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NRC AMENDS REQUIREMENTS GOVERNING PROTECTION
OF LICENSEE EMPLOYEES WHO RAISE SAFETY CONCERNS

The Nuclear Regulatory Commission is amending its requirements governing the protection of licensee employees who provide information to the NRC or their employers concerning safety concerns.

The amendments will conform current NRC requirements to new whistleblower protection provisions in the Energy Policy Act of 1992.

Among other things, the amendments will require NRC licensees to prominently post a revised NRC Form 3 at locations sufficient to permit all protected employees to observe a copy on the way to or from their place of work.

Form 3 describes protections for employees who: (1) bring safety complaints to their employers; (2) refuse to engage in an unlawful practice, provided that the employee has identified the illegality to the employer; and (3) have testified or are about to testify before Congress or in any Federal or state proceeding regarding any provision (or proposed provision) of the Energy Reorganization Act of 1974, as amended, or the Atomic Energy Act of 1954, as amended.

Among these protections is a 180-day period for employees who believe they have been discriminated against for engaging in protected activities to bring a complaint to the attention of the Department of Labor for investigation. Prior to enactment of the Energy Policy Act, the period for filing complaints was 30 days. Form 3 also describes how to file a complaint with the Department of Labor.

Protected activities are set forth in Section 211 of the Energy Reorganization Act with a requirement that the provisions of that section be posted. Since the Department of Labor is implementing procedures to require all employers, including a class of employers which includes all NRC licensees, to post the Section 211 provisions, the NRC is not separately requiring the posting of those provisions.

The amendments to Parts 19, 30, 40, 50, 60, 61, 70, 72 and 150 of the Commission's regulations became effective on October 8.

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