0	0	
	my work							
b.	The give and							
	take of public							
	policy making	0	0	0	0	0	0	
	doesn't appeal							
	to me							
c.	Meaningful		_	_	_	_	_	
	public service is	0	0	0	0	0	0	
	important to me							
d.	I am not afraid							
	to go to bat for							
	the rights of	0	0	0	0	0	0	
	others even if it							
	means I will be							
_	ridiculed							
e.	I am prepared to make							
	enormous							
	sacrifices for	0	0	0	0	0	0	
	the good of the							
	agency							
<u>f.</u>	I am often							
1.	reminded by							
	daily events							
	about how	0	0	0	0	0	$\circ$	
	dependent we							
	are on one							
	another							
g.	Making a							
٠	difference in							
	society means							
	more to me than	0	O	0	O	0	O	
	personal							
	achievements							

#### **Merit Systems Principles and Prohibited Personnel Practices**

#### 1. My organization...

	Don't Know/NA ↓								
		St			isagr	ee ↓			
		ъ.		sagr	ee ↓				
	Neither Agree N			ee ↓					
	C41	Agre	ee ↓						
	Strongly Agre	ee ↓							
a.	recruits a								
	diverse pool of	0	0	0	0	0	0		
	applicants for		_	_	_	_			
_	job vacancies								
b.	holds fair and								
	open	0	0	0	0	0	0		
	competition for								
	job vacancies								
c.	selects the								
	best-qualified								
	candidates	0	0	0	0	0	0		
	when filling								
	jobs								
d.	treats								
	employees	0	0	0	0	0	0		
	fairly								
e.	takes steps to								
	prevent	0	$\circ$	0		0	0		
	prohibited	O	O	O	O	O	O		
	discrimination								
f.	takes steps to								
	rectify	0	0	0		0	$\circ$		
	prohibited	O	O	O		O	O		
	discrimination								
g.	pays								
	employees	0	0	0	0	0	0		
	fairly								
h.	recognizes								
	excellent	0	0	0	0	0	0		
	performance								
i.	rewards								
	excellent	0	0	0	0	0	0		
	performance								
j.	holds								
-	employees to								
	high standards	0	O	0	O	0	O		
	of conduct								

#### My organization...

	Don't Know/NA ↓ Strongly Disagree ↓							
		St				ee ↓		
	Neither Agree N	or Di		isagre	ee ↓			
	Neither Agree IV	Agre		-C 1				
	Strongly Agre		JC 1					
k.	puts the							
	public interest first	0	0	0	0	0	0	
1.	uses the							
1.	workforce							
	efficiently and	0	0	0	0	0	0	
	effectively							
m.								
	unnecessary	0	0	0	0	0	0	
	functions and							
	positions							
n.	makes good use of							
	employees'	0	0	0	0	0	$\circ$	
	skills and							
	talents							
0.	focuses							
	employee							
	attention and	0	0	0	0	0	0	
	efforts on what is most							
	important							
p.	provides							
Ρ.	employees with							
	the resources	0	0	0	0	0	0	
	needed to get							
	the job done							
q.	addresses			_	_	_	_	
	poor performers effectively	0	0	0	0	0	0	
r.	retains its							
	best employees	0	0	0	0	0	0	
s.	provides							
	employees with	0	$\circ$	0	0	$\circ$	$\circ$	
	necessary			U				
	training							
t.	provides							
	employees with opportunities	0	0	0			$\circ$	
	for growth and							
	development							

#### My organization...

	Don't Know/NA ↓								
		St		ly Di		ee↓			
				sagr	ee↓				
	Neither Agree N			ee ↓					
	Ctuan alas A am	Agre	ee ↓						
	Strongly Agre	ee ↓							
u.	protects								
	employees against reprisal	0							
	for	O	O	O	O	O	O		
	whistleblowing								
v.	protects								
	employees								
	against reprisal								
	for exercising a	0	0	0	0	0	0		
	grievance,								
	complaint, or								
	appeal right								
w.	1								
	employees	0	0	0	0	0	0		
	against arbitrary								
	does not								
х.	engage in	0	0	0	0	0			
	favoritism	O	O	O	O	O			
y.	protects								
-	employees from								
	political	0	0	0	0	0	O		
	coercion								
z.	has made it								
	clear that it								
	prohibits		_		_				
	discrimination	0	0	0	0	0	0		
	based on a								
	person's sexual								
	orientation								

## Continue on next page

## 2. <u>In the past two years</u>, have you been treated fairly in each area listed below?

	Don't Know/N No↓					
	Yes	; ↓				
a. Career advancement		0	0	0		
b. Awards		0	0	0		
c. Training		0	0	0		
d. Performance appraisals		0	0	0		
e. Job assignments		0	0	0		
f. Discipline		0	0	0		
g. Pay		0	0	0		

## 3. For each item below, please indicate the option that you think best describes the situation.

In the past two years, an agency official (e.g. supervisor, manager, senior leader, etc.) in my work unit has...

	Don't Know/NA ↓					
		as pe				
	affe	cted	by th	is ↓		
	my					
	work unit, but I	was	not			
	personally affected	by th	is↓			
	This has NOT occurred in	my				
	work ur	nit↓				
a.	discriminated in favor					
	or against someone in a		0	0	0	
	personnel action based	O				
	upon race					
b.	discriminated in favor					
	or against someone in a					
	personnel action based	O	O	O	O	
	upon age					
c.	discriminated in favor					
	or against someone in a					
	personnel action based	O	0 0	0	O	
	upon religion					

In the past two years, an agency official (e.g. supervisor, manager, senior leader, etc.) in my work unit has...

Don't Know/NA  I was personally affected by this ↓  This has occurred in my work unit, but I was not personally affected by this ↓  This has NOT occurred in my							
	work unit ↓						
d.	discriminated in favor or against someone in a personnel action based upon sex	0	0	0	0		
e.	discriminated in favor or against someone in a personnel action based upon national origin	0	0	0	0		
f.	discriminated in favor or against someone in a personnel action based upon disabling condition	0	0	0	0		
g.	discriminated in favor or against someone in a personnel action based upon marital status	0	0	0	0		
h.	discriminated in favor or against someone in a personnel action based upon political affiliation	0	0	0	0		
i.	discriminated in favor or against someone in a personnel action based upon sexual orientation	0	0	0	0		
j.	discriminated in favor or against someone in a personnel action based upon status as a parent or caregiver	0	0	0	0		
k.	discriminated against someone in a personnel action on the basis of off- duty conduct which was entirely unrelated to the job	0	0	0	0		

In the past two years, an agency official (e.g. supervisor, manager, senior leader, etc.) in my work unit has...

