

A DIRECTOR'S MONOGRAPH

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BLOWING THE WHISTLE IN THE FEDERAL GOVERNMENT:

A Comparative Analysis of 1980
and 1983 Survey Findings



October 1984

**A REPORT OF THE U.S. MERIT SYSTEMS PROTECTION BOARD
OFFICE OF MERIT SYSTEMS REVIEW AND STUDIES**

MERIT PRINCIPLES GOVERNING THE FEDERAL PERSONNEL SYSTEM

The Civil Service Reform Act (Pub. L. No. 95-454, 92 Stat. 111 (1978)) requires that Federal personnel management be implemented consistent with the following merit principles:

(1) Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.

(2) All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.

(3) Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance.

(4) All employees should maintain high standards of integrity, conduct, and concern for the public interest.

(5) The Federal work force should be used efficiently and effectively.

(6) Employees should be retained on the basis of the adequacy of their performance, inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.

(7) Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.

(8) Employees should be --

- (a) protected against arbitrary action, personal favoritism, or coercion for partisan political purposes, and
- (b) prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.

(9) Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences --

- (a) a violation of any law, rule, or regulation, or
- (b) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

It is a prohibited personnel practice to take or fail to take any personnel action when taking or failing to take the action results in the violation of any law, rule or regulation implementing or directly concerning these merit principles.

The Merit Systems Protection Board is directed by law to conduct special studies of the civil service and other Federal merit systems to determine whether these statutory mandates are being met, and to report to the Congress and the President on whether the public interest in a civil service free of prohibited personnel practices is being adequately protected.

These studies, of which this report is one, are conducted by the Office of Merit Systems Review and Studies.

BLOWING THE WHISTLE IN THE FEDERAL GOVERNMENT:

**A Comparative Analysis of 1980
and 1983 Survey Findings**



**A REPORT OF THE U.S. MERIT SYSTEMS PROTECTION BOARD
OFFICE OF MERIT SYSTEMS REVIEW AND STUDIES**

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Sirs:

In accordance with our responsibilities under section 202(a) of the Civil Service Reform Act of 1978 (5 U.S.C. 1209(a)(3)), it is my honor to submit this report from the U.S. Merit Systems Protection Board (MSPB) entitled, "Blowing the Whistle in the Federal Government: A Comparative Analysis of 1980 and 1983 Survey Findings."

This report conveys results of a 1983 survey of Federal employees regarding their knowledge of fraud, waste, and abuse affecting their agencies and whether they were able to report such activities free from reprisal. The report also compares these results with similar data gained in a 1980 MSPB survey. It reveals that in 1983 there was a significantly lower percentage of Federal employees who claimed to have knowledge of illegal or wasteful activities. For those who did claim to have such knowledge, however, there was no measurable progress made in either increasing their willingness to report such activities or in shielding those who did report from reprisal.

I think you will find this report relevant to current concerns about this aspect of the Federal civil service system.

Respectfully,

Herbert E. Ellingwood

The President of the United States
The President of the Senate
The Speaker of the House of
Representatives

Washington, DC

PREFACE

This monograph is the second report on the subject of "whistleblowing" within the Federal Government issued by the Office of Merit Systems Review and Studies (MSRS) within the U.S. Merit Systems Protection Board. It marks an important milestone in our understanding of a sensitive and frequently misunderstood phenomenon. A milestone, because for the first time, we have longitudinal data available that tracks over time Federal employee attitudes and self-reported experiences relative to the issue of employee disclosure of information about illegal or wasteful activities.

The Board first became interested in this area because of our statutory responsibility to monitor the "health" of the merit system and to report to Congress and the President on whether the public's interest in a system "free of prohibited personnel practices" is being maintained. This responsibility is embodied in the Civil Service Reform Act of 1978 (CSRA). A review of the legislative history of the CSRA makes it clear that Congress had a particular interest in the then newly legislated protection from reprisal for those employees who "blew the whistle" on fraud, waste, or abuse affecting the Federal Government.

A first-of-its-kind survey conducted by the Board in 1980 on the subject of reprisal and involving 13,000 Federal employees in 15 major Federal departments and agencies provided some valuable and also disturbing information. The results of that first survey are recapped in this monograph. By mid-1983, however, there had been a number of significant changes which had occurred within the nation and the Federal Government. The Federal establishment had also logged in an additional 2 1/2 years of experience under the "whistleblower protections" of the CSRA. It was time to see if these changes had made any measurable impact on employee attitudes and experiences.

In the spring of 1983, therefore, it was decided that the Board's Office of Merit Systems Review and Studies would include several follow-up questions on this subject in a "Merit Principles Survey" under development at that time. This monograph details the result of that effort and attempts to put into perspective the significance of our findings. As in our first study, there are some pleasant surprises as well as some disappointments.

As in any of the projects undertaken by the Office of Merit Systems Review and Studies, almost all of the MSRS staff became involved to some degree in the successful accomplishment of the study. Several members of the staff, however, deserve special recognition. Frank Lancione, as project manager for the 1983 "Merit Principles Survey," reconfigured the key questions from the original 1980 reprisal survey to fit the more limited space requirements of the multi-subject 1983 study. Valencia Campbell, as the primary analyst for both the first survey and the "whistleblowing" aspects of the second survey, took the raw data from the second survey,

organized it, and made some sense out of it. Elaine Latimer provided key technical assistance to the report by assisting in the data analysis especially in terms of its graphic presentation. Invaluable logistical support in typing, editing, and processing the various drafts of the monograph was also provided by Cora Gibson and Barbara Powell. Finally, John Palguta, who had served as overall project manager for the Board's first study, was instrumental through both personal effort and supervisory oversight in pulling the pieces together into the monograph seen here.

This report should provide valuable insight into a complex area of human enterprise for both those who make policy and those who influence policy, and for managers, supervisors, and employees concerned about increasing the effectiveness and efficiency of the Federal Government through greater constructive involvement of employees in organizational problem identification and resolution, including the problems of fraud, waste, and abuse.

Dennis L. Little
Director, Office of Merit Systems
Review and Studies

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CHAPTER 1: INTRODUCTION AND OVERVIEW

A. INTRODUCTION

Federal employees or private citizens who wish to report incidents of illegal or wasteful activities are not only encouraged to do so but will be guaranteed confidentiality and protected against reprisals.

The vital element in any program designed to fight fraud and waste is the willingness of employees to come forward when they see this sort of activity. They must be assured that when they 'blow the whistle' they will be protected and their information properly investigated.¹

It has been almost 3 years since the Merit Systems Protection Board (MSPB) issued its report on the findings of a first-of-its-kind "whistleblowing survey" of Federal employees within 15 major Federal departments and agencies.² That study assessed the extent of employee awareness of recent illegal or wasteful activities. It also examined what knowledgeable employees did (or failed to do) with the information they possessed and what, if anything, resulted. The study was conducted in December 1980 by the Board's Office of Merit Systems Review and Studies (MSRS).

The basic purpose of the Board's 1980 survey was to determine if there were any systemic patterns of abuse occurring within the selected Federal departments and agencies in the form of reprisal for the disclosure of illegal or wasteful activities. The survey was undertaken as partial fulfillment of the Board's statutory responsibility to monitor the "health" of the federal merit system through the conduct of special studies.³

¹ Partial text of a statement issued by President Ronald Reagan on April 16, 1981, in response to a preliminary report by the U.S. Merit Systems Protection Board on April 15, 1981, entitled Do Federal Employees Face Reprisal for Reporting Fraud, Waste, or Mismanagement?

² Whistleblowing and the Federal Employee: Blowing the Whistle on Fraud, Waste, and Mismanagement - Who Does It and What Happens, U.S. Merit Systems Protection Board, Washington, D.C., 1981.

³ 5 U.S.C. Section 1205(a)(3).

Three years later, in early 1983, the Board decided to explore what, if anything, had happened in this area since 1980. Had things improved, stayed about the same, or deteriorated? To provide some answers to these questions, the Board conducted a Governmentwide "Merit Principles Survey" which asked selected Federal employees for their opinions and experiences relative to several key aspects of the civil service system. A major section of that survey was devoted to a series of questions very similar to those in the 1980 "whistleblowing survey."⁴

In this monograph the MSRS study team recaps some of the key findings from the Board's 1980 study and compares and contrasts them with relevant findings from its 1983 survey. As will be seen, the results of the two surveys, with one major exception, are remarkably similar. The study team also separately details additional findings from the 1983 survey for which there is no 1980 counterpart.

B. BACKGROUND

The Civil Service Reform Act of 1978 (CSRA) (Public Law 95-454), for the first time in the 100-year history of the Federal civil service system, provides specific statutory protections for Federal employees who "blow the whistle" on fraud, waste, and mismanagement within the Federal Government.⁵ The Act prohibits the taking of reprisal against any Federal employee for the legitimate disclosure of various broad categories of information. It also provides for the possibility of legal sanctions against Federal officials found guilty of violating those prohibitions.⁶ In the language of the Act, it is considered a prohibited personnel practice to:

take or fail to take a personnel action with respect to an employee . . . as a reprisal for -

a disclosure of information by an employee . . . which the employee . . . reasonably believes evidences -

(i) a violation of any law, rule, or regulation, or

(ii) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety⁷

⁴ It should be noted that the Civil Service Reform Act does not use the term "whistleblowing" or "whistleblower," per se. A definition for the latter term, however, is contained in 5 CFR Section 1250.3(c)(1983) and is drawn from the language of the Act.

⁵ 5 U.S.C. Section 2302(b)(8).

⁶ 5 U.S.C. Section 1207(b).

⁷ See Note 4.

According to Alan Campbell, one of the architects of the CSRA, the Act's "whistleblowing protections" were intended to "foster Government efficiency by bringing problems to the attention of officials who could solve them."⁸ Moreover, it was hoped that the specter of disciplinary actions against violators of the statutory prohibitions against reprisal⁹ would serve to motivate Federal officials to deal constructively with the problems raised.

A major Board objective in its 1980 study and in this study is to assist the Congress and the President in determining whether or not Congressional intent is being realized. For example, do the protections against reprisal contained in the CSRA encourage Federal employees to come forward with information about illegal or wasteful activities? If employees do come forward and are identified, do they experience any adverse consequences? The Board's interest in this area stems from its responsibility to report to Congress and the President as to whether the "public interest in a civil service free of prohibited personnel practices is being adequately protected."¹⁰

What the Board found through its 1980 study was that almost half (45%) of the 8,500 Federal employees responding to the survey claimed that they had observed one or more illegal or wasteful activities during the previous 12 months. An overwhelming 70 percent of the 1980 respondents who claimed direct knowledge of some type of fraud, waste, or abuse also said that they did not report the activity to any individual or group.

Among those employees who did not report an observed activity, most (53%) cited as a reason their belief that nothing would be done to correct the activity even if reported. A smaller percentage (19%) cited fear of reprisal as a reason for not reporting. Finally, for those employees who did report an activity and who were identified as the source of the report, approximately one out of every five (20%) claimed they suffered some type of reprisal or threat of reprisal as a result. In short, the study team did not find any reason to conclude that the stated intentions and objectives of Congress and the Administration were being fully realized.

By 1983, a number of significant events (including a change of Administration) had occurred since the Board's 1980 "whistleblowing survey," and it was decided that MSPB's 1983 "Merit Principles Survey" would also include a section devoted to a partial replication of the 1980 study. This would allow the Board to determine whether the relevant opinions or experiences of Federal employees had changed significantly over a 2 1/2-year period. This report is devoted to an examination of the results of that 1983 follow-up and how it compares and contrasts with the 1980 findings.

⁸ Testimony of Alan K. Campbell, Director of the Office of Personnel Management, before the Subcommittee on Post Office and Civil Service, House of Representatives, March 12, 1980.

⁹ 5 U.S.C. Section 1207(b).

¹⁰ See Note 3.

C. STUDY DESIGN

The Board's 1980 "whistleblowing survey" was conducted through the administration of a questionnaire developed in cooperation with the Offices of Inspector General (OIG) in 15 major Federal departments and agencies.¹¹ The questionnaire was distributed in December 1980 to approximately 13,078 randomly selected individuals employed by the 15 covered agencies. The sample drawn from each agency, in effect, was a mirror image of the total population within that agency. The questionnaire was completed and returned by 8,592 employees resulting in a 65.7 percent response rate. A more detailed discussion of the 1980 survey methodology including a discussion of the sampling and verification procedures is contained in Appendix B to this report. A copy of the 1980 questionnaire is contained in Appendix D.

The 1983 "Merit Principles Survey," by contrast, was mailed to approximately 7,563 randomly selected employees throughout the entire executive branch of the Federal Government. The questionnaire was completed and returned by 4,897 of those employees which gave the Board a 64.7 percent response rate. The sample was disproportionately stratified in that employees in the senior executive service and at the GS-13 through GS-15 grade levels were more heavily sampled than the rest of the Federal employee population. A more detailed discussion of the 1983 survey methodology is contained in Appendix A to this report. A copy of the relevant portions of the 1983 questionnaire is contained in Appendix C.

Comparisons are made throughout this report between the findings from the 1980 and 1983 studies. Great care was exercised in making these comparisons since, as noted in Appendixes A and B, there are several important methodological differences between the two surveys. For example, since there were only 14 major Federal agencies surveyed in both 1980 and 1983, one convention adopted throughout this report is to limit any direct comparisons between the two surveys to these 14 agencies.¹²

Where 1983 survey data is discussed without any direct comparison to 1980 data, and unless otherwise noted, it refers to the combined responses of all respondents throughout the executive branch who answered the particular

¹¹ Agencies covered were the Departments of Agriculture, Commerce, Energy, Health and Human Services, Education, Housing and Urban Development, Interior, Labor, Transportation, and the Community Services Administration, Environmental Protection Agency, General Services Administration, National Aeronautics and Space Administration, Small Business Administration, and the Veterans Administration.

¹² These are the same agencies listed in footnote 11 of this chapter with the exception of the Community Services Administration which was abolished in 1981.

question under discussion. Throughout this report, we have also attempted to make these distinctions clear through appropriate notations in the tables, graphs, and narrative.

D. STUDY OVERVIEW AND SIGNIFICANT FINDINGS

Chapter 2: What Federal Employees Say They Know About Fraud, Waste, and Abuse

To determine whether Congressional intent was being realized, i.e., whether Federal employees were being encouraged to report instances of fraud, waste, and abuse, the Board sought to determine how many employees possessed relevant knowledge in the first place. This chapter examines the results of that inquiry.

In the Board's 1980 study, the surprising fact that approximately 45 percent of the employees surveyed claimed to have observed one or more instances of recent illegal or wasteful activity gained national attention. The Board's 1983 study, by contrast, reveals that the percentage of surveyed employees who now claim recent knowledge of fraud, waste, or abuse has declined dramatically to 25 percent or almost one-half of what the 1980 survey respondents claimed. Chapter 2 of this report explores some of the possible reasons for this result.

In both surveys, the perceived waste of Federal funds caused by badly managed Federal programs was the activity most often observed by respondents and also the most serious in terms of the dollar value involved. Overall, however, there was a slight decline between 1980 and 1983 (from 52% to 47%) in the percentage of respondents who estimated that the activity they observed involved more than \$1,000 in Federal funds or property.

Chapter 3: What Federal Employees Do With Information About Illegal or Wasteful Activities and Why

Having ascertained the relative numbers of employees who believed they had personal knowledge of some type of fraud, waste, or abuse, the next logical step was to determine what these knowledgeable employees did with that information. What the Board found was that in 1980 an overwhelming 70 percent of the respondents who claimed direct knowledge of an illegal or wasteful activity said they did not report the activity to any individual or group. The results of the 1983 survey were almost identical—although the base was considerably smaller—in that 69 percent of the knowledgeable respondents from the same agencies gave the same response.

This finding demonstrates that even though the CSRA "whistleblower protections" had been in effect during the 2 1/2-year period between surveys, no measurable progress has been made in overcoming Federal employee resistance to the idea that they should report instances of fraud, waste, and abuse.

Employees who had observed wrongdoing and who chose not to report it were asked why they did not report the activity. In both surveys, the most frequently cited (selected by over half or 53% of the knowledgeable respondents in both surveys) reason given for not reporting an activity was the belief that nothing would be done to correct the activity even if reported. Fear of

reprisal, while clearly a secondary consideration, was still a significant reason for not reporting an illegal or wasteful activity. Its statistical significance, in fact, seems to be increasing. In 1980, 20 percent of the nonreporters gave fear of reprisal as one of their reasons for not reporting. In 1983, this percentage had almost doubled to 37 percent. These and related findings are discussed in greater detail in Chapter 3.

Chapter 4: What Happens to Federal Employees Who Report Illegal or Wasteful Activities.

The Board's 1983 survey revealed that Federal employees who did report an illegal or wasteful activity were significantly more inclined to report it anonymously than were respondents to the 1980 survey. More than two out of every five (41%) of the 1983 respondents who reported an observed activity said that they were not identified as the source of the report. In 1980, only 24 percent of those who reported an activity were not identified. This increase in the relative percentage of reporters who seek to remain anonymous bears a positive correlation to the increase in the percentage of nonreporters who gave fear of reprisal as a reason for not reporting an activity.

For those employees who reported an activity and who were identified as the source of the report, the most frequently reported personal consequence was that "nothing happened" to them. Forty-six percent of the 1983 respondents in this category and 55 percent of the similarly situated 1980 respondents said this was the case.

In 1983, the percentage of employees who claimed they were the victims of reprisal or the threat of reprisal as a result of having reported an illegal or wasteful activity was still significant, rising slightly from 20 percent in 1980 to 23 percent in 1983. These and other related findings are discussed in Chapter 4.

E. CONCLUDING OBSERVATIONS

A comparison of the Board's 1980 and 1983 survey findings relative to the issues associated with "whistleblowing" and reprisal provides cause for both optimism and concern.

The reason for cautious optimism in the Board's 1983 survey findings is that, compared to the Board's 1980 survey results, a significantly smaller percentage of Federal employees in 1983 claimed to have recent firsthand knowledge of the existence of fraud, waste, and abuse. This is considered a positive finding based on the assumption that, to some degree, there is a positive correlation between the percentage of employees who claim knowledge of illegal or wasteful activities and the actual incidence of such activities. In other words, the decrease in the percentage of employees who claim recent knowledge of fraud, waste, and abuse provides a possible indication that the actual incidence of such activities has decreased.

The reason for concern relative to the Board's latest survey findings is that although there were fewer employees surveyed in 1983 in terms of actual numbers, there has been no discernible progress made since 1980 in the relative willingness of Federal employees to report fraud, waste, and abuse

when they do observe it. In addition, the Board is concerned about the significant increase in the percentage of employees who now give fear of reprisal as a reason for not reporting an illegal or wasteful activity. This concern is augmented by the finding that the percentage of employees who did report an activity and who also claimed they suffered some type of reprisal as a result remains above 20 percent.

The Board's findings should not be interpreted as an indication that the CSRA protections against reprisal have not served or do not serve a useful purpose. Quite the contrary is true. A review of the literature will uncover any number of blatant situations that have occurred in both the private and public sectors and which involved unjust reprisals against employees who disclosed individual or organizational wrongdoing.¹³ Such injustices, when they occur, demand the availability of a remedy under law. How well the current legal protections against reprisal provided in the CSRA have served their intended purpose on an individual case basis, however, is not an issue properly addressed through a questionnaire survey.

What the Board's findings can and do illustrate, however, is that the CSRA "whistleblower protections," by themselves, have not met all the stated expectations of Congress. As indicated, for example, there is no evidence that the protections have had any type of ameliorative effect on employee expectations or experiences relative to reprisal. The findings also do not provide any evidence of impact--positive or negative--on the proportion of Federal employees willing to report instances of fraud, waste, and abuse.

What the survey findings also suggest is the possibility that the legal protections currently available to Federal "whistleblowers" may be incapable, by themselves, of accomplishing all that Congress had hoped or expected. If that is the case, the protections alone will not result in any lessening of the "fear factor" associated with the potential for (or experience of) reprisal. In like manner, if that is the case, the protections alone will not result in greater numbers of employees becoming involved in the identification or resolution of fraud, waste, and abuse. There is some evidence that this may be the situation in the private sector based on experiences within those states which have incorporated some type of antireprisal protection into state law.¹⁴

 13 See, for example: Whistle-Blowing! Loyalty and Dissent in the Corporation, Alan F. Westin, New York, McGraw-Hill Book Co., 1981; Divided Loyalties: Whistle-Blowing at BART, Robert M. Anderson, et al., West Lafayette, Ind., Purdue Research Foundation, 1980; and Truth . . . and Consequences: Seven Who Would Not Be Silenced, Greg Mitchell, New York, Dombner Books, 1982.

14 For example, in a recent paper on this subject titled The Role of the Law in Protecting Scientific and Technical Dissent and presented at the American Association for the Advancement of Science Annual Meeting in May 1984, Alfred G. Feliu, Esquire, writes "A review of the leading cases in the area, keeping in mind the scope of the protection offered and the strengths and weaknesses of this type of anti-reprisal legislation, leads to the conclusion that, despite recent developments, the law by its nature and by the nature of the problem is an inadequate tool for protecting scientific and technical dissent in the corporation and for fostering a workplace in which the expression of unorthodox or minority points of view are not only tolerated, but encouraged."

This does not mean, of course, that the Federal Government should forget about the goal of greater employee involvement in the identification of fraud, waste, or abuse. It should be remembered that even though the proportion of employees who claimed recent knowledge of such activity decreased significantly from 1980 to 1983, the Board found in 1983 that more than one out of every five employees (23%) Governmentwide still claimed that they had recent knowledge of some type of illegal or wasteful activity affecting their agency. Even if only a small percentage of these claims could be identified and substantiated, the potential benefits to the Government in terms of increased efficiency or effectiveness are tremendous.

