What should you do if you experience retaliation for reporting wrongdoing?

Federal law prohibits retaliation against you for providing information to the Professional Responsibility Unit (PRU). If you believe that you have experienced retaliation because of cooperation with the PRU, you should report your allegations to the PRU, Office of the Inspector General, or to the Office of Special Counsel (OSC).

What are your rights and responsibilities if interviewed during a PRU investigation or administrative inquiry?

Consistent with Federal law and regulation, when interviewed you should be advised whether you are the subject of an investigation if it is known at the outset of the interview.

In many cases, you will be interviewed simply as a witness based on your knowledge, expertise, or experience. You have a duty to provide information to the PRU with respect to the subject at issue.

If you are interviewed as the subject of an investigation, the investigators must inform you of the nature of the inquiry being conducted. You should also be told, if known, whether the investigation could lead to criminal or administrative action. You have a right to select a personal representative, usually a co-worker.

If you have been advised that the investigation is administrative in nature and were given the assurance that your responses will not be used against you in any criminal proceeding, you must cooperate and reply fully and truthfully to the investigator's questions. You may be subject to administrative action, including termination, if you refuse to cooperate.

What happens after an investigation is completed?

When an allegation of misconduct is not sustained or a finding of exonerated or unfounded is made, the appropriate Service manager and/or Human Resource office will inform the employee in writing that the matter is closed and that no information about the allegation will appear in his/her Official Personnel Folder. A copy will be forwarded to the PRU for inclusion in the case file and closure.

The PRU does not notify employees when allegations of misconduct are sustained. The PRU forwards its Report of Investigation to the appropriate Service manager for corrective action under 227 FW 2, Disciplinary and Adverse Actions. A copy is also forwarded to the servicing Human Resources office and the personnel security officer.

Will management be advised if you are the subject of an investigation?

Although there is no requirement to do so, investigators in most cases will advise supervisors or higher level managers of the nature of the allegation and the name of the individual under review. This is especially true when the investigation is administrative and may disrupt normal office operations or when a manager will be consulted as part of the investigation.

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SERVICE INTEGRITY AND YOU

The Fish and Wildlife Service (FWS) operates under the belief that its employees must be held to the highest standards of personal and professional integrity. The FWS takes very seriously its responsibility to ensure that an objective, thorough and fair internal investigation process is in place. The integrity of our personnel is a crucial component of the achievement of the

Service's mission and goals. To protect that integrity, FWS, via the PRU, has an in-house mechanism to receive and resolve allegations of misconduct.

This pamphlet outlines your rights and obligations as a FWS employee during a PRU investigation or administrative inquiry, and explains the PRU's authority to resolve allegations. During the course of an investigation, many factors affect your rights and you are encouraged to ask questions at anytime.

Professional Responsibility Unit (PRU):
Headed by the Special Agent in Charge, the PRU promotes economy, efficiency, and effectiveness within the Service by managing the Service's systems for resolving alleged mismanagement and misconduct by Service employees; reviewing and evaluating the efficiency and effectiveness of Service operations and programs; collecting and analyzing data to identify patterns of deficiencies or other weakness warranting investigative or audit follow-up; making recommendations on disciplinary policies and procedures of the Service; overseeing Service systems to eliminate fraud, waste, and abuse in the workplace; and acting as the Service's liaison with outside audit/inspection agencies. These duties are executed in coordination with other components of the Service and other Department of the Interior components and the Office of Inspector General.

What types of investigations does the PRU conduct?

PRU Special Agents investigate matters that are primarily administrative and in some cases criminal in nature.

What is the difference between a PRU investigation and an administrative inquiry?

A PRU investigation is a formal review of a more serious allegation of misconduct, usually conducted by a Special Agent assigned to the PRU.

An Administrative Inquiry is a review of an allegation and subsequent inquiry conducted at the headquarters or regional level by a management official or their designee under the auspices of the PRU. Administrative inquiries generally involve less serious allegations of misconduct. A report of the inquiry is prepared and provided to PRU.

What are PRU responsibilities to you as an employee?

In carrying out the PRU's investigative mission, our responsibility to you and to the agency is to conduct all investigations in a fair, thorough, and objective manner.

PRU Special Agents conduct interviews with subjects, witnesses, and complainants in criminal and administrative investigations. In performing these duties, PRU Special Agents may do any or all of the following: obtain statements under oath, gather evidence, and review agency documents relevant to a matter under investigation. They may also present and assist prosecutors in preparing criminal or civil cases. PRU Special Agents can appear as witnesses before grand juries, in trials, and in administrative proceedings. They may seek investigative assistance from other Federal, state, and local law enforcement agencies and conduct joint investigations.

Interviews will be conducted in a professional manner, with respect for your dignity, whether you are a subject, witness, or complainant.

If you are the subject of an PRU investigation, the investigator will inform you at the appropriate time of your rights under the law and/or agency policy (e.g., union representation) as well as the implication of waiving those rights.

What are your responsibilities to report allegations of misconduct?

As an FWS employee, you hold a position of public trust. Therefore, you have an obligation not only to maintain your own personal integrity and professional standards, but also to ensure the government is not defrauded or the public is not being mistreated or abused. Most employees perform their duties with honesty and integrity. Unfortunately, some do not. You are required to report information that you believe involves misconduct.

What type of cooperation must you provide?

FWS employees are required to report and cooperate in PRU investigations or risk administrative sanction for failing to cooperate. This requirement is mandated by agency regulations and by case law, based on the recognition that your cooperation is essential to the success and fairness of internal investigations. Employees should respond to questions truthfully at all times, under oath when required, orally or in writing. Documents and other materials concerning matters of official interest must be provided when requested. Employees are not required to respond to official inquiries if answers or testimony could subject the employee to criminal prosecution.

Employees are encouraged not to discuss the nature of interviews or other investigative information with others.

How do you report allegations of misconduct, fraud, waste, abuse, and/or mismanagement to PRU?

If you have information that you believe are allegations of misconduct, fraud, waste, abuse, and/or mismanagement, you may call the PRU at (703) 358 2087, write the PRU at 4401 N. Fairfax Drive, MS-LE 3000, Arlington, VA 22203-3247, or fax (703) 358 2547.

If you report wrongdoing, how is your identity protected?

If you bring complaints or information concerning violations of laws, rules, or regulations and request confidentiality, it will be granted unless disclosure is unavoidable.