	Don't Know/NA ↓					
	I was personally					
		cted		is↓		
	This has occurred in my					
work unit, but I was not						
	personally affected		is↓			
	This has NOT occurred in	•				
	work ur	nit↓				
1.	tried to pressure					
	someone to support or					
	oppose a particular	0	0	0	0	
	candidate or party for					
	elected office					
m.	tried to influence					
	someone to withdraw					
	from competition for a	0	$\circ$	$\circ$	$\cap$	
	position for the purpose	O		O	O	
	of helping or injuring					
	someone else's chances					
n.	tried to define the					
	scope or manner of a					
	recruitment action, or the					
	qualifications required,	0	0	0	0	
	for the purpose of					
	improving the chances of					
	a particular person					
ο.	obstructed someone's					
	right to compete for	0	0	0	0	
	employment					
p.	solicited or considered					
	improper employment	0	0	0	0	
	recommendations					
q.	advocated for the					
	appointment,					
	employment, promotion,	0	0	0	0	
	or advancement of a					
	relative					
r.	advocated for					
	appointment,					
	employment, promotion,	0	0	0		
	or advancement of a	O	U	O	U	
	personal friend of the					
	agency official					

In the past two years, an agency official (e.g. supervisor, manager, senior leader, etc.) in my work unit has...

	Don't Know/NA ↓				
	I was personally				
	affe	cted	by th	is↓	
	This has occurre	ed in	my		
	work unit, but l	was	not		
	personally affected	by th	is↓		
	This has NOT occurred in	my			
	work ur	nit↓			
S					
	take a personnel action				
	against an employee				
	because the employee		0 0	0	0
	disclosed a violation of	O			
	law, rules, or regulations				
	or reported fraud, waste,				
	or abuse				
t.					
	take a personnel action				
	against an employee	$\circ$	$\circ$	$\circ$	$\circ$
	because the employee			O	
	filed an appeal or				
	grievance				
u	$\mathcal{C}$ ,				
	lawful form of veteran's	0	0	0	0
	preference or veteran's			Ŭ	
	protection laws				
V	11 1	0	0	0	0
	favored a veteran			_	

## Continue on next page

#### Whistleblowing

For the purpose of this section, the term "wrongdoing" refers to the creation or toleration in the workplace of a health or safety danger, unlawful behavior, fraud, waste, or abuse.

1. Please indicate your level of agreement or disagreement with the following statements.

						w/N	$A\downarrow$
	Strongly Disagree ↓						
				sagre	ee↓		
	Neither Agree No			ee↓			
		Agre	ee↓				
	Strongly Agre	ee ↓					
1.	My agency						
	actively						
	encourages	0	$\circ$	$\circ$	$\cap$	$\circ$	
	employees to	O	O	O		O	O
	report						
	wrongdoing.						
2.	If I disclosed						
	wrongdoing, I						
	would be	0	0	0	0	0	0
	praised for it at						
	work.						
3.	I feel that I						
	could disclose						
	wrongdoing						
	without any	0	$\circ$	0	0	$\circ$	$\circ$
	concerns that	O	O	O		O	O
	the disclosure						
	would make my						
	life harder.						
4.	My agency has						
	educated me						
	about the						
	purpose of the	0	0	0	0	0	0
	Office of the						
	Inspector						
	General.						

	Don't Know/NA ↓							
	Strongly Disagree ↓							
			Di	sagre	ee↓			
	Neither Agree N	or Di	sagr	ee ↓				
		Agre	ee↓					
	Strongly Agre	ee↓						
5.	My agency has educated me about how I can anonymously disclose wrongdoing.	0	0	0	0	0	0	
6.	My agency has educated me about what my rights would be if I disclosed wrongdoing.	0	0	0	0	0	0	

- 7. In your opinion, how adequate or inadequate is the protection against reprisal for federal employees who report wrongdoing?
  - O Very adequate
  - O Adequate
  - O Neither adequate nor inadequate
  - O Inadequate
  - O Very inadequate
  - O Don't Know/Can't Judge
- 8. If you were to observe or have evidence of wrongdoing, how important would it be to you that you be able to report it without disclosing your identity?
  - O Very important
  - O Important
  - O Somewhat important
  - O Not important
  - O Don't Know/Can't Judge

9. To what extent do you understand the role of each of the following organizations when it comes to responding to reports of wrongdoing?

	·		No	t at A	.11 ↓
	L	ittle	Exte	nt ↓	
	Some	Exte	nt ↓		
	Great Exte	nt ↓			
a.	The U.S. Office of the	0		0	
	Special Counsel (OSC)	0	O	O	O
b.	The Government				
	Accountability Office	0	0	0	0
	(GAO)				
c.	Your agency's Office of				
	the Inspector General	0	0	0	0
	(OIG)				
d.	The Occupational Safety				
	and Health	0	0	0	0
	Administration (OSHA)				

10. If you were to report wrongdoing to one of the following organizations, and asked that your identity be kept confidential, to what extent do you believe that the organization would keep your identity secret?

	Not at All ↓						
	Little Extent						
	Some	Exte	nt ↓				
	Great Exte	nt ↓					
a.	My agency's Office of						
	the Inspector General	0	0	0	0		
	(OIG)						
b.	The U.S. Office of the	$\circ$		0	$\circ$		
	Special Counsel (OSC)	O	U	O	U		
c.	The Occupational Safety						
	and Health	0	0	0	0		
	Administration (OSHA)						
d.	The Government						
	Accountability Office	0	0	0	0		
	(GAO)						
e.	The U.S. Congress	0	0	0	0		
f.	The Media	0	0	0	0		

11. If you were to report wrongdoing to one of the following organizations, to what extent do you believe the organization would give careful consideration to your allegations?

