



THIS WEEK'S FEATURE

Worn Down by Design: How Federal Civilians Can Fight Back Before They Reach a Courtroom

LTC (Ret) Francesca Graham

Vice President, Walk the Talk Foundation

When something goes wrong at work, many federal civilians assume their only real option is to hire a lawyer and head for the Equal Employment Opportunity Commission or the Merit Systems Protection Board. Those forums matter. Unlike service members, federal civilians can take their cases to formal adjudication, and for many that is an important right.

But the EEOC and the MSPB are not where most fights begin. Long before anyone stands before a judge, federal employees have a wide range of administrative tools they can use, and should use, to document what happened, challenge unfair actions, and protect their records. Much of that work is administrative, not legal. That is where Walk the Talk Foundation comes in.

THE PATTERN BEHIND THE PAPERWORK

Across every population we serve, whether federal civilians, service members, or veterans, we see the same thing. Administrative systems built to protect people are too often turned against them, especially after they report misconduct.

It rarely looks like retaliation on paper. It looks like a sudden investigation, a lowered appraisal, a realignment, a proposed removal, a records request that goes unanswered. Each action is "routine." Together, they wear people down. The person who reported the problem ends up spending months, sometimes years, defending themselves, while the agency has staff, lawyers, and time on its side.

Our intake data reflects that. Of the 32 federal employees who have come to us:

- **66%** reported retaliation after making a complaint
- **69%** reported losing their position or being removed from their duties
- **59%** reported financial hardship
- **94%** reported losing trust in the system meant to protect them

The good news is that the same administrative systems can be used to push back, if you know how they work.

WHAT "ADMINISTRATIVE" REALLY MEANS

Here is some of the work that happens well before a case becomes a legal proceeding, and that we help federal civilians with every day:

- **Finding the right door.** IG, Office of Special Counsel, EEO office, agency grievance process, congressional inquiry: each has its own purpose and timeline. We help you understand the options and where each concern belongs.
- **IG complaints.** We help organize the facts, timeline, and supporting documents into a clear, well-structured complaint.
- **The EEO process.** We help you prepare for and navigate the informal and formal EEO process at the agency level.



- **Performance evaluations.** We help prepare rebuttals to appraisals that don't reflect your actual record.
- **Personnel records.** We help identify errors in personnel actions such as SF-50s and pursue administrative correction.
- **Records requests.** We help draft FOIA and Privacy Act requests so you can see what your agency has on file about you.
- **Research.** We dig into the agency regulations, instructions, and internal policies that governed what happened to you.
- **Organization.** We build chronologies, compile documents, index exhibits, and identify what's missing, so that if you do need an attorney, you arrive prepared.

HOW THIS LOOKS IN PRACTICE

These examples are drawn from intakes we've received, with details changed to protect privacy.

A GS-12 employee faces a proposed removal after an investigation she believes was retaliatory. We can help her build a detailed timeline, gather her performance history and prior awards, request the records behind the investigation, and get organized for her reply period. Given what's at stake, we would also encourage her to consult a federal employment attorney, and we work alongside counsel.

A GS-14 program manager with consistently excellent appraisals is suddenly realigned under a leader who has openly targeted him. We can help him document the pattern, identify which offices are appropriate for his concerns, and prepare a rebuttal if his next evaluation doesn't match his record.

A civilian employee who reported harassment by a senior officer is moved to a lesser position and told she can't see the results of the investigation. We can help her draft FOIA and Privacy Act requests for the report, raise her concerns about how the matter was handled through the proper channels, and request a congressional inquiry if needed.

A senior civilian is told an internal review that could damage his professional standing isn't "adverse," so he has no right to see or challenge it. We can research the governing regulations, help him request his records, and help him elevate the issue through the appropriate oversight channels.

WHO YOU'LL BE WORKING WITH

Our federal civilian advisors know these systems from both sides of the desk.

Ashley Sanders spent 17 years in federal service at the National Institutes of Health, including eight as a Supervisory Investigations Officer leading misconduct and whistleblower investigations and briefing senior leadership and Congress. Another of our advisors is a career federal agent with more than a decade of service who, after reporting misconduct, personally navigated internal complaints, grievances, and appeals of personnel decisions inside his own agency. He knows what it's like to be the person filing the complaint.

Both are intimately familiar with the federal laws that govern these situations, including the prohibited personnel practices and whistleblower protections of 5 U.S.C. § 2302. They're backed by a broader team of retired military officers and senior enlisted leaders with deep experience in oversight and administrative systems.

LAWYERS AND ADVISORS ARE DIFFERENT ROLES

We are not a law firm, and we don't provide legal advice or representation. When a matter calls for legal judgment, especially once a case is headed to the MSPB or into formal litigation, we strongly encourage working with a licensed federal employment attorney, and we're glad to work alongside one.



WEEKLY INFORMATION FOR SERVICE MEMBERS, VETERANS & FEDERAL CIVILIANS

walkthetalkfoundation.org

But you don't need to wait until you're in front of a judge to get help, and much of the work that matters most happens long before that point. Our services are designed to be accessible, so getting help early is realistic.

YOU HAVE MORE OPTIONS THAN YOU THINK

If you're a federal civilian facing retaliation, an unfair evaluation, a questionable personnel action, or an investigation that doesn't add up, start with the administrative tools available to you, and start early.

Walk the Talk Foundation is here to help. Learn more at walkthetalkfoundation.org.

This article is for informational and educational purposes only and does not constitute legal advice. It does not create an attorney-client relationship. Walk the Talk Foundation is a nonprofit organization (EIN 33-1659930) providing expert advising and congressional advocacy to service members, veterans, federal civilians, and DoD and Coast Guard personnel.

LTC (Ret) Francesca Graham is the Vice President of the Walk the Talk Foundation. All articles are posted on [LinkedIn](#) and online at walkthetalkfoundation.org. The Star Chamber podcast is available on [Apple](#), [Spotify](#), and [YouTube](#).

TAKE ACTION

Sign the petition demanding Congress create an independent DoD Inspector General. Over 3,000 signatories and counting.		SIGN NOW →
Contact Congress Find your Representative or Senator and send them this issue.	The Star Chamber Apple · Spotify · YouTube	Get Advised Facing retaliation or an IG process? We can help.
Follow & share: LinkedIn · Instagram · Facebook · X / Twitter · Forward this issue		
The Walk the Talk Foundation is a 501(c)(3) nonprofit. Your donation is 100% tax deductible. Donate at walkthetalkfoundation.org →		
Questions or tips: francescagraham@walkthetalkfoundation.org or in the comments.		