F. RECOMMENDATIONS

The Board concluded in the final report of its 1980 study that "the problem of encouraging more employees to report wrongdoing and waste will not be solved by simple solutions applied uniformly across the entire Federal Government" and, therefore, "there is little likelihood of this Board or any organization dictating a universal panacea which will overcome the vast sea of employee skepticism."¹⁵

Nothing in the Board's 1983 findings changes the underlying premise of that 1980 conclusion. That premise, simply stated, is that "whistleblowing," regardless of how it is defined, is a complex phenomenon which involves some basic and difficult to influence aspects of human nature and organizational dynamics. This definitely does not mean, however, that it is in any way futile to attempt to bring about change. It does mean that any changes which do occur will most likely come about slowly and as the result of many interrelated events. In addition, any initiatives taken in this regard will need to be tailored to the individual needs of each agency and organization.

Within this context, the following recommendations are provided to assist in making those incremental changes in employee attitudes and actions which are amenable to direct management action.

- Given the limited impact that the current Federal "whistleblower protections" appear to have had relative to the encouragement of constructive employee involvement in identifying or resolving instances of fraud, waste, or abuse, Congress and the Administration should encourage Federal agency heads to develop or explore alternative or additional methods of achieving that goal.¹⁶

¹⁵ See Note 2.

¹⁶ To assist in this regard, the Office of Merit Systems Review and Studies within the Merit Systems Protection Board is in the final stages of a review of the major "management systems" currently in use throughout the executive branch that have, as one of their objectives, the involvement of employees in problem identification and resolution. An initial report from this study should be available by December 1984.

- Agency heads should periodically assure themselves that there is demonstrable agencywide commitment to a philosophy of open communication throughout all levels of the agency. In essence, each agency should be striving for the development of an "organizational climate" which makes constructive internal sharing of information, especially information about possible waste or inefficiency, the norm rather than the exception. Such a climate would be characterized by the following elements:
 - the active and periodic solicitation of employee viewpoints and knowledge regarding fraud, waste, and abuse;
 - the fair evaluation of employee-supplied information with timely feedback to the involved employees on the results of that evaluation;
 - consideration, during reviews of each manager's or supervisor's performance, of the actions they have taken to implement agency policy in this regard;
 - consideration, during reviews of each employee's performance, of the degree to which they have become constructively involved in identifying and resolving problems related to fraud, waste, and abuse;
 - positive and widely publicized recognition of employee contributions to the reduction of illegal or wasteful activities.
- Agency heads should also provide assurance that there will be a prompt and thorough investigation of any allegations or indications of possible reprisal against employees for the legitimate disclosure of information. Should reprisal be found to exist and be documented, of course, prompt corrective action must be taken and the results of that action well publicized to the extent possible.

CHAPTER 2: WHAT FEDERAL EMPLOYEES SAY THEY KNOW ABOUT FRAUD, WASTE, AND ABUSE

A. INTRODUCTION

This chapter analyzes employee responses to the question of whether they had personally observed or obtained direct evidence of some type of illegal or wasteful activity affecting their agency during the preceding 12 months. One of the Board's primary objectives for this study was to understand how reprisal and the fear of reprisal affect the willingness of employees to report fraud, waste, and mismanagement. In order to gain this understanding, however, the MSRS study team first needed to identify those employees who had personal knowledge of such an activity and who, therefore, had the potential to expose themselves to reprisal should they report it.

One of the major unexpected findings in the Board's 1980 survey was the number of Federal employees who claimed they had observed wrongdoing. Approximately 45 percent of all 1980 respondents claimed they had personally observed or obtained direct evidence of one or more of the ten listed activities within the preceding year. (The list of activities is contained in Question 15 in Appendix D.) As will be discussed in this chapter, the 1983 survey revealed a dramatic decline in the percentage of respondents who claimed similar knowledge. Those employees who did claim such knowledge in 1983, however, had perceptions remarkably similar to those of 1980 respondents concerning the most prevalent activities and their relative magnitude or seriousness.

Critical Questions

To assess whether employee perceptions of and alleged knowledge about fraud, waste, and mismanagement in the Federal Government had changed in the more than 2 1/2 years since our 1980 survey, the study team examined the following critical questions:

- What proportion of the Federal employee population claimed to have observed one or more illegal or wasteful activities in 1983?
- What differences exist among the agencies surveyed in 1983 relative to the percentage of employees who claimed relevant knowledge?
- Which activities did the 1983 respondents believe were the most serious?
- What was the magnitude of the activities observed by the 1983 respondents in terms of either cost or frequency?
- What are the differences, if any, between the findings of the 1980 and 1983 surveys regarding these critical questions?

Major Findings

With one significant exception, the study team found that the knowledge of illegal and wasteful activity claimed by Federal employees in 1983 was very similar to that claimed by Federal employees in 1980. The major findings in this area are discussed in the rest of this chapter. Based on our analysis, they can be summarized as follows:

- Taking as a group the 14 agencies surveyed in both 1980 and 1983, 25 percent of all the 1983 respondents from these agencies claimed knowledge of one or more illegal or wasteful activities. This is markedly lower than the 45 percent of respondents from the same agencies who claimed such knowledge in 1980. Finally, in 1983 and in the executive branch as a whole, only 23 percent of all respondents claimed personal knowledge of wrongdoing. (As noted earlier, the Board's 1980 survey was limited to a total of 15 Federal departments and agencies and, therefore, there is no 1980 data available relative to the executive branch as a whole.)
- In 1983, the percentage of employees claiming knowledge of an illegal or wasteful activity varied widely among agencies from as little as 9 percent in one agency to as much as 36 percent in another. This is consistent with the Board's 1980 survey which also found significant variance among agencies, but with a range from 33 percent to 62 percent among a comparable group of employees.
- In both 1980 and 1983, among those survey respondents who claimed knowledge of some type of illegal or wasteful activity, the activities most frequently selected as being the most serious were either waste caused by a badly managed program or waste caused by buying unnecessary or deficient goods or services. Combined, these two activities were identified as the most serious problems by 56 percent of the knowledgeable respondents in 1980 and by 53 percent in 1983.
- In 1983, 47 percent of the respondents from the 14 agencies surveyed in both 1980 and 1983 and who claimed knowledge of some type of wrongdoing also estimated that the observed activity involved more than \$1,000 in Federal funds or property. This is only slightly lower than the 52 percent of similarly situated employees who provided the same estimate in 1980. In the executive branch as a whole in 1983, 46 percent of all employees who observed an illegal or wasteful activity estimated that the cost involved was more than \$1,000.

B. FINDINGS

This section is organized under three subheadings: **How Many Federal Employees Claim Relevant Knowledge, Types of Activity Observed, and The Perceived Cost of Fraud, Waste, and Mismanagement.** The major findings summarized above are discussed in greater detail under the appropriate subheading along with relevant charts.

How Many Employees Claim Relevant Knowledge

In the Board's 1980 survey, employees were asked "Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities?" Respondents were then given a list of ten different activities to consider, ranging from such specific activities as "employees stealing Federal funds" to more judgmental activities such as "waste of Federal funds caused by buying unnecessary or deficient goods or services." (See Appendix D for the complete list.) Almost half (45%) of the respondents in 1980 claimed that they had observed one or more of the listed activities in the previous 12 months.

In the Board's 1983 survey (see Appendix C), the same question was asked in a slightly different form, i.e., employees were asked "During the last 12 months, did you personally observe or obtain direct evidence of one or more illegal or wasteful activities involving your agency?" For those employees who answered yes, the next question provided the same list of activities contained in the 1980 survey and asked them to indicate which activity, in their opinion, represented the most serious problem. In both surveys, employees were cautioned not to answer yes to the first question if they only read about the activity in the newspaper or heard about it as a rumor.

In a major shift from the Board's 1980 findings, only 23 percent of all 1983 respondents claimed to have personally observed some type of illegal or wasteful activity during the preceding 12 months. Even when only the 1983 respondents from the 14 agencies originally surveyed were considered, only 25 percent of this more limited group claimed knowledge of wrongdoing.¹⁷ It would appear that fewer Federal employees observed fraud, waste, and mismanagement in 1983 than they did in 1980. Exactly why this might be so is beyond the scope of this particular study to ascertain.

The Board's 1983 survey also revealed that, as in 1980, the percentage of employees in each agency who claim knowledge of some type of wrongdoing varied widely. Chart 2-1 illustrates this variance and also contrasts 1983 responses with 1980 responses, where appropriate, on an agency-by-agency basis. It should be noted in examining the data displayed in Chart 2-1 that, because of the sample design for the 1983 study, when examining individual agency differences only responses from employees at the GS or GM-13 level and above are displayed.¹⁸ As demonstrated in Chart 2-2, however, this group of employees serves as a fairly reliable bellwether for the rest of the employee population. The Board's 1980 survey data which is also displayed in Chart 2-1 has been reconfigured to reflect a comparable population.

¹⁷ In comparing the 1980 and 1983 questionnaires, it is probable that the slightly different wording and formatting of several key questions along with a request for relatively more demographic, i.e., personal, information in the 1983 survey had some influence on the relative percentage of respondents who claimed recent knowledge of illegal or wasteful activities. However, given the magnitude of the difference in response rates on the one question—45 percent of all respondents claiming knowledge in 1980 versus only 25 percent of all respondents from the same agencies in 1983—and the much smaller difference in response rates between the two groups on most of the other questions, the study team concludes that it is unlikely that methodological differences alone account for the difference in response rates on this particular question.

¹⁸ The 1983 survey sample was designed to allow valid extrapolation to all grade levels for the entire population being studied, i.e., permanent civilian employees in the executive branch of the Federal Government. A greater percentage of individuals must be sampled as the size of the target population decreases. For example, whereas a 5 percent sample might be more than adequate for a population of 50,000 individuals, it may be wholly inadequate for a population of 500. For reasons of economy, in 1983, it was decided that individual agency differences would be explored only for employees at the GS or GM-13 level and above and, hence, employees at these grade levels were more heavily sampled than employees at the lower grade levels.

CHART 2-1

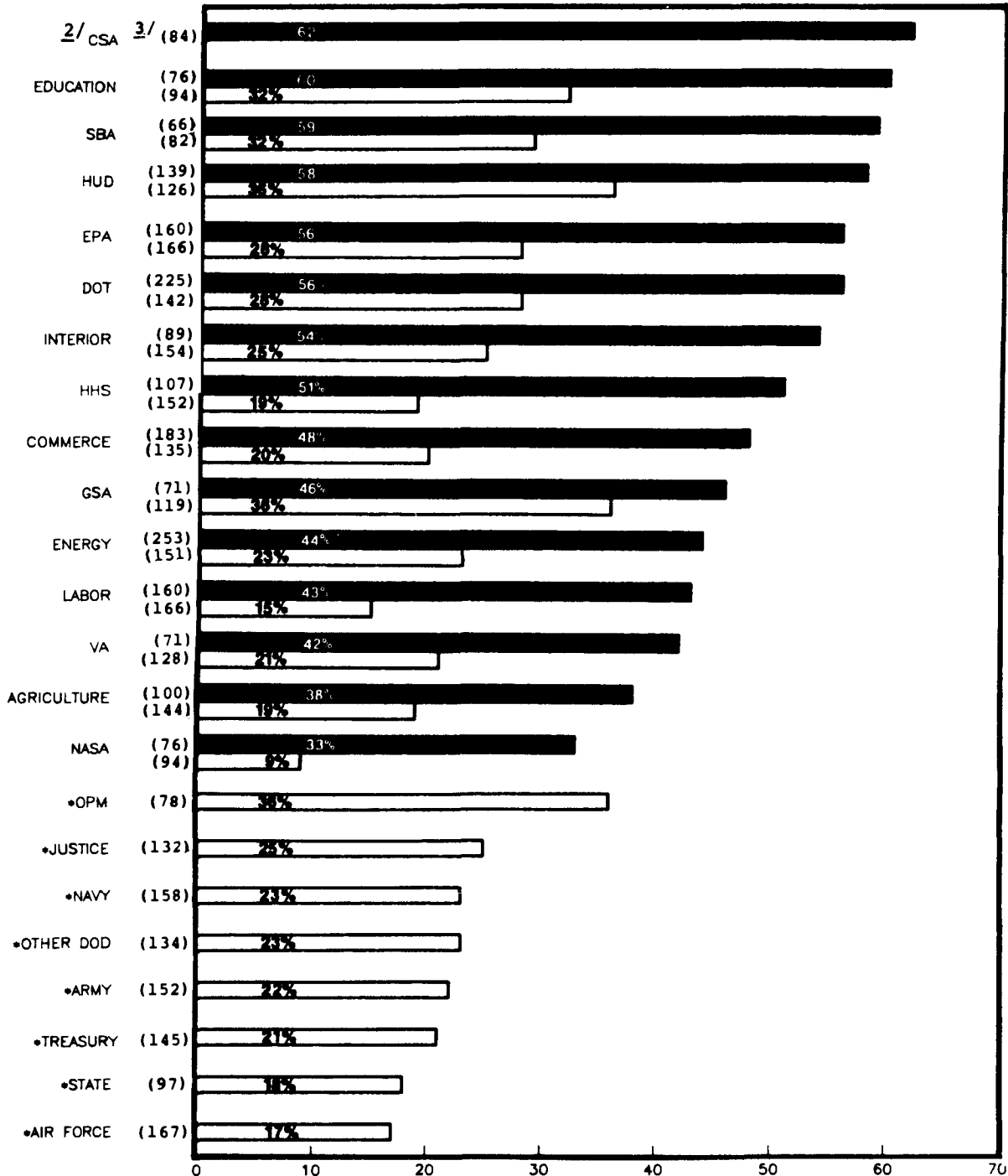
Percentage Of Higher-Graded Employees Who Observed
Fraud, Waste or Mismanagement Ranked
By Agency Affiliation

1980
Survey

1983
Survey

Question 15: Regardless of whether or not it is part of your job, during the last 12 months have you personally observed or obtained direct evidence of the following activity?

Question 14: During the last 12 months, did you personally observe or obtain direct evidence of one or more illegal or wasteful activities involving your agency?



Percentage of higher-graded respondents, 1/ by agency, who answered "yes".

1/ Respondents: Restricted to employees at the GS or GM level and above.
 2/ The Community Services Administration was abolished in 1981.
 3/ The numbers in parentheses refer to the total number of higher-graded respondents answering the question.
 * These agencies were not included in the Board's 1980 Study.

CHART 2-2

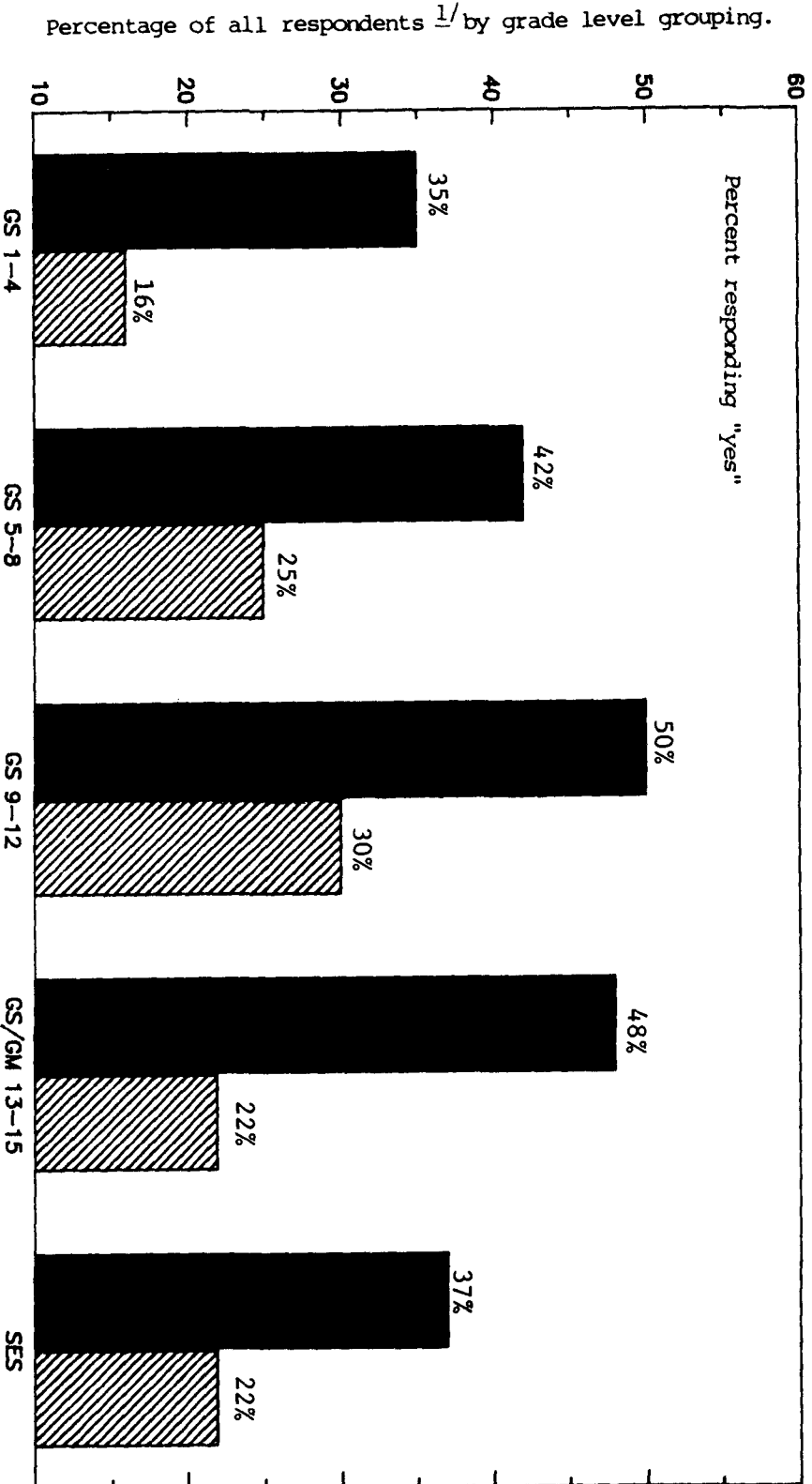
Observed Activity by Pay Grade

1980
Survey

1983
Survey

Question 15: Regardless of whether or not it is part of your job, during the last 12 months have you personally observed or obtained direct evidence of the following activity?

Question 14: During the last 12 months, did you personally observe or obtain direct evidence of one or more illegal or wasteful activities involving your agency?



Percentage of all respondents ^{1/} by grade level grouping.

^{1/} Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 7,271 for 1980 survey; 2,243 for 1983 survey.

All agencies surveyed in both 1980 and 1983 show a decline during those years in the percentage of employees who said they had recent knowledge of illegal and wasteful activities within their agency. With the exception of the General Services Administration, however, agencies with the highest percentages in 1980 also tend to have the higher percentages in 1983. GSA went from an average affirmative response rate in 1980 to one of the highest affirmative response rates in 1983.

A number of agencies not included in the 1980 survey, including the Department of Defense, were covered by the 1983 study. Because the Board lacks baseline data on these agencies, they are shown at the bottom of Chart 2-1. With the exception of the Office of Personnel Management (OPM), their employees' responses tend to be "average" on this particular question. A relatively high percentage of OPM employees, on the other hand, claimed knowledge of one or more illegal or wasteful activities.

Care should be exercised in interpreting the survey findings contained in Chart 2-1. What they tell us is that in every agency there is a significant percentage of employees who claim they have personally observed or obtained direct knowledge of some type of illegal or wasteful activity. Furthermore, in some agencies the percentage of employees who make this claim is higher than in others. It does not necessarily follow, however, that agencies with the highest percentage of employees who claim knowledge of fraud, waste, or abuse automatically have the highest actual incidence of wrongdoing. It is quite feasible, for example, that one particularly blatant example of wrongdoing may ultimately be observed by a number of agency employees while a greater number of similar activities in another agency may be simply less well known.

The reader is reminded that the focus of this study is on the relationship between the reporting of various activities and reprisal and not on fraud, waste, and abuse, per se.

A further analysis of all employees who claim direct knowledge of some type of illegal or wasteful activity also reveals that there is a correlation between an individual's grade level and the likelihood that he or she will have observed some type of illegal or wasteful activity. As shown in Chart 2-2, in both the 1980 and the 1983 survey, employees at the GS-9 through 12 grade levels were the most likely to claim knowledge of some type of wrongdoing followed closely by employees at the GS or GM-13 through 15 grade levels.

Employees at the lower end of the grade structure, i.e., the GS-1 through 4 grade levels, were the least likely to have observed fraud, waste, or mismanagement. The study team also found that in the 1983 survey men were more likely to have reported observing wrongdoing (29%) than women (20%).¹⁹

Types of Activity Observed

As in 1980, when asked to identify the most serious activity observed, respondents to the 1983 survey most frequently cited "waste caused by a badly managed program," "waste caused by unnecessary or deficient goods and services," and "stealing Federal property," in that order. Appendix E to this

¹⁹ Respondents to the 1980 survey were not asked to identify their sex.

report provides some more specific examples of the types of activities observed. These are excerpts from written comments attached to the 1983 survey by a number of respondents. Similar excerpts were contained in the Board's report of its 1980 survey.²⁰ Chart 2-3 shows the responses from all respondents to the 1983 survey who claimed knowledge of one or more illegal or wasteful activities and who were asked to indicate the most serious problem.

Chart 2-4 compares the 1980 and the 1983 responses from employees at the GS or GM-13 and above level within the same 14 Federal agencies relative to the three most frequently mentioned activities. Of interest in Chart 2-4 is the fact that in comparison to the 1980 respondents, respondents in 1983 were significantly more likely to identify "waste caused by a badly managed program" as the most serious problem and less likely to identify "waste caused by unnecessary or deficient goods or services."