	Not at All ↓					
	I	ittle	Exte	nt ↓		
	Some	Exte	nt ↓			
	Great Exte	nt ↓				
a.	My agency's Office of					
	the Inspector General	0	0	0	0	
	(OIG)					
b.	The U.S. Office of the	0	$\circ$	0		
	Special Counsel (OSC)	O	O	O	O	
c.	The Occupational Safety					
	and Health	0	0	0	0	
	Administration (OSHA)					
d.	The Government					
	Accountability Office	0	0	0	0	
	(GAO)					
e.	The U.S. Congress	0	0	0	0	
f.	The Media	0	0	0	0	

12. If tomorrow you were to observe a health or safety danger, unlawful behavior, fraud, waste, or abuse, to what extent do you think that each of the following would factor into your decision on whether or not to report the wrongdoing?

			No	t at A	.11↓
	L	ittle	Exte	nt ↓	
	Some	Exte	nt ↓		
	Great Exte	nt ↓			
a.	Concern that I would be				
	suspended, demoted, or	0	0	0	0
	fired				
b.	Concern that I had	_			_
	sufficient proof	O	O	O	O
c.	Concern that it might not			_	_
	be serious enough	O	O	O	O
d.	Concern that the event				
	might not rise to the level				
	of fraud, waste, abuse,	0	0	0	0
	unlawful behavior, or a				
	safety or health danger				

If tomorrow you were to observe a health or safety danger, unlawful behavior, fraud, waste, or abuse, to what extent do you think that each of the following would factor into your decision on whether or not to report the wrongdoing?

	Not at All ↓				
	Little Extent ↓				
Some Extent ↓					
	Great Exte	nt ↓			
e.	Belief that nothing <i>would</i>	0	0	0	0
	be done to stop it	J		O	
f.	Belief that nothing <i>could</i>	0	0	0	0
	be done to stop it	0		0	
g.	Belief that it would not	0	0	0	0
	happen again		_		
h.	Belief that someone else	0	0	0	0
_	had already reported it				
i.	Concern that I would be	0	0	0	0
	seen as disloyal				
j.	Concern that it might				
	negatively impact my	0	0	0	0
	relationship with my co-				
	workers				
k.	Concern that it might get	0	0	0	0
	someone in trouble		_		
1.	Concern that it might				
	harm the reputation of	0	0	0	O
	my organization/agency				
m.	Concern that it might				
	cause other things to be	0	0	0	0
	investigated				
n.	Concern that it might				
	affect my performance	0	0	0	O
	appraisal				
0.	Concern that it might				
	affect my ability to get a	0	0	0	0
	performance award				
p.	Concern that it might				
	affect my ability to get	0	0	0	0
	training				
q.	Concern that it might				
	affect my ability to get a	0	0	0	0
	promotion		_		
r.	Concern that				
	management might				
	become less tolerant of	0	0	0	0
	any small mistakes I				
	might make				

If tomorrow you were to observe a health or safety danger, unlawful behavior, fraud, waste, or abuse, to what extent do you think that each of the following would factor into your decision on whether or not to report the wrongdoing?

	Not at All ↓					
	Little Extent ↓					
	Some	Exte	nt ↓			
	Great Exte	nt ↓				
s.	Concern that					
	management might					
	become less willing to	0	0	0	0	
	grant me any favors that					
	are optional for them					
t.	Concern that I might be					
	retaliated against in					
	another way not	O	O	O	O	
	mentioned above					
u.	A lack of knowledge					
	about to whom I should	0	0	0	0	
	report it					

13. How important, if at all, would each of the following be in encouraging you to report an illegal or wasteful activity?

	Don't Know/Can't Judge ↓						
	Unimportant ↓						
	Somewi	hat U	Jnim <sub>J</sub>	orta	nt ↓		
	Neither I	mpor	tant	Nor			
	U	nimj	porta	nt ↓			
	Somewhat Imp	orta	nt ↓				
	Very Importa	nt ↓					
a.	The activity						
	might endanger	0	0	0	0	0	0
	people's lives						
b.	The activity						
	was something						
	you considered						
	serious in terms	O	O	O	O	O	O
	of costs to the						
	Government						
c.	Something						
	would be done						
	to correct the	0	0	0	0	0	0
	activity you						
	reported						

How important, if at all, would each of the following be in encouraging you to report an illegal or wasteful activity?

		Don				Judg	ge↓
	Unimportant ↓						
	Somewhat Unimportant ↓						
	Neither Important Nor Unimportant ↓						
	Somewhat Imp			nt ↓			
	Very Importa		11ι ↓				
d.	The wrongdoers	ш ↓					
u.	involved in the						
	activities would	0	0	0	0	0	0
	be punished						
e.	You would be						
٠.	protected from						
	any sort of	0	0	0	0	0	0
	reprisal						
f.	You would be						
	positively						
	recognized by	0	0	0	0	0	0
	management for						
	a good deed						
g.	Your identity						
	would be kept						
	confidential by						
	the people to	0	0	0	0	0	0
	whom you						
	reported the						
_	activity						
h.	The activity						
	was something						
	you considered						
	to be a serious ethical						
	violation,	0	0	0	0	0	0
	although the						
	monetary costs						
	associated with						
	it were small						
i.	You would be						
	eligible to						
	receive a cash	0	0	0	0	0	0
	award						

14. How likely would you be to "blow the whistle" when the wrongdoer is:

	Don't Know/Can't Judge ↓						
	Very Unlikely↓						
		newh			ly↓		
	Neither Likely N	or U	nlike	ly↓			
	Somewhat		ly↓				
	Very Like	ly↓					
a.	Your supervisor	0	0	0	0	0	0
b.	A higher level supervisor	0	0	0	0	0	0
С.	A coworker (in						
	your work	0	0	0	0	0	0
	group)						
d.	A Federal						
	employee			0	0		
	outside your	O	O	O	O	O	O
	work group						
e.	A contractor or	$\circ$	$\circ$		$\circ$	0	$\circ$
	vendor	0	0	0	0	0	O
f.	A political						
	appointee in	0	0	0	0	0	0
	your agency						

15. During the last 12 months, did you personally observe or obtain direct evidence of one or more illegal or wasteful activities involving your agency? (Note: Do not answer "yes" if you only heard about the activity in the media or heard about it as a rumor.)

