<table>
<thead>
<tr>
<th>Scientific Integrity Grading Rubric</th>
<th>Total Possible: 100 Points</th>
<th>Total Awarded: 27 Points</th>
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<td>Subsection Total: 40</td>
<td>Subsection Total: 10</td>
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<td>B. Breadth of Coverage</td>
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<td>C. Whistleblower Protection</td>
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<tr>
<td>A. Process for scientist to publish or lecture regarding their official work with the general public, in external peer-reviewed journals or at scientific conferences</td>
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<td>B. Absence of policy review or agency screening for the above</td>
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<td>D. Explicit provision for agency scientists to be on governing and editorial boards of scientific societies</td>
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<td>Transparency of Policy Decision-Making</td>
<td>Subsection Total: 20</td>
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<tr>
<td>A. Requirement that all agency policy decisions must be based on science subjected to external peer review</td>
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I. Scientific Misconduct – (10/40 pts)

A. Political Manipulation of Science (6/6 pts)
   1. Prohibits alteration of technical/scientific documents for non-technical reasons (3/3 pts)

      Yes.
      “DOL agencies should not engage in activities to suppress, distort, or alter scientific findings and reporting.”

   2. Prohibits intimidation or coercion to alter scientific data/analysis/conclusions for non-technical reasons (3/3 pts)

      Yes.
      “Under no circumstance may political officials ask or direct scientific personnel to alter or suppress scientific information or products.”
      “Under no circumstance may public affairs officers ask or direct scientific personnel to alter or suppress scientific information or products.”

B. Breadth of Coverage (1/5 pts)

   1. Applies to political appointees and senior managers (1/3 pts)

      It is unclear whether the Department of Labor’s Scientific Integrity Policy includes political appointees and senior managers as “employees.”
      “This SIP applies to all employees and detailees. Agencies should take steps to ensure the scientific integrity of data and analyses generated by its contractors.”

   2. Applies to contractors, states, and other partners (0/2 pts)

      The Department of Labor’s Scientific Integrity Policy does not directly apply to contractors, states, or other partners, see above.

C. Whistleblower Protection (2/12 pts)

   1. Explicitly protects those filing misconduct complaints from retaliation (2/4 pts)

      Yes, but only when it is the scientist reporting misconduct regarding their work.
      “Ensure that scientific personnel who report political interference in their work may do so without fear of retaliation.”

   2. Protects scientists for retaliation based on content of work (0/4 pts)

      The Department of Labor’s Scientific Integrity Policy does not address this.
3. Provides that agency officials who engage in retaliation will be subject to discipline (0/4 pts)

The Department of Labor’s Scientific Integrity Policy does not address this.

D. Investigations of Complaints (0/5 pts)

1. Defined process (0/1 pt)

The Department of Labor’s Scientific Integrity Policy incorporates the procedures from its Statement of Policy on Research Misconduct, available at http://ora.research.ucla.edu/RPC/Documents/DOL-Research_Misconduct_Policy.pdf. However, this policy merely states that an allegation of misconduct by a DOL employee “should be handled under existing laws, rules, regulations and USDOL policy relating to misconduct of employees of USDOL” without providing any references or citations to an existing law, rule, regulation, or policy.

2. Timelines (0/1 pt)

The Department of Labor’s Scientific Integrity Policy does not address this.

3. Ability of complainant to respond (0/1 pt)

The Department of Labor’s Scientific Integrity Policy does not address this.

4. Transparency of findings and rationale (0/1 pt)

The Department of Labor’s Scientific Integrity Policy does not address this.

5. Relationship with the IG is clearly defined (0/1 pt)

The Department of Labor’s Scientific Integrity Policy does not address this.

E. Investigation Independent of Chain of Command (0/6 pts)

Employees are supposed to report a violation of scientific integrity to the supervisor of the alleged violator, who is clearly in the chain of command. The Department of Labor’s Scientific Integrity Policy and the Statement of Policy on Research Misconduct do not specify a review process for a violation of scientific integrity by an employee.

“If an employee believes that he or she has been subjected to coercion, it should be reported immediately to the respective supervisor, agency, or DOL ethics official.”

F. Sanctions for Misconduct (1/6 pts)

1. States that misconduct is grounds for disciplinary action or dismissal (1/2 pts)
“DOL agencies should… use appropriate legally permitted means for conducting inquiries and impose appropriate corrective actions in order to protect the public trust.”

2. Explicit procedure for discipline of sustained misconduct complaints (0/2 pts)

The Department of Labor’s Scientific Integrity Policy does not address this.

3. Automatic review of court rulings based upon arbitrary and capricious application of scientific information or scientific findings (0/2 pts)

The Department of Labor’s Scientific Integrity Policy does not address this.

II. Public Communications of Science – (12/40 pts)

A. Process for scientist to publish or lecture regarding their official work with the general public, in external peer-reviewed journals or at scientific conferences (2/10 pts)

The Department of Labor’s Scientific Integrity Policy directly addresses communication of official work with the public in the context of media interview requests. In that instance, “scientific personnel may speak to the media and the public about scientific and technological matters based on their official work, if assigned by their immediate supervisor and in coordination with their public affairs office.”

However, the Department of Labor’s Scientific Integrity Policy also states, “Consistent with applicable law, DOL agencies should… encourage publication of research findings in peer-reviewed, professional, or scholarly journals,” but it does not establish any procedures for a DOL employee to do so.

B. Absence of policy review or agency screening for the above (0/10 pts)

The Department of Labor’s Scientific Integrity Policy does not address this.

C. Ability of scientists to review press releases regarding their work prior to final publication (0/10 pts)

The Department of Labor’s Scientific Integrity Policy does not address this.

D. Explicit provision for agency scientists to be on governing and editorial boards of scientific societies (10/10 pts)

“Consistent with applicable law, DOL agencies should… permit government scientists and engineers to become editors, editorial board members, or peer reviewers of professional or scholarly journals” and “permit participation in professional or scholarly societies, committees, task forces and other specialized bodies of professional societies, as appropriate. Such participation should be reviewed to determine whether it is
appropriate to be conducted in a personal or official capacity in accordance with ethical standards…”

III. **Transparency of Agency Decision-Making – (5/20 pts)**

A. **Requirement that all agency policy decisions must be based on science subjected to external peer review (5/10 pts)**

   Independent peer review by qualified experts only required “where feasible and appropriate, and consistent with law.”

B. **Original research documents are part of administrative record (0/10 pts)**

   The Department of Labor’s Scientific Integrity Policy does not address this.

   “DOL agencies should… to the extent feasible, expand and promote access to scientific and technological information by making it available online in open formats, consistent with the Administration’s Open Government Initiative. Where appropriate, this should include data and models underlying regulatory proposals and policy decisions.”