**A Look at the Provisions of the VA Accountability and Whistleblower Protection Act**

The bipartisan [VA Accountability and Whistleblower Protection Act](https://www.congress.gov/bill/115th-congress/senate-bill/1094) was passed by the Senate on June 6, 2017, which was signed into law in by President Donald Trump, with the aim to bring a significant reform to civil service. The bill comprises of statutes that will ease restrictions pertaining to termination and discipline of employees that is directed from the veteran affairs dependent. The law is designed to streamline the process of handling employee misconduct and give more power to make decisions to the Secretary of Veteran Affairs.

The need for introducing this act arose from the 2014 VA scandals that involved delays and long waiting times for veterans’ medical care, where VA employees were to blame. President Trump believed that this is a major reform as it is essential to ensure the veterans of our country are being treated with respect. The bill got great support from veterans’ advocacy groups, but received condemnation from civil servant unions.

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Let’s take a look at the provision of this act and how it affects veterans and other concerned groups.

* It provides protection to whistleblowers from wrongful termination or retaliation by keeping the secretary from using their power to terminate employees who file an official complaint with the Office of Special Counsel (OSC). This will give confidence to employees to bring into light the major issues at the Veteran Affairs department without the fear of facing retaliation or losing their job.
* The secretary is authorized to suspend, demote, reprimand, involuntarily reassign, or order a covered individual to step down from a senior executive service position that may lead to removal from civil service. If the secretary finds that their poor performance or misconduct warrants such an action, they will be subjected to a VA-internal grievance process that must be completed with a period of 3 weeks.
* The secretary is authorized to suspend, demote, or remove non-senior executive service (SES) employees for a period longer than 14 days without remuneration, as they would be subject to make an appeal of their suspension, demotion, or removal to the MSPB. The MSPB will be given 180 days to complete their investigations for the appeal, and come to a conclusion, which would be subjected to a US Federal Circuit judicial review.
* The new law requires the Veteran Affairs department to offer training to supervisors at least once a year on whistleblower rights. This will include training them about addressing a report made by a whistle-blower regarding reprisal, hostile work environment, or harassment. In addition, it will also help them to effectively manage, motivate, and reward employees, as well as handle employees performing at a below acceptable level.
* It requires the Veteran Affairs department to prepare and send reports to Congress on employee morale, highlighting the administrative actions that have been taken against employees. This will provide a picture of the effectiveness of these measures in disciplining employees.

To understand how the VA Accountability and Whistle Blower Protection Act can help in your situation, you should consider talking to an experienced [Schaumburg employment attorney](http://www.lawofficemichaelsmith.com/contact-us/). [Contact](http://www.lawofficemichaelsmith.com/contact-us/) the Law Office of Michael T. Smith today at 847.466.1099 for a consultation.