O Yes

O No

If you answered no to question 15, please skip to the Disabilities section on page 17, if you answered yes to question 15, please continue on the next page.

16. If you answered yes to question 15, then	19. How frequently did this activity occur?
please select the activity below that	O Once or rarely
represents the most serious problem you personally observed. (Please mark only	O Occasionally
one.)	O Frequently
O Stealing Federal funds	O Don't know/Can't judge
O Stealing Federal property	
O Accepting bribes or kickbacks	20. Did you report this activity to any of the
O Waste caused by ineligible people	following? (Please mark ALL that
receiving funds, goods, or services	apply.)
O Waste caused by unnecessary or deficient goods or services	☐ I did not report the activity ( <i>skip to disabilities section on page 17</i> )
O Use of an official position for personal	☐ Family member or friend
benefit	☐ Co-worker
O Waste caused by a badly managed program	☐ Immediate supervisor
O Unfair advantage in the selection of a	☐ Higher level supervisor
contractor, consultant, or vendor	☐ Higher level agency official
O Tolerating a situation or practice which	☐ Agency Inspector General (IG)
poses a substantial and specific danger to	☐ Office of Special Counsel (OSC)
public health or safety  O Other serious violation of law or	Government Accountability Office
regulation	(GAO)
	Law enforcement official
17. Where did this activity occur or	☐ Union representative
originate? (Please mark ALL that apply.)	☐ News media
☐ Your workgroup	☐ Congressional staff member or member of Congress
☐ Outside your workgroup but within your	Advocacy group outside the Government
agency	Other
☐ Another Federal agency	
☐ Contractor or vendor ☐ Other	21. If you DID report this activity, were you identified as the source of the report?
10 16 1 11 1 1 1 1 1 1	O Yes, I was identified
18. If a dollar value can be placed on this activity, what was the amount involved?	O No, I was not identified ( <i>skip to disabilities section on page 17</i> )
O More than \$100,000	
O \$5,000-\$100,000	
O \$1,000-\$4,999	
O \$100-\$999	
O Less than \$100	
O A dollar value cannot be placed on the activity	
O Don't know/Can't judge	

eff be	you were identified, what was the eet on you personally as a result of ing identified? (Please mark ALL that
ap	ply.)
	I was given credit by my management for having reported the problem
	Nothing happened to me for having reported the problem
	My coworkers were unhappy with me for having reported the problem
	My supervisor was unhappy with me for having reported the problem
	Someone above my supervisor was unhappy with me for having reported the problem
	I was threatened with reprisal for having reported the problem
	I received an actual reprisal for having reported the problem
pe rej ma	ithin the last 12 months, have you resonally experienced some type of prisal or threat of reprisal by an agement for having reported an tivity?
0	Yes
0	No (skip to disabilities section on page 17)

## 24. Did the reprisal or threat of reprisal take any of the following forms? (Please mark ALL that apply.)

	This was done to me ↓				
	I was threatened with thi	is ↓			
a.	Poor performance appraisal	0	0		
b.	Denial of promotion	0	0		
c.	Denial of opportunity for training	0	0		
d.	Denial of award	0	0		
e.	Assignment to less desirable or less important duties	0	0		
f.	Transfer or reassignment to a different job with less desirable duties	0	0		
g.	Reassignment to a different geographical location	0	0		
h.	Suspension from my job	0	0		
i.	Fired from my job	0	0		
j.	Grade level demotion	0	0		
k.	Shunned by coworkers or managers	0	0		
1.	Verbal harassment or intimidation	0	0		
m.	Required to take a fitness for duty exam	0	0		
n.	Other	0	0		

## Continue on next page

	actions? (Please mark A  ☐ I took no action	ևև (	пат а	ppıy	•)
	☐ Complained to the Off General within my age		f Insp	ecto	r
	☐ Complained to some o my agency (for examp Office or EEO Office)				
	☐ Filed a complaint throuse representative	ıgh n	ıy un	ion	
	Filed a formal grievand agency	ce wi	thin 1	ny	
	☐ Filed an EEO (discrim	inatio	on) co	ompla	aint
	☐ Filed a complaint with			-	
	Special Counsel				
	☐ Filed an action with th	e Me	rit Sy	stem	ıs
	Protection Board				
	☐ I took an action not list	ted al	ove		
26.	Please indicate the extent			each (	of
26.	Please indicate the extent the following was importa decision to report or not r wrongdoing.	to wh	nich e your	•	
26.	the following was importa decision to report or not r wrongdoing.	to wh int to eport	nich e your	t at A	
26.	the following was importated decision to report or not rewrongdoing.	to whent to eport	No Exte	t at A	
26.	the following was importated decision to report or not rewrongdoing.  Some	to whent to eport	No Exte	t at A	
a.	the following was importated decision to report or not rewrongdoing.  Some Great Extra Concern that I would be suspended, demoted, or	to whent to eport	No Exte	t at A	
	Some Great Exte Concern that I would be suspended, demoted, or fired Concern that I had	to whent to eport	No Exte	t at A	XII↓
a.	Some Great Exter Concern that I had sufficient proof Concern that it might not	to what to eport	No Extent \	t at Ant ↓	\lambda   \lambd
a.	Some Great Exte Concern that I would be suspended, demoted, or fired Concern that I had sufficient proof Concern that it might not be serious enough Concern that the event might not rise to the level of fraud, waste, abuse,	to what to eport	No Extent \	t at Ant ↓	\lambda   \lambd
a. b.	Some Great External Concern that I had sufficient proof Concern that it might not be serious enough Concern that the event might not rise to the level	to whent to eport	No Exte	t at A Annt \	\lambda   \lambd

Please indicate the extent to which each of the following was important to your decision to report or not report wrongdoing.

