

Docket Nos 50-390
50-391
(10 CFR 2.206)

26/16/94

Joseph R. Gray, Deputy Director
Office Of Enforcement
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Sir;

This is in response to the letter dated May 20, 1994 from TVA's Representative Mark O. Medford to Mr. James Lieberman.

Since this letter is quite lengthily, I will be responding addressing each response by page and paragraph.

Page one; Paragraph one: The position should have not been denied due to in my opinon and contacts with the Dept Of Labor Judges, that they already have bias opinons on behalf of TVA. I will discuss this in greater lenghts in forth-comming comments.

Page one; Paragraph two: Reference TVA's letters Feb 1, 1994 to Stewart Ebnetter, I was not aware of such letter and again in my opinon, when TVA corresponds to the Dept Of Labor; and Dept Of Labor returns response to TVA without my knowledge of the letters and the contents of the letters and creates the possiblity of conspiracy to bias to Dept Of Labor opinons without my knowledge.

Reference suffering adverse consequences as of a result of raising safety and quality issues. There has been several letters from O.D. Kingsley Jr. and Craven Crowell stating that Intimidation, Harrassment, Reprisal Actions and Discrimination would not be tolerated in the work place. I have no doubt of their sincerity and intent of those letters. They also state that Supervisors and managers are responsible in dealing with those issues.

At Watts Bar the foremans, Supervisors, and managers are committing the discrimination actions. I know of one incident where a representative for Craven Crowell appointed a manager to investigate and take appromate action for the reprisal actions. The manager who was appointed to investigate these actions; was the manager who was responsible for committing the discriminating actions. I will discuss these incidents at greater lengths later due to additional statements by TVA.

Page two; Paragraph one: If you will check safety issues filed by myself to NRC, you will find that most safety issues were raised, just piror to or just after discrimination actions had been taken agaist me, that were referenced in my Dept Of Labor complaints.

Page two; Paragraph two: The incident referenced were investigated by the Wage & Hour Division of the Dept Of Labor. This investigator seem to be upset and irated due to

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the fact that he had to come to Watts Bar to do part of the investigation. It is in my opinion, due to his attitude toward me bias his investigation and had a direct influence.

Page two; Paragraph three: Reference dissatisfaction with the secretary of labor; on June 10, 1991, Judge John M. Vittone administering; my attorney W. P. Boone Dougherty failed to show and left me with no attorney to represent me. The case was continued on June 11, 1991, with hopes that Mr Dougherty would show up; again Mr Dougherty did not show, and I requested to Judge Vittone that I would like to continue the case and represent myself. Judge Vittone denied my request and suggested that I attain another attorney. I think that Judge Vittone was unethical in his decision, for he was already aware that the suites were filed untimely and were to be dismissed. This required me to make at least six trips to Knoxville, discussing my case with different attorneys, the first five of the attorneys told me that they felt the suites would be hard; if not impossible to win. I think by reviewing the dates on the suites; that they realized the suites were filed untimely, but did not advise me. After several weeks of reviewing my cases attorney Charles Van Beke agreed to represent me, he is an ex-TVA attorney and still has close connections with TVA. Through his negligence in reviewing my suites, or to possible intention again I was not advised that the cases were filed untimely. This cost me several thousands of dollars and many hours and trips to Knoxville. When it would have been much less costly on my behalf and not have wasted my time and additional time for the court to meet, just to have the case dismissed; due to untimeless, if Judge Vittone on June 11, 1991 had of explained to me that the suites were filed untimely and dismissed the case at that time and ending it. Also my witness on June 11, & 12, 1991; Eddy DeBusk was harrassed and intimidated and given a verbal reprimand for not being at work June 10, & 11, 1991. Mr Ditto, Electrical Superintendent was also in court June 10, & 11, 1991, and knowly that Judge Vittone on June 10, 1991 had instructed that all parties including witnesses were to be in court on June 11, 1991; therefore Superintendent Ed Ditto knowly violated TVA's rulings on harrassment and reprisal actions. (see attachment one, addressed to W.P. Boone Dougherty dated June 22, 1991; listed as attachment one.) Reference dissatisfaction with secretary of labor decision, I can't afford to hire more attorneys for united states courts of appeals as provided by congress for I do not have a fleet of attorneys on retainer with unlimited financial resorces provided by congress and through the united states tax payers and the TVA rate payers. Therefore, TVA will continue the cases to the highest court of appeals and then refuss to abide by the courts decision; for they are protected by congress and only have to response to acts of congress or the instructions of the president.

Page two; Paragraph four: Reference dissatisfaction
I am not an attorney and ignorance of the law should be expected. Reference the three attorneys, the first one was an attorney from Poole, Lawrance, Thornbury, Stanley, and Morgan of Chatt. Tenn; who represented me at an EEO hearing at Bellefonte Nuclear Plant. They accepted my retainer and assigned an attorney that I can not recall his name at the present time. When EEO made their decision, I had five days to make an appeal, the young attorney who had been assigned to represent me had left the firm and moved to Memphis, Tenn. I called Mr Poole's firm two or more times every day, for the next five days attempting to get representation for my appeal; but could not get pass the secretary to talk to any one of their attorneys Therefore, causing me not to be able to file an appeal in my EEO case. My second attorney resigned from the Bar Association shortly after my June 10, & 11, 1991 court date, sighting mental depression as the cause. Many, many of TVA employees had large retainers with Mr Dougherty at the time of his resignation of the Bar Association, at Mr Dougherty resignation, I had a large retainer and had already paid additional fees for trying the case of June 10, 1991. I never received any refund, this left me several thousands of dollars paid in for witch I received minimum representation. To my knowledge, Mr Dougherty never returned any of his retainer fees and in some cases he had did no legal preparation for representation on their behalf what so ever. My thrid attorney was Charles Van Beke, again a sizeable retainer, I became skeptical of the quality of representation that I was to receive from Mr Man Beke with-in the first few meetings that I had with him. He was only interested in possitive information toward TVA and was not interested in possitive aspects from my side of the case, what so ever. The more meetings I had with Mr Van Beke, the more I was discussed with him. I had filed several suites myself after aquiring Mr Van Beke to represent me. Mr Van Beke requested an additional retainer fee stating that he was not involved in the additional suites that I had filed myself. I refused to pay the retainer and requested that the files be returned to me, Mr Van Beke said he would for-go the additional retainer fee and he would represent me, reluckly I agreed to this, for I had asked Mr Van Beke on different occassions; whether he was representing me or TVA. The final break was when I received a letter from Mr Van Beke stating that he was not going to respond to a summary judgement request by TVA. After a heated phone call conversation with Mr Van Beke I prepared my own response to the summary judgement. At this time I have not received a response from the Dept of Labor of the recommendations of the summary review. There is indication in TVA letter to James Lieberman that Judge Sarno had made recommendations for dismissing the suites, again I feel as through I have been left out of the recommendation of Judge Sarno to the summary judgement. I find this very distasteful, if not unethcal for TVA to be notified of Judge Sarno recommendation and not notifly me.