The Perceived Cost of Fraud, Waste, and Mismanagement

In 1983, 47 percent of the respondents from the 14 agencies originally surveyed and who claimed knowledge of some type of fraud, waste, and mismanagement estimated that the most serious activity observed involved more than \$1,000 in Federal funds or property. This is only slightly lower than the 52 percent of similarly situated employees who provided the same estimate in 1980. Chart 2-5 shows the estimates of the dollar value involved in the most serious activity observed by all of the respondents to the 1983 survey who also claimed knowledge of some type of wrongdoing.

As can be seen, in the executive branch as a whole in 1983, 46 percent of all employees who observed an illegal or wasteful activity also estimated that it involved more than \$1,000 in Federal funds or property. In fact, 15 percent of these respondents placed the value of the observed activity at more than \$100,000. Some insight into how some of the respondents arrived at their estimates is provided by the following comments volunteered by two different respondents:

A contractor was paid to do work that could have been done in house with [the] skill mix of Federal employees. After the expenditure of approximately \$200,000 for contractor support, the contractor was unable to satisfactorily complete the work. [The] task was then completed by one government employee in a 3-month period (Grade GS-13), while simultaneously performing on-going work assignments.

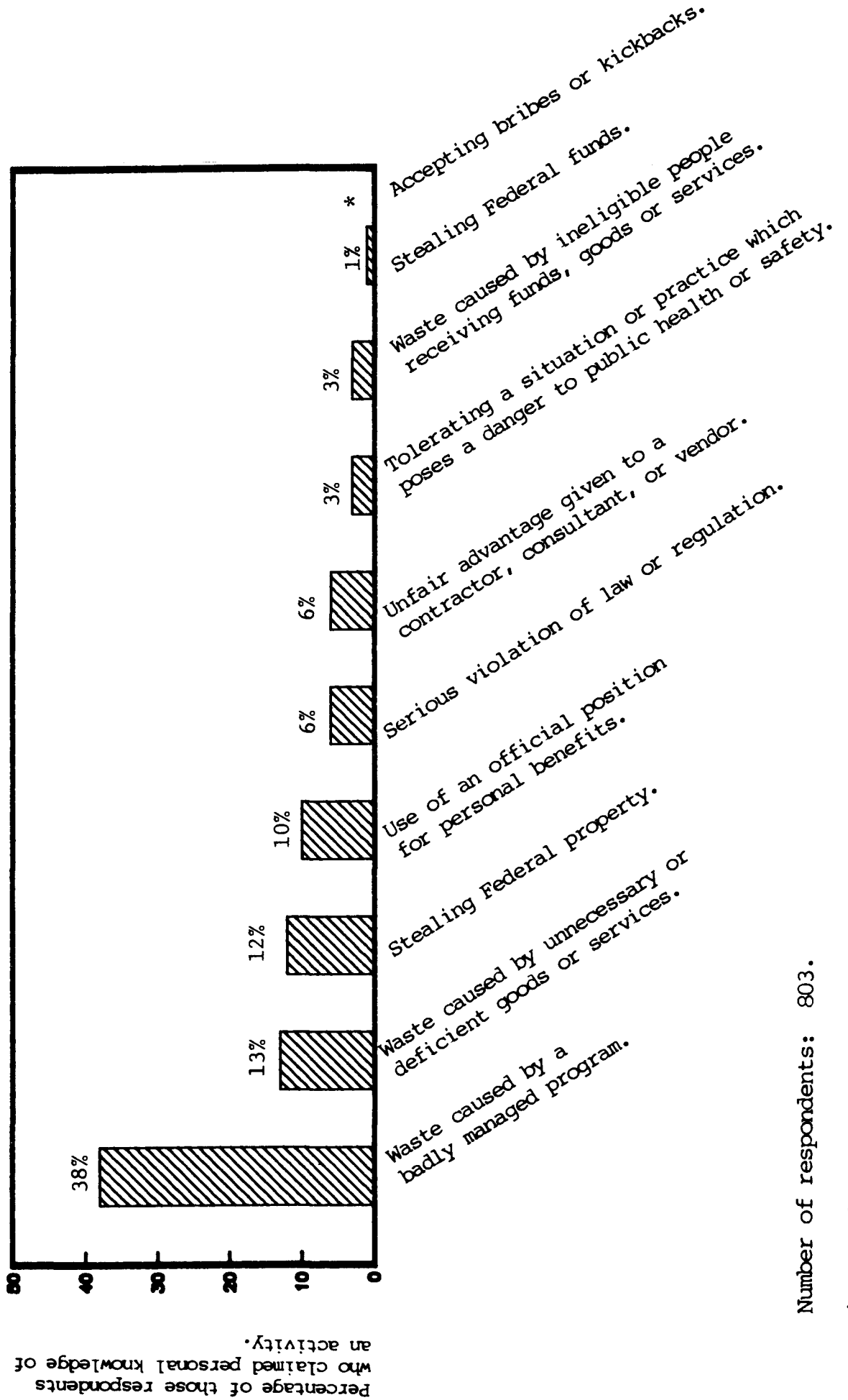
* * * * *

²⁰ See Note 2.

CHART 2-3

Percent of Those Who Claimed Knowledge of an Activity
(1983 Survey Results)

Question 15: If you said "yes" in question 14, please select the **one** activity that represents the **most** serious problem you know about and check the number of that activity below.



Number of respondents: 803.

* Less than 1 percent.

Types of Activities Most Frequently Selected

1980
Survey

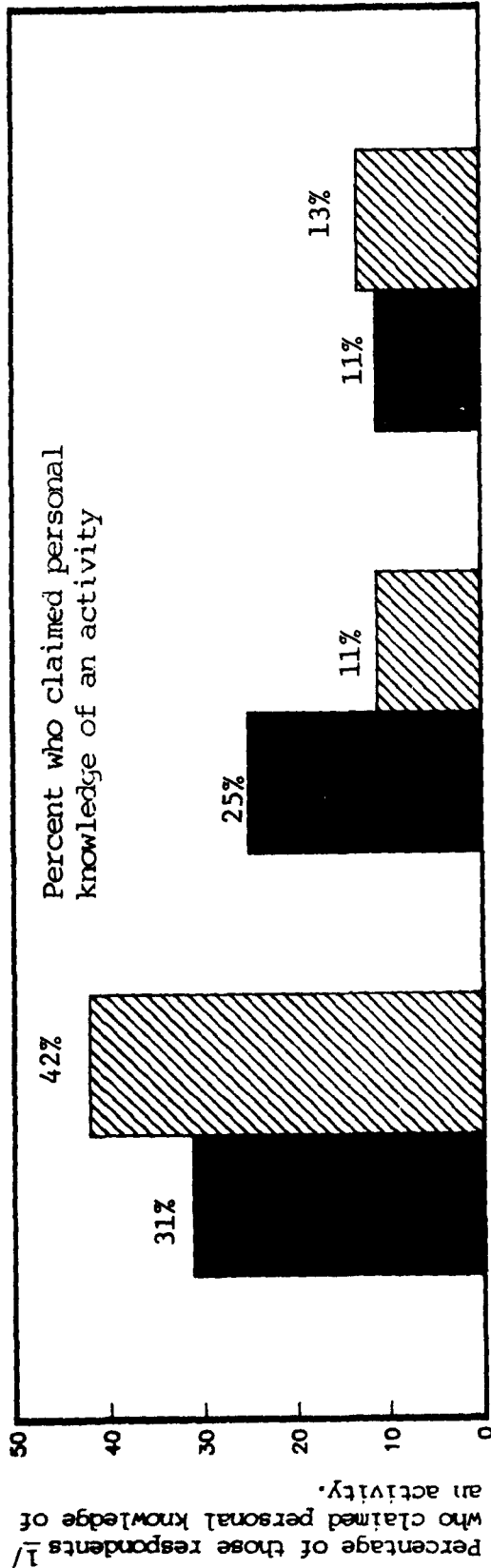


Question 15: Regardless of whether or not it is part of your job, during the last 12 months have you personally observed or obtained direct evidence of the following activity?

1983
Survey



Question 15: If you said "yes" in question 14, please select the one activity that represents the most serious problem you know about and check the number of that activity below.

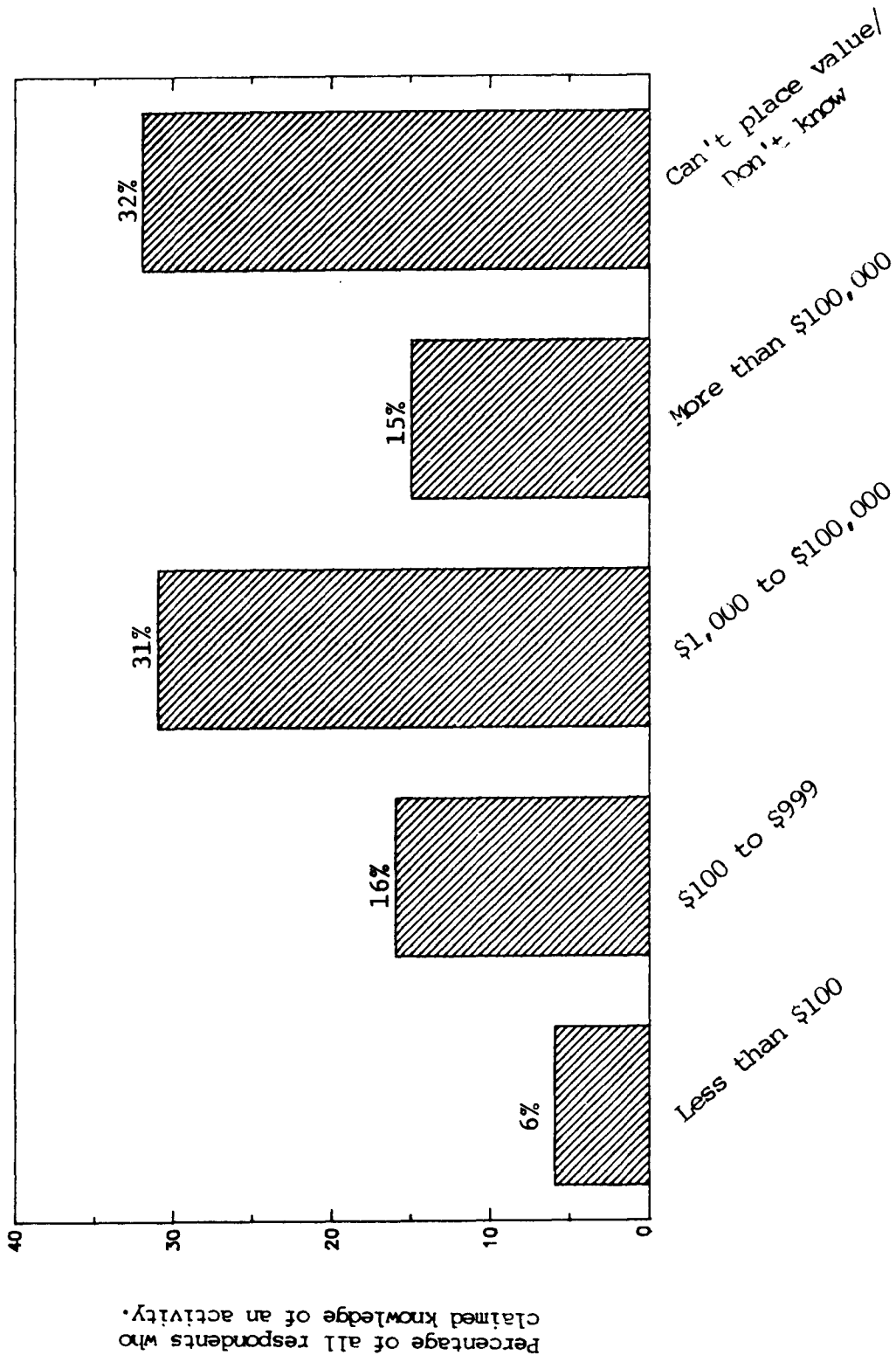


1/ Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 2,042 for 1980 survey; 515 for 1983 survey.

CHART 2-5
Perceived Cost of Selected Wasteful Activities
(1983 Survey Results)

Question 17: If a dollar value can be placed on the activity, what was the amount involved?



Percentage of all respondents who claimed knowledge of an activity.

Number of respondents: 1,104.

Approval of a loan pay-off and subsequent reinstatement that resulted in approving an additional \$900,000 at a substantially below market interest rate and providing additional rent subsidies to off-set the increased amortization.

These examples, while not typical, do illustrate the perceived magnitude of particular problems in some organizations. Naturally, not all illegal or wasteful activities can be reduced to a dollar value. This is the case, for example, where the wrongdoing involves the toleration of a situation or practice which poses a danger to public health or safety. Respondents to the 1983 survey, therefore, were also asked to indicate how frequently the activity they considered "most serious" occurred. Of all the 1983 respondents who answered this question, one-half of them (50%) claimed that it occurred frequently, 31 percent believed that it occurred occasionally, 12 percent thought that it occurred once or rarely, and the remaining 7 percent said that they did not know how frequently it occurred.

C. CONCLUDING OBSERVATIONS

In comparing the Board's 1980 and 1983 survey findings, and within the 14 agencies surveyed in both years, there was a significant decline (from 45% in 1980 to 25% in 1983) in the percentage of Federal employees who claimed to have recent and personal knowledge of one or more illegal or wasteful activities.²¹ The fact remains, however, that in 1983 close to one out of every four (23%) of the respondents to the Board's survey still claimed to have direct knowledge of some type of wrongdoing.

Furthermore, based on the estimates provided, many of the activities observed by the respondents both in 1980 and again in 1983 cannot be written off as inconsequential or frivolous in that a high percentage reportedly involve substantial (more than \$1,000) sums of money or they occur frequently or both.

Finally, while the activities the respondents claim they observed run the gamut, the activities identified as the most serious often involve the somewhat subjective areas of waste caused either by poor management or by unnecessary or deficient goods or services.

²¹ Since the remaining agencies covered by the 1983 survey were not included in the 1980 study, we do not have baseline data and cannot say with any assurance that they did or did not experience a comparable decline.

The significance of these findings are brought more clearly into focus in the next chapter which looks at what Federal employees do with information they have about illegal or wasteful activities and why.

CHAPTER 3: WHAT FEDERAL EMPLOYEES DO WITH INFORMATION ABOUT ILLEGAL OR WASTEFUL ACTIVITIES AND WHY

A. INTRODUCTION

This chapter explores what, if anything, employees do with information about illegal or wasteful activities they have observed and the explanations they give for their behavior. Where possible, survey findings from both of the Board's studies are compared. However, since the Board's 1983 survey contained a greater number of demographic questions than the 1980 study, this chapter also provides some new insights into the differences between certain categories of employees regarding their willingness to report fraud, waste, and abuse.

A major concern that arose from the Board's 1980 study was that, of the respondents to the 1980 survey who claimed to have direct knowledge of some type of illegal or wasteful activity, a very large proportion (70%) chose not to report it. A very sizeable reservoir of potentially valuable management information, therefore, was going largely untapped. This was especially relevant since the legal protections against reprisal contained in the Civil Service Reform Act of 1978 are based, in part, on an assumption that these protections would encourage more employees to share information about wrongdoing with responsible officials. In its 1983 survey, therefore, the Board was especially interested in determining whether any changes had occurred since 1980 in the willingness of employees to report illegal and wasteful activities.

As will be discussed in this chapter, the 1983 survey findings reveal negligible change in employee willingness to report wrongdoing. The reasons for their reluctance, furthermore, remain very similar to the reasons provided in 1980 with one significant difference, i.e., in 1983, 37 percent of the knowledgeable employees gave fear of reprisal as a reason for not reporting an activity compared to only 20% in 1980.

Critical Questions

To determine what Federal employees do with firsthand information about fraud, waste, or mismanagement and the implications of their actions relative to the efficiency and effectiveness of the Federal Government, this chapter seeks to address the following critical questions:

- What percentage of those employees who claimed to have recent and direct knowledge of some type of illegal or wasteful activity reported that activity in 1983?
- For all respondents to the 1983 survey who claimed to have direct knowledge of wrongdoing, what are the differences in reporting rates, if any, among the various categories of respondents (e.g., male vs. female, older vs. younger, and so on)?
- For those employees who claimed to have direct knowledge of some type of wrongdoing and who also chose not to report it, what are the major reasons given in 1983 for the nonreporting?

- What are the differences, if any, between the findings of the 1980 and 1983 surveys relative to these critical questions?

Major Findings

An analysis of the responses to the Board's 1980 and 1983 findings shows that, for the most part, little change occurred in the time interval between surveys in employee willingness to report wrongdoing. One change that did occur in employee attitudes, however, is a relative increase in the percentage of employees citing fear of reprisal as a reason for not reporting an observed activity. Finally, the addition of several demographic questions in the 1983 survey that were not contained in the 1980 study provides some additional insights into the differences among various categories of employees relative to their willingness to report wrongdoing. The findings contained in this chapter can be summarized as follows:

- In 1983, among the respondents from the 14 agencies originally surveyed who claimed to have personal knowledge of some type of wrongdoing, 69 percent chose not to report it. This finding is almost identical to the finding from the 1980 survey in which 70 percent of the knowledgeable respondents did not report observed wrongdoing. Finally, when we consider the answers from all of the respondents to the 1983 survey (including those from agencies not originally covered), we find that even among this larger group of employees, 70 percent chose not to report an observed illegal or wasteful activity.
- The 1983 survey results also revealed that there are significant differences in willingness to report among employees who are part of certain demographic "groups." For example, 34 percent of all male employees but only 22 percent of all female employees who observed an illegal or wasteful activity say they reported it. In a similar vein, only 18 percent of employees in the 20 - 29 age range reported an observed incident whereas 40 percent of those in the 50 - 59 age range say they were "reporters."
- Employees in both 1980 and 1983 most frequently cited their belief that nothing would be done to correct an illegal or wasteful activity as a reason for not reporting the activity. In both years, 53 percent of the "nonreporting" respondents from the same 14 agency groups cited this belief as one of the reasons they did not report an observed incident. Combining the 1983 survey results from all the agencies covered, we find that an even greater percentage (61%) cited this belief as a reason for not reporting fraud, waste, or abuse.
- In 1980, 20 percent of the "nonreporters" gave fear of reprisal as one of the reasons they did not report an activity. In 1983, however, we find that within the same group of agencies over one-third (37%) of all employees who did not report an observed activity now gave fear of reprisal as one of the reasons. Among all agencies covered by the 1983 survey, fear of reprisal was cited as a reason for keeping silent by 34 percent of the "nonreporters."

B. FINDINGS

This section is organized under two subheadings: **Willingness of Employees to Report Illegal or Wasteful Activities**, summarized in the preceding section, and **Why Employees Do Not Report Wrongdoing**. The major findings are discussed in greater detail under the appropriate subheading along with relevant charts.

Willingness of Employees to Report Illegal or Wasteful Activities

As mentioned earlier in this report, Congress had high expectations regarding the benefits to be derived when they provided statutory protections against reprisal to employees who disclosed information about fraud, waste, and abuse. A major expectation was that the legislation would result in an increase in employee disclosed information that would be useful in the Government's efforts to reduce the incidence and costs associated with illegal and wasteful activities.

For example, speaking in support of a proposed "whistleblowing" amendment during debate on the CSRA, Senator Robert Dole remarked:

one of the most important aspects of this amendment is the encouragement of Federal employees to disclose illegality, waste, abuse, or dangers to public health or safety, without the fear of reprisal.²²

These expectations presumably were based on the assumption that fear of reprisal is a main inhibitor for employees who would otherwise "blow the whistle" on illegal or wasteful activities affecting their agencies. A reduction in the "fear factor," therefore, should result in an increase in the level of employee involvement.

Contrary to Congressional expectations, however, the Board's survey findings show that the reluctance of Federal employees to report wrongdoing, which was first identified in the Board's 1980 study, has changed little in the 2 1/2 years between that survey and the Board's 1983 follow-up. Among the respondents from the 14 agencies surveyed in both 1980 and 1983 who claimed to have recent personal knowledge of some type of wrongdoing, 70 percent of the 1980 respondents chose not to report the activity while an almost identical 69 percent of the 1983 respondents also chose not to report it. Among all respondents to the 1983 survey who claimed to have relevant knowledge, again a full 70 percent chose not to report it.

²² U.S. Congress, Senate, Senator Robert Dole speaking for an amendment to the Civil Service Reform Act of 1978, S. 2640, 95th Congress, 2nd session, August 24, 1978, as reprinted in Legislative History of the Civil Service Reform Act of 1978, U.S. House of Representatives, Committee on Post Office and Civil Service, Committee Print no. 96-2: 1680.

As can be seen in Chart 3-1, the willingness to report wrongdoing among employees in various grade level groupings also reveals a similarity between the 1980 and 1983 survey findings in that, proportionately speaking, employees at the lowest grade levels are the least likely to report an illegal or wasteful activity while employees at the higher grade levels are the most likely to report an activity. This is not particularly surprising since employees at the higher grade levels, especially managers and supervisors, are more likely to have illegal or wasteful activities called to their attention in the course of carrying out their responsibilities and they are more frequently expected to point out problems.

One interesting aspect of the data presented in Chart 3-1 is that the percentage of respondents in the SES who indicate that they did report an observed activity increased from 39 percent in 1980 to 68 percent in 1983.²³ It would appear that respondents at the SES level in 1983 were significantly more willing to report fraud, waste, and abuse than were their counterparts in 1980.

Compared to the Board's 1980 survey, the 1983 questionnaire contained a greater number of demographic questions (i.e., those asking for personal information about each respondent). Because of this, the study team was able to gain additional insight into those factors that appear to influence whether or not an individual will report an observed instance of fraud, waste, or abuse. Chart 3-2, for example, reveals an interesting statistic in that among all the male respondents to the 1983 survey who claimed they had recent knowledge of an illegal or wasteful activity, 34 percent said that they reported it while only 22 percent of the female respondents with similar knowledge reported the activity.