-		No	t at A	Λll↓
I	Little	Exte		
Some				
Great Exte	nt↓			
h. Belief that someone else		_	_	_
had already reported it	0	О	0	0
i. Concern that I would be	_	_	_	_
seen as disloyal	0	О	0	0
j. Concern that it might				
negatively impact my				
relationship with my co-	0	0	0	0
workers				
k. Concern that it might get				
someone in trouble	0	0	0	0
Concern that it might				
harm the reputation of my	0	0	0	
organization/agency	O		O	
m. Concern that it might				
cause other things to be		0	0	0
investigated	0	U	O	
n. Concern that it might				
affect my performance	0	O	0	O
appraisal				
o. Concern that it might				
affect my ability to get a	0	O	0	O
performance award				
p. Concern that it might				
affect my ability to get	0	O	O	О
training				
q. Concern that it might				
affect my ability to get a	0	О	0	0
promotion				
r. Concern that management				
might become less tolerant	0	0	0	
of any small mistakes I				
might make				
s. Concern that management				
might become less willing	0	$\cap$	$\circ$	
to grant me any favors that	O		O	
are optional for them				
t. Concern that I might be				
retaliated against in				
another way not	0	O	O	O
mentioned above				
u. A lack of knowledge				
about to whom I should	0	0	0	$\cap$
report it	J		J	

0

0

Ο

0

0 0 0 0

be done to stop it
Belief that nothing *could* 

be done to stop it

Belief that it would not

happen again

#### **Disabilities**

1.	-	y agency has policies and procedures
		dealing with reasonable
	acc	commodation requests.
	0	Strongly agree
	0	Agree
	0	Neither agree nor disagree
	0	Disagree
	0	Strongly disagree
	0	Don't know/NA
2.	Co	ntact information is readily available
	for	the Disability Program Coordinator
		d/or the Selective Placement Program
	Co	ordinator at my department/agency.
	0	Strongly agree
	0	Agree
	0	Neither agree nor disagree
	0	Disagree
	0	Strongly disagree
	0	Don't know/NA
3.	-	y organization is committed to offering
	_	ual employment opportunities to peop th disabilities.
	0	Strongly agree (skip to question 5)
	0	Agree (skip to question 5)
	0	Neither agree nor disagree (skip to question 5)
	0	Disagree
	0	Strongly disagree
	0	Don't know/NA

4.	Se	lect from among the following reasons
		why you believe your agency is
		sistant to hiring people with disabilities.
	(Pl	lease mark ALL that apply.)
		Lack of funds
		Unfamiliarity with specific hiring authorities
		Unfamiliarity with providing reasonable accommodations
		Belief that disabled persons will have difficulty performing the job
		Belief that disabled persons will require too much time and attention
		Belief that disabled persons will disrupt the workplace
		Other:
		Don't know
5.	Do	you have a physical or mental
	im	pairment?
	0	Yes, and it substantially limits one or more major life activities. Major life activities may include walking, seeing, standing, sitting, breathing, bathing, etc.
	0	Yes, but it does not affect a major life activity.
	0	No (If no, skip to the leadership impact section on page 19)
	0	I prefer not to answer (If you prefer not to answer this question, skip to the leadership impact section on page 19)

## Continue on next page

6.	Please select your physical or mental
	impairment(s) from the list below. Check
	all that apply in the squares on the left.
	For each impairment selected, identify the
	level of severity as either mild, moderate,
	or severe using the scale on the right.

		\$	Seve	re ↓
		dera	te↓	
	Mild	I ↓		
↓ _	I have this condition			
	Physical Movement			
	Impairment (for example:			
П	missing a hand, partial or	0	0	$\circ$
Ш	full paralysis, arthritis that			
	creates some loss of ability			
	to move a body part)			
	Sensory Impairment (for			
	example: partial or total	$\circ$	$\circ$	$\circ$
ш	blindness, deafness,	O		O
	muteness)			
	Neurological Impairment			
	(for example: epilepsy,	$\circ$	$\circ$	$\circ$
ш	multiple sclerosis,	O		O
	Parkinson's)			
	Developmental or Learning			
	Impairment (for example:	0		$\circ$
Ш	attention deficit, dyslexia,	O		O
	autism)			
	Psychological Impairment			
П	(for example: PTSD,	0	$\circ$	$\circ$
Ш	depression, obsessive	O		O
	compulsive, phobias)			
	Chronic Health Condition			
	(for example: diabetes,	$\circ$		$\circ$
Ш	hypertension, cancer, heart	O		O
	disease)			
	Other Disability	0	0	0
	Not Disabled		_	
	I would prefer not to answer			
	this question			

- 7. Have you identified yourself as having a disability on any official forms with your agency?
  - O Yes
  - O No
  - O Don't Know

8.	Do you have documentation that substantiates your disability?
	O Yes
	O No
	O Don't Know
9.	Were you hired under the Schedule A hiring authority for persons with disabilities?
	O Yes
	O No
	O Don't Know
10	. Have you requested reasonable accommodations to assist you with accomplishing your work?
	O Yes
	O No
	O Don't Know
11	. Are you receiving reasonable accommodations?
	O Yes
	O No
	O Don't Know
12	. If, in the past 2 years you have been
	treated unfairly in the area of career
	advancement, do you feel the reason yo
	have not been treated fairly in your career advancement is because of your
	disability?
	O Vos

### Continue on next page

O Don't Know /Not Applicable

O No

#### **Leadership Impact**

Please indicate your level of agreement or disagreement with the following statements regarding non-military senior executives.

- 1. I work closely with a politically appointed Senior Executive (SES).
  - O Strongly agree
  - O Agree
  - O Neither agree nor disagree
  - O Disagree
  - O Strongly disagree
  - O Don't know/NA
- 2. I work closely with a career Senior Executive (SES).
  - O Strongly agree
  - O Agree
  - O Neither agree nor disagree
  - O Disagree
  - O Strongly disagree
  - O Don't know/NA

The following items are intended to reflect your opinions about non-military *political* senior executives.

3. *Political* senior executives in my organization...

	0						
Don't Know/NA ↓							
		St	rong	ly Di	sagre	ee↓	
			Di	sagre	ee ↓		
	Neither Agree No	or Di	sagre	ee↓			
		Agre	ee ↓				
	Strongly Agre	ee↓					
a.	have good						
	management	0	0	0	0	0	0
	skills.						
b.	work hard to						
	fulfill the mission	0	0	0	0	0	0
	of the agency.						