Page three; Paragraph one: First sentence is almost a direct quote of myself. The second sentence TVA counsel supports this claim simply a fabrication. I made no such statement, the statement I did make was made by TVA attorney Brent Marquand quote, "We will back our managers regardless of whether they are right or wrong." Middle of paragraph Mr Gillilan's first two ERA complaints, along with several other non-ERA proceedings; he had intitated base on cost of legtigation and to avoid further legtigation with an employee, the money was about one tenth of my actual loses due to TVA actions. "Actions are settled to plaintiff's satisfaction." I agreed to this settlement, not due to satisfaction; but due to my attorney's insistance. Also a portion that was agreed upon in the courthouse, but was not included in the settlement. "TVA was to send each Electrical Maint. Supervisor a letter instructing them that all intimidation, harrassment, reprisal actions, and discrimination was to crease." Brent Marquand made a verbal promise to my attorney W.P. Boone Dougherty that he would see to it, that the letters were mailed to each supervisor. These letters were never mailed. Four other parts of the settlement contract were not lived up to until I filed additional suites, Two were corrected at this time, one was corrected much later when an additional suite was filed. There is one portion of the settlement contract that TVA has not lived up to till this date. I had again filed suite referance this portion of contract, it was part of the suites that Judge Vittone dismissed for untimeless. I have raised these questions on these suites on every oportune moment with Brent Marquand. There was a deposition enter by Brent Marquand of Ed Ditto, there is false statements through-out his deposition; and I can prove most of them. Yet the Judges seem to believe any witness for TVA, when there is no other proof, but they seem to consider that I am lieing.

Page three; Paragraph two: Reference Office of Inspector General, the first time I called the Office of Inspector General hot line, I claimed harrassment and physical threats and I got no response from the Office of Inspector General. I then wrote a letter to congresswoman Marylin Lloyd and it was forward to congressman Ronnie Flippo of Alabama. The response from TVA stated that I had with-drawn all my complaints, and I was satisflied, it was signed by Bill Willis. This entire letter was a out and out lie. A.R. Kelly had been advised on a daily basis of my daily actions and was already aware that I had filed additional suites. This is one of the investigations that the Office of Inspector General found no wrong doings on TVA behalf. I also called the Office of Inspector General Elect. Superintendent and his assistant called me in their office and threatened me, if I did not sign a pre-written letter admitting to a procedure violation. They also denial me union representation during this meeting that I am entitled to under the "Weingarten Rights". I called the Office of Inspector General again and again I got no response. While at Browns Ferry I filed complaints with Sue Totten, David Letson; union stewart, Allen Mee;

Employee Relations, Charles R. Elledge, and Tom Whittle. Steven Moss, Browns Ferry Nuclear Plant Labor Relations, the Office of Inspector General investigation of my 1993 complaints, they let TVA management prepare a list of people to question, unfortunately four or five of the people who would have given a positive answer on my behalf were omitted from the list. And were never question or given the opportunity to state their opinon. I am sure this is a good example of Office of Inspector General Investigation.

Page four; Paragraph one: The Office of Inspector General Jason Grimes denied me union representation several times, this aggravated me. The issue raised in the Office of Inspector General investigation; differently labor relations matters in witch union representation, any Office of Inspector General investigation TVA would recured a detail decision witch could lead to reprisal actions up to and including termination. Any employee who is being investigated by the Office of Inspector General is entitled to union representation under the "Weingarten Act." ("Weingarten Rights") "I believe this discussion could lead to my being disciplined. I therefore request that my union representative or officer be present to assist me at the meeting. I further request resonable time to consult with my union representative regarding the subject and purpose of the meeting. Please consider this a continuing request; without representation I shall not participate in the discussion. I shall not consent to any searching or tests affecting my person, property, or effects without first consenting with my union representative." I was later denied meeting with Office of Inspector General Investigator who followed Jason Grimes, I don't know his name; At my request my union president, David Morgan called the Office of Inspector General, who was conducting the investigation, quoteing the "Weingarten Act" and requesting a meeting with the Office of Inspector General, my union president, David Morgan, and myself; again I was denied my rights under the "Weingarten Act" for this investigation could lead to reprisal actions up to and including termination.

Page four; Paragraph two: My mental and physical problems starting occuring at Bellefonte Nuclear Plant in 1981 after I had been ~~under~~ supervisor Michael Richerson, and his general foreman Gene Reese. Mike wanted his employees who had the old time nergo qualities; "yes sir, mr boss man; what ever you want" Gene Reese was transferred from Sequoyah and was attempting to fire enough of Bellefonte to hire all of his friends, who had been laid off at Sequoyah.

Page four; Paragraph three: It is my experience with Office of Inspector General that they could care less about the individual employee; but they will make all out efforts to protect TVA in all cases. As for free of intimidation, and harrassment; it's possible that other plants comply to the rule, but as for Watts Bar Nuclear Plant; you have a manager, two general foremans, and three foremans, who seem to take delight in harrassment, intimidation, reprisal actions, and discrimination; for they know that in most cases, no action will be taken against them.

Enclosures page one, since these are just notes and no closure page sheet ensuring their authentic. I think they should be completely disregarded as for legal evidence.

Enclosure page one paragraph one, since these will be discussed each in the following paragraphs I see no reason to comment.

Enclosure page one paragraph two, as you will notice I was employed for eleven months without receiving a single warning about work rules, all of my warnings of violations were written by Michael Richerson, or Gene Reese, the violation of work rules by quitting work too early, I filed a grievance and the union and myself prevailed and was suppose to be removed from my personnel files. as for losing material and not reporting the loss, it was pipe fiter~~s~~ stainless steel fittings and there was a pipe fiter expiator, who was primary responsible for verifying that all materials to pipe fiter~~s~~ were delivered. I am an electrician, I am responsible for verifying all electrical materials were delivered to all electricians. The truck that we used for transporting the expiated materials had an old flat bed on it, with several holes in the floor. We had requested bins to be made so we could keep each foremans small materials separately and increase our efficiency of our expiateing. We had also requested for the floor to be repaired in the truck, the day the materials was lost; it was pouring down rain and the materials were covered with green plastic and it would have been impossible to see some of the material to fall through the truck bed. Immediately after discoving the lost of the stainless steel fittings, the bins for storing the material were fabercated and plywood were nailed over the holes in the truck bed. The first letter for loafing and wasting time was written by Michael Richerson, who had observed me walking from a office in the main warehouse to our truck. all of our material except materials for foreman George Carter; I had a special request from Mr Carter to locate the peculiar material for him. I had talked with the issue clerk for that peculiar system, but the 575 issuing document could not be located, I was returning from her office at the time of observation by Mr Richerson. Mr Richerson told me that he considered me loafing and wasting time, he instructed me to get on the truck and get the material we had delivered.

Immediately after delivering the material that we had on the truck, we were instructed to go back to power stores to pick up the materials for George Carter. The next day I received Mr Richerson's letter for loafing and wasting time. I went to Mr Carter and the engineer who needed the materials, they each wrote a document stating that they had requested me to make extra attempts to attain their material, and they signed and dated it. The second letter for loafing and wasting time was written by Gene Reese. My working buddy Doc Adams and I had been working in the lower containment of the in-take pumping station since lunch time. Our engineer released us approximately 3:00 pm it was extremely hot and humid. We walked pass our foreman Murry Hughes, our duel rate foreman, and two engineers who were grambling by pitching quarters. Doc Adams got a drink of water and I picked up my thermos containing ice tea. Seconds later Gene Reese and foreman

Murry Hughes walked in the room where we were and asked about some metal box covers, at that time there was no mention of loafing and wasting time. It would have been impossible for Gene Reese not have observed Mr Hughes, the diesel rate foreman, and two engineers gambling. There was no mention of the four gambling, but the next morning I received the letter from Mr Reese, stating that he had observed me drinking coffee, and loafing, and wasting time. during this long period of time; I had drunk no coffee, and only hot tea, and ice tea. It is noted in the safety and health manual that ice tea is good for heat stress and heat exhaustion. Therefore I was complying with safety rules, and should not have been given the letter. Also the foreman Mr Hughes made the statement to Mr Richerson that he was aware of Doc Adams and myself being relieved by the engineer and it was his responsibility to assign our additional work. And stated that if there was a letter to be given that it should be given to him, for not assigning us additional work. I personally think you should attain case no 89-ERA-40.