Another interesting finding from the 1983 survey, displayed in Chart 3-3, reveals that the willingness to report an activity varies by age group but there is not a straight correlation, i.e., the youngest age group (20-29) has the lowest reporting rate (18%) but the oldest age group (60+) does not have the highest rate. That distinction belongs to the 50-59 age group with a reporting rate of 40 percent.

A breakdown of reporting rates by years of service, however, provides results which support the theory that fear of reprisal is an inhibitor. As shown in Chart 3-4, this is based on the fact that the reporting rate for groups of employees with 30 years of service or less varies by no more than 4 percentage points with the highest reporting rate being 31 percent. The reporting rate for employees with 30 or more years of service, which would make many of the respondents in this category eligible for retirement, is a significantly higher 42 percent. A plausible explanation for this difference, of course, is that the fear of reprisal is less when employees are not dependent upon their job for continued livelihood. Retirement eligibility would provide that greater degree of perceived independence for some.

²³ Since the total number of executive branch employees in the SES account for less than one-half of 1 percent of the total work force, the high percentage of SES respondents in 1983 who claimed they reported an activity had relatively little influence on the overall rate of reporting in 1983.

Incidence of Reporting by Grade Level

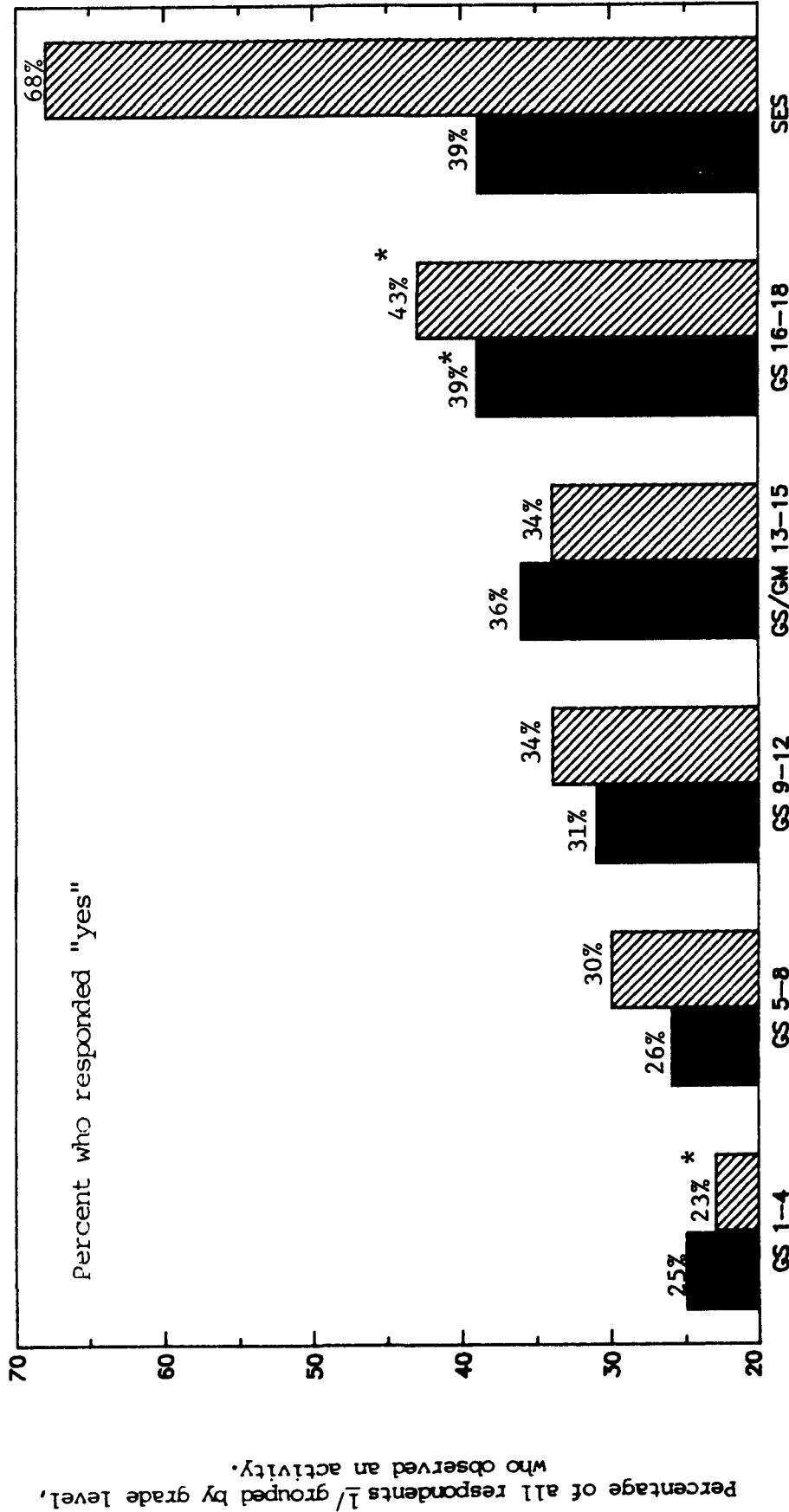
1980
Survey

1983
Survey



Question 21: Did you report the activity to any individual or group?

Question 19: Did you report the activity to any individual or group?



Percentage of all respondents grouped by grade level, who observed an activity.

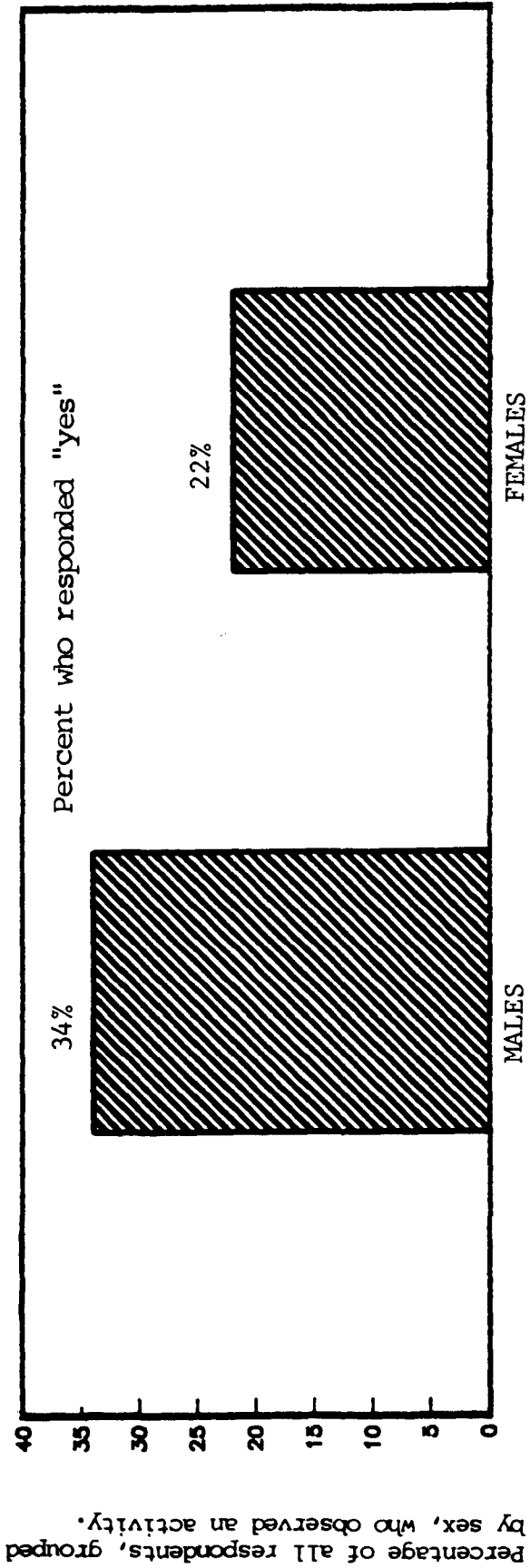
1/ Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 3,092 for 1980 survey; 535 for 1983 survey.

* These categories have fewer than 20 cases.

CHART 3-2
Reporting Rates By Gender
(1983 Survey Results)

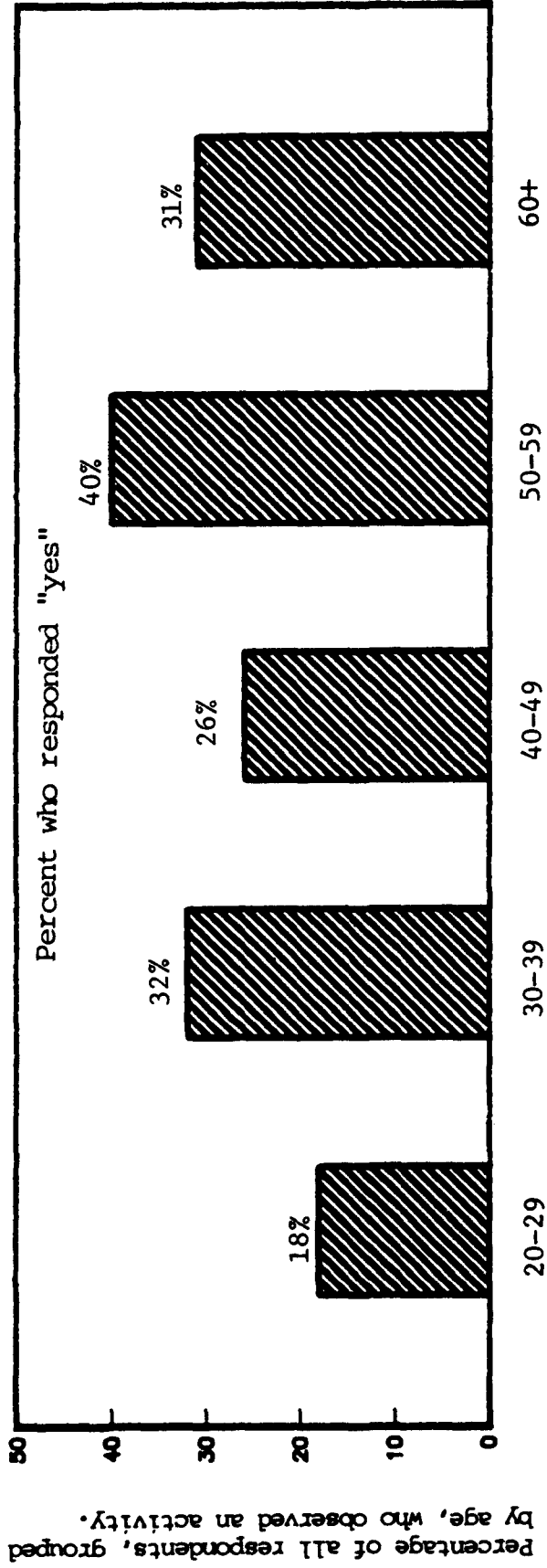
Question 19: Did you report the activity to any individual or group?



Number of respondents: 997.

CHART 3-3
Reporting Rates By Age
(1983 Survey Results)

Question 19: Did you report the activity to any individual or group?

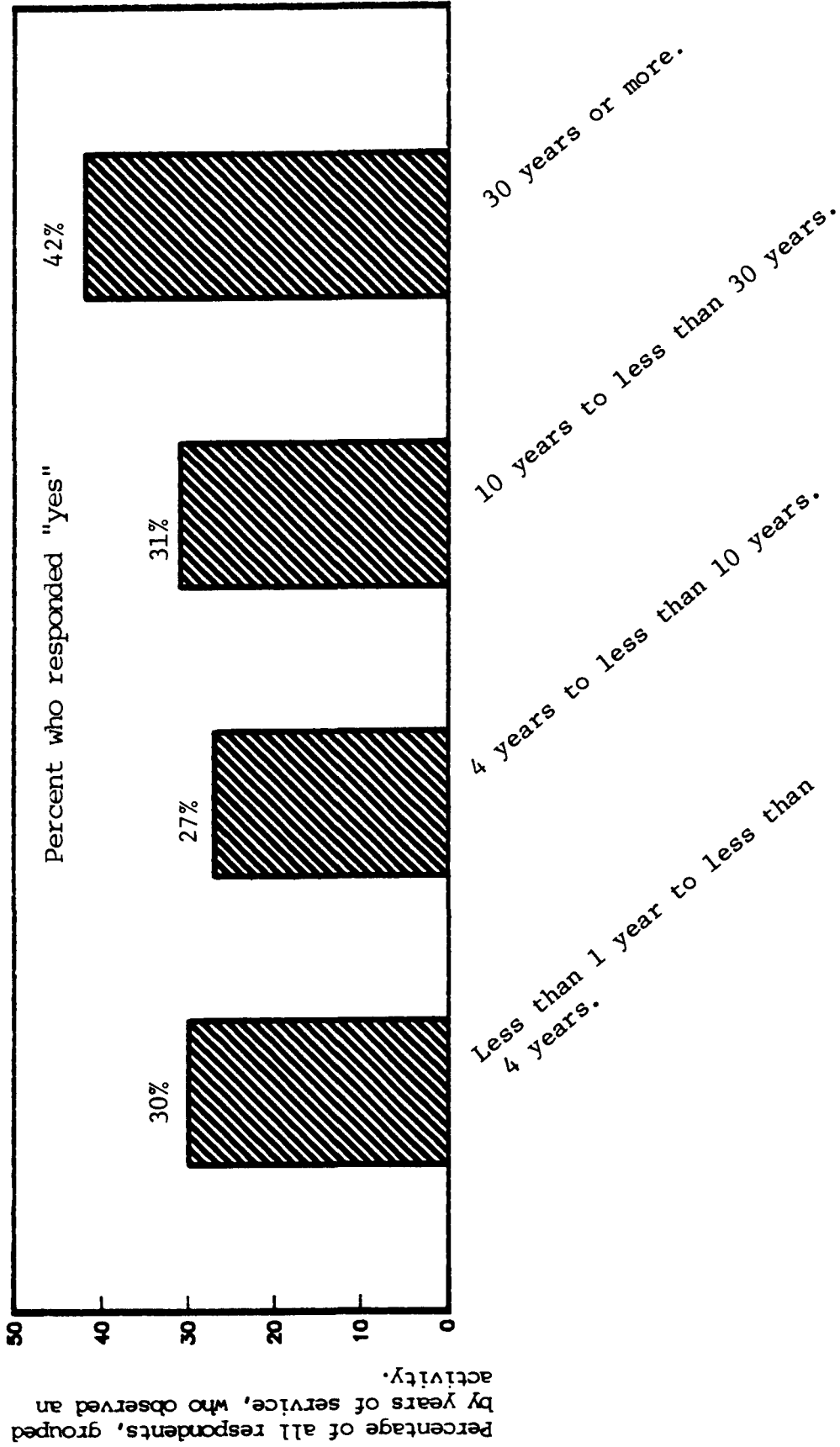


Number of respondents: 997.

CHART 3-4

Reporting Rates By Seniority
(1983 Survey Results)

Question 19: Did you report the activity to any individual or group?



Number of respondents: 999.

In Charts 3-5 and 3-6, we also find that reporting rates vary somewhat by job types and, within job types, by general occupational category. Respondents who describe themselves as technicians, for example, are the most likely to report an illegal or wasteful activity, with two out of every five (40%) who claim to have knowledge of an activity also claiming they reported it. Respondents who placed themselves into an "other" category, in preference to a clerical, manual, technician, or professional designation, had the lowest reporting rate (18%).

Looking at reporting rates within broad occupational specialties, moreover, one also finds considerable variance. Respondents who placed themselves in the accounting or economics field were the least likely to have reported an observed activity, in that only one out of every five (20%) claimed they had done so followed closely (23%) by those in administration (personnel, budget, etc.). On the other hand, respondents in the medical or health field were more than twice as likely as accountants to report wrongdoing in that 43 percent of the respondents in this area said that they had reported an activity followed closely by those in the biological, mathematical, and physical sciences (41%). Part of this difference might be related to the type of activity that is likely to be observed by individuals in the various fields. A medical technician who observes an illegal activity which is life threatening would most likely be strongly motivated to report it whereas an accountant who observes an illegal accounting transaction would quite possibly be less motivated.

Why Employees Do Not Report Wrongdoing

As in the Board's 1980 study, a crucial question arising from the Board's 1983 survey is why such a large percentage of Federal employees who have direct knowledge of fraud, waste, and abuse chose not to report it. As in 1980, the Board's most recent survey findings indicate that clearly the predominant reason remains one of skepticism.

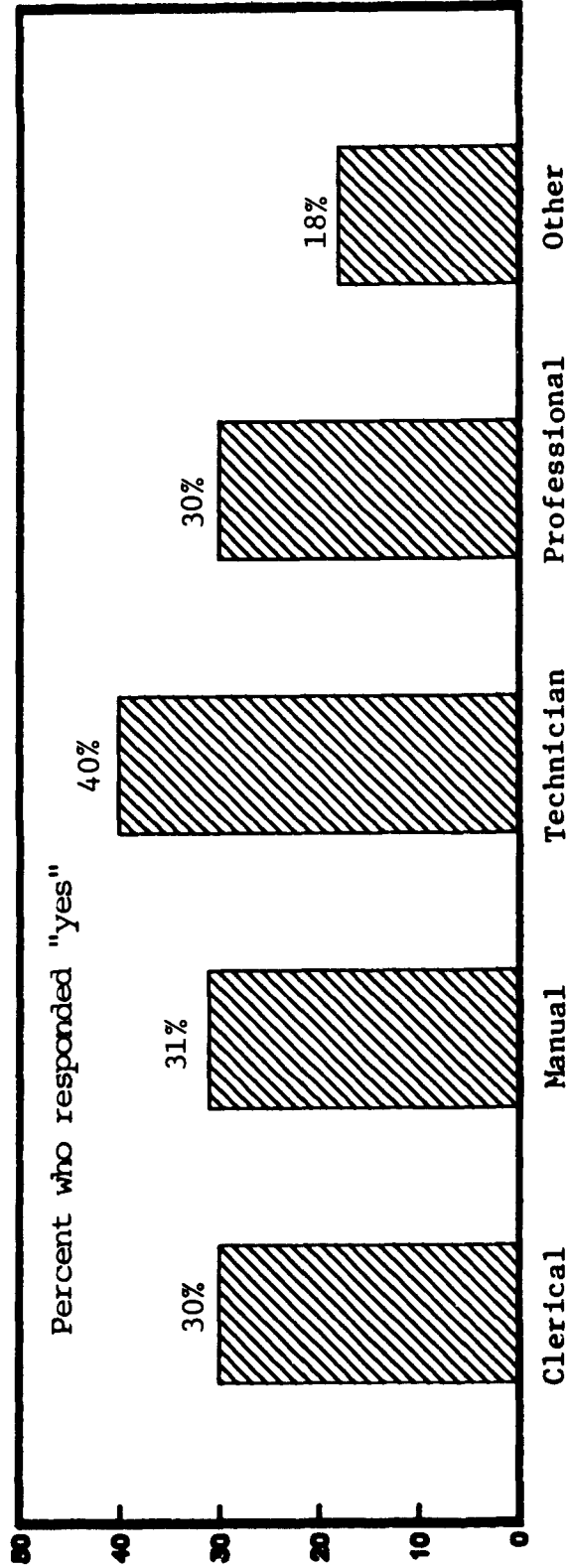
As shown in Chart 3-7, employees in both 1980 and 1983 who chose not to report an illegal or wasteful activity most frequently declared that they "did not think that anything would be done to correct the activity" as one of the reasons for not reporting it. In both years, 53 percent of the respondents from the same 14 agency groups who did not report an observed activity gave that reason. Combining the responses from all the agencies surveyed in 1983, we find that an even greater percentage (61%) cited this belief as a reason for not reporting some type of fraud, waste, and abuse.

One major difference between the 1980 and 1983 survey relative to the reasons given by employees for not reporting an observed activity deals with the perceived possibility of suffering some type of reprisal as a result. In 1980, 20 percent of the respondents who did not report an activity said that they "decided that reporting the matter was too great a risk for me." As also shown in Chart 3-7, however, almost twice as many (37%) respondents to the 1983 survey gave this response as a reason for not reporting. Among all respondents to the 1983 survey who did not report an observed wrongdoing, 34 percent cited this fear of reprisal as a reason.

CHART 3-5

Reporting Rates By Job Type
(1983 Survey Results)

Question 19: Did you report the activity to any individual or group?