Political senior executives in my organization									
	Don't Know/NA ↓								
	Strongly Disagree ↓								
			Di	sagre	ee↓				
	Neither Agree N	or Di	isagr	ee ↓					
		Agre	ee↓						
	Strongly Agre	ee↓							
c.	communicate well.	0	0	0	0	0	0		
d.	work well with other career senior executives.	0	0	0	0	0	0		
e.	respect the career staff.	0	0	0	0	0	0		
f.	respect the merit process when making hiring decisions.	0	0	0	0	0	0		

The following items are intended to reflect your opinions about non-military *career* senior executives.

4. Career senior executives in my organization...

	oi guinzution							
	Don't Know/NA ↓							
	Strongly Disagree ↓							
			Di	sagre	ee↓			
	Neither Agree No	or Di	sagre	ee↓				
		Agre	ee↓					
	Strongly Agre	ee ↓						
a.	have good							
	management	0	0	0	0	0	0	
	skills.							
b.	work hard to							
	fulfill the	$\circ$		$\circ$	$\circ$	$\circ$	$\circ$	
	mission of the	O	O	O	O	O		
	agency.							
c.	communicate	0	$\circ$	$\circ$	$\circ$	0	$\circ$	
	well.	0	0	0	0	O	0	
d.	work well							
	with other career	$\circ$	$\cap$	$\circ$	$\circ$	$\circ$	$\circ$	
	senior	O		O	O	O		
	executives.							
e.		0	0	0	0	0	$\circ$	
	career staff.			0				
f.	respect the							
	merit process	$\circ$	$\circ$	$\circ$	$\circ$	$\circ$	$\circ$	
	when making					O		
	hiring decisions.							

#### **Union Partnership**

- 1. Are you a dues-paying member of a union?
  - O Yes
  - O No. But my position is covered by a bargaining agreement
  - O No. I am not sure if my position is covered by a bargaining agreement
  - O No. I am not eligible to be a member of a union
  - O Don't Know/Can't Judge
- 2. My agency's management and unions work well together to:

	Don't Know/NA↓							
	Strongly Disagree ↓							
			Di	sagre	ee↓			
	Neither Agree No	or Di	sagre	ee↓				
		Agre	ee↓					
	Strongly Agre	ee ↓						
a.	Improve							
	employee work-	0	0	0	0	0	0	
	life balance							
b.								
	efficiency of	$\circ$		0	0	$\circ$	$\circ$	
	agency	O	O	O	O	O	O	
	operations							
c.	Improve							
	employee	0	0	0	0	0	0	
	performance							
d.	Improve overall							
	agency	0	0	0	0	0	0	
	performance							

#### **Telework**

- 1. In the last year, how many days, on average, did you telework work from home or from another location such as a telework center? (This does not include field work.)
  - O 4 or 5 days per week
  - O 2 or 3 days per week
  - O 1 day per week
  - O On an *ad hoc* basis, less than 1 day per week
  - O Never

- 2. In the event of an emergency (e.g., security incident, pandemic, or major weather event), do you know what you must do to maintain continuity of operations?
  - O Yes
  - O No
  - O Not sure

#### **Workplace Violence**

Workplace violence is defined as violent acts directed towards a person at work or on duty (e.g. physical assaults, threats of assault, harassment, intimidation, or bullying).

- 1. My agency takes sufficient steps to ensure my safety from violence occurring at my workplace.
  - O Strongly agree
  - O Agree
  - O Neither agree nor disagree
  - O Disagree
  - O Strongly disagree
  - O Don't know/NA
- 2. During the past two years, have you observed any incidence of workplace violence?
  - O Yes (identify on the next page the type and consequence of the event and mark whether it resulted in physical injury or damage to/loss of property).
  - O No (skip to next section- professional affiliation on the next page).

3. Please identify the type and consequence of the event and mark whether it resulted in physical injury or damage to/loss of property.

Don't Know↓									
Resulted in damage									
to/loss of property ↓									
Resulted in physical injury↓									
↓ _	This occurred								
_	a. A violent act by a								
	criminal who had no								
	other connection with								
	the workplace, but	0	0	0					
_	enters to commit								
	robbery or another								
	crime.								
	b. A violent act directed at								
	employees by								
	customers, clients,								
_	patients, students,								
Ш	inmates, or any others	0	O	O					
	for whom your								
	organization provides								
	services.								
	c. A violent act against								
	coworkers, supervisors,								
	or managers by a	0	0	0					
	present or former								
	employee.								
	d. A violent act committed								
	in the workplace by								
	someone who doesn't								
_	work there, but has a								
Ш	personal relationship	0	O	O					
	with an employee (e.g.,								
	an abusive spouse or								
	domestic partner.								
	*								

#### **Professional Affiliation**

1. Federal employees may obtain information about the knowledge, skills and abilities needed to do their current job. Such information may come from several different sources. To what extent do you personally consider each of the following a good source of information about the knowledge, skills and abilities needed to do your current job?

D = 24 IV = /NIA							
Don't Know/NA ↓  Very Poor Source of Information ↓  Poor Source of Information ↓  Neither a Good Nor Poor  Source of Information ↓  Good Source of Information ↓							
Excellent Source Information	e of						
a. Former job	0	0	0	0	0	0	
b. Your Co- workers	0	0	0	0	0	0	
c. Your Supervisor	0	0	0	0	0	0	
d. Your Agency	0	0	0	0	0	0	
e. The Office of Personnel Management	0	0	0	0	0	0	
f. A Professional Organization or Trade Association	0	0	0	0	0	0	
g. Other	0	0	0	0	0	0	
The name of the professional organization or trade association referenced above is?							
O Not Applicable							
The other source of is above is?	nforn	natio	n ref	erenc	eed		

Not Applicable

0

- Consider the most important knowledge, skill or ability needed to perform your current job. Which of the following general categories best describes that knowledge, skill or ability (please mark only one).
   Knowledge (Facts and other information, including job knowledge, academic subjects, laws, policies, and regulations)
  - O Language (Reading, writing, learning other languages, editing, preparing lengthy documents and preparing and giving speeches or presentations)
  - O Social (Abilities that help us get along with other people, ranging from basic interpersonal skills and teamwork to more specialized abilities to negotiate, manage conflict, and foster diversity)
  - O Reasoning (Abilities based on logic and mathematics, including such practical abilities as analysis, troubleshooting, and computer programming)
  - O Motivation (Personal characteristics that affect employee willingness to perform work, including resilience in the face of difficulty, integrity, and public spiritedness)
  - O Mental Style (Long-term "mental habits" such as flexibility, creativity, ability to deal with complexity, rapid learning ability, and decisiveness)
  - 3. In your own words, can you briefly rephrase the most important knowledge, skill, or ability, you selected?

