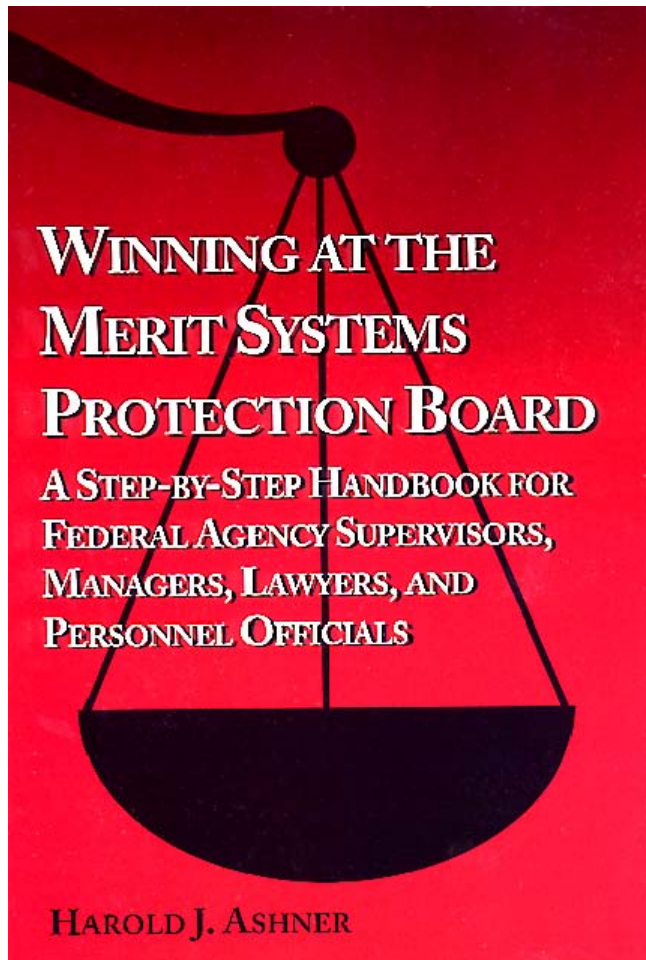


WINNING AT THE MERIT SYSTEMS PROTECTION BOARD: A STEP-BY-STEP HANDBOOK FOR FEDERAL AGENCY SUPERVISORS, MANAGERS, LAWYERS, AND PERSONNEL OFFICIALS

By Harold J. Ashner (Dewey Publications, 2002, 900 pages)



Dewey author Harold Ashner, an experienced attorney who has served with MSPB, OPM, and other Federal agencies, has updated and expanded his 1997 classic, *Representing the Agency Before MSPB*, which was the subject of rave reviews. This new handbook is definitely not just for agency representatives! Whether you are the supervisor or manager taking the action or the agency lawyer or personnel official advising or representing management, this handbook details how to build a winning case at the agency level and how to win on appeal at MSPB. For employee representatives, this handbook serves as a valuable reference and provides a strategic look into the other side's way of thinking. Easy to read and filled with practical tips and citations to cases, statutes, and regulations, this "nuts and bolts" handbook covers it all. Complete with a table of cases, sample forms, research tools, statutes and regulations, glossary, and a comprehensive index.

***The ultimate management guide to
adverse actions, performance-based
actions, and MSPB appeals***

Topics include: investigating misconduct, documenting the action, evidence, selecting and drafting winning adverse action charges, common charges, preparing the advance notice, dealing with the notice period, providing an adequate reply opportunity, preparing the decision notice, nexus, selecting and defending the penalty, performance-based actions, harmful procedural error, disability discrimination, whistleblower reprisal, IRA appeals, Special Counsel actions, USERRA appeals, mixed cases, jurisdictional and timeliness disputes, motions, discovery, settlement, preparing for the hearing, tips for witnesses, direct and cross-examination, objections, petition for review, corrective action, compliance, and attorney fees.

Featured in *The Washington Post* (Steve Barr's *Federal Diary*), on *FederalNewsRadio.com* (Mike Causey's *Federal Report*), and in *Government Executive Magazine*

"Winning at MSPB is an outstanding 'how-to' reference for management officials who take appealable actions and for the legal and personnel officials who advise or represent them. The procedures and law governing these actions and appeals are a complex maze to navigate, and this comprehensive, plain-language, one-volume book will make that task much easier."