Enclosure page one; paragraph three, while working for Mr Richerson, and Mr Reese I noticed many safety violations. I reported to NRC Representative Wilcox, within a day or two after my notice of termination. With put going to Alabama and going through my notes that are stored there; I can't remember all of the concerns that I reported. The safety concerns that I can remember was bad concrete at the in-take pumping station. Using ten electrical junction boxes, when the prints called for environmental proof junction boxes, all of our instruments were filling with water and damaging them. When I left Bellefonte they were attempting to seal these boxes with rubber gaskets and RTV. Also bad stainless steel pipe that the side wall thickness varied much as 1/8 to a 1/2 inch depending on pipe size. Some of this pipe was transferred from Browns Ferry also I observed a fitter attempting to cap off two ends of stainless steel pipe with weld. Mr Reese was observing the fitter could not line up the caps to match the inside radius of the pipe without the caps looking as though they were misplaced on the ends of the piping. Mr Reese said flush the cap to the outside of the pipe and weld it up. This was some type of tank with sample line welds, but I do not remember what system it was. NRC Representative Wilcox either did not understand the "Whistle Blowers Act" or deliberately lied to me, I was told by friends of mine after I left Bellefonte that they had pulled all the cables back and replaced the ten boxes with environmental boxes. I was also told by a fitter friend that all questionable stainless steel piping had been removed and replaced with new stainless steel piping meeting the proper critical.

Attachment page two; paragraph one, I suggest you pull EEO case # 042-48-X0018. I never admitted that reprisal actions were not the reason for my termination.

Attachment page two; paragraph two, TVA had refused to hire me at Watts Bar the first time I was referred to by the union. This was approximately one year after my termination. I was denied employment with TVA for fifteen or sixteen months supposedly due to loafing and wasting time. I know of another man, who was terminated for sleeping on the job, which is a much more serious offense than

an offence of loafing and wasting time is. He was hired back at Bellefonte three months later. Approximately 4:00 pm mid Jan 1984 during a heavy down pour of rain, public safety searched my van. The day before my EEO hearing at Bellefonte, earlier the day before the search, I had been hunting in Alabama and evidently Mr Richerson called public safety at Watts Bar and requested that my van be searched; for he knew I was an avid hunter. Hunting with a 44 mag hand gun and a rifle. Crane maint. engineer Luther Shelton evidently told three of the Elect. Supervisors that I was reporting daily to the NRC and the FBI. Mr Shelton was retiring with the intention of bidding his job back as a private contractor. He had discovered that I was planning on bidding on the job. Immediately there after Mr Brown had me pulled out of limitorque. I was an annual employee and he scheduled several tempoary hourly employees for the school while passing over an annual person. I had also noted that the Elect. General Foremans was being very cool and unfriendly toward me. I don't know the exact reason, but I did not find out about it until Jan of 1989. I feel this is the reason I was passed over as the first selection of Electricians to be selected to go to Sequoyah.

Attachment page two; paragraph three, I was not aware that ammunition was considered an explosive.

Paragraph four, The period of Jan 21, 1987 till March of 1987 cost me several thousands of dollars, for I was saving an average of \$3000 dollars per month. I am basing these figures on the fact that I paid off the morage on my lake side farm in Alabama. plus I deposited \$45000 dollars in TVA Credit Union from March of 1987 till May 2, 1988.

Paragraph five, I was given the opportunity for choice of Fire Protection jobs at four different sites, I only turned down one plant; and was considering taking one of the other three plants. I requested an interview with the supervisor over the Fire Protection training to discuss the strainious portion of the training for I had had kidney surgery approximately a year before and had been cut from the extreme right to left side, and I was not sure that I could perform the physical aspects of the job. TVA procedure is "if you accept the job and flunk out of the training, you no longer have a job." On about the third day, after I was offered the Fire Protection jobs; a young lady from Sequoyah personel dept awroke me, just after I had finished a sixteen hour shift and informed me that I had missed my interview witch if there had acually been an interview appointment scheduled I was not advised. She than demanded that I select one of the positions, she was very rude and would not give me her name. I informed her that I could not make a selection without an interview, it was then reported that I had turned down all four jobs, witch is an untrue statement.

Reference overtime pay and improperly transfered back to Watts Bar will be continued on page four, paragraph one.

Reference site seniorty, I can name at least two people who I had site seniorty on; one was Mark Hennessee, the other was John Anderson. The delay in overtime as stated occurred due to time required to sending records required for sending the required overtime records to the two plants. This is an untrue statement, due to Mr Turner

had the records of hours for approximately six weeks, before I went to the plant manager, Steve Smith. I had planned to file a complaint through the Dept of Labor for the lack of payment for overtime and had requested time off from my foreman Tom Button. Mr Button requested that I use the open door policy, established by Mr Smith. I called and made an appointment with Mr Smith, when I showed him the list of hours, he called Mr Turner to his office, Steve lied to plant manager; saying that he was not aware of the non-payment of overtime. Mr Smith asked me to step outside the door and make a copy for Mr Turner. When I came back into the office Mr Turner was leaning way over Mr Smith's desk, and Mr Smith's face was blood red with apparent angry. Mr Smith instructed Mr Turner to see to it that the overtime was paid immediately. I waited four weeks or two pay periods after talking with Mr Smith. I again went to my foreman Mr Button and requested time off to go to the Dept of Labor, Mr Burton stated that I had been instructed by plant manager, Mr Smith, I called Mr Smith's office for an appointment later that day, I met Mr Smith in the service building pass-way, Mr Smith that he wanted to talk with me, to come with him. We walked around to the war room; Mr Smith called Mr Turner out to discuss the back pay. Mr Smith was angry, and said that I did not give Mr Turner proper time to get the overtime sheets to Watts Bar. These sheets are normally moved from one plant to another over night. I responded to Mr Smith that Mr Turner had over ten weeks to submit the overtime; six prior to talking with Mr Smith and four after talking with Mr Smith, Mr Smith became angry and started shouting and telling Mr Turner to get me off site immediately, that he wanted me off site today. There were only employees with less plant seniority stayed at Sequoyah through March of 1988 at the rate of money, I was saving; while at Sequoyah, if I had not been forced back to Watts Bar and then forced to Browns Ferry, just the money based on what I was saving while working at Sequoyah; would have amounted to \$33000 dollars. I filed a grievance with the Local Union on the way I was forced back to Watts Bar. Mr Smith threaten the bussiness agent and he would see to it that I was fired. The grievance went to arbitrator, ruled in my favor and Carl Treppard had been instructed to meet with me and figure up the amounts owed. Mr Treppard promised to meet with me on several different occassions, but he never showed and I haven't been paid till this date. When I had returned to Watts Bar, I was extremely upset and nervous about the second week of May of 1988, while driving to my home in Alabama, I ran off the edge of the pavement and ran down through the woods for approximately 100 feet; totaling my car at that time I was blameing my self for the accident, due to me worrying about the happenings at Sequoyah and being forced back to Watts Bar and Mr Smith threathening to see to it that I was terminated, if I continued with the grievance. I went to medical, a Dr Kinard, he prescribed a mild form of Tranxene. Upon returning to work, I informed medical of the Tranxene, and medical determined that Tranxene was inappromate, and I was not permitted on the work place. They did not give me a chance to stop taking the drug. They revoked my security clearance. And mandateed that I seek psychological cousneling. I met with Steve Cartwright at Hiwassee Mental Clinic. Mr Cartwright's ter

-ination was that my only psychological problem was work related stress.