- 4. My agency does a good job ensuring that people with my kind of job possess this most important knowledge, skill or ability.
  - O Strongly agree
  - O Agree
  - O Neither agree nor disagree
  - O Disagree
  - O Strongly disagree
  - O Don't know/NA

## APPENDIX C: RESULTS FROM THE 1996 SURVEY QUESTIONS ON MSPS

The table below summarizes responses to questions on adherence to merit system principles from MSPB's 1996 Merit Principles Survey. Percentages are rounded and may not add to 100 percent.

Does your agency have a problem when it	Minor or No Problem	Moderate Problem	Major Problem	Don't Know
Selects well-qualified persons when hiring from outside the agency	20%	31%	20%	29%
Selects persons on the basis of their relative ability, knowledge, and skills when hiring from outside the agency	25%	29%	19%	28%
Promotes people on the basis of their relative ability, knowledge, and skills	21%	33%	32%	14%
Makes selections based on fair and open competition when hiring from outside the agency	24%	23%	21%	32%
Makes selections based on fair and open competition for promotions	21%	29%	32%	18%
Ensures equal pay for equal work	33%	21%	26%	21%
Promotes high standards of conduct, integrity, and concern for the public interest among agency employees	43%	25%	20%	12%
Retains employees on the basis of the adequacy of their performance	30%	28%	27%	15%
Takes appropriate steps to correct inadequate performance	17%	25%	44%	13%

#### APPENDIX C: RESULTS FROM THE 1996 SURVEY QUESTIONS ON MSPS

Does your agency have a problem when it	Minor or No Problem	Moderate Problem	Major Problem	Don't Know
Separates employees who cannot or will not improve their performance to meet required standards	11%	15%	51%	23%
Protects employees against arbitrary personnel actions	24%	20%	19%	37%
Protects employees against personal favoritism	18%	21%	38%	23%
Protects employees against coercion for partisan political activities	33%	9%	8%	50%
Protects employees against reprisal for whistleblowing	21%	10%	15%	55%
Provides fair and equitable treatment for employees and applicants in all aspects of personnel management without regard to their political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition	38%	20%	22%	20%

# APPENDIX D: RESULTS FROM THE 2010 SURVEY QUESTIONS ON MSPs

The percentages of respondents who agreed with each of the 25 MSP-based items in the 2010 Merit Principles Survey are shown below. The first table provides the percentage of the respondents who agreed, provided a neutral opinion, or disagreed with the statement provided. Respondents who skipped the item or selected "don't know/can't judge" are omitted.

	My organization	Agree	Neutral	Disagree
	Recruits a diverse pool of applicants for job vacancies	61%	20%	19%
	Holds fair and open competition for job vacancies	48%	23%	29%
	Selects the best-qualified candidates when filling jobs	38%	27%	36%
	Treats employees fairly	52%	22%	26%
SS	Takes steps to prevent prohibited discrimination	66%	20%	15%
FAIRNESS	Takes steps to rectify prohibited discrimination	60%	25%	15%
FAI	Pays employees fairly	63%	19%	18%
	Recognizes excellent performance	51%	24%	25%
	Rewards excellent performance	51%	24%	25%
	Holds employees to high standards of conduct	64%	20%	17%
	Puts the public interest first	60%	27%	13%
	Uses the workforce efficiently and effectively	42%	26%	32%
	Eliminates unnecessary functions and positions	29%	33%	38%
	Makes good use of employees' skills and talents  Focuses employee attention and efforts on what is most important  Provides employees with the resources needed to get the job done	45%	25%	29%
		48%	29%	23%
		56%	22%	22%
	Addresses poor performers effectively	24%	28%	48%
     	Retains its best employees	41%	29%	30%
ARD	Provides employees with necessary training	60%	21%	19%
STEWARDSHIP	Provides employees with opportunities for growth and development	51%	25%	23%
	Protects employees against reprisal for whistleblowing	45%	37%	18%
Z	Protects employees against reprisal for exercising a grievance, complaint, or appeal right	46%	34%	20%
PROTECTION	Protects employees against arbitrary action	43%	39%	18%
	Does not engage in favoritism	28%	27%	45%
PR(	Protects employees from political coercion	50%	39%	10%

#### APPENDIX D: RESULTS FROM THE 2010 SURVEY QUESTIONS ON MSPS

The table below uses the same population as the table above, but only shows level of agreement for each item. The data is then provided for each of two groups: nonsupervisors (including line employees and team leaders, labeled "NS") and supervisors (first-level supervisors, managers, and executives, labeled "S").

	My organization	Overall Agreement	Supervisory Status	
			NS	S
	Recruits a diverse pool of applicants for job vacancies	61%	60%	70%
	Holds fair and open competition for job vacancies	48%	46%	65%
	Selects the best-qualified candidates when filling jobs	38%	35%	52%
	Treats employees fairly	52%	50%	68%
SS	Takes steps to prevents prohibited discrimination	66%	64%	79%
FAIRNESS	Takes steps to rectify prohibited discrimination	60%	58%	76%
FA	Pays employees fairly	63%	62%	71%
	Recognizes excellent performance	51%	49%	62%
	Rewards excellent performance	51%	50%	62%
	Holds employees to high standards of conduct	64%	63%	70%
	Puts the public interest first	60%	59%	67%
	Uses the workforce efficiently and effectively	42%	41%	50%
	Eliminates unnecessary functions and positions	29%	29%	34%
	Makes good use of employees' skills and talents	45%	44%	56%
	Focuses employee attention and efforts on what is most important	48%	46%	56%
	Provides employees with the resources needed to get the job done	56%	55%	58%
	Addresses poor performers effectively	24%	23%	31%
불	Retains its best employees	41%	39%	50%
ARD!	Provides employees with necessary training	60%	58%	69%
STEWARDSHIP	Provides employees with opportunities for growth and development	52%	50%	63%
	Protects employees against reprisal for whistleblowing	45%	42%	64%
	Protects employees against reprisal for exercising a grievance, complaint, or appeal right	46%	42%	67%
PROTECTION	Protects employees against arbitrary action	43%	39%	63%
)TEC	Does not engage in favoritism	28%	26%	44%
PRC	Protects employees from political coercion	50%	48%	65%

