



**UNITED STATES GOVERNMENT**  
National Labor Relations Board

**Date:** September 29, 2023  
**To:** All Employees  
**From:** Lauren McFerran, Chairman  
Jennifer A. Abruzzo, General Counsel  
**Subject:** Whistleblower Policy Statement

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The purpose of this memorandum is to ensure that all Agency employees are aware of and understand the whistleblower protections available to federal employees. In addition, the Agency is committed to the prevention of retaliation against an employee for whistleblowing.

The Whistleblower Protection Act of 1989 and the Whistleblower Protection Enhancement Act of 2012 (collectively, WPA) protect the right of federal employees to make whistleblower disclosures and to ensure that such employees are protected from [whistleblower retaliation](#). The Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017 and the U.S. Office of Special Counsel's Reauthorization Act of 2017 further enhanced and reinforced these rights and protections.

Whistleblowing, under these laws, is defined as the protected disclosure of information that an employee reasonably believes evidences: a violation of any law, rule or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety. Employees are also protected if they make such a disclosure to certain other individuals or organizations (e.g., a congressional committee), provided that the disclosure is not specifically prohibited by law and the information does not have to be kept secret in the interest of national defense or the conduct of foreign affairs. Employees may make protected disclosures to anyone, including, for example, management officials, the Inspector General of an agency, and/or Office of Special Counsel (OSC).

OSC is an independent agency responsible for the protection of federal employees from prohibited personnel practices, including whistleblower retaliation. OSC provides an independent, secure channel for disclosing and resolving wrongdoing in federal agencies.

Please review [Your Rights as a Federal Employee](#), which provides detailed information on the fourteen prohibited personnel practices and employees' rights to file complaints with OSC. Additionally, we encourage you to review [Know Your Rights When Reporting Wrongs](#), which describes different avenues for making whistleblower disclosures as federal employees. More information can also be found on the [OSC website](#).

Agency employees should also read the below statement as if it were incorporated into any Agency non-disclosure policy, form, or agreement they have previously signed or been otherwise made aware of:

These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

Federal employees have the right to be free from prohibited personnel practices, including retaliation for whistleblowing. The NLRB is committed to ensuring that all employees are aware of their rights as well as the safeguards in place to protect them. If you have any questions or concerns, you may contact the Office of Equal Employment Opportunity at (202) 273-3891.

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Lauren McFerran  
Chairman

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Jennifer A. Abruzzo  
General Counsel