Referance Nuclear Accreditation Bonus at the time of me filing my suite on training. I had been an annual employee of approximately 3½ years. I had never received an electricial up date training witch is a requirement before you can be assigned to take any other training, most annual employees get their electricial up-date training, plus other training with in the first year as an annual employee.

Paragraph three, explanation of suspended unescorted to Nuclear Plant access was explained under paragraph two.

Referance three hours travel pay from Watts Bar to medical office. TVA regulations may not entitle me to three hours pay for travel time from Watts Bar to the medical office in Chatt. But past practices and I know many who have received medical pay to and from medical office in Chatt.

Page four; Paragraph one: at no time while my clearance was revoked did I return to the work site, this is a complete falseifaction. However, when I was informed that my security clearance was revoked, the medical office was on site and I returned to the plant maint area to pick up my lunch box and other personal items. While I was doing this I had poured myself a cup of coffee, Mr Brown, who had requested my evaluation came rushing over to me and stated that I had to leave the site immediatly, and I asked him before or after I finish my coffee. He said immediatly, and I left taking my personal property and my cup of coffee with me.

Paragraph two, referance retention and transfer list, I was third on the retention list and entitled me to the third selection of any electrician job. TVA filled the first two positions personel A.R. Kelly was handling the job placements, I had requested the job at Ocoee Hydro. This job was filled with a person with less seniorty than I and should have been further down the retention list than I. There was two positions Watts Bar Hydro. I requested those to A.R. Kelly. They filled one job elect. maint foreman, witch is illegal. According to the United States Retention standards. The other position was filled by Bob Goffery, who was first on the retention list. They then filled a third position with an hourly person, witch again is illegal to the retention list. They had two positions at Raccoon Mountain. One was filled by Lewis Jernigan, who was # two on the retention list, witch was correct and legal. They then filled a third position with an elect. power employee, witch was again further down the list, and had less seniorty than I, this also was illegal. I then requested one of two positions at Gunterstville Dam Hydro. These positions were filled illegal by temorary hourly people, by passing overtime list. I then requested the one position they had at Watauga Hydro at Elizabethton, Tenn. I was never able to find the name of the employee, that job was filled by; but regardless I was passed over many jobs with-in Hydro witch was illegal. See 5.U.S. C.CH. 331988; and 5C.F.R. PT.351 1988; on 3-3 or 4 I was given the oppourtunity to transfer back to Watts Bar where all my lastest problems had begun. I was given a mandate by A.R. Kelly that I could only be transfered back to Watts Bar or stay at Browns Ferry. If you can call a choice of a less of two evils, I guess you can call it a volunteer transfer back to Watts Bar.

Paragraph three, going to Browns Ferry Nuclear Plant, I received

travel advance and expenses for house hunting trip. At some time during my 60 days at Browns Ferry, three of electricians who was transferred with me received an additional advance when I requested the \$800 dollar advance, it was denied by Sue Totten. I went to her supervisor and complained and I was given the \$800 dollar advance the following day. Right at the end of the 60 days, I had purchased a home, but it needed repairs and new carpet. I requested a third 30 days living expense and it was denied again by Sue Totten. Sue Totten stated that no one at Browns Ferry had ever received a third 30 day extention. But Dick Leverne, maint. manager did receive a third 30 day of living expense.

Denial of overtime, I was asked at approximately 11pm by general foreman to work overtime on a 4160 diesel transfer breaker, this had been worked on around the clock approximately three days and no one had been able to fix it. I repaired the breaker in approximately six to seven hours. This type repair ended up as a generic problem with all 4160 breakers, and there was a letter mailed out valley wide and described the method in witch I repaired the breaker. The next evening I was told by the assistant job steward not to ever work overtime again without his permission. I told him that I was requested just piror to quitting time and I didn't feel like I needed to notify him. The assistant steward at that time crussed me out and threaten to take physical reprisal actions. This occurred in front of at least six of my crew members. Later that night four of six people who had heard the assistant steward threaten me attempted to run me down with a wagon that we haul 4160 breakers on weighing approximately two to three thousand pounds. I managed to get out of front of the wagon, and only received a skined ankle and a bruise shoulder. I immediately the next day took sick leave and annual leave. I wrote a letter to the maint manager and sent a copy to Lance Blackstock union bussiness agent for local 558. I also traveled to Chatt and talked to the employee manager over fossil and hydro requesting that they fill three of the opening positions immediately due to the threats and attempts to injury me at Browns Ferry Nuclear Plant. I also talked with Mr Kingsley at Nuclear Power, also requesting him to transfer me back to Watts Bar from Browns Ferry. The following week I reported back to work and there was a complete attitude change in the local 558 electricians. I got along well with all of the travlers on the job. And this suited me fine. The elect maint superintendent called me in demanding the names of the the electricians envolved. I refused to idenify any of them by name. David Lettus had told me earilier that I would not have any more problems with 558 electricians, and if I did to notify him or bussiness agent Blackstock, and they would see to it that it never happened again.

Forced to work overtime on Christmas week 1988. I had a four day scheduled weekend. I was advised by general foreman that I would work the third day of my long sceduled weekend. I informed him that I was going to Tenn to visit my family and that I could not make it back in time to work the third day. He informed me that he would take disciplinary actions, if I did not show up on t that day. I came back and worked the third day of my off day and I came back the fourth day, expecting to work, for I had not been informeed that I was not to work. I was sent home without pay.

Fill several electricial type positions, referance comments page four paragraph two, when I was transfered back to Watts Bar I was denied a travel advance by Sue Totten to return to Watts Bar Nuclear Plant. I never received my travel advance until I return to Watts Bar and the check was received at Watts Bar.

Paragph four, again I was denied travel advance by Sue Totten and never received my travel advance until I reached Watts Bar. When I was notified of my transfer to Watts Bar I was told that it was an immediated transfer, and I did not have the time to a house hunting trip. I did not abject to this; for I was familiar with the Watts Bar area. But I did talk to Carl Treppard and he assured me that if I needed the time for house hunting, that I would be paid by adminstrative leave. I looked every evening for houses until after dark including weekends. It began to look as through I would need the additional time for house hunting. I requested it to the travel clerk and she explained that it was illegal to pay house hunting after you have arrived at the work site. I called Carl Treppard and he denied telling me that I could receive adminstrative leave while house hunting. The only problems I had with travel while at Browns Ferry was with Sue Totten, when I had problems with Ms Totten, I went to her manager and he assisted me cursedly, and satisfactorily. I did not expect to ask for special treatment.

Paragraph five, this seems to be a true statement and I have no comments.

Page five; Paragraph one: Denial access to plant with tape recorder, I explained to the security officer that I had had threats made agaist me by employees and management people when the manager called me to come back to work to inform me to leave my tape recorder at home, for you can not bring it on site. I explained to the manager that the recorder was my only means of protecting myself from verbal harrassment from management and employees. I lived only three minutes from the job and I immediately called my foreman and told him that I was immediately denied access to the plant. I called A.R. Kelly in personel and had him arrange annual leave for the next two or three days, for I already had my transfer notice to return to Watts Bar, the day before I was to transfer to Watts Bar; I went in to clear the plant and I really found out the true needs were, for the recorder. I was requested to sign a pre-written statement, stating that I had violated work procedures, when I had not violated work procedures. I was harrassed, intimidated by the elect maint manager and general foreman until I got up and walked out of their office. I immediately called TVA office of inspector general and explained the situation and I got no response from the office of inspector general.

