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## Special Counsel Sends Whistleblower Retaliation Report to Air Force

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The U.S. Office of Special Counsel (OSC) yesterday presented the U.S. Air Force its report regarding allegations of retaliation by four whistleblowers at the U.S. Port Mortuary at Dover Air Force Base. The report details the sequence of events over a period of 17 months in 2009 and 2010, concludes that three Port Mortuary officials retaliated against whistleblowers, and recommends disciplinary action against those officials.

The report stems from an investigation of retaliation complaints brought by four civilian employees of the Port Mortuary after they made disclosures about wrongdoing at the Mortuary. Several of these disclosures were the subject of a November 2011 OSC report addressing allegations about mishandling of remains at the Mortuary. The four employees alleged that they suffered retaliation for their disclosures, including job termination, indefinite administrative leave and five-day suspensions. Reprisal against a whistleblower is illegal under the Whistleblower Protection Act.

OSC investigated the whistleblowers' retaliation claims. Because OSC found retaliation, it now seeks corrective action for the whistleblowers and disciplinary action against the agency officials who engaged in prohibited personnel practices. OSC is working with the Air Force to provide relief to these whistleblowers.

OSC and the Air Force have communicated throughout this process. The Air Force now has the opportunity to review OSC's findings and recommendations and to respond. If the Air Force does not respond or responds in a way that OSC finds insufficient or unreasonable, OSC can pursue disciplinary action against civilian employees before the Merit Systems Protection Board (MSPB). (One of the officials OSC found to have retaliated is active military. Therefore, OSC can recommend that the Air Force discipline the official, but cannot pursue a case against him at the MSPB.)

"OSC's primary mission is to protect federal whistleblowers from retaliation for disclosing wrongdoing in government," said Special Counsel Carolyn Lerner. "We applaud the whistleblowers for their courage in coming forward. We expect the Air Force will now take appropriate steps to discipline the wrongdoers and deter future acts of retaliation."

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*The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing. For more information, please visit our website at [www.osc.gov](http://www.osc.gov).*