Ben Erdreich, former Chairman, MSPB, and former Congressman

"Winning at the MSPB gives all agency employees involved in the disciplinary process—managers, personnelists, and representatives—a clear, detailed roadmap on how to take and win an adverse action before the Board, including comprehensive advice on the law and on everyday practice. . . . an indispensable tool . . . a superb deskbook for any federal agency official involved in employee discipline. . . . teaches how to take a proper adverse action and make it stick . . . will be a mainstay for those in the federal personnel business for years to come."

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“[A] step-by-step handbook [that] teaches federal supervisors and managers how to defend themselves . . . shows managers how to build a winning case . . . describes the steps managers can take to ensure that the board will subsequently uphold their personnel actions.”

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Jessica Parks, former Vice Chairman, MSPB (Kator, Parks, & Weiser, Washington, D.C.)

“This volume . . . can take a party through the labyrinth of the MSPB in plain language, with practical tips and authoritative citations at every turn. . . . For an employee representative, this is a goldmine of areas to examine for defenses.”

***The Employee Advocate*, published by the National Employment Lawyers Association**

“*Winning* will become a must-have desktop reference for those responsible for fact gathering for administrative investigation into employee misconduct. . . . succeed[s] in bridging the chasms between investigators, managers, personnelists and practitioners.”

***Journal of Public Inquiry*, published by the Inspectors General of the United States**

“This handbook does a terrific job of explaining—in plain language backed up throughout by authoritative citations—how to take an adverse action or performance-based action and successfully defend it on appeal.”

Darrell L. Netherton, former Director of Regional Operations, MSPB

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“If you advise management on taking actions that are appealable to MSPB, this handbook is an indispensable addition to your bookshelf. It is an outstanding reference tool.”

Lonnie Crawford, former Regional Director, Northeastern Regional Office, MSPB

“This plain-language handbook takes the mystery out of building a winning case at the agency level and winning on appeal at the Board. Whatever role you play on the agency's team—whether supervisor, manager, personnel or legal advisor, or agency representative—this book will help you play that role effectively. It is an invaluable resource for beginners and experienced pros alike.”

Robert Wilson, former Special Litigation Counsel, Internal Revenue Service

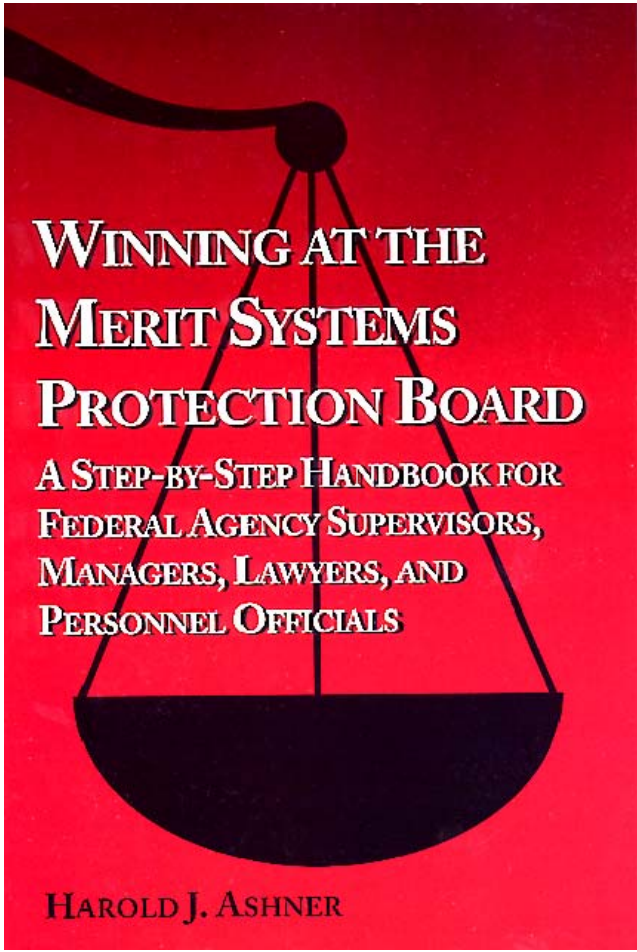
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