The statement related to selection of fossil and hydro organization is a complete lie, two of the employees who was on the RIF list with me with more seniorty Bobby Goffery, Bill Byler were asigned to Watts Bar Hydro, Lewis Jernigan who was # two on the retention list was transfered to Raccoon Mountain Hydro. Several other temorary employees filled other positions, where by federal law I should have been placed immediately after Lewis Jernigan. At the time the positions were filled I had a RIF notice in my hand and was never

notified that the RIF notice had been appealed. Paragraph two, has been covered in proceeding pages and I see no reason to respond to it.

Paragraph three, if you will pull the documents on all of my safety concerns you will find that the dates will correspond with the dates that I have filed discrimination charges. The settlement agreement Jan 31, 1990 has required two more suites to get TVA to live up to the agreement, there is still one portion of the settlement that TVA has not lived up to. The letter mailed to me by attorney Charles Van Beke just had the release form in it for release of confidentiality provision and suggested that I sign it. He mailed another release form suggesting me to sign it, releasing confidentiality and again no explaining why I should sign it. With the second confidentiality form, he mailed me a few weeks ago, he also enclosed a release form releasing him from his responsibilities of representing me. They also made a statement that I never responded, I have been in contact with Brent Marquand in an attempt to settle this issue. Therefore, the statement is a false statement.

Page six; Paragraph two: The black list letter may not have been intended to black list individuals, but due to lack of confidentiality it served the same purpose as blacklisting and has been distributed all over the country, regardless of Dept of Labor ruling, it has caused major damage to the individuals whose names are on the list and has denied many to be employed at other locations.

Paragraph three, case # 91-ERA-31: #1/ it has been standard practice with TVA for person who was forced to another plant, he would maintain his in-classification seniority for one year. I was only at Browns Ferry for nine months and should have maintained my Watts Bar plant seniority, yet elect maint refused to go by in-plant seniority and went to the TVA seniority list for evening shift assignments.

#2-#5/ was part of the Jan 1990 agreement. #6/ harrasment & intimidation by a supervisor during a training class. This peculiar incident involved Jan 1990 settlement also the class was electrical update witch was a six week course. The supervisor was Harry Brown supervisors are waviered from having to attend elect training classes during this period of time Mr Brown continually interrupted the class, By getting up to the chalk board drawing his own prints, and attempting to instruct how they work. I repeatedly asked the instructor to ask Mr Brown to stay at his seat and stop interrupting the class that it was distracting to the class and confussing me, and creating angry toward him. The instructor made the statement that Mr Brown was a supervisor and he would not ask him to quit interrupting the class. Mr Brown is the person who first started to harras me at Watts Bar. I extremely dislike Mr Brown, and get angry when I see him; due to all the problems that he has cause me.

Page six; Paragraph four: Watts Bar Nuclear Plant is the only plant that I know of, who shift changes by TVA seniority; all the other plants shift changes as in-plant seniority. In-plant seniority had been used at Watts Bar up until Ed Ditto came. Also Harry Brown was to be the evening shift supervisor and Mike Hersey was to be the foreman. Mr Hersey has failed to go by the overtime list, and has paid over me many times to work overtime.

Page seven; Paragraph one: most of this has been covered in previous statements and I see no reason to discuss it any further. Paragraph two, the only class I missed was the one day GET class, witch had nothing to do with the evening shift.

Paragraph three, the NAB pay, it was agreed in the Jan 1990 settlement that I was to receive NAB pay at the completion of electricial up date training, witch was completed Jan 1991.

Due to the interruption of Mr Brown, I failed two tests, for any one else these make up tests would have been given the following day, yet I was held off for two months; before I could get to take the make up test. This cost me \$300 dollars in NAB pay.

Paragraph four, supervisor envolved was Harry Brown, and it has been discussed previously and I see no reason to discuss it any further.

Paragraph five, this is also been discussed in previous paragraph, but I would like to enter a statement; my attorney failed to appear and I requested Judge Vittone to let me represent my own case. Getting another attorney cost me several days and several thousands of dollars, and I consider Judge Vittone's decision unethcal, for he already made the decision that the case was filed untimely and he was going to dismiss it. Judge Vittone could have very easily have explained this to me and saved me thousands of dollars and several hours of my time and the courts time.

Page eight; Paragraph one: When my doctor release me Dec 11, 1990, I was taking a 5 mg Diazepam in the evenings. Dr Zackery told me that if I changed the time that I took my medicine, that my clearance would be approved. The only reason I was denied plant access was due to Mr Ditto refussing to put me on day shift, when I belonged on day shift. Dr Zackery told me that if I took my medicine after the evening shift, that I could work. On Jan 10, my security clearance was approved, my medicine was basely the same as Dec 11, 1990. When I was denied plant access 5 mg Diazepam as needed. The letters menton from Dr Dyer I never received. I do have a recording of Dr Dyer threatening me, with him sticking his finger in my face and accussing me of abusing drugs and alcohol. He then accused me of abusing drugs for the second time, and again sticking his finger in my face and raising his voice. I explained to Dr Dyer that the only drugs that I take are prescribed drugs, under my doctors supervision. After each time of accussing me, he stated that "you know your clearance depends on my decision." After third go around with Dr Dyer accussing me of abussing drugs and alcohol, I stood up and told Dr Dyer that they had the faculties here to drug screen me for drugs and alcohol; Dr Dyer just sit there ignoring me and I told him good day, and closed the door behind me as I left. I filed suite agaist the harrassing actions and Dr Dyers attitude, for I had taped the entire conversation. But I mistakely used Dr Sayway's name, instead of Dr Dyer in the suite. When I realized the mistake in the name of the person, that is when I volunterly dismissed the case.

Page eight; Paragraph two: non-selection for elect. trainer, I had over fourteen years in training RCA Electrician under Local Union 662 and Local Union 175. I also have a technical degree from Devry Technical Institute, five years of elect. training; plus many other specialized courses, plus I had completed a union apprentice at Local Union 134 in Chicago. There were two instructor jobs available and only three people applied. During the last half of Dec 1990 through Jan 10, 1991, I was out of state on vacation, due to Mr Ditto's refusal to return me to work in Dec. The two instructors selected had only their apprentice training, and the training that they had with TVA. It is impossible to return phone calls, when you are out of state, and did not receive them, and letters returned to TVA. The reason I filed suit over this, is due to a letter dated March or April that was signed by Ed Ditto and Jim Hoover, along with other TVA and Union Personnel. The letter stated that I was not available for the interviews. The interviews were held at the training center on Jan 14 or 15, I was in a training class at the training center and talked with both applicants at the training center the day they were having their interview. This letter was entirely a lie, for I had been back to work four days; at the time of their interviews, which would have given me time for a demonstration.

Paragraph three, my foreman and supervisor had been advised that I would be back on Friday and available for work. The weekend mentioned, there was so much work to be done that they worked electricians assigned to mechanical crews, and instruction electricians, all of who were not on the elect. overtime list. The policy is to phone, anyone who they want to work.

