OSHA orders Hanford nuclear facility contractor to reinstate worker fired for raising environmental safety concerns

SEATTLE – A contractor for the U.S. Department of Energy's Hanford nuclear facility in Washington state has been ordered to reinstate an environmental specialist and pay more than $220,000 in back wages and other expenses after it fired the employee for voicing nuclear and environmental safety concerns, a violation of federal whistleblower provisions.

The U.S. Department of Labor's Occupational Safety and Health Administration took the actions against Washington River Protection Solutions, of Richland, after the employee repeatedly reported nuclear and environmental safety and permit and record-keeping violations. When the employer advertised the vacant position, the employer refused to rehire the employee despite adequate qualifications and previous satisfactory performance reviews.

"The people most able to identify hazards are often the workers who are threatened by them," said Galen Lemke, OSHA's acting regional administrator. "Employees must never be punished for sounding an alarm when they see a problem that could injure, sicken or kill someone, or harm the environment."

OSHA has ordered Washington River Protection to rehire the employee with the same pay and benefits that the employee would currently receive if not for the termination; pay the employee $185,949 in lost pay plus interest, $24,380 in compensatory damages, and $10,000 in exemplary damages and reasonable attorney's fees. Washington River Protection must post a "Your Rights Under the Energy Reorganization Act" poster; remove disciplinary information from the employee's personnel record; and provide whistleblower rights information to its employees.

The Hanford Site produced plutonium for nuclear weapons from 1943 until approximately 1987. The production processes left solid and liquid waste that posed a risk to the local environment. The Department of Energy entered into an agreement in 1989 to clean up the Hanford Site.

OSHA enforces the whistleblower provisions for 22 statutes, protecting employees who report violations of various airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, health care reform, nuclear, pipeline, worker safety, public transportation agency, maritime and securities laws. Employees who believe that they have been retaliated against for engaging in protected conduct may file a complaint with the secretary of labor to request an investigation by OSHA's Whistleblower Protection Program. Detailed information on employee whistleblower rights is available at http://www.whistleblowers.gov.

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Editor's note: The U.S. Department of Labor does not release names of employees involved in whistleblower complaints.