



Contact: James M. Read
(202) 254-4464

FOR IMMEDIATE RELEASE
December 5, 2016

TDD/Videophone Users
Please Call Via Relay

MSPB ISSUES REPORT ON ADVERSE ACTIONS

The U.S. Merit Systems Protection Board (MSPB) issued a new report, *Adverse Actions: A Compilation of Articles*. It explains various aspects of the process to remove, suspend, or demote Federal employees.

“We included the subject in our research agenda and selected it for study because events demonstrated that there may be confusion about the process for adverse actions,” explains Chairman Susan Tsui Grundmann. “We wanted to provide material that could be helpful to employees, managers, agency leaders, unions, the media, and members of Congress who may be interested in how the system operates.”

MSPB concluded that a formal report could look unnecessarily daunting to some interested parties and opted instead for a more conversational approach. Unlike most reports, MSPB designed this product for internet use, but we still offer a print-friendly version. (Both are available at www.mspb.gov/studies.) In its introductory article, MSPB likens the report to a “free buffet,” where people can consume as many or as few of the articles as they desire.

Each article is, at most, a few pages long, and the topics range from information about proposing an action, to the responsibilities of a deciding official, to the appellate process once an adverse action has been taken. Readers are encouraged to share information from the articles and use it to frame discussions about particular situations they may face. The articles also ask readers to question anecdotes they may hear about adverse actions, explaining that the story may be missing crucial facts. MSPB encourages readers to use reliable sources and to be careful about assuming a source is dependable.

“The best source for information about a decision in a particular case is the published decision,” notes Board Member Mark Robbins, “but the basic legal principles used by the Board are consistent across cases. For example, an agency has the authority to remove an employee who damages the efficiency of that agency, and an employee has a constitutional right to be heard by the agency’s decision-maker before that removal takes place.”

MSPB publishes its precedential decisions on its website along with a search tool. But, for those looking for a condensed description of the adverse action system from the agency that issued those decisions, MSPB’s adverse action articles is a good place to start. “I would call it a ‘must read’ for proposing and deciding officials,” says Chairman Grundmann.

The U.S. Merit Systems Protection Board (MSPB) is a bi-partisan, independent, quasi-judicial agency whose mission is to protect the Merit System Principles and promote an effective Federal workforce free of Prohibited Personnel Practices. To request a printed copy of the articles, e-mail studies@mspb.gov; call (202) 254-4496; or write to: Merit Systems Protection Board, Office of Policy and Evaluation, 1615 M Street NW, Washington, DC 20419.