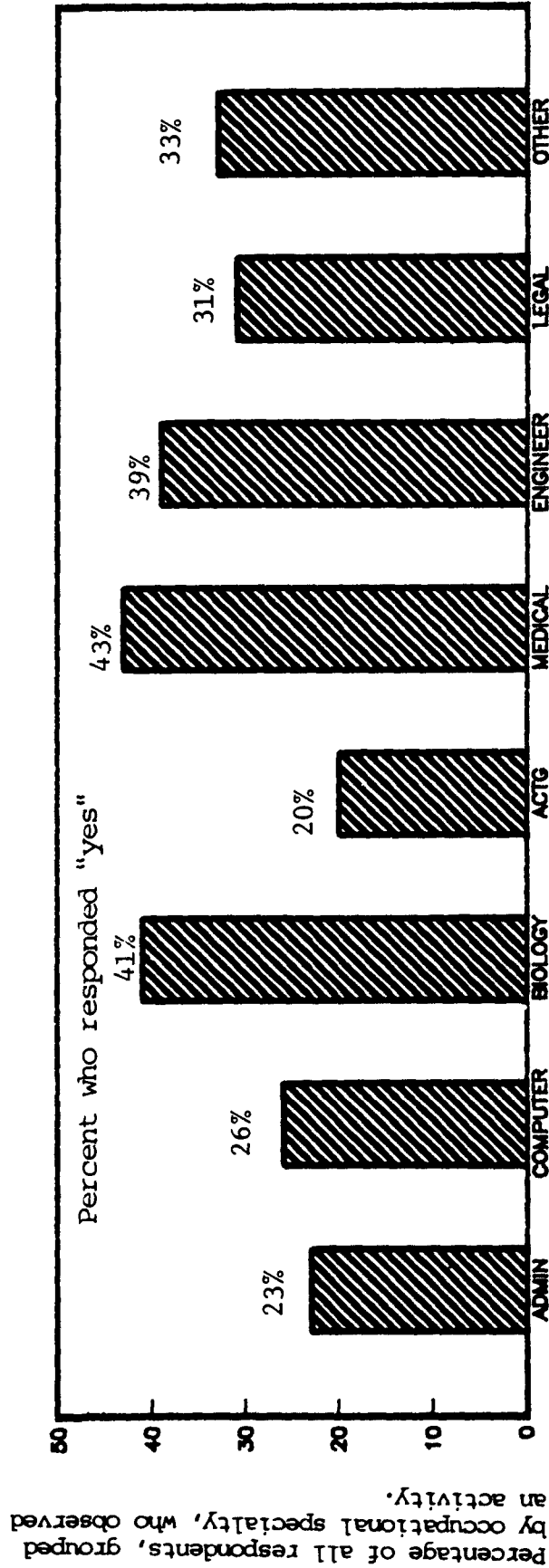
Percentage of all respondents, grouped by general occupational categories, who observed an activity.

Number of respondents: 981.

CHART 3-6

Reporting Rates by Occupational Speciality
(1983 Survey Results)

Question 19: Did you report the activity to any individual or group?



Number of respondents: 850.

Reasons Given for Not Reporting an Activity

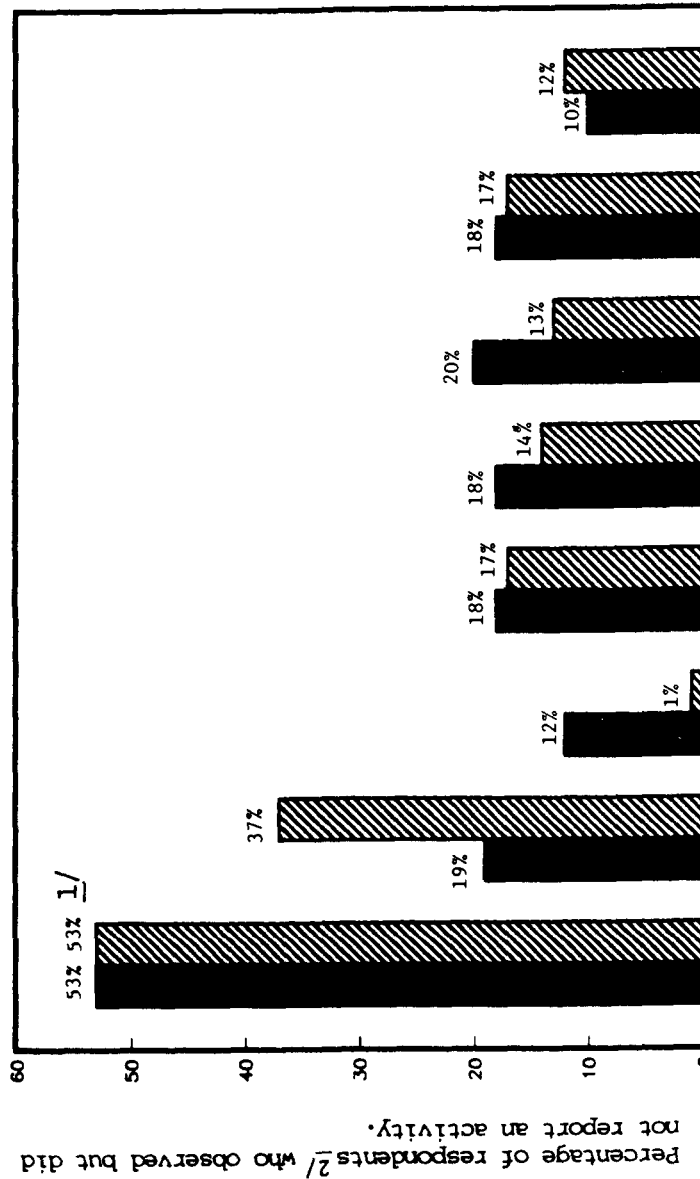
1980
Survey

1983
Survey



Question 22: If you did not report this activity to any individual or group, which of the following statements best describes your reason(s) for not reporting it?

Question 20: Which of the following statements best describes your reason(s) for not reporting the activity?



Reasons Given for Non-Reporting:

1/ Respondents were allowed to check more than one response and percentages, therefore, add to more than 100%.

2/ Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 2,375 to 2,419 (depending on the response) for 1980 survey; 324 for 1983.

Two other significant differences between the two Board surveys relative to the reasons employees gave for not reporting an observed activity involve a decline in the percentage of respondents who gave that particular reason in 1983 versus 1980. In 1980 and among employees in the 14 agencies surveyed in both years, 12 percent of those who did not report an observed activity said they "did not think it was important enough to report." In 1983, only 1 percent of the nonreporters gave this as a reason. In a similar manner, 20 percent of the nonreporters in 1980 said they "did not think anything could be done to correct the unreported activity." In 1983, however, only 13 percent of the nonreporters gave that reason.

C. CONCLUDING OBSERVATIONS

Based on the data presented in this chapter, it is clear that one of the goals of the Civil Service Reform Act--to encourage greater employee participation in the disclosure of fraud, waste, and mismanagement--is not yet realized. In fact, in the 2 1/2 years between the Board's surveys, no measurable progress has been made in the self-reported willingness of Federal employees to report illegal or wasteful activities they observe.

One trend in employee perceptions that demands additional scrutiny is the dramatic increase in the percentage of employees who report that they believe a report of an illegal or wasteful activity will expose them to the risk of reprisal. This is, of course, exactly the opposite of what Congress had hoped would occur upon adoption of statutory protections against reprisal. In the last chapter of this report, we will examine what happened to those employees who said they not only observed some type of fraud, waste, or abuse but that they went one step further and reported it.

As the Board found in 1980, however, the single most compelling reason for this lack of employee involvement is the persistent belief among a large percentage of employees that reporting what they believe to be fraud, waste, or abuse would be for naught. Why expend the energy or take a risk if nothing constructive will happen as a result?

CHAPTER 4: WHAT HAPPENS TO FEDERAL EMPLOYEES WHO REPORT ILLEGAL OR WASTEFUL ACTIVITIES

A. INTRODUCTION

This chapter describes what happens to those Federal employees who report an illegal or wasteful activity and who are identified as having reported it. As mentioned previously, the intent of Congress in providing statutory protections against reprisal was to ensure, in part, that employees who disclose wrongdoing suffer no adverse consequences as a result.

Respondents to the Board's 1980 survey revealed that of those employees who disclosed wrongdoing and who were identified as the source of the disclosure, more than half (55%) believed that nothing happened to them as a result of that report and approximately 11 percent even said that they were given credit by their management for having reported an activity. Approximately 20 percent, however, claimed to have been the victim of reprisal or the threat of reprisal. (The remainder maintained that while they suffered a "negative experience," such as having coworkers unhappy with them, it stopped short of being a reprisal.)

There were some positive aspects to the 1980 finding in that the large majority of employees who disclosed information were able to do so without suffering any ill effects. Unfortunately, the fact that one out of every five identified reporters in 1980 claimed that they either suffered a reprisal or were threatened with reprisal creates a "chilling effect" relative to other would be reporters that potentially outweighs the impact of the more positive findings.

This chapter will discuss the Board's 1983 survey findings regarding what has happened most recently to Federal employees who have reported illegal or wasteful activities and whether this marks any improvement or deterioration in the situation that was found to exist in 1980.

Critical Questions

To determine what Federal employees have more recently experienced when they have openly disclosed information about illegal or wasteful activities, and what this portends for other potential reporters, this chapter seeks to answer the following critical questions:

- In 1983, what happened to Federal employees who reported some type of fraud, waste, and mismanagement?
- For those employees who were identified in 1983 as the source of a report about an illegal or wasteful activity, what proportion claimed that they experienced reprisal as a result?
- What was the most frequently cited form of reprisal in 1983 according to those employees who believed they were the victims of reprisal because of an information disclosure?
- What are the differences, if any, between the findings of the 1980 and 1983 surveys relative to these critical questions?

Major Findings

As mentioned in Chapter 2, the Board found that 1983 survey respondents were less likely to claim knowledge of an illegal or wasteful activity. However, those 1983 respondents who did claim knowledge of some type of wrongdoing also reported perceiving themselves as facing as great a risk of reprisal as their counterparts in 1980. This and other related major findings discussed in this chapter can be summarized as follows:

- Among the 1983 survey respondents from the 14 agencies originally surveyed who said they reported an activity, 41 percent said that they were not identified as the source of the report. This would appear to indicate an increasing desire for anonymity since only 24 percent of the similarly situated 1980 respondents said they were not identified. Among all 1983 survey respondents, 39 percent indicated that they were not identified as the source after reporting some type of wrongdoing.
- Among the 14 agencies originally surveyed, close to the same percentage of employees in 1983 (53%) as in 1980 (55%) claimed that they reported an activity and that nothing happened to them as a result. Among all employees surveyed in 1983 who said they reported an activity, approximately 46 percent claimed they openly reported an activity and that nothing happened to them as a result.
- Among the 14 agencies originally surveyed, the percentage of identified reporters who said they experienced reprisal as a result of their report rose slightly from 20 percent in 1980 to 23 percent in 1983. Among all executive branch respondents in 1983, 24 percent of those employees who openly reported an activity claimed they experienced reprisal as a result.
- In both the 1980 and 1983 surveys, the most frequently cited forms of reprisal alleged to have occurred remain the more subjective and less easily documented ones such as being assigned the less desirable or less important duties, being given a poorer performance appraisal than that which would otherwise have been received, or being denied a promotion which would otherwise have been received. Most of the more easily documented forms of reprisal, such as a demotion, suspension, or geographic reassignment remain among the least frequently used forms of reprisal.

B. FINDINGS

This section is divided into two parts: **What Happens to Employees Who Report Fraud, Waste, and Abuse** and **Forms of Reprisal Threatened and Taken**. The major findings summarized above are discussed in greater detail under the appropriate subheading along with relevant charts.

What Happens to Employees Who Report Fraud, Waste, and Abuse

As shown in Chart 4-1, within the 14 agencies surveyed in both 1980 and 1983, there were a variety of personal consequences reported by those employees who claimed they reported an illegal or wasteful activity. For the most part, those consequences were roughly the same in both surveys. For example, in 1983 the majority (53%) of identified reporters claimed that nothing

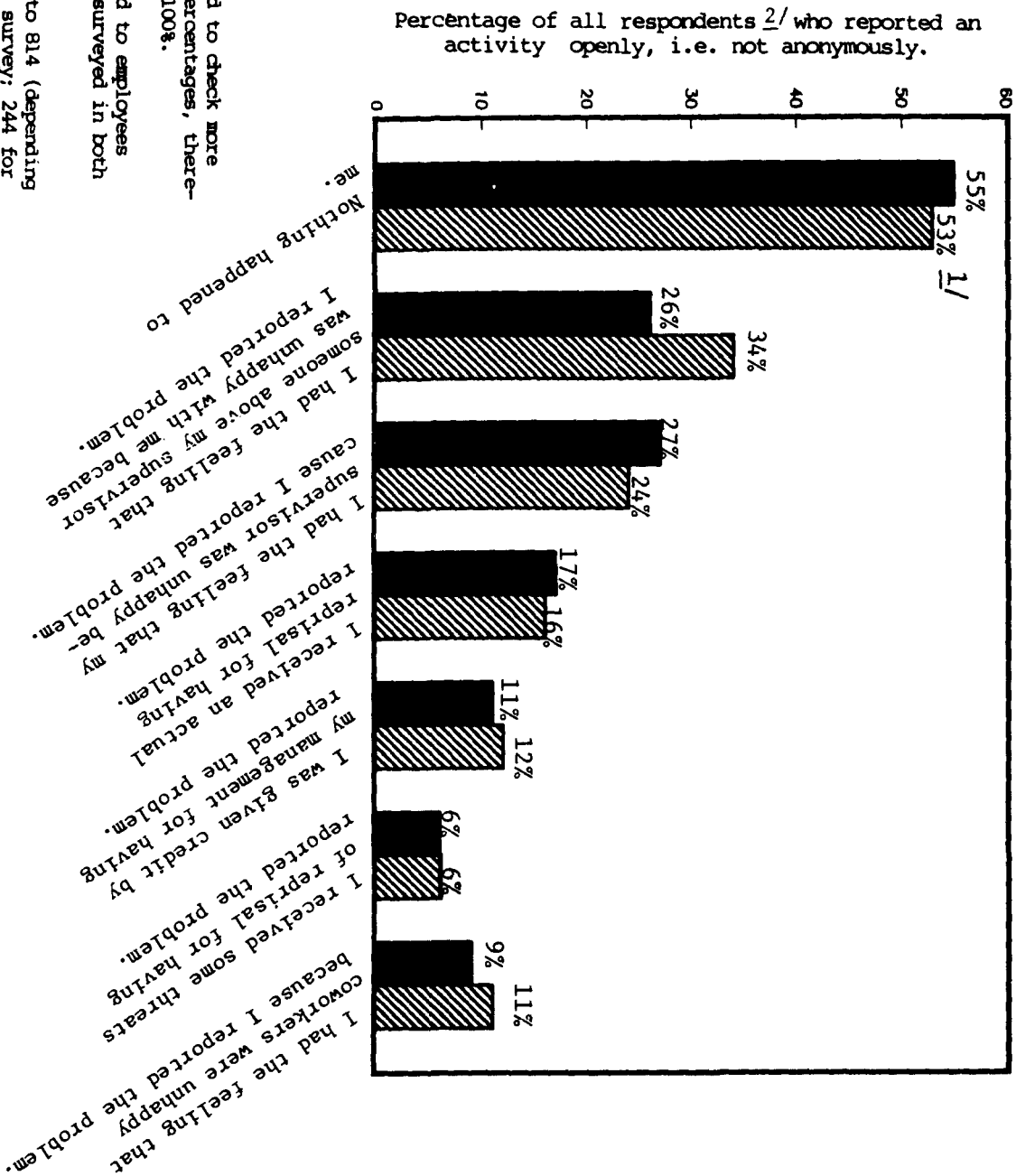
Effect of Openly Reporting an Activity, According to the Reporter

1980
Survey

1983
Survey

Question 27: If you were identified as the person who reported the activity, what was the effect on you personally?

Question 22: What was the effect on you personally as a result of being identified?



1/ Respondents were allowed to check more than one response and percentages, therefore, add to more than 100%.

2/ Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 361 to 814 (depending upon the response) for 1980 survey; 244 for 1983 survey.

happened to them as a result of their report. This percentage is comparable to the Board's 1980 survey findings in which 55 percent of the identified reporters gave the same response.

The data discussed in this chapter excludes those respondents who claimed they reported an illegal or wasteful activity and were not identified. This is based on the study team's assumption that nothing happened to anonymous reporters.²⁴ It is interesting to note that in the Board's 1980 survey approximately 24 percent of those respondents who claimed they reported an activity did so anonymously. By contrast, the Board's 1983 survey reveals that the percentage of employees from the same agencies who anonymously reported an activity increased to 41 percent. For the 1983 survey population, as a whole, 39 percent of the reporters remained anonymous. This increased desire for anonymity in 1983 would appear to be related to the previously mentioned increase in the fear of reprisal also expressed in 1983.

One other interesting piece of attitudinal information illustrated in Chart 4-1 is the increase in the percentage of 1983 respondents who were identified as having reported an illegal or wasteful activity and who consequently "had the feeling that someone above my supervisor was unhappy with me because I reported the problem." Thirty-four percent of the identified reporters selected this response in 1983 compared to a somewhat lower 26 percent in 1980.

Within the 14 agencies surveyed in both 1980 and 1983 and among the respondents who claimed they were identified as the reporter of an illegal or wasteful activity, the percentage who also claimed they experienced a reprisal or threat of reprisal as a result increased slightly from 20 percent in 1980 to 23 percent in 1983. Among all executive branch respondents in 1983 who claimed they were identified as the source of a report about fraud, waste, or abuse, 24 percent claimed they experienced some type of reprisal or threat of reprisal as a result.

Forms of Reprisal Threatened and Taken

Concentrating on those employees who claimed they were identified as having reported an illegal or wasteful activity and who also subsequently claimed they experienced a reprisal or threat of reprisal as a result, the Board sought in both of its surveys to identify the form of the alleged reprisal. Chart 4-2 illustrates the most commonly occurring forms of threatened reprisal. Chart 4-3 illustrates the most commonly occurring forms of reprisal alleged to have actually occurred.

As shown, within the 14 agencies surveyed in both 1980 and 1983, a poor performance appraisal is still perceived to be the most frequent form of threatened reprisal. The assignment of the less desirable or less important duties in an office was the second most frequently reported form of reprisal

²⁴ Conversely, if employees thought they reported some type of fraud, waste, or abuse anonymously and later concluded that they were the victims of reprisal as a result, it is assumed that contrary to their initial expectations they were identified reporters.

CHART 4-2

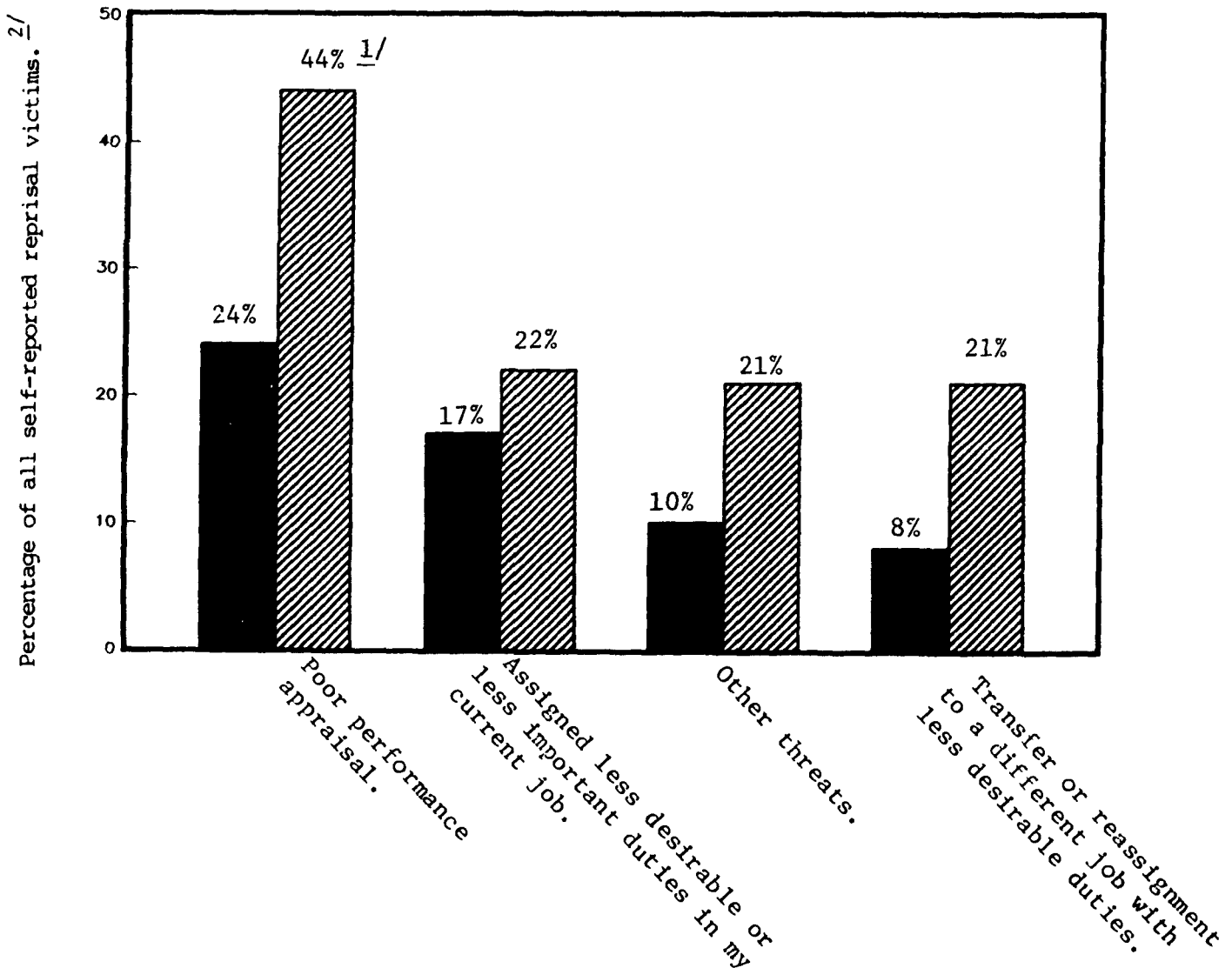
Forms of Reprisal Threatened, As Reported by Alleged Reprisal Victims

1980 Survey

Question 34: Did the reprisal or threat of reprisal take any of the following forms? (Was this threatened)

1983 Survey

Question 24: Did the reprisal or threat of reprisal take any of the following forms? (I was threatened with)



^{1/} Respondents were allowed to check more than one response and percentages, therefore, add to more than 100%.

^{2/} Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 38 to 70 (depending on the response) for 1980 survey; 55 for 1983 survey.

