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## Merit Systems Protection Board grants stay for U.S. Army whistleblowers

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### FOR IMMEDIATE RELEASE

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The Merit Systems Protection Board (MSPB) granted a stay late yesterday for U.S. Army civilians who jointly disclosed that their supervisor was falsifying and destroying patient records and subsequently were subject to a "pattern of harassment," according to the U.S. Office of Special Counsel's stay request. The Office of Special Counsel (OSC) requested the stay on August 31, 2012 for the employees of the Army Substance Abuse Program (ASAP) at Fort Richardson, Alaska – three psychologists, a social worker, a licensed professional counselor and an administrative assistant. The stay was granted with regard to the three who remain federal employees.

In January 2012, the employees reported their concerns about their supervisor, the clinic manager, to the Joint-Base ombudsman, who in turn recommended investigation of the disclosures. During the investigation, the supervisor's duties over the clinic were temporarily suspended. In February, according to the employees, the Garrison Commander and others reinstated the clinic manager, told the employees the investigation failed to substantiate their concerns, and warned them that they would have to leave if they couldn't accept the working conditions.

Within seven months of their disclosures, all six employees either left the ASAP or were fired. In the interim, the employees reported that they suffered an assortment of actions, including threats to their careers, placement on performance improvement plans, a removal action, workplace harassment and interference with their attempts to find other employment. MSPB's stay orders immediate temporary relief from substantial repayment penalties because of their early departures. The stay also orders the agency to cease any harassment of the federal employees, including recommendations for employment or to professional credentialing agencies.

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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).*

