

Description of Complaint and Appeal Processes

Know Your Rights

- [Review Your Employment Rights Under Federal Law](#)
- [Reasonable Accommodation for Qualified Employees with Disability Requirements](#)
- [Prohibited Personnel Practices](#) and [The Right to Appeal](#) (expanded discussion below)
- [A Guide to the Federal Civil Service Employment Law](#) (history and links)

Merit Systems Protection Board

- One of the Merit System's Protection Board's (MSPB's) primary statutory functions is to protect Federal merit systems against partisan political and other prohibited personnel practices by adjudicating employee appeals over which the Board has been given jurisdiction. A list of the matters over which the Board generally has jurisdiction is contained in [5 C.F.R. § 1201.3](#).¹
- If you are a federal employee (permanent or probationary), and you are involuntary separated from the federal service or subject to another adverse personnel action that may have been improper, you may have the right to appeal that action to the MSPB.
 - [Learn About Filing an Appeal](#)
 - [Step-by-Step Guidance for Filing an Appeal](#)
 - [Appeal Platform](#)

Office of Special Counsel

- OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices (PPPs), including (but not limited to) reprisal for whistleblowing.
 - [Understand Your Rights as a Federal Employee](#)
- If you are a current or former federal employee, you may have a right to file a complaint with the Office of Special Counsel (OSC) if you are not on the list of exceptions found [here](#) and have been subjected by your employer to any of the [following prohibited personnel practices](#), which are employment activities that are prohibited in the federal workplace:

¹ Note: we are linking here to the regulation via the Cornell University Law School because the official government Code of Federal Regulations website blocks access to Virtual Private Networks. We apologize for the advertisements on this page and are not endorsing the attorneys listed thereon.

- Discrimination (although OSC defers to the Equal Employment Opportunity Commission (EEOC) on any overlapping claims)
 - Personnel recommendations taken based on connections or influence
 - Coercing political activity
 - Obstructing competition
 - Influencing withdrawal from competition
 - Granting unauthorized advantage
 - Nepotism
 - Whistleblower retaliation
 - Other retaliation
 - Violating rules that implement a merit system principle
 - Imposing nondisclosure agreements that do not allow whistleblowing
 - Accessing medical records in the furtherance of another prohibited personnel practice.
- OSC can seek corrective action (meaning an action that corrects what happened to the complainant), disciplinary action (meaning an action that penalizes the agency official(s) who committed the PPP), or both.
 - [Learn How to File a Complaint](#)
- If you are in a bargaining unit, you should communicate with your union first, as it is possible that they have a different, negotiated set of grievance procedures.
 - Resources for Whistleblowers
 - [The Whistleblower Protection Act \(WPA\): A Legal Overview](#)
 - [Frequently Asked Questions on Whistleblower Protection](#)
 - [Fact Sheets on Whistleblowing and Specific Agencies](#)
 - [To Submit a Complaint: Senate Democrats Whistleblower Portal](#)

[Learn How to File a Complaint of Discrimination or Retaliation](#) (Equal Employment Opportunity Commission)

- If you are a federal employee or job applicant, the law protects you from discrimination because of your race, color, religion, sex (including transgender status, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information. The law also protects you from retaliation if you oppose employment discrimination, file a complaint of discrimination, or participate in the EEO complaint process (even if the complaint is not yours.)
- If you are a federal employee and you believe that a federal agency has discriminated against you, you have a right to file a complaint. Each agency is required to post information about how to contact the agency's EEO Office. You can contact an EEO Counselor by calling the office responsible for the agency's EEO complaints program.

- The requisite contact information is required to be listed on an agency's public facing website (not only available to those with internal agency accesses).
 - The first step is to contact an EEO Counselor at the agency where you work or where you applied for a job. Generally, you must contact the EEO Counselor **within 45 days** from the day the discrimination occurred.
- More information about [filing a complaint](#) may be found on the EEOC's website.