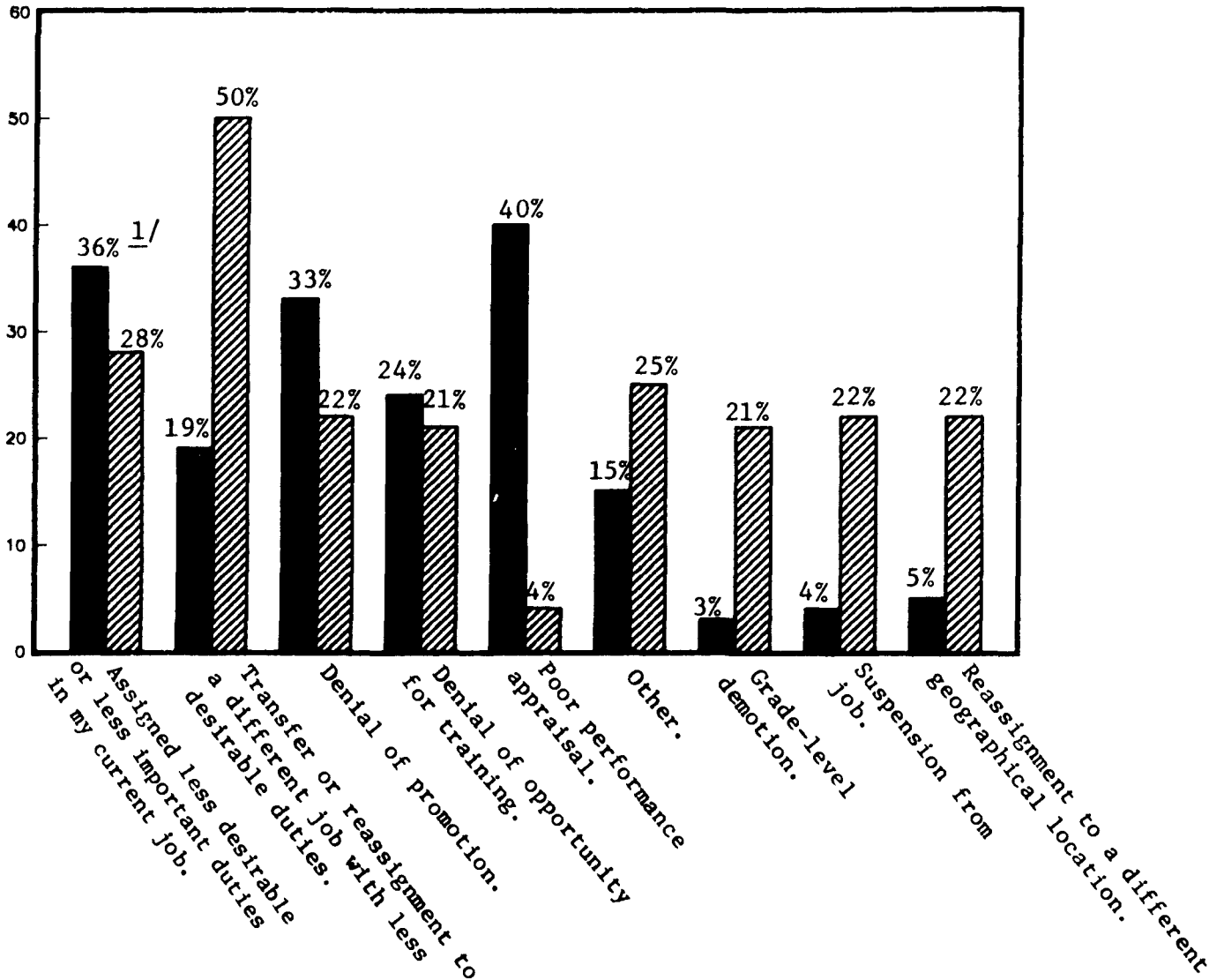
CHART 4-3

Forms of Reprisal Actually Taken, As Reported by Alleged Reprisal Victims

1980 Survey Question 34: Did the reprisal or threat of reprisal take any of the following forms? (Did this occur)

1983 Survey Question 24: Did the reprisal or threat of reprisal take any of the following forms? (This was done to me)

Percentage of all self-reported reprisal victims. ^{2/}



^{1/} Respondents were allowed to check more than one response and percentages, therefore, add to more than 100%.

^{2/} Respondents: Restricted to employees within the 14 agencies surveyed in both 1980 and 1983.

Number of respondents: 38 to 89 (depending upon the response) for 1980 survey; 55 for 1983 survey.

threatened. It is interesting to note that there does not appear to be a consistent correlation between the forms of reprisal most frequently threatened and the forms most frequently occurring. For example, although 44 percent of the 1983 survey respondents who claimed to have been the victim of a threatened reprisal said they were threatened with a poor performance appraisal, the proportion of self-identified reprisal victims in 1983 who said they actually received a poor performance rating is notably smaller (4%).

In terms of the forms of alleged reprisal actually taken and as shown in Chart 4-3, a potentially significant trend emerges in comparing 1983 survey data with 1980. In 1980, it was clear that the most commonly occurring forms of alleged reprisal were the more subtle forms involving the areas of performance appraisal, assignment of duties, and promotional opportunities. These are all areas, of course, largely dependent upon subjective judgments. In 1983, however, there is a reported increase in the percentage of alleged reprisal victims who claim that the form of reprisal taken involved a more "formal" type of personnel action.

Half (50%) of the self-reported reprisal victims in 1983, for example, claimed they were actually transferred or reassigned to a different job with less desirable duties (which differs from being assigned less desirable duties in one's current job in that an official personnel action must be processed). Similarly, the reported incidence of a geographical reassignment, grade level demotion, and job suspension as a form of reprisal are all significantly higher in 1983 than they were in 1980.²⁵ This is a trend which bears possible future monitoring.

C. CONCLUDING OBSERVATIONS

It appears that, with a few possible exceptions, there has been little change from the Board's earlier survey findings with respect to what happens to employees who disclose wrongdoing. In 1983, the most frequently reported personal consequence of reporting an illegal or wasteful activity is the same as in 1980—nothing happened. Unfortunately, according to the employees surveyed, this is not true for all employees. Too often the employee who does report an activity comes away from that experience convinced that there was a negative personal consequence, i.e., reprisal.

Of particular concern to the Board is the finding in 1983 that more than one out of every five employees who said they reported fraud, waste, or abuse also said they were the victim of a reprisal or the threat of a reprisal as a result. Even though in many cases the reprisal reportedly experienced is not in the form of an official personnel action, the apparent odds in favor of experiencing some type of negative consequence if one reports an illegal or wasteful activity are high enough to discourage many employees from taking the chance.

²⁵ It should be noted, however, that the actual number of respondents to the Board's surveys who claimed they were the victims of an actual reprisal is relatively small (55 individuals in 1983). The percentages listed, therefore, are subject to greater variance upon extrapolation to the entire work force than most of the other data presented in this report.

The reported incidence of reprisal among those employees who do report an activity clearly goes contrary to the stated intent of Congress and the Administration. Certainly, each individual incident of alleged reprisal would need to be evaluated on its merits to determine if a violation of law is actually involved. In many cases, especially where the perceived reprisal is "informal," e.g., the assignment of the less desirable or less important duties within an office, it may be unlikely that a violation of the letter of the law will be found to have occurred.

The real challenge for Federal managers, however, is to create an organizational climate within which the spirit of the law is maintained. Such a climate will be characterized by mutual respect and open communication among managers, supervisors, and employees. It also requires individual and organizational integrity. Concern for public image may sometimes need to be replaced by concern for the public good. Where wrongdoing is found and responsibility is assigned, the offending individual should be subject to appropriate sanctions. None of this is accomplished easily in an institution as huge and as diverse as the Federal Government, but it is a goal worth striving toward. Hopefully, the information contained in this report will assist in some small degree in that effort.

APPENDIX A

1983 SURVEY METHODOLOGY

APPENDIX A

1983 SURVEY METHODOLOGY

The following is a discussion of the methodology used to collect and analyze the survey data from the Merit Principles Survey.

Development of the Questionnaire. A 16-page questionnaire was developed for the MSPB Merit Principles Survey. The questionnaire contained 70 questions in six different sections: (1) "General Employment Questions" - a section pertaining to incentives to performing, respondents' likelihood of leaving Government, and general personnel practices in the respondents' work group; (2) "Protections for Employees who Report Fraud and Waste in Government Operations" - a section answered only by respondents who had personally observed or obtained direct evidence of illegal or wasteful activities; (3) "Merit Pay" - a section on the effectiveness of merit pay as an incentive system; (4) "For Supervisors Only" - a section on supervisors' experiences dealing with poor performers; (5) "For Senior Executives" - a section examining senior executives' experiences with the SES bonus system, the incidence of arbitrary personnel actions against SES members, and their overall evaluation of the SES during its first 5 years; and (6) "Personal and Job Information" - a demographics section for all respondents.

The questionnaire was pretested seven times with employees representative of those who received the survey. Pretests were held at MSPB, IRS, Department of the Treasury, and the Department of Agriculture. Two of the seven pretests were conducted in regional offices.

Selection and Design of the Sample. The employee sample was generated using a disproportionately stratified random sample of 7,861 permanent civilian employees in the executive branch of the Federal Government who were listed in the April 1982 Office of Personnel Management (OPM) Central Personnel Data File (CPDF), with the exception of those who were:

1. located at a work site outside the continental United States, Alaska, or Hawaii;
2. employed by the FBI, intelligence agencies such as CIA and NSA, or by quasi-independent agencies such as the Post Office, TVA, or Federal Reserve, since such agencies are outside the Board's mandate.

The sample was stratified on the basis of pay category, pay grade, and agency. Respondents were grouped into seven substrata: SES, GS 13-15, GS 9-12, GS 5-8, GS 1-4, Wage Supervisor/Wage Leader, and Wage Grade. Those in SES and GS 13-15 were further stratified by agency. A total of 52 substrata were established.¹

¹ Readers interested in a detailed, quantitative description of the sampling plan may obtain an overview by writing to: David Chananie, Ph.D., Personnel Research Psychologist, Merit Systems Protection Board, Office of Merit Systems Review and Studies, 1120 Vermont Avenue, N.W., Room 836, Washington, D.C. 20419.

Administration of the Questionnaire. A private sector firm, Hay Associates, researched mailing addresses to ensure that they were valid. A secondary sample was drawn, and if an employee's mailing address could not be found in the primary sample, the employee was replaced with one from the secondary sample. A replacement was the next available employee from the secondary sample with the same stratum and substratum.

The questionnaires were mailed to the selected employees in July 1983. Questionnaires were mailed to the employees' office addresses.

Accompanying each questionnaire was a cover letter explaining the purpose of the study. To increase the response rate, reminder letters were sent to the entire sample approximately 2 weeks after the questionnaire was mailed. Anonymity was guaranteed to all respondents.

Returns. Excluding undeliverable questionnaires (229), the return rate from the Merit Principles Survey was 65 percent (4,897 returns out of 7,563 delivered questionnaires). The lowest substratum return rate was 30 percent and the highest was 87 percent.

Data Processing. Hay Associates collected the responses and prepared a clean data tape that was delivered to MSPB for its analysis. The data were verified twice by the MSPB research staff. Range checks, logic checks, and skip pattern checks were used in each verification.

The data from the survey were weighted by a proportion (STRATWGT) reflecting the ratio of the population size in each of the 52 substrata to the number of respondents for the respective substratum, i.e.,

$$\text{STRATWGT} = \frac{\text{Population size of substratum}}{\text{Number of respondents in substratum}}$$

Respondents who did not identify their agency and/or grade were placed in a separate stratum (Number 53) and assigned a weight of one.

Most of the data analysis consisted of frequency distributions and two-way cross tabulations. In analyzing and presenting the data for this report, percentages and numbers were rounded in order to simplify the analysis. A random sample of questionnaires with comments was reviewed and these findings are also included in the analysis.

APPENDIX B

1980 SURVEY METHODOLOGY

APPENDIX B

1980 SURVEY METHODOLOGY

DESCRIPTION OF SAMPLING AND VERIFICATION PROCEDURES FOR THE REPRISAL STUDY

Survey results contained in publications on reprisal are based on data gathered from a questionnaire mailed in December 1980 to employees of 15 departments and agencies (see Attachment 1). These agencies and departments constituted the study strata and were chosen because they had selected similar internal review and control functions. Specifically, the Offices of Inspector General (OIG) were established by statute to detect and prevent fraud, waste, mismanagement, and to follow up on certain types of whistleblower allegations. The Department of State was not included because its OIG was established after the study had already begun.

Sample Design. The sampling frame consisted of all employees listed on each agency's computerized payroll system as of October 1980. A disproportionate stratified, probability sample was drawn from all permanent employees on the listing. The designated official at each agency or department was instructed to select every employee whose social security number ended in one of the pair of digits randomly generated by the Merit Systems Protection Board. Questionnaires were subsequently mailed directly to the home of 13,076 employees. This direct mailing process allowed the respondents the opportunity to complete the questionnaire privately. In order to increase the return rate, a follow-up mailing, i.e., reminder postcards, was undertaken 1 week after the questionnaires were mailed. Questionnaires were returned by 8,592 employees, representing a response rate of 65.7 percent. Attachment 1 summarizes the distribution patterns and response rates of the reprisal study strata.

Analyses were conducted to ascertain the presence of response bias. First, a preliminary data set of 4,697 cases were compared with the final data set of 8,592 cases. No important differences were found between the two sets. This finding suggests that respondents are substantially similar irrespective of when they returned the questionnaire. A factor analysis further revealed that stratum response rates have no impact on responses to questions included in the survey. Stratum response rates appear to be solely related to agency size. That is, smaller agencies were more likely to have better response rates than their larger counterparts. Thus, we may infer that respondents do not differ appreciably from nonrespondents in any important way.

Weighting. Weights were assigned to respondents proportionate to the ratio of the number of respondents in each stratum and the size of the population of each stratum. The formula was:

$$\text{Weight Assigned to Sample Respondents in Each Stratum} = \frac{\text{Size of Population in Each Stratum}}{\text{Number of Respondents in Each Stratum}}$$

A weight of one was assigned to those persons who failed to identify their agency. These persons constituted an independent stratum.

The pay grade distribution of the weighted sample closely reflects the pay grade distribution of the population. The one exception to this pattern is the Department of Interior. Here we found that the lowest pay grades responded at a lesser rate than those in the higher grades.

Data Verification. Prior to data analysis, several steps were taken to correct nonsampling errors resulting from improper keypunches and erroneous response patterns. These steps included a series of logic, skip pattern, and range checks.

The logic checks were designed to identify respondents who showed clear signs of response bias, i.e., evidence of patterning their responses around a single reply category or a series of questions. When such patterns were identified, the program manager examined the original questionnaire. Only five questionnaires were discarded because of response bias. In addition, inconsistent responses were also examined and corrected. For example, if a respondent claimed he or she was not identified as a "whistleblower" and then later claimed to suffer reprisal, the latter response was reassigned to missing data. Questions corrected in this manner include: Q2702, Q2703, Q2704, Q2705, Q2706, Q2708, Q3404, Q3503, Q3504, Q3610, and Q3702.

Data were also examined to determine if all skip patterns were followed. The checks pertained to questions following Q8, Q12, Q15, Q21, and Q28. In most cases, less than 1 percent of the responses were reassigned to missing for a given question because of this problem.

Finally, every question was examined to determine if all the responses were within their defined range. Only 16 out-of-range responses were reassigned to missing data.

REPRISAL STUDY STRATA

<u>Agency Strata</u>	<u>Population Size</u>	<u>Sampling Rate</u>	<u>Total Sample</u>	<u>Undeliverable Questionnaires*</u>	<u>Net Sample Size</u>	<u>Number of Respondents</u>	<u>Response Rate</u>
AGRICULTURE	112,795	1.2%	1,357	51	1,306	894	68.4%
COMMERCE	32,228	2.5%	846	56	790	560	70.9%
ENERGY	20,220	4.6%	974	39	935	639	68.3%
HHS	136,800	.8%	1,214	62	1,152	648	56.3%
EDUCATION	3,258	9.6%	349	37	312	210	67.3%
HUD	15,984	5.7%	916	12	904	546	60.4%
INTERIOR	57,713	1.7%	997	40	957	580	60.6%
LABOR	21,806	3.9%	861	19	842	548	65.1%
TRANSPORTATION	69,078	1.5%	1,049	42	1,007	628	62.4%
CSA	922	35.6%	342	14	328	182	55.5%
EPA	12,207	6.0%	746	18	728	444	61.0%
GSA	37,686	2.8%	1,096	41	1,055	543	51.5%
NASA	22,554	3.8%	910	54	856	573	66.9%
SBA	4,541	10.6%	503	20	483	295	61.1%
V/A	<u>209,530</u>	<u>.7%</u>	<u>1,480</u>	<u>59</u>	<u>1,421</u>	<u>796</u>	<u>56.0%</u>
TOTALS	757,322	1.7%	13,640	564	13,076	**8,592	65.7%

* For eight agencies that did not track undeliverables, a conservative estimate was made that they each had 4% undeliverable (based on the experience of those agencies that did track undeliverables).

** Includes 506 respondents who declined to identify their agency.

APPENDIX C

1983 SURVEY QUESTIONNAIRE



U.S. MERIT SYSTEMS PROTECTION BOARD
Washington, D.C. 20419

July 1, 1983

Dear Federal Co-worker:

The Merit Systems Protection Board--an independent Federal agency established by the Civil Service Reform Act of 1978--is conducting a study of the Federal personnel system. The results will be reported to Congress and the President and made available to the public. We need your help.

We'd like you to tell us how various personnel policies and programs are working. Your opinions and experiences can make a difference, but only if you take the time to complete this survey (in the privacy of your home, if you wish) and return it directly in the envelope provided. On the average, it will take most people about twenty minutes to fill out the portions of the questionnaire that apply to them.

We will keep your answers confidential. We have no way of identifying who completed the questionnaires returned to us. For this reason please do **not** write your name anywhere on the questionnaire or ask anyone else to fill it out for you.

In developing this questionnaire we have consulted with the national headquarters of Federal employee unions and associations. We urge you to take advantage of this opportunity to make your views known.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Dennis L. Little". The signature is written in a cursive style with a prominent initial "D".

Dennis L. Little
Director, Office of Merit Systems
Review and Studies

Merit Principles Survey: How Well is the Merit System Working?

This is a survey about your opinions and experiences as a Federal employee. Through this survey, we will be looking at how several key aspects of the merit system are working.

In this questionnaire we ask you about:

- Your job and the personnel practices in your work group.
- Protections for employees who report fraud and waste in Government operations.
- The merit pay system for Federal supervisors and management officials.
- The Government's ability to deal constructively with performance problems.
- Your work history and some general questions about you.

You will probably not need to answer every question. Instructions throughout the questionnaire will tell you which questions to skip since not every question will apply to you. You will also have the opportunity to write in any additional comments on the last page of the questionnaire.

Privacy Act Notice

Collection of the requested information is authorized by the Civil Service Reform Act of 1978 (51 U.S.C. 5545). Your participation in this survey is completely voluntary, and none of the information you choose to supply will be associated with you individually.

Section II

Protections for Employees Who Report Fraud and Waste in Government Operations

In this section we want to know whether employees report illegal or wasteful activities involving their agency and, if they do, what happens. The activities could involve situations such as stealing Federal funds or property, serious violations of Federal laws or regulations, or waste caused by buying unnecessary or defective goods. We are especially interested in knowing whether anyone tries to get back at (i.e., take reprisal against) employees who do report such activities. (Please check ONE box for each question, unless otherwise directed.)

14. During the last twelve months, did you **PERSONALLY OBSERVE** or **OBTAIN DIRECT EVIDENCE OF** one or more illegal or wasteful activities involving your agency? (Note: Do not answer yes if you only read about the activity in the newspaper or heard about it as a rumor.)

- 1 No —————> Please skip to Section III, page 6.
2 Yes

15. If you said "yes" in question 14, please select the one activity that represents the most serious problem you know about and check the number of that activity below. (Please check only ONE box.)

- 1 Stealing Federal funds.
2 Stealing Federal property.
3 Accepting bribes or kickbacks.
4 Waste caused by ineligible people receiving funds, goods or services.
5 Waste caused by unnecessary or deficient goods or services.
6 Waste caused by a badly managed program.
7 Use of an official position for personal benefits.
8 Unfair advantage given to a contractor, consultant, or vendor.
9 Tolerating a situation or practice which poses a danger to public health or safety.
10 Serious violation of law or regulation.
11 Other. (Please specify on last page of this questionnaire.)

16. Did this activity occur or originate in your own work group?

- 1 Yes
2 No
3 Not sure

17. If a dollar value can be placed on the activity, what was the amount involved?

- 1 Less than \$100
2 \$100 to \$999
3 \$1,000 to \$100,000
4 More than \$100,000
5 A dollar value cannot be placed on the activity
6 Don't know/can't judge

18. How frequently did the activity occur?

- 1 Once or rarely
2 Occasionally
3 Frequently
4 Don't know/can't judge

19. Did you report the activity to any individual or group? (Note: Merely discussing the matter with family members or mentioning it informally to co-workers is not a report.)

- 1 Yes —————> Please skip to Question 21.
2 No

20. Which of the following statements best describes your reason(s) for not reporting the activity? (Please check ALL the boxes that apply. If none of the answers apply, please skip to Section III on page 6.)

- 1 The activity had already been reported by someone else.
- 2 I did not think the activity was serious enough to report.
- 3 I did not have enough evidence to report.
- 4 I was not sure to whom I should have reported the matter.
- 5 Reporting this matter would have been too great a risk for me.
- 6 I did not think that anything **would** have been done to correct the activity.
- 7 I did not think that anything **could** have been done to correct the activity.
- 8 Some reason not listed above. (Please specify on the last page of this questionnaire.)

After answering Q.20 please go on to Section III on page 6.

