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### **MSPB Reports Progress for Whistleblowers, but More Can be Done**

There are laws in place to protect Federal whistleblowers from retaliatory personnel actions. However, according to a recent report issued by the U.S. Merit Systems Protection Board (“MSPB”), titled [\*Blowing the Whistle: Barriers to Federal Employees Making Disclosures\*](#), a fear of retaliation may not be the biggest barrier to employees blowing the whistle. The report contains the results of a recent survey of Federal employees conducted by the MSPB.

The survey data indicate that the most important factor for employees when deciding whether to report wrongdoing is not the personal consequences for the employee. Saving lives was more important to survey respondents than whether they would experience punishment or a reward, and whether the agency would act on a report of wrongdoing mattered more than any fear of an unpleasant consequence for the employee making the report.

“This is an important finding,” explains Chairman Susan Tsui Grundmann, “because it means that agencies have the power to make a difference. If an agency creates a culture where its employees believe that management wants to be told about wrongdoing and will address issues raised by the employees, then the employees are more likely to report it.” The MSPB report notes that it is better for both the agency and the public if wrongdoing is addressed early, and the agency’s culture is a critical factor in achieving this.

MSPB based its survey questions, in part, on a survey that it conducted in 1992 and the report offers a look at the environment for Federal whistleblowers now and then.

MSPB's data indicate that since 1992, the percentage of employees who perceive any wrongdoing has decreased; and for those who perceive wrongdoing, the frequency with which they observe the wrongdoing has also decreased. However, among those individuals who indicated that they reported wrongdoing and were identified as the source of the report, perceptions of retaliation remained a serious problem with approximately one-third of such respondents in both 1992 and 2010 perceiving either threats or acts of reprisal, or both.

According to Chairman Grundmann, "this report shows that there has been progress in reducing fraud, waste, and abuse in the Government, but it also shows that more needs to be done to create a safe environment for employees to report wrongdoing. This includes making certain that employees receive training about how they can disclose wrongdoing and how they can exercise their rights if they perceive that they have experienced or been threatened with retaliation for making a protected disclosure.

This report is one in a series of reports that MSPB is undertaking under its studies authority to draw attention to the prohibited personnel practices (PPPs) and merit systems principles. In addition to this new report, MSPB recently released reports on whistleblower rights and prohibited personnel practices. MSPB is currently working on a study of employee perceptions related to the merit system principles. MSPB studies are available at no cost on its website at [www.mspb.gov/studies](http://www.mspb.gov/studies).

MSPB is an independent, quasi-judicial agency that protects Federal merit systems and the rights of individuals within those systems. MSPB also conducts studies of the civil service and other merit systems in the Executive Branch. To request a printed copy of this report, e-mail [studies@mspb.gov](mailto:studies@mspb.gov); call (202) 254-4802, extension 4802 or write to: Merit Systems Protection Board, Office of Policy and Evaluation, 1615 M Street NW, Washington, DC 20419. MSPB studies are also available on the web at [www.mspb.gov/studies](http://www.mspb.gov/studies).