

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Mon 7/10/2017 4:00:21 PM
Subject: [SPAM] Federal Insider: VA fires more than 500 feds under Trump, even before new accountability law

VA fires more than 500 feds under Trump, even before new accountability law

By Joe Davidson

President Trump signs the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017, aiming to innovate veterans' health care access on June 23. (The Washington Post)

The agency that has been the main target of efforts to fire feds faster dismissed more than 500 employees this year — even before a new accountability law took effect.

Since the Department of Veterans Affairs (VA) shamed itself in 2014 with a scandal over the coverup of long patient wait times, Capitol Hill politicians have demanded that the agency accelerate sacking — as if that were the main measure of good personnel administration. Department leaders joined the call and perpetuated the impression that life would be better if only more derelicts could be dumped.

Now we know that VA has dumped plenty.

Its first public posting, released Friday, of adverse actions against employees, terminations, suspensions and demotions, showed that the department fired 525 staffers from Jan. 20, when President Trump took office, through July 3.

The number of staffers dismissed should not be confused with effective human resource management. A certain percentage of terminations is inevitable in any organization, particularly during probationary periods. Yet, an excessive and perverse focus on firing makes that a valued metric, instead of more attention on measures encouraging the agency, its managers and its employees to succeed.

VA's 26-page list is filled with "removals," which is government-speak for

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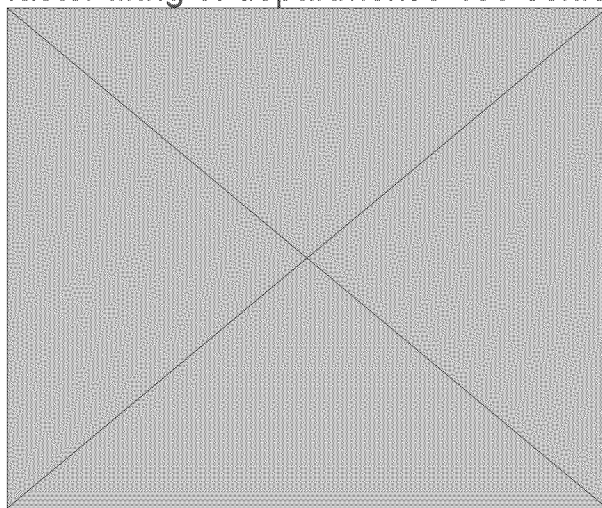
firings, of staffers, including doctors, nurses, housekeepers, grave diggers.

“Under this administration, VA is committed to becoming the most transparent organization in government,” Secretary David Shulkin said. “... Veterans and taxpayers have a right to know what we’re doing to hold our employees accountable and make our personnel actions transparent. Posting this information online for all to see, and updating it weekly, will do just that.”

This transparency also busts the myth that feds can’t be fired. Terminating more than 500 people in less than six months, even from a 345,000-strong department workforce, should be enough to make the cruelest boss content.

Governmentwide, more than 77,000 feds were fired for performance or conduct issues during fiscal 2000-2014, according to the Merit Systems Protection Board (MSPB), an average of more than 5,000 a year. Out of a current workforce of about 2 million, that’s not much, but it’s not supposed to be. Plus, 5,000 is not nothing.

The list of adverse actions was compiled before Trump signed the VA Accountability and Whistleblower Protection Act last month. It erodes civil service due process protections for all VA employees and pointedly facilitates faster firing of department’s 469 senior executives.



“Some of the employees involved in these [wait list] scandals remained on the payrolls,” Trump lamented at the signing ceremony. “Outdated laws kept the government from holding those who failed our veterans accountable.”

But the adverse-action list demonstrates that many VA employees were held accountable before the act became law, despite comments by Trump and Shulkin giving the opposite impression.

“It is clear that there is sadly a pervasive lack of accountability,” Shulkin said at a Senate Veterans’ Affairs Committee hearing in May. He cited an employee who “was caught watching pornography on the job.” That employee, a psychiatrist, was fired, just not as quickly as Shulkin wanted.

Like democracy, due process takes time.

Under the new accountability law, due process for VA employees, such as it is, will take less time and they can be bounced on less evidence. Shulkin can design an in-house process that makes him the prosecutor, judge and appellate court for senior executives. He is responsible for charging them with an offense, determining the punishment and hearing employee appeals of the sentence. The law abolished their right, available to other federal

employees to a neutral, third-party review by the MSPB or another agency. You received this email because you signed up for Federal Insider or because it is included in your subscription. For additional free newsletters or to manage We respect your privacy. If you believe that this email has been sent to you in error or you no longer wish to receive email from The Washington Post, [click here](#). [Contact us](#) spokesman James Hutton, “and to more easily defend its actions on appeal, as [MSPB administrative] judges must now afford deference to VA’s choice of penalty and must uphold actions when VA proves misconduct by substantial evidence,” a lower bar than the previously required “preponderance of evidence.”

Leaders of employee organizations differ on Shulkin’s decision to release the list of adverse actions.

J. David Cox Sr., president of the American Federation of Government Employees, which represents more than 70 percent of VA’s employees, said the list “isn’t transparency. It’s an intimidation tactic. ... As former VA Secretary Bob McDonald said, you can’t fire your way to excellence.”

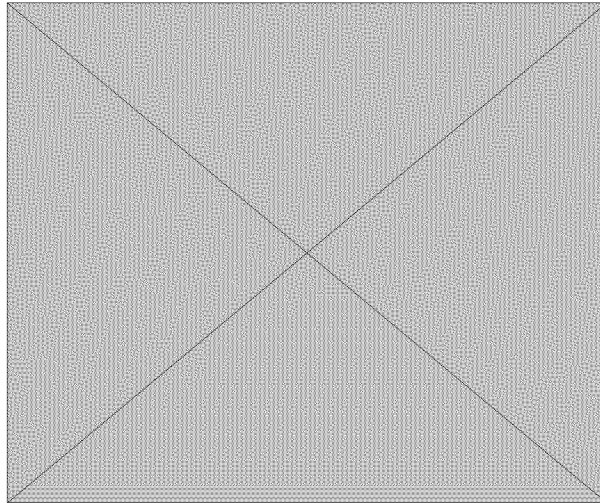
I side more with Bill Valdez, president of the Senior Executives Association. Rather than intimidation, the list demonstrates “it’s not so hard to remove feds and it happens all the time,” he said. “Why in the world did they need more authority to fire feds when they can to it at this rate?”

The list, Valdez added, is “a great demonstration to the American public that

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feds are held accountable and can be held accountable.”

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