

September 6, 1996

Wilson C. McArthur
Manager, Radiological and Chemistry Control
BR 5D-C

Dear Mr. McArthur:

TVA has recently received an adverse Recommended Decision and Order from the U. S. Department of Labor's Office of Administrative Law Judges involving a discrimination complaint by William F. Jocher. Mr. Jocher was a former TVA Nuclear (TVAN) Chemistry Manager who filed a complaint pursuant to Section 211 of the Energy Reorganization Act (ERA) which is designed to protect individuals from retaliatory or discriminatory actions by an employer. While TVA does not agree that the circumstances surrounding Mr. Jocher's termination amounted to a violation of Section 211 of the ERA, those circumstances did indicate a lack of attention to appropriate personnel practices among managers involved in the decision to terminate Mr. Jocher, including you as the line manager involved in that decision. This resulted in a perception among some, that TVA's action was taken for inappropriate reasons.

In making important decisions involving the employment status of a TVA employee, it is essential to ensure that decisions are made with a clear and common understanding among all of the managers involved in the decisionmaking process. Failure to do so can often lead to serious negative consequences for the employee and TVA. This is especially true in employment actions taken against TVAN employees who perform important safety-related duties, where even a perception of impropriety or precipitousness can create a negative impression among other employees and organizations.

It is TVA's expectation that you exercise good judgment when dealing with employee issues. This situation as well as others within your management control have not been handled appropriately by you. Therefore, prior to you taking any employee action(s), you are to review them with your manager and your human resource manager.

A copy of this letter will be placed in your personnel history record.



O. J. Zeringue
Senior Vice President
Nuclear Operations
LP 6A-C

PLR:KJW:DM