



National Credit Union Administration

Office of Inspector General

SENT BY EMAIL

TO: All OIG employees

FROM: Inspector General James W. Hagen 

SUBJ: Annual whistleblower protection and prohibited practices notice

DATE: September 6, 2018

The purpose of this memorandum is to ensure that all OIG employees are aware of and understand what personnel practices are prohibited and what whistleblower protections are available to federal employees.

In keeping with the Whistleblower Protection Act's notification requirements, this memorandum includes links to information about the U.S. Office of Special Counsel (OSC), which is an independent agency that protects federal employees from prohibited personnel practices, including whistleblower retaliation and unlawful hiring practices. OSC also provides an independent, secure channel for disclosing and resolving wrongdoing in federal agencies.

The Whistleblower Protection Act of 1989, the Whistleblower Protection Enhancement Act of 2012, and the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017 provide the right for all covered federal employees to make whistleblower disclosures and ensure that employees are protected from whistleblower retaliation. Whistleblowing is defined as the disclosure of information that an employee reasonably believes evidences a violation of law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; a substantial and specific danger to public health or safety; or censorship related to scientific research and analysis. Employees may make disclosures to anyone, including, for example, management officials, the Inspector General of an agency, and/or OSC.

Please review these three OSC links for more information: ["Your Rights as a Federal Employee"](#) provides detailed information on the 14 prohibited personnel practices and employees' rights to file complaints with OSC, and ["Know Your Rights When Reporting Wrongs"](#) and ["The Role of the U.S. Office of Special Counsel,"](#) which describe different avenues for making whistleblower disclosures and OSC's role in accepting complaints from federal employees.

Federal employees have the right to be free from prohibited personnel practices, including retaliation for whistleblowing. Since my last notice to you, the definition of a prohibited personnel practice has been expanded by statute to include accessing the medical record of an employee or an applicant in furtherance of a prohibited personnel practice described in 5 U.S.C. § 2302(b). Another new requirement is that agency heads must develop criteria that promote the protection of whistleblowers for supervisors' performance appraisals and ensure that discipline

for any supervisor who engages in whistleblower reprisal is, at minimum, a 3-day suspension for a first offense.

NCUA OIG is committed to making sure that all employees are aware of their rights as well as the safeguards that are in place to protect them.

cc: Mark Treichel, OED
Kevin Tuiniga, OGC