21. Were you identified as the source of the report?

- 1 No —————> Please skip to Section III, page 6.
- 2 Yes

22. What was the effect on you personally as a result of being identified? (Please check ALL the boxes that apply.)

- 1 I was given credit by my management for having reported the problem.
- 2 Nothing happened to me for having reported the problem.
- 3 My co-workers were unhappy with me for having reported the problem.
- 4 My supervisor was unhappy with me for having reported the problem.
- 5 Someone above my supervisor was unhappy with me for having reported the problem.
- 6 I was threatened with reprisal for having reported the problem.
- 7 I received an actual reprisal for having reported the problem.

23. Within the last 12 months, have you personally experienced some type of reprisal or threat of reprisal by management for having reported an activity?

- 1 No —————> Please skip to Section III, page 6
- 2 Yes

24. Did the reprisal or threat of reprisal take any of the following forms? (Please check ALL the boxes that apply)

	I was threatened with:	This was done to me:
a. Poor performance appraisal.	<input type="checkbox"/>	<input type="checkbox"/>
b. Denial of promotion.	<input type="checkbox"/>	<input type="checkbox"/>
c. Denial of opportunity for training.	<input type="checkbox"/>	<input type="checkbox"/>
d. Assigned less desirable or less important duties.	<input type="checkbox"/>	<input type="checkbox"/>
e. Transfer or reassignment to a different job with less desirable duties.	<input type="checkbox"/>	<input type="checkbox"/>
f. Reassignment to a different geographic location.	<input type="checkbox"/>	<input type="checkbox"/>
g. Suspension from your job.	<input type="checkbox"/>	<input type="checkbox"/>
h. Grade level demotion.	<input type="checkbox"/>	<input type="checkbox"/>
i. Other. (Please specify on the last page of this questionnaire.)	<input type="checkbox"/>	<input type="checkbox"/>

[Next page is P 15)

Section VI

Personal and Job Information

This section asks for information about your job history and some general questions about you. (Please check ONE box for each question, unless otherwise directed.)

55. How many years have you been a Federal employee (excluding non-civilian military service)?

- 1 Less than 1 year
- 2 1 to less than 4 years
- 3 4 to less than 10 years
- 4 10 to less than 30 years
- 5 30 years or more

56. How long have you worked in your current position?

- 1 Less than 6 months
- 2 6 months to less than 2 years
- 3 2 to 5 years
- 4 6 to 10 years
- 5 More than 10 years

57. Where is your job located? (Please check ALL that apply.)

- 1 Within Washington, D.C., metropolitan area
- 2 Outside Washington, D.C., metropolitan area
- 3 Agency headquarters
- 4 Field or regional installation

58. When will you be eligible to retire voluntarily (age 55 and 30 years of service, age 60 and 20 years of service, age 62 and 5 years of service)?

- 1 I am eligible now
- 2 1 to 2 years
- 3 3 to 5 years
- 4 6 to 8 years
- 5 More than 8 years

59. How many years of full-time employment have you had outside the Federal Government within the past five years?

- 1 None
- 2 Less than 1 year
- 3 1 to less than 4 years
- 4 4 or more years

60. Are you?

- 1 Male
- 2 Female

61. Are you?

- 1 American Indian or Alaskan Native
- 2 Asian or Pacific Islander
- 3 Black, not of Hispanic origin
- 4 Hispanic
- 5 White, not of Hispanic origin
- 6 Other

62. What is your age?

- 1 Under 20
- 2 20 to 29
- 3 30 to 39
- 4 40 to 49
- 5 50 to 54
- 6 55 to 59
- 7 60 to 64
- 8 65 or older

63. Which of the following awards have you received within the past two years:

- 1 Cash award for sustained superior performance or outstanding performance rating.
- 2 Cash award for special act or achievement.
- 3 Quality step increase.
- 4 Merit Pay Cash Award.
- 5 SES Performance Bonus.
- 6 SES Distinguished or Meritorious Rank Award.
- 7 Cash award for suggestion.
- 8 Cash award—don't know the reason.
- 9 Non-monetary award.
- 10 I have not received any of these awards.

64. What type of appointment are you serving under?

- 1 Career or career-conditional
- 2 Non-career
- 3 Schedule C
- 4 Other

65. What is your highest educational level?

- 1 Less than high school diploma
- 2 High school diploma or GED (Graduate Equivalency Degree)
- 3 High school diploma plus some college or technical training
- 4 Graduated from college (B.A., B.S., or other Bachelor's Degree)
- 5 Graduate or professional degree

66. What is your pay category or classification?

- 1 General schedule and similar (GS, GG, GW)
- 2 Merit pay (GM)
- 3 Wage system supervisor or leader (WG, or WS)
- 4 Wage system non-supervisory (WG, WD, WN, etc.)
- 5 Executive (ST, EX, ES, etc.)
- 6 Other

67. What is your pay grade?

- 1 1-4
- 2 5-8
- 3 9-12
- 4 13-14
- 5 15
- 6 16-18
- 7 SES
- 8 Other

68. Which of the following best describes your position? (Please check ONE box.)

- 1 Clerical or secretarial
 - 2 Manual, service or trade
 - 3 Technician (for example, accounting technician or electronics technician, etc.)
 - 4 Professional (for example, accountant or engineer, etc.)
 - 5 Other
- Please skip to Question 70.*

69. Which of the following best describes the kind of work you do?

- 1 Administration (personnel, budget, etc.)
- 2 Computer and information systems
- 3 Biological, mathematical, and physical sciences
- 4 Accounting, economics
- 5 Medical and health
- 6 Engineering
- 7 Legal
- 8 Other

70. Where do you work?

- 1 Agriculture
- 2 Air Force
- 3 Army
- 4 Defense Logistics Agency, and other DoD
- 5 Commerce
- 6 Education
- 7 Energy
- 8 Environmental Protection Agency
- 9 General Services Administration
- 10 Health and Human Services
- 11 Housing and Urban Development
- 12 Interior
- 13 Justice
- 14 Labor
- 15 NASA
- 16 Navy
- 17 Office of Personnel Management
- 18 Small Business Administration
- 19 State, AID or ICA
- 20 Transportation
- 21 Treasury
- 22 Veterans Administration
- 23 Other

Please use the space below to write in specific comments, referring to questions in which you have checked "other" as a response.

QUESTION NUMBER	YOUR COMMENTS

The number that appears to the right does not identify you individually. It is a code that indicates to us the statistical group that you share with other individuals. We need this code to identify the number of responses that have been returned from each group in this survey.

APPENDIX D

1980 SURVEY QUESTIONNAIRE



MERIT SYSTEMS PROTECTION BOARD

Washington, D.C. 20419

December 2, 1980

Dear Federal Co-worker:

The Merit Systems Protection Board, a Federal agency created by the Civil Service Reform Act of 1978, is conducting the first scientific study of reprisal in the Federal workplace. Through this study, we hope to find out the degree to which Federal employees are personally aware of instances of fraud, waste, or mismanagement in Government operations, and what, if anything, they do with such information. We also want to know if any Federal employees have experienced some type of reprisal as a result of reporting any illegal or wasteful activities.

Your name was selected in a random drawing of 15,000 out of more than 800,000 employees within 15 Federal departments and agencies. In order to receive a wide range of opinions that truly represent the thoughts and experiences of Federal workers, it is extremely important that you complete and return the enclosed questionnaire. We need answers from those who have not experienced any form of reprisal, as well as those who have. Likewise, we need answers from those who do not think a significant problem exists, as well as those who do. Please do not ask anyone else to fill out this questionnaire.

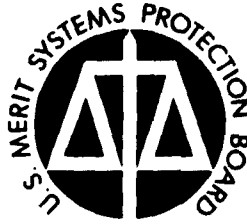
We will keep your answers confidential. Please do **not** put your name anywhere on the questionnaire. We encourage you to complete this in the privacy of your home and return it directly to us in the envelope provided. It will probably take you about 15 minutes to complete this questionnaire if you are not aware of any particular problems and about 25 minutes if you are. We would appreciate your returning the completed questionnaire within **5 days** after you receive it.

The results of this survey will be reported to the Congress and to the President and made available to the public. Appropriate agency officials and national union representatives have been informed of this effort. While it is not the purpose of this study to review and resolve individual problems, the information you provide will form the basis for any major recommendations that we may make. We strongly urge you to take advantage of the opportunity to participate in this unique study.

Thank you for your assistance.

Sincerely,

Patricia A. Mathis
Director, Merit Systems Review
and Studies



U.S. Merit Systems Protection Board
Washington, D.C.

Do Federal Employees Face Reprisal for Reporting Fraud, Waste or Mismanagement?

In this questionnaire, we will ask about your opinions—as well as any experiences you may have had—concerning the reporting of illegal or wasteful practices within Government operations. *You may not have to answer every question.* Instructions in each section below will tell you what questions to skip. Please use the last page to write any comments you may wish to make. The major things we will be asking about are:

- *reprisal*, that is, taking an *undesirable* action against an employee or *not* taking a *desirable* action *because* that employee disclosed information about a serious problem. Reprisal may involve such things as transfer or reassignment to a less desirable job or location, suspension or removal from a job, or denial of a promotion or training opportunities;
 - *illegal or wasteful activities*. This covers a variety of situations, such as stealing Federal funds or property, serious violations of Federal laws or regulations, or waste caused by such things as buying unnecessary or defective goods;
 - *your immediate work group*, that is, the people with whom you work most closely on a day-to-day basis;
 - *your agency*, that is, the major Federal organization for which you work, such as the Department of Agriculture, Department of Commerce, the Veterans Administration, Environmental Protection Agency, etc.
-

SECTION I

1. The following questions ask for your *opinion* about the practice of reporting illegal or wasteful activities. (Please "X" ONE box for each question.)

Definitely Yes
Probably Yes
Probably Not
Definitely Not
Not Sure

- a. Do you personally approve of the practice of employees reporting illegal or wasteful activities within Government operations? 1 2 3 4 5
- b. Is it possible for the Federal Government to effectively protect from reprisal an employee who discloses illegal or wasteful activities within his or her agency?
- c. Is it in the best interests of a Federal agency when an employee reports illegal or wasteful activities?
- d. Should Federal employees be encouraged to report illegal or wasteful activities within their agencies?
- e. If your agency had a program which gave monetary rewards to persons who reported illegal or wasteful activities, would this be a good thing?
- f. If you observed an illegal or wasteful activity involving your agency, would you know where to report it? 1 2 3 4 5

2. How adequate is the protection the Federal Government now offers to employees who report illegal or wasteful activities within their agencies? (Please "X" ONE box.)

- 1 More than adequate
- 2 About right
- 3 As adequate as it can be
- 4 Could and should be more adequate
- 5 Not sure

3. How do you feel about the amount of encouragement your agency gives to employees who might be inclined to report illegal or wasteful activities within the agency? (Please "X" ONE box.)

- 1 Too much
- 2 About right
- 3 Not enough
- 4 Not sure

4. How confident are you that your supervisor would not take action against you, if you were to report—through official channels—some illegal or wasteful activity? (Please "X" ONE box.)

- 1 Very confident
- 2 Confident
- 3 Less than confident
- 4 Not at all confident
- 5 Not sure

5. How confident are you that someone above your supervisor would not take action against you, if you were to report—through official channels—some illegal or wasteful activity? (Please "X" ONE box.)

- 1 Very confident
- 2 Confident
- 3 Less than confident
- 4 Not at all confident
- 5 Not sure

6. Do you feel you have enough information about where to report illegal or wasteful activities, if such activities should come to your attention? (Please "X" ONE box.)

- 1 Yes, I have more than enough information.
- 2 Yes, I have about the right amount of information for now.
- 3 No, I would prefer to have more information.

7. If you observed or had evidence of an illegal or wasteful activity, which two of the following would most encourage you to report it? (Please "X" TWO boxes.)

- 1 Knowing that I could report it and not identify myself.
- 2 Knowing that something would be done to correct the activity if I reported it.
- 3 Knowing that I would be protected from any sort of reprisal.
- 4 Knowing that I could be given a cash reward if I reported it.
- 5 Knowing the problem was something I considered very serious.
- 6 Knowing that I could report it without people thinking badly of me.
- 7 Other. (Please specify on the last page of this questionnaire.)

8. Have you heard of the following organizations, and how much do you know about what they are supposed to do if they receive information concerning illegal or wasteful activities? (Please "X" ONE box after each organization.)

- I never heard of this organization
- I heard of this organization but I know nothing about what they are supposed to do
- I have a vague idea of what they are supposed to do
- I have a pretty good idea of what they are supposed to do
- I have a very good idea of what they are supposed to do

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. The Office of Inspector General or IG "Hot Line" within your agency. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The Special Counsel of the Merit Systems Protection Board. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The General Accounting Office (GAO). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: If you have never heard of the Office of Inspector General, please skip Questions 9, 10, and 11.

9. If you were to report an illegal or wasteful activity to the Office of Inspector General (OIG) within your agency and request that your identity be kept confidential, how confident are you that the OIG would protect your identity? (Please "X" ONE box.)

- 1 Very confident
- 2 Confident
- 3 Less than confident
- 4 Not at all confident
- 5 Not sure

10. If you were to report an illegal or wasteful activity to the Office of Inspector General within your agency, how confident are you that the OIG would give careful consideration to your allegations? (Please "X" ONE box.)

- 1 Very confident
- 2 Confident
- 3 Less than confident
- 4 Not at all confident
- 5 Not sure

11. If your agency had a policy that required you to bypass your supervisor and report any illegal or wasteful activities directly to your agency's Office of Inspector General, would this be a good thing for your agency? (Please "X" ONE box.)

- Definitely yes
- Probably yes
- Probably not
- Definitely not
- Not sure

NOTE: If you have never heard of the Office of the Special Counsel of the Merit Systems Protection Board, please skip to Section II on this page.

12. If you were to report an illegal or wasteful activity to the Office of the Special Counsel (OSC) of the Merit Systems Protection Board, how confident are you that the OSC would give careful consideration to your allegations? (Please "X" ONE box.)

- 1 Very confident
- 2 Confident
- 3 Less than confident
- 4 Not at all confident
- 5 Not sure

13. If you were to need protection for having reported an illegal or wasteful activity, how confident are you that the Office of the Special Counsel of the Merit Systems Protection Board would protect you from reprisal? (Please "X" ONE box.)

- 1 Very confident
- 2 Confident
- 3 Less than confident
- 4 Not at all confident
- 5 Not sure

SECTION II

The questions in this section ask about actual situations that you personally observed, experienced or knew about "first hand." We are mainly interested in finding out what Federal employees do with information they may have regarding illegal or wasteful activities in their agencies. We also want to know if employees have experienced some type of reprisal for reporting such information.

14. Some employees are aware of illegal or wasteful activities because it is part of their job to know about such things.

a. Does your job require you to conduct or assist in audits, investigations, program evaluations, or inspections for your agency? (Please "X" ONE box.)

- 1 Yes
- 2 No

b. Do you work in an Office of Inspector General? (Please "X" ONE box.)

- 1 Yes
- 2 No

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities? (Please "X" ONE box after each activity.)

(Note: Do not answer yes if you only read about the activity in the newspaper or only heard about it as a rumor being passed around.)

(Did you observe this or have direct evidence of it during the last 12 months?)

(Activity)	NO	YES, and the total value involved appeared to be:				
		Less than \$100	\$100 to \$999	\$1,000 to \$100,000	More than \$100,000	
a. Employee(s) stealing Federal funds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Employee(s) stealing Federal property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Employee(s) accepting bribes or kickbacks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Waste of Federal funds caused by ineligible people (or organizations) receiving Federal funds, goods, or services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. Waste of Federal funds caused by buying unnecessary or deficient goods or services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. Waste of Federal funds caused by a badly managed Federal program. (If "yes," please use the last page of this questionnaire to give a brief description of the most badly managed program that you know about.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

NOTE: If you indicated "no" to all of the activities listed in question 15, please skip to Section III on page 7.

16. If you indicated "yes" to one or more of the activities listed in question 15, please select the one activity that represents the most serious problem you know about or the one that had the greatest impact on you personally and "X" the box of that activity below. (Please "X" ONE box.)

- 1 Stealing Federal funds.
- 2 Stealing Federal property.
- 3 Accepting bribes or kickbacks.
- 4 Waste caused by ineligible people receiving funds, goods, or services.
- 5 Waste caused by unnecessary or deficient goods or services.
- 6 Waste caused by a badly managed program.
- 7 Use of an official position for personal benefits.
- 8 Unfair advantage given to a contractor, consultant, or vendor.
- 9 Tolerating a situation or practice which poses a danger to public health or safety.
- 10 Serious violation of law or regulation.

(Note: Please answer the following questions in terms of the one activity you selected in question 16 above.)

17. Is the activity you selected the most serious problem you know about or the one that had the greatest effect on you? (Please "X" ALL the boxes that apply.)

- 1 This is the activity that I consider the most serious problem.
- 2 This is the activity that had the greatest effect on me.

(Activity)	NO	YES, and it appeared to occur:			
		Rarely	Occasionally	Frequently	
g. Employee(s) abusing his/her official position to obtain substantial personal services or favors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Employee(s) giving unfair advantage to a particular contractor, consultant or vendor (for example, because of personal ties or family connections, or with the intent of being employed by that contractor later on).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. Employee(s) tolerating a situation which poses a danger to public health or safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. Employee(s) committing a serious violation of Federal law or regulation other than those described above. (If yes, please use the last page of this questionnaire to give a brief description of the most serious violation that you know about.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

18. How did you find out about this activity? (Please "X" ALL the boxes that apply.)

- 1 I personally observed it happening.
- 2 I came across direct evidence (such as vouchers or other documents.)
- 3 I was told by an employee involved in the activity.
- 4 I was told by an employee who was not involved in the activity.
- 5 I read about it in an internal agency report.
- 6 I found out through some other means not listed above.

19. Did the activity appear to be caused by any of the following? (Please "X" ALL the boxes that apply.)

- 1 Employee(s) of this agency.
- 2 Employee(s) of some other agency.
- 3 Individual(s) receiving Federal funds, goods or services.
- 4 Organization(s) receiving Federal funds, goods or services.

20. Which Federal department or agency did the activity involve? (Please "X" ONE box.)

- 1 Agriculture
- 2 Commerce
- 3 Energy
- 4 Health, Education and Welfare (prior to reorganization)
- 5 Health and Human Services
- 6 Education
- 7 Housing and Urban Development
- 8 Interior
- 9 Labor
- a Transportation
- b Community Services Administration
- c Environmental Protection Agency
- d General Services Administration
- e National Aeronautics and Space Administration
- f Small Business Administration
- g Veterans Administration
- h Other

21. Did you report this activity to any individual or group? (Please "X" ONE box.)

- 1 Yes —————> Please skip to question 23.
- 2 No

22. If you did *not* report this activity to any individual or group, which of the following statements best describes your reason(s) for *not* reporting it? (Please "X" ALL the boxes that apply.)

- 1 The activity had already been reported by someone else.
- 2 I did not think the activity was important enough to report.
- 3 I did not have enough evidence to report.
- 4 I was not really sure to whom I should report the matter.
- 5 I decided that reporting this matter was too great a risk for me.
- 6 I did not want to get anyone in trouble.
- 7 I did not want to embarrass my organization or agency.
- 8 I did not think that anything *would* be done to correct the activity.
- 9 I did not think that anything *could* be done to correct the activity.
- a Some reason not listed above. (Please specify on the last page of this questionnaire.)

NOTE: If you did *not* report this activity to any individual or group, please skip to Section III on page 7.

23. Did you report this activity to any of the following? (Please "X" ALL the boxes that apply.)

- 1 Co-workers.
- 2 Immediate supervisor.
- 3 Someone above my immediate supervisor.
- 4 Personnel office.
- 5 The Office of the Inspector General or the IG "Hot Line" within this agency.
- 6 A union representative.
- 7 The Special Counsel within the Merit Systems Protection Board.
- 8 The General Accounting Office.
- 9 A Member of Congress.
- a A member of the news media.

24. Did you report the activity because it is a routine part of your job to report such activities (for example, as an auditor, investigator, quality control specialist, etc.)? (Please "X" ONE box.)

- 1 Yes
- 2 No

25. If you reported this activity to sources *within* your immediate work group (that is, the people with whom you work most closely on a day-to-day basis), what effect did it have? (Please "X" ONE box.)

- 1 I did *not* report this activity *within* my immediate work group.
- 2 The problem was resolved.
- 3 The problem was partially resolved.
- 4 The problem was not resolved at all.
- 5 The problem is still under review, but I expect it to be resolved.
- 6 The problem is still under review, but I do *not* expect it to be resolved.
- 7 I am not sure whether any action was taken.

26. If you reported this activity to sources *outside* your immediate work group, what effect did it have? (Please "X" ONE box.)

- 1 I did *not* report this activity *outside* my immediate work group.
- 2 The problem was resolved.
- 3 The problem was partially resolved.
- 4 The problem was not resolved at all.
- 5 The problem is still under review, but I expect it to be resolved.
- 6 The problem is still under review, but I do *not* expect it to be resolved.
- 7 I am not sure whether any action was taken.

27. If you were identified as the person who reported the activity, what was the effect on you personally? (Please "X" ALL the boxes that apply.)

- 1 I was *not* identified as the source of the report.
- 2 I was given credit by my management for having reported the problem.
- 3 Nothing happened to me.
- 4 I had the feeling that my *co-workers* were unhappy with me because I reported the problem.
- 5 I had the feeling that my *supervisor* was unhappy with me because I reported the problem.
- 6 I had the feeling that *someone above my supervisor* was unhappy with me because I reported the problem.
- 7 I received some threats of reprisal for having reported the problem.
- 8 I received an actual reprisal for having reported the problem.