Page eight; Paragraph four: the Sequoyah assignment on Nov 14, 1991, the training that I had expired only involved dress out and I had worked at Sequoyah, and Browns Ferry, where dress out was a daily routine. Also two of the employees who went to Sequoyah, had never worked in a hot nuclear plant before, and two of the four employees did not have to dress out at all, so the certification was not required. I talked with John Anderson union steward at Sequoyah and he told me, that I could have gotten the less than one day training on Monday after arriving at Sequoyah.

Page nine; Paragraph two; this has already been discussed previously and I see no reason to comment.

Page nine; Paragraph three: Mr Zigrossi made a very good Office of Inspector General for he now has a permanent job within TVA. Reference Summary Judgment, I feel that I was discriminated against by the Judge making this recommendation. I was never advised that the recommendation had been made until I talked with Judge Sarno earlier this spring, yet TVA counsel Brent Marquand has a report. I have yet to be notified other than talking to Judge Sarno; that the recommendation had been made and sent to the secretary of labor.

Page nine; Paragraph four & five: the Office of Inspector General who I met with briefly refused me union representation and I never discussed the actual issue with him. The dual rate foreman indicated that there were two accepted ways; accepted, I am not sure of there

is a right way and a wrong way, the right way is indicted in the work order. The duel rate foreman apologized for raising his voice, he did not apologize for jumping up from his desk with his fist doubled up and running over to where I was standing up and towering over me with our faces only inches apart, and shacking his hand between our faces. He was so angry that his eyes looked like they were going to pop out of his skull. I went directly to the phone and called NRC and reported the violations and requested the NRC to sit in on the forth-comming meetings.

Page ten; Paragraph two: while I was at the meeting Aug 8, 1993 Mr Nelson, Mr Higginbotton, Mr O'Brein, union representative Eddy DeBusk, and myself; Mr Nelson started out the meeting stating that the incident between Gordon Reed and myself did not happen the way I said. I told Mr Nelson that if he really believed that; that he was not even in this world. Mr Nelson repeated that it did not happen that way, and insinuated that I was lieing. After Mr Nelson repeating his position over and over again, and kept insinuating that that I was lieing; I finally told Mr Nelson that he was doing what he always did; attempting to cover up or hide the violation. He insisted that a manager Red Vaughn had talked to all of the witnesses and that they had made the same statement. I challanged his report and asked him, if he had talked with Roger Taylor. And Mr Nelson continued to insist that it did not happen the way I said it did. I became more angry and pointed my finger at Mr Nelson and stated that it happened the way I said it happened, that I was there; and that he was not. During this time I started having chest pains, shorting of breath, dizzle spells, and my left arm felt like every muscle in it was hurting. The meeting ended shortly after that, and the elect superintendent Bruce O'Brein requested to talk with me for a few minutes. I complained to him about my chest pains and dizzleness in the presence of Eddy DeBusk. I went home a few minutes later with the intention of going to see my doctor. I called and of all times, he was out of town on vacation. I didn't feel up to driving to Athens to the hospital, so I doubled up on my blood pressure medicine; taking two pills instead of one, and again two pills the next morning. And on Monday four and a half days later, I felt good with the exception of feeling weak. When my doctor returned to town I made an appointment and the tests indicated that I ~~most~~ differently had a heart atact. When I returned to work I found ~~that~~ Mr Nelson had talked to Roger Taylor and Roger verified that it happened the way I said and he was in the room as the only witness. Mr Nelson made the statement to Roger Taylor that this was the only time that this has happened and Roger Taylor told him that he didn't want to know. Mr Nelson insisting on Roger responding and Roger told him that it had happened hundrends of times. I was told later that day that Mr Nelson was going to apologize to me and I told Eddy DeBusk, and he said that; that would never happen. and Eddy was right.

TVA Office of Inspector General Investigator, said there was no wrong doings. But I had the occassion to talk to Don Haddon, Employee Concerns; he informed me that NRC Investigators had found well over a hundrend violations, that I had reported. And that QA was still investigating and finding more.

Paragraph three, I see no reason to comment.

Paragraph four, I filed this Dept of Labor complaint specifically to document Mike Hersey's attitude toward the overtime list in the past years he has passed me on overtime. On several occassions on one he called in his close neighbor and friend to work overtime, when it was my turn by the overtime list. When I questioned Mike on this, he said the person he called in lived closer to the job than I, as far as I know; I am the only employee, who works at Watts Bar who lives within two mile boundary of the plant.

I did not expect to win a decision on this case, for I knew there were other employees who had been passed over on the overtime list. And that discrimination in most cases, where a person is singled out as I have been for the past several years.

It is obvious that the Office of Inspector General finds it very easy to find no wrong doings with TVA, for that is their main purpose to protect TVA and help them cover their tracks, when ever possible.

I can walk you to hundrends of other violations on safety related equipment that TVA is aware of; but is ignoring and hoping that no one else will discover them.

TVA maintains that there is no harrassment in the work place I can name you two who are current at this time, from the elect. maint. shop. #1/ Bob Moody received workers compensation; he is presently gotten charges filed agaist Calvin Steel, and Mr Nelson, the maint. manager for discrimination. And #2/ Eddy DeBusk, Union Stewart, and Assiantant Bussiness Agent of Local Union 1323. Eddy has discrimination charges filed agaist Calvin Steel, and has charged the elect maint superintendent Bruce O'Brein to enforce non-discrimination in the elect maint shop. This is being handled through the greivence procedure by Local Union 1323.

This response from TVA is no doubt, the hardest report that I have had to respond too. It jumps to several different events in one paragraph. And relates to them over and over again in other paragraphs.

I sincerely hope that my response is not as hard to read and understand as TVA's is.

Enclosure #1

Sincerely

George M Gillilan

George M Gillilan



W.P. Boone Dougherty
Attorney At Law
307 Medical Arts Bldg
603 West Main Ave.
Knoxville, TN 37902

ATT 1

6-22-91

Dear Boone;

As you know my DOL hearing was postponed on 6-10-91 to be continued on 6-11-91, due to your illness.

On 6-10-91 Federal Judge John M. Vittone instructed T.V.A. Attorney Brent Marquand, myself and all witnesses to be in court on 6-11-91. On 6-11-91 the trial date was further postponed with indefinite date.

Judge Vittone instructed me to write him a letter; no later than 7-12-91; informing him of actions I had taken to ensure that I had legal counsel representation for future hearing.

I am hoping that you will be well enough prior to 7-12-91 to advise me or make recommendations on what action to advise Judge Vittone.

On Wed. 6-12-91 when my witness Eddie DeBusk returned to work, he was harrassed and intimidated along with threats of disciplinary actions; by forman Calvin steel. Eddie DeBusk phoned Brent Marquand and throught he had the problem settled. On Fri. 6-14-91 witness Eddie DeBusk was called to a meeting with forman Calvin Steel and Electrical Superintendent Ed Ditto. Again Eddie was intimidated, harrassed, and given a verbal reprimand for not being at work Mon. 6-10-91 and Tue. 6-11-91. Ed Ditto, an Electrical Superintendent was in court Mon. and Tue. 6-10-11-91; and was aware of Mr. DeBusk being in court as a witness. Mr. Ditto was also present when Judge Vittone instructed that all parties be in court 6-11-91.

It is my opinion that there should be an additional suite filed or some form of legal action taken agaist forman Kalvin Steel and Electrical Superintendent Ed Ditto for harrassing intimidateng and taking reprisal actions agaist Eddie DeBusk, for appearing as a witness in Federal Court.

Please advise at earliest convenience.