# Appendix E: The Prohibited Personnel Practices – 5 U.S.C. § 2302(b)

Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority—

- (1) discriminate for or against any employee or applicant for employment—
  - (A) on the basis of race, color, religion, sex, or national origin, as prohibited under section 717 of the Civil Rights Act of 1964 (42 U.S.C. § 2000e–16);
  - (B) on the basis of age, as prohibited under sections 12 and 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. §§ 631, 633a);
  - (C) on the basis of sex, as prohibited under section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. § 206 (d));
  - (D) on the basis of handicapping condition, as prohibited under section 501 of the Rehabilitation Act of 1973 (29 U.S.C. § 791); or
  - (E) on the basis of marital status or political affiliation, as prohibited under any law, rule, or regulation;
- (2) solicit or consider any recommendation or statement, oral or written, with respect to any individual who requests or is under consideration for any personnel action unless such recommendation or statement is based on the personal knowledge or records of the person furnishing it and consists of—
  - (A) an evaluation of the work performance, ability, aptitude, or general qualifications of such individual; or
  - (B) an evaluation of the character, loyalty, or suitability of such individual;
- (3) coerce the political activity of any person (including the providing of any political contribution or service), or take any action against any employee or applicant for employment as a reprisal for the refusal of any person to engage in such political activity;
- (4) deceive or willfully obstruct any person with respect to such person's right to compete for employment;
- (5) influence any person to withdraw from competition for any position for the purpose of improving or injuring the prospects of any other person for employment;
- (6) grant any preference or advantage not authorized by law, rule, or regulation to any employee or applicant for employment (including defining the scope or manner of competition or the requirements for any position) for the purpose of improving or injuring the prospects of any particular person for employment;

#### APPENDIX E: THE PROHIBITED PERSONNEL PRACTICES - 5 U.S.C. § 2302(B)

- (7) appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, in or to a civilian position any individual who is a relative (as defined in section 3110 (a)(3) of this title) of such employee if such position is in the agency in which such employee is serving as a public official (as defined in section 3110 (a)(2) of this title) or over which such employee exercises jurisdiction or control as such an official;
- (8) take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment because of—
  - (A) any disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences—
    - (i) any violation of any law, rule, or regulation, or
    - (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety,
    - if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs; or
  - (B) any disclosure to the Special Counsel, or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences—
    - (i) any violation (other than a violation of this section) of any law, rule, or regulation, or
    - (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;
- (9) take or fail to take, or threaten to take or fail to take, any personnel action against any employee or applicant for employment because of—
  - (A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation—
    - (i) with regard to remedying a violation of paragraph (8); or
    - (ii) other than with regard to remedying a violation of paragraph (8);
  - (B) testifying for or otherwise lawfully assisting any individual in the exercise of any right referred to in subparagraph (A) (i) or (ii);
  - (C) cooperating with or disclosing information to the Inspector General of an agency, or the Special Counsel, in accordance with applicable provisions of law; or
  - (D) for refusing to obey an order that would require the individual to violate a law;
- (10) discriminate for or against any employee or applicant for employment on the basis of conduct which does not adversely affect the performance of the employee or applicant or the performance of others; except that nothing in this paragraph shall prohibit an agency from taking into account in determining suitability or fitness any conviction of the employee or applicant for any crime under the laws of any State, of the District of Columbia, or of the United States;

(11)

- (A) knowingly take, recommend, or approve any personnel action if the taking of such action would violate a veterans' preference requirement; or
- (B) knowingly fail to take, recommend, or approve any personnel action if the failure to take such action would violate a veterans' preference requirement; or
- (12) take or fail to take any other personnel action if the taking of or failure to take such action violates any law, rule, or regulation implementing, or directly concerning, the merit system principles contained in section 2301 of this title.

This subsection shall not be construed to authorize the withholding of information from the Congress or the taking of any personnel action against an employee who discloses information to the Congress.

APPENDIX E: THE PROHIBITED PERSONNEL PRACTICES – 5 U.S.C. § 2302(B)						

# APPENDIX F: MSPB's Employee Engagement Questions

The engagement scale is based on levels of agreement with the following 16 items:

#### Pride in one's work or workplace

- 1. My agency is successful at accomplishing its mission.
- 2. My work unit produces high-quality products and services.
- 3. The work I do is meaningful to me.
- 4. I would recommend my agency as a place to work.

#### Satisfaction with leadership

- 5. Overall, I am satisfied with my supervisor.
- 6. Overall, I am satisfied with managers above my immediate supervisor.

#### Opportunity to perform well at work

- 7. I know what is expected of me on the job.
- 8. My job makes good use of my skills and abilities.
- 9. I have the resources to do my job well.
- 10. I have sufficient opportunities (such as challenging assignments or projects) to earn a high performance rating.

#### Satisfaction with the recognition received

- 11. Recognition and rewards are based on performance in my work unit.
- 12. I am satisfied with the recognition and rewards I receive for my work.

#### Prospect for future personal and professional growth

13. I am given a real opportunity to improve my skill in my organization.

#### Positive work environment with some focus on teamwork

- 14. I am treated with respect at work.
- 15. My opinions count at work.
- 16. A spirit of cooperation and teamwork exists in my work unit.

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## Managing Public Employees in the Public Interest

EMPLOYEE PERSPECTIVES ON MERIT PRINCIPLES IN FEDERAL WORKPLACES

January 2013