31. Where were you working when this experience occurred? (Please "X" ONE box.)

- 1 Agriculture
- 2 Commerce
- 3 Energy
- 4 Health, Education and Welfare (prior to reorganization)
- 5 Health and Human Services
- 6 Education
- 7 Housing and Urban Development
- 8 Interior
- 9 Labor
- a Transportation
- b Community Services Administration
- c Environmental Protection Agency
- d General Services Administration
- e National Aeronautics and Space Administration
- f Small Business Administration
- g Veterans Administration
- h Other

28. Within the last 12 months, have you personally experienced some type of reprisal or threat of reprisal because of an activity you reported? (Please "X" ONE box.)

- 1 Yes
- 2 No —————> Then skip to Section III on page 7.

(Note: If you have experienced more than one incident of actual or threatened reprisal within the last 12 months, please select one experience which is either the most recent or which had the greatest impact on you. Please answer questions 29 through 37 in terms of that experience.)

29. Is the experience you are thinking about a case where: (Please "X" ONE box.)

- 1 A threat of reprisal was made but not carried out.
- 2 A threat of reprisal was made and actually carried out in some form.
- 3 Some type of reprisal was actually taken *without* a threat or warning. —————> If this happened, please skip to question 31.

32. Did you report the information that caused the reprisal or threat of reprisal to any of the following? (Please "X" all the boxes that apply.)

- 1 Co-workers.
- 2 Immediate supervisor.
- 3 Someone above my immediate supervisor.
- 4 Personnel office.
- 5 The Office of the Inspector General or the IG "Hot Line" within this agency.
- 6 A union representative.
- 7 The Special Counsel within the Merit Systems Protection Board.
- 8 The General Accounting Office.
- 9 A Member of Congress.
- a A member of the news media.

30. How was the threat made? (Please "X" ONE box.)

- 1 Various words or actions *implied* there was the possibility of reprisal, but I was *not* explicitly threatened.
- 2 I was *explicitly* threatened with some type of reprisal.

33. Who threatened or took the reprisal? (Please "X" ALL the boxes that apply.)

- 1 Co-workers.
- 2 My immediate supervisor.
- 3 My second level supervisor.
- 4 A level of management or supervision above my second level supervisor.
- 5 Other. (Please specify on the last page of this questionnaire.)

34. Did the reprisal or threat of reprisal take any of the following forms? (Please "X" ALL the boxes that apply.)

(Reprisal Action)	(Was this threat- (Did this ened) Occur)			
	Yes	No	Yes	No
a. Poor performance appraisal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Denial of promotion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Denial of opportunity for training.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Assigned less desirable or less important duties in my current job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Transfer or reassignment to a different job with less desirable duties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Reassignment to a different geographic location.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Suspension from your job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Grade level demotion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Other. (Please specify on the last page of this questionnaire.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

35. How was the way you do your job affected by the reprisal or threat of reprisal? (Please "X" ALL the boxes that apply.)

- 1 I now ignore instances of wrongful activities that I would not have ignored before.
- 2 I do not do my job as well as I did before the actual or threatened reprisal.
- 3 I do my job better than I did before the actual or threatened reprisal.
- 4 Nothing has changed in the way I do my job.
- 5 I applied for and accepted a different job.
- 6 I was moved into a different job by my agency.

36. In response to the reprisal or threat of reprisal, did you take any of the following actions? (Please "X" ALL the boxes that apply.)

- 1 Complained to a higher level of agency management.
- 2 Complained to some other office within my agency (for example, the personnel office or the EEO office).
- 3 Complained to the Office of Inspector General within my agency.
- 4 Filed a complaint through my union representative.
- 5 Filed a formal grievance within my agency.
- 6 Filed an EEO (discrimination) complaint.
- 7 Filed a complaint with the Office of Special Counsel of the Merit Systems Protection Board.
- 8 Filed a formal appeal, or had an appeal filed on your behalf, with the Merit Systems Protection Board.
- 9 Took an action not listed above.
- 10 Took no action. —————> If this is the case please skip to Section III on this page.

37. What happened to you as a result? (Please "X" ALL the boxes that apply.)

- 1 It got me into more trouble.
- 2 It made no difference.
- 3 The threat of reprisal was withdrawn.
- 4 The reprisal action itself was withdrawn.
- 5 Actions were taken to compensate me for the reprisal action.

SECTION III

This last section asks for information we need to help us with the statistical analyses of the survey data and to make sure we have responses from a representative sample of employees. Please answer the following questions regardless of whether you had any specific experience(s) to relate.

38. What is your pay category or classification? (Please "X" ONE box.)

- 1 General Schedule and similar (GS, GG, GW).
- 2 Wage System (WC, WS, WL, WD, WN, ETC.)
- 3 Merit Pay (GM).
- 4 Executive (ST, EX, ES, ETC.)

39. What is your pay grade? (Please "X" ONE box.)

- 1 1-4
- 2 5-8
- 3 9-12
- 4 13-15
- 5 Over 15 (SES)
- 6 Over 15 (not SES)
- 7 Other

40. Do you now write performance appraisals for other employees? (Please "X" ONE box.)

- 1 Yes
- 2 No

41. Is your current and principal place of work at headquarters or in a field or regional location? (Please "X" ONE box.)

- 1 Headquarters
- 2 Field or regional location

42. Where is your current job located? (Please "X" ONE box.)

- 1 Washington, D.C. (Metropolitan Area)
- 2 Massachusetts, Vermont, New Hampshire, Maine, Connecticut, Rhode Island
- 3 New York, New Jersey, Puerto Rico, Virgin Islands
- 4 Pennsylvania, Delaware, Maryland, Virginia, West Virginia
- 5 Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida
- 6 Michigan, Ohio, Indiana, Wisconsin, Minnesota, Illinois
- 7 Missouri, Iowa, Nebraska, Kansas
- 8 Texas, Arkansas, Louisiana, Oklahoma, New Mexico
- 9 North Dakota, South Dakota, Montana, Wyoming, Colorado, Utah
- a California, Nevada, Arizona, Hawaii
- b Washington, Oregon, Idaho, Alaska
- c None of the above

43. In which department or agency do you currently work? (Please "X" ONE box.)

- 1 Agriculture
- 2 Commerce
- 3 Energy
- 4 Health and Human Services
- 5 Education
- 6 Housing and Urban Development
- 7 Interior
- 8 Labor
- 9 Transportation
- a Community Services Administration
- b Environmental Protection Agency
- c General Services Administration
- d National Aeronautics and Space Administration
- e Small Business Administration
- f Veterans Administration
- g Other

44. What is the highest level of education you have completed? (Please "X" ONE box.)

- 1 Less than high school diploma.
- 2 High school diploma or GED (Graduate Equivalency Degree).
- 3 High school diploma plus some college or technical training.
- 4 Graduated from college (B.A., B.S., or other Bachelor's Degree.)
- 5 Graduate or professional degree.

Please use the space below to write in specific comments, referring to questions in which you have checked "other" as a response.

QUESTION
NUMBER

YOUR COMMENTS

This completes the questionnaire. If you have any other comments, please write them here. We appreciate your help in taking the time to answer these questions. Please use the enclosed envelope to return your completed questionnaire.

APPENDIX E

WRITTEN COMMENTS FROM RESPONDENTS TO 1983 MSPB QUESTIONNAIRE

APPENDIX E

EXCERPTS FROM WRITTEN COMMENTS TO RETURNED

1983 MSPB QUESTIONNAIRE

The following are excerpts from written comments descriptive of some of the perceived instances of illegal or wasteful activities. These comments were volunteered by a number of respondents to the Board's 1983 "Merit Principles Survey." The respondents claimed that during the 12 months preceding completion of the questionnaire, they had personally observed or otherwise had obtained direct knowledge of activities such as these. Similar excerpts were provided in the Board's report of its 1980 survey.¹

WASTE OF FEDERAL FUNDS CAUSED BY UNNECESSARY OR DEFICIENT GOODS OR SERVICES

Contracting officers negotiating too high prices with good technical pricing data to support lower prices.

* * * * *

Virtually every activity that involves [agency] in any way is full of waste. This includes space acquisition, space maintenance, product procurement.

* * * * *

Last minute unnecessary expenditures of expiring funds.

* * * * *

Employee hired as a GS-9 who didn't have the training to handle the job and didn't want to be troubled to learn. Since employee was unable to handle job, he read paperbacks.

* * * * *

The purchase of equipment, services, and supplies from [agency] schedules is ridiculous. The cost of items are extremely high, plus the quality of products is poor. It's common knowledge if a small business wants to make big and fast bucks, all they have to do is get on a [agency] schedule.

* * * * *

¹ See Note 2, Chapter 1.

A commanding general forced major design changes in major facilities which did not increase the operational functions of the building.

* * * * *

Too much is being spent on trying to catch government employees wasting, abusing, or stealing resources. This in itself is wasteful.

* * * * *

Construction of partitions by the [agency subunit] office in the name of "security" even though this was not necessary and it was actually an attempt to expand [agency subunit] office space.

* * * * *

Much money is spent and wasted in the attempt to maintain [agency] vehicles in a "like new" condition. I feel the vehicles should be maintained in a safe, reliable, and dependable condition. A more realistic attitude along this line would certainly save large sums of money at the local level.

* * * * *

EMPLOYEE(S) STEALING FEDERAL FUNDS

Very long lunch hours and most Fridays all afternoon off and still reporting eight hours of work on time cards.

* * * * *

Senior staff abusing leave by never signing for leave but accumulating leave with large lump sum payment.

* * * * *

Falsified travel vouchers. Obtaining Federal funds by submitting fraudulent travel claims.

* * * * *

Abuse of overtime among the special few allowed to "work" overtime continuously when they spend a good amount of time Monday through Friday on socializing.

* * * * *

WASTE OF FEDERAL FUNDS CAUSED BY A BADLY MANAGED FEDERAL PROGRAM

Massive amount of written documentation as to the reason for doing or not doing, answering inspection reports, completing checklists of items already given in regulations, "data trail" for instructional system development certifying that you have accomplished something.

* * * * *

Programs that will not work are continued, scientific principles are ignored because of buddy system and lack of technical ability in management.

* * * * *

Waste, inefficient procedures, and refusal to consider suggestions to correct bureaucratic bungling, granting of unneeded overtime pay, and severe morale problems due to incompetent supervisors/managers are costing the taxpayers millions of dollars per year.

* * * * *

The waste I have seen comes largely from the unwillingness of the Congress to allow my agency to proceed with reorganizations which would save money. The Congress will not allow closures of offices or facilities in their districts/states.

* * * * *

I worked for the [agency]. Our agency is a bit different from other Federal agencies. The waste I am talking about [involves] our programs and policies and the things we are required to do to administer the program. Of course, this involves decisions by Congress and high level policy people who pay very little attention to what's really happening on the front lines.

* * * * *

EMPLOYEE(S) ABUSING HIS/HER OFFICIAL POSITION TO OBTAIN SUBSTANTIAL PERSONAL SERVICES OR FAVORS

Moving an office from Newark, New Jersey, to Trenton, New Jersey, for personal convenience of director who lived closer to Trenton.

* * * * *

Office use of private developer's helicopter (twice) while the developer had projects pending with office.

* * * * *

A contract was let for someone to essentially perform personal services (circumvention of ceiling). Neither the contractor of record nor the Federal project monitor performed appropriate oversight.

* * * * *

Supervisor's use of employees to do personal work.

* * * * *

While unable to fill badly needed lower graded clerical positions in [our] work group, regional office filled at least three high graded unneeded political positions.

* * * * *

Misuse of travel funds by my supervisor. Unnecessary overnight trips.

* * * * *

The Chiefs of Medical departments (non-Federal medical school employees) control [agency] appointment (of physicians and research workers) by appointing [agency] Chiefs (e.g., of Medicine) and paying their medical school funds in addition to full time [agency] salaries.

* * * * *

EMPLOYEE(S) COMMITTING A SERIOUS VIOLATION OF FEDERAL LAW OR REGULATION OTHER THAN THOSE DESCRIBED ABOVE

I observed and complained about politically motivated hiring of several people at the GS 12-14 level.

* * * * *

Work is thrown in the garbage can rather than being completed. This results in more work at a later time, but it makes certain people look good on paper, in that they don't spend the time required to complete the work on difficult matters.

* * * * *

Use of industrial funds for expenditures properly chargeable to operations and maintenance appropriating, thereby avoiding budgeting requirements.

* * * * *

There have been serious violations of Federal law and/or regulation, primarily as regards the personnel management policy and practices. For instance, how does an employee go from a GS-14, 6 months in grade, to a temporary GM-15, back to GM-14, then to GM-15, finally to Assistant Director in a period of less than 24 months. All of this entailed various actions, creation of deputy positions, temporary promotions, details, etc. At the same time, this employee was allowed to arbitrarily assign, reassign, detail, promote, and terminate employees at will.

APPENDIX F

BIBLIOGRAPHY OF MERIT SYSTEMS REVIEW AND STUDIES REPORTS

APPENDIX F

BIBLIOGRAPHY OF MERIT SYSTEMS REVIEW AND STUDIES REPORTS

Under the mandate of the Civil Service Reform Act of 1978, the Merit Systems Protection Board (MSPB) shall:

. . . conduct special studies relating to the civil service and to other merit systems in the Executive Branch and to report to the President and to the Congress as to whether the public interest in a civil service free of prohibited personnel practices is being adequately protected.

(5 U.S.C. 1205(a)(3))

The Office of Merit Systems Review and Studies (MSRS) of the MSPB is responsible for determining whether the merit principles established by law (5 U.S.C. 2301) are being effectively implemented, and whether prohibited personnel practices (5 U.S.C. 2302) are being avoided in Federal agencies. MSRS studies the rules, regulations, and significant actions of the Office of Personnel Management (OPM) and evaluates the health of the Federal civil service system through a variety of techniques. Among these are surveys, agency specific case studies, onsite interviews, roundtable discussions, and traditional investigative techniques. Research topics are selected to produce studies that are bias-free, definitive and reliable indicators of civil service problems, and which identify ways in which these problems can be addressed. A bibliography of all published MSRS reports in chronological order is given below.

Sexual Harassment in the Federal Workplace: Is it a Problem?, March 1981, 208 pages.

In response to a Congressional request, the Board explored the nature and extent of sexual harassment in Federal government. Survey data for this study were based on the responses of over 20,000 men and women in the Federal workforce. This report covers the following topics: the view of Federal workers toward sexual harassment, the extent of sexual harassment in the Federal government, the characteristics of the victims and the perpetrators, incidents of sexual harassment, its impact and costs, and possible remedies and their effectiveness.

Do Federal Employees Face Reprisal for Reporting Fraud, Waste, or Mismanagement? Preliminary Report, April 1981, 50 pages.

This is the preliminary report on "whistleblowing" and the Federal employee. Survey data for this study were gathered from 8,600 Federal employees in all grade levels from 15 agencies. This study reports on a number of issues including: the number of observations of illegal or wasteful activities that go unreported and the outcome when they are reported.

Study of MSPB Appeals Decisions for FY 1980, May 1981, 46 pages.

One of the principal functions of the Merit Systems Protection Board is to hear the appeals of Federal employees from one or another of various types of personnel actions taken or denied by Government agencies. This is the first annual report on MSPB appeals decisions. This report analyzes the Board's processing of the appeals during FY 1980 and place the results in historical context.

Status Report on Performance Appraisal and Merit Pay Among Mid-level Employees, June 1981, 27 pages.

This study focused on the experiences of mid-level employees in the first eight agencies that implemented Merit Pay in October 1980. The data were drawn from a survey of approximately 3,000 employees in grades GS/13-15. The study examines employee perceptions of their performance standards and the performance appraisal system, especially as it relates to improved performance, and their opinions on the fairness of the Merit Pay System.

Report on the Significant Actions of the Office of Personnel Management During 1980, June 1981, 99 pages.

The Civil Service Reform Act of 1978 mandated that the Merit Systems Protection Board monitor the significant actions of the Office of Personnel Management and report to the President and the Congress on the rectitude of those actions. This was the first such report on OPM and data were derived from a survey of more than 1,200 senior personnel officials and interviews with Directors of Personnel of all cabinet and military departments. Issues covered included a discussion of: what OPM did to promote the merit principles and prevent the commission of prohibited personnel practices, OPM's delegated and decentralized authority, and safeguards and programs set up for the Senior Executive Service.

A Report on the Senior Executive Service, September 1981, 83 pages.

This study was undertaken to determine whether the Senior Executive Service is providing the flexibility needed by management to recruit and retain the qualified executives needed to manage Federal agencies more effectively. Data for this report were derived from survey responses from approximately 1,000 senior executives and an in-depth phone survey of 100 additional SESers. The report covers many topics including: the impact of the bonus restrictions, the ceiling on executive pay and politicization of the SES.

Whistleblowing and the Federal Employee: Blowing the whistle on fraud, waste and mismanagement - who does it and what happens. October 1981, 87 pages.

This is the final report on "whistleblowing" and the reprisals that are sometimes taken against those who report an incidence of fraud, waste or abuse. Survey data were gathered from approximately 8,600 Federal employees in 15 agencies. The report covers a wide range of issues including: the number of employees who observed one or more instances of illegal activities, reasons given for not reporting these activities, and what happens to employees who do report illegal or wasteful activities.

Breaking Trust: Prohibited Personnel Practices in the Federal Service, Director's Monograph, February 1982, 50 pages.

This monograph reports on prohibited personnel practices as experienced by several key groups of Federal employees. The survey data were drawn from a random selection of 1,000 senior executives, 3,000 mid-level employees, 1,200 senior personnel officials, as well as 8,600 employees in all grade levels. Among other things, the report describes: the Government-wide incidences of prohibited personnel practices and the incidences of such practices in individual agencies.

The Other Side of the Merit Coin: Removals for Incompetence in the Federal Service, Director's Monograph, February 1982, 34 pages.

This monograph explores the question of whether Federal employees who cannot or will not improve their inadequate performance are being separated from their positions. Data for this report were drawn from the following: OPM's Central Personnel Data File, and MSPB's questionnaire surveys of 1,000 senior executives, 1,200 senior personnel officials, and 3,000 mid-level employees. The report discussed employees' expectations of removals based on poor performance and noted that the expectation of removal varies among Government-wide populations.

The Elusive Bottom Line: Productivity in the Federal Workforce, Director's Monograph, May 1982, 46 pages.

This monograph examines how well the merit system principle calling for an efficient and effective work force is being realized. Survey data were gathered from randomly selected Federal employees, including 1,000 senior executives and 3,000 mid-level employees. This study reports on employees' perceptions of their overall productivity, whether the amount of work could be increased, and whether the quality of their work could be improved.

Study of MSPB Appeals Decisions for FY 1981, December 1982, 70 pages.

This is the second annual report on MSPB appeals decisions. This report analyzes the Board's decisions on the appeals during FY 1981 and places the results in historical context.

Report on the Significant Actions of the Office of Personnel Management During 1981, December 1982, 63 pages.

This is the second annual report on significant actions of the Office of Personnel Management. Data for this report were derived from the comments solicited from organizations and individuals with a specific interest in the Federal personnel system, including on-site interviews with Directors of Personnel and other senior executives. Among other topics, this study discussed the implementation of merit pay, problems in recruiting and keeping executive talent, and the morale of the Federal work force.

Reduction-in-Force in the Federal Government, 1981: What Happened and Opportunities for Improvement, June 1983, 149 pages.

This study reviewed employee perceptions of the 1981 reduction-in-force (RIF) practices to determine if the RIFs were conducted in accordance with the merit principles and with the avoidance of prohibited personnel practices. The data for this study were based on on-site interviews with those knowledgeable about the RIF process and Government-wide surveys of 2,600 Federal employees and 800 senior Federal personnel officials. Some of the topics covered in this report include: the extent to which the 1981 RIF complied with the RIF regulations promulgated by OPM and the agencies, the extent to which the 1981 RIF affected the efficiency and effectiveness of the work force, and ways in which the RIF system could be improved in the future.

Study of MSPB Appeals Decisions for FY 1982, December 1983, 53 pages.

This is the third annual report on MSPB appeals decisions. This report analyzes the Board's decisions on the appeals during FY 1982 and places the results in historical context.

The RIF System in the Federal Government: Is It Working and What Can be Done to Improve It, December 1983, 52 pages.

As a result of much discussion about reductions in force during the summer of 1983 and OPM's proposed revisions to the RIF regulations, the Merit Systems Protection Board sponsored a roundtable to provide a forum for policymakers and other interested parties to discuss RIF issues and their effect on the merit system. This monograph is a summary of the roundtable proceedings including the panel members' presentations and the question and answer session between the audience and panel members.

Report on the Significant Actions of the Office of Personnel Management During 1980, December 1983, 140 pages.

This is the third annual report on significant actions of the Office of Personnel Management. Information for this report was derived from several sources: written comments in response to information requests sent to the 20 largest Federal departments and independent agencies, responses of 4,900 Federal employees to the Government-wide Merit Principles Survey, statements of OPM and Federal employee union officials at a MSPB sponsored roundtable, and recent studies prepared by GAO, OPM, and other public and private research organizations.

Significant Actions of the Office of Personnel Management: A Labor-Management Dialogue, August 1984, 66 pages.

This monograph is a summary of a roundtable discussion sponsored by MSRS on November 3, 1983. OPM officials and officials from the National Treasury Employees Union and the National Federation of Federal Employees served as panelists and responded to questions asking them to identify the three most significant accomplishments by OPM in 1982 and 1983, the three priority actions OPM should undertake, and the three priority actions Congress should take to improve the merit system. The discussion by panelists and members of the Federal personnel community who were invited to participate expanded upon: determining the role of OPM in maintaining an effective merit system, adapting private sector principles to the public sector, creating and conducting performance appraisals, attracting and retaining a quality work force, and providing incentives to perform.

COPIES OF STUDIES CAN BE OBTAINED BY WRITING:

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