Best Wishes
Get Well Soon

George M. Gillilan
George M. Gillilan

[REDACTED]

ATC #2

Dec. 23, 1991

Ed Ditto III
Superintendent Electrical Maintenance
T.V.A. Watts Bar Nuclear Plant

Dear Sir;

I am requesting that you prepare and implement a in-plant seniority list; as prescribed in the General Agreement under Article B-VI paragraph eight. "In T.V.A.'s power operation annual maintenance EMPLOYEES WITH THE GREATEST PLANT SENIORITY IN CLASSIFICATION shall have preference in filling vacant maintenance shift positions. Exceptions may be made to assure efficient distribution of specialized skills."

I would like this implemented prior to my Jan. 6, 1992 schedule to return to evening shift.

Your cooperation will be greatly appreciated:

Sincerely

George M. Gillilan

George M. Gillilan

[REDACTED]

Jan. 10, 1992

U.S. Dept. Of Labor
Wage & Hour Division
460 Metrtlex Dr
Suite 102
P.O. Box 111300
Nashville, TN 37203

Dear Sir,

I am an Electrician Employeed by T.V.A. at Watts Bar Nuclear Plant Spring City, TN. I am entitled to protection under the Whistle Blowers Act.

I have been subjected to continuous Intimidation, Harrassment, and Repriser Actions by T.V.A. Management due to reporting Safety Concerns to N.R.C.

Dec. 23, 1991; I drafted a letter to Ed Ditto III Superintendent Electrical Maint. I requested that he Implement a In-Plant In-Classification seniority list. I referenced Article B-VI paragraph eight; The word Article should read Supplementary Schedules; but regardless I quoted Supplementary Schedules B-VI paragraph eight. This letter was presented by hand to Harry Brown, who was acting Superintendent Electrical Maint. in Ed Ditto's absence, on dec. 26, 1991.

On Dec. 30, 1991, Harry Brown called me to his office at 09:30 a.m. and stated that they were not going to Implement the In-Plant In-Classification seniority list, as I had requested; due to the fact that I had filed previous Dept. Of Labor Suites. I asked Mr. Brown, "who made the actual decision of not Implementing the In-Plant In-Classification seniority list." Mr. Brown stated that the decision was made by Mark Vastona T.V.A. Human Resorces PH: 365-3047.

T.V.A. is fully aware that there were no decision made through the Dept. Of Labor; that the suite was dismissed by Judge Vittone; due to un-timeless.

I still insist that in forcing me to evening shift is in violation of the General Agreement and that it was repriser actions taken agaist me for reporting nuclear safety concerns.

Mr. Brown's statement of Dec. 30, 1991; that they were refusing to Implement the In-Plant In-Classification seniorty list is continuous harrassment, and repriser actions taken agaist me for me reporting nuclear safety concerns and filing Dept. Of Labor Suites, by T.V.A.'s decision; in this matter leaves me with no alternative, but for filing another Dept. Of Labor Suite.

ARC # 5

June 10, 1993

U.S. DEPT OF LABOR
Wage & Hour Division
Federal Bldg
710 Locust St
Box 123
Knoxville, Tn 37902

Dear Sir;

I am an electrician employed by TVA at Watts Bar Nuclear Plant Spring City Tn. I am entitled to protection under the Whistle Blowers Act.

I have been subjected to continuous intimidation, harrasment, and repriser actions by TVA management due to reporting safety concerns to NRC.

For the past few months I have attempted to take care of my problems by filing grievances through the union and I have had some success, but now employee research and development (E.R.D.) have interweaved in behalf of TVA and involuation of the General Agreement and completely dead locked the grievance procedure. I have also had some success in taking problems to employee concerns, but now they have appointed Ed Ditto in employee concerns; who is involved in serveral of my past DOL suites, this is like putting the fox in charge in the hen house. Therefore I have no other choice, but to enter into another DOL suite.

Monday, May 10, 1993 I discused problems that I have had in reading and understanding in work order Sat. May 8, 1993. On Tue. May 11, 1993 Duel Rate Forman told serveral in the crew that they did not have to preform steps as they were instructed on a 10CFR5049 work order, due to changes in SSP12.03, yet there had not been changes made to the work instructions. Wed. morning May 12, 1993 Electrical Trainee Kelvin Scott and myself were installing a breaker on work order#93-01629-01. The breaker had been removed by not preforming step 1.3 as per instructions. removing the wires from the breaker line side to the bus stabs and pull back into the bucket. I explained to Mr. Scott that we would have to remove the line side wires from the bus stabs in order to preform step 1.7 of our work instructions. At this time Mr. Scott informed me that Duel Rate Gorden Reed had told him that we did not have to follow these instructions, due to there had been a change in SSP12.03. I explained to Mr. Scott that there had been no changes in the work order and that we had no choice in how we preform our work instructions, unless they had been changed on the work order. I insisted on removing the line side wires to the bus stabs and preformed step 1.7 as instructed on the work order. We also discovered that the fuss block had been disconnected from the breaker without being enter on the configuration control log (SSP-6.02). We entered on our configuration control log "disconnected fuss block and then signed it off as return to normal.

When we returned to the shop, I handled the work order to Duel Rate Gorden Reed and pointed out that the previous craftman had not entered disconnected fuss block on the configuration log. Duel Rate Forman Gorden Reed in raising his voice stated "that he did not believe that disconnected fuss block needed to be entered on the configuration log." A few minutes later, approximately 10:00 AM May 12, 1993; Duel Rate Forman Gorden Reed turned from his desk and asked "if I had went over his head and reported him for procedures voluations." I attempted to explained to Mr. Reed that I did not want to discuss it, that Steve Robinson (Trainee Union Representative) that he had talked to Mr. Reed and asked him not to instruct trainees not to preform written instructions and that Mr. Reed had gotten angry and went to acting Electrical Maint Superintendent and there was a meeting set to discuss the problem with Mr. Vaughn, Mr. Reed interupted me before I could finish, by jumping up from his chair at the formans desk with his fist doubled up and ran over to me; in a fit of rage, holl wing and screaming at me and shaking his hand in my face in a threatening matter, while shouting "you went behind my back like you always do and reported me" and stated "that I was not man enough to talk to him man to man," all the time standing over me with his face just inches over mine, and continued shacking his hand in my face. He stated "that I would discuss it" and turned and walked back to his desk and said "that he was sorry he raised his voice." I told him "he was right, that we probaby would discuss it." I turned to a phone and called NRC Representative Glen Waldon's office and requested Mr. Waldon to return my call.

On Monday May 10, 1993, Tue. May 11, 1993, Wed. Morning May 12, 1993; it had been discussed in the presence of Mr. Reed and most of our crew about following procedures and on Tue. May 11, 1993 I had went to Union Trainee Representative Steve Robinson and requested that he instruct Mr. Reed not to tell the trainees that they did not have to follow the instructions on work order and procedures instructions. I did not consider this going over Mr. Reeds head, for this was the lowest level.

Approximately 3:20 PM Wed. May 12, 1993 Forman Jackie Revis came out into the yard where Kelvin Scott and I had been checking sump pumps, Mr. Revis instructed me to report to the Maint Manager Mr. Nelson, no later than 3:30 PM. I met with Mr. Nelson, Mr. Vaughn, and Union President David Mergen, and Eddie DeBusk for over an hour, we discussed the problems with failing to follow the work instructions to great lenght, Mr. Nelson asked me "why I went to Steve Robinson instead of Mr. Vaughn or him self (Mr. Nelson)." I told him that I wanted to keep the problem below management if possible. Not once did Mr. Nelson or Mr. Vaughn comment to me about Mr. Reeds actions.

Mr. Reed's intimidation, discrimination, and harrassment is just another example of continuing discriminations agaist Whistle Blowers at TVA.

Since the conflict with Mr. Reed Na, 12, 1993, many members of the crew have avoided talking to me, except for commenting to me, "who are you going to rat on today." Many of the Formans and Dual Rate Formans and other employees are refussing to talk to me even today June 10, 1993. I have not been able to sleep at nights wakeing up repeatedly after having bad dreams of the incident with Gorden Reed. I am continously fearful for repriser actions and possible psycial retaliation actions.

I would appreciate your efforts while investigating this latest problems.

Sincerely

George M. Gillilan
George M. Gillilan

[REDACTED]
[REDACTED]
[REDACTED]

Aug 23, 1993

U.S. Dept Of Labor
Wage & Hour Division
Federal Bldg
710 Locust St
Box 123
Knoxville, TN 37902

Dear Sir;

I am an Electrician Employed by TVA at Watts Bar Nuclear Plant Spring City TN. I am entitled to protection under the Whistle Blowers Act.

I have been subjected to continous Intimidation, Harrassment, and Repriser Actions by TVA Management due to reporting safety concerns to NRC.

As you know I filed a DOL complaint agaist TVA on June 10, 1993 with Wage & Hour investigator Thomas Reesor.

In the attempt to settle, Mr. Reesor had requested me to meet with Charles D. Nelson WBN site maintenance manager and Randy W. Higginbotham WBN site E R & D representative; excluding my union representative Eddy DeBusk. I explained to Mr. Reesor that I did not want to meet with E R & D representative Randy W. Higginbotham due to the fact that he was the person who had the grievance procedure dead-lock and one of the reasons that I had filed the DOL complaint June 10, 1993 instead of filing through the grievance procedure. And also I wanted my union stewant Eddy DeBusk present at the meeting. A day or so later Mr. Reesor advised me that we could not reach an agreement on who was to attend the meeting and the meeting was postponed.

On July 8, 1993 I was informed by my forman Jackie Revis that I was to report to the office of TVA inspector general Jasen Grimes. It was my understanding that these meetings were to be kept confidant; yet this was the second time that Mr. Grimes had phoned announcing that he was an investigator of TVA inspector general office, to my forman Jackie Revis. Mr. Grimes insisting on meeting with me. It is in my opinion that Mr. Grimes violated my rights to confidentially. I called my union stewant Eddy DeBusk and we met with Mr. Grimes. Mr. Grimes denied me union representation insisting that Eddy DeBusk not be present. I had expressed my opinion that TVA inspector general office was only interest in covering TVA management's butts. And that the inspector general office had failed to find any wrong doings on TVA's part, where TVA managers had made false and misleading statements and had falseified TVA documents. Mr. Grimes again repeated that Mr. DeBusk could not sit in the meeting, a second

time denying me rightful union representation. Then Mr. Grimes procedued to lecture me on my vocabulary; at this time I ended the meeting. This meeting was July 8, 1993 from approximately 10:55 AM till 11:05 AM.

July 8, 1993 at 12:05 PM forman Jackie Revis informed me to report to the office of Charles D. Nelson WBN site maintenance manager. Upon arriving at his office Eddy DeBusk union stewant was waiting for me outside, he had only been informed of the meeting and not the intent of the meeting. Present at the meeting was Charles D. Nelson, WBN site maintenance manager; Randy Higginbotham, WBN site E R & D represenative; Bruce W. O'Brien electrical maintenance superintendant; Eddy DeBusk union representative and myself. We discussed the procedure violation that prompted my June 10, 1993 DOL complaint. Mr. Nelson did most of the talking in an intimidating and demaning way. Insisting that the events leading to my DOL complaint did not happen that way and insinuated that I had lied. Mr. Nelson repeatedly said that it did not happen that way in a loud and intimidating matter in an attempt to get me to change my story. I told Mr. Nelson that if he believed that; that he was not even in this world. His face became red and obviously angry, and he repeated that it did not happen that way. I explained to Mr. Nelson That I was there and I know how it happen and that he was wrong. The conversation became more heated and Mr. Nelson obviously angry due to the fact that he could not intimidate me into changing my story. Mr. Nelson repeated again, I said It did not happen that way. I became so upset I was having chest pains and problems getting my bealth. I pointed my finger at Mr. Nelson and repeated that you are wrong. And told him that they had only talked to witnesses that would give them the answers that they wanted to hear, and asked if they had questioned Roger Taylor, Mr. Nelson, in a loud and angry voice stated that I am your maintenance manager and I demand your respect. Then Mr. Nelson said that he was sure that they had questioned Roger Taylor. Shortly there after the meeting ended. Mr. O'Brien informed Eddy DeBusk and myself that he wanted to meet with us in his office. A few minutes later, Mr. DeBusk and I met with Mr. O'Brien. I was still having chest pains and was extremely upset and did not comprehend what was discussed. I left Mr. O'Brien's office and left a message with my forman Jackie Revis that I was sick and going home. When I arrived home; I phoned my Dr to see if he could see me that afternoon. Dr Denton had already left his office for the day and was to be on vacation all the next week.

Book 1 m.b

I took additional blood pressure medicine and nerve medicine in order to get calm down, the chest pains went away; but I was unable to work Friday and Sat due to a nervous condition. When I returned to work Monday morning, Roger Taylor informed me that maintenance manager Charles Nelson had asked him if the events of procedure violations had occurred. Roger said he told Mr. Nelson that they diffidently had. Roger also stated that Mr. Nelson said that; that was the only time that they had happened. Roger said you don't want to know. Mr Nelson insisting asked Roger how many times had they happen. Roger said that he stated hundreds of times.

Approximately two weeks later I requested union stewant Eddy DeBusk to obtain a copy of the notes from the July 8, 1993 meeting from mr Randy Higginbotham under the freedom of information act. Eddy was denied the time to go to Mr Higginbotham office by his supervisor for several days. Therefore I was denied prompt union represenation. Upon getting permission to meet with mr Higginbotham Eddy acting as my represenative, requested the notes under the Freedom of Information Act. Mr Higginbotham refused to provide a copy of his notes.

In this DOL complaint I was denied my rights of privacy by Jasen Grimes. I was harrassed by Mr Grimes. Later July 8, 1993 I was discriminated agaist, harrassed, and intimidated by Charles D. Nelson. I was denied prompt union representation by Eddy DeBusk immediate supervisor. And I was denied legal rights to information That I was entitled to by Randy Higginbotham. Also Mr Nelson and Mr Higginbotham failed to follow a July 6, 1993 Generating Group Equal Employment Opportunity Policy Statement by O.D. Kingsley Jr. President Generating Group.

I would appreciate your prompt investigating my latest complaint agaist TVA.

Enclosed a copy of policy statement by O.D. Kingsley Jr.

Sincerely

George M Gillilan

George M. Gillilan

[Redacted signature area]

ATCS #10

U.S. Department of Labor

Employment Standards Administration
Wage and Hour Division



January 16, 1992

460 Metroplex Drive, Suite 102
Nashville, TN 37211-3131
(615) 781-5344

Certified #P 281 906 462
Return Receipt Requested

Mr. George M. Gillilan
[REDACTED]

Re: George M. Gillilan v. Tennessee Valley Authority

Dear Mr. Gillilan

This will acknowledge receipt of your complaint dated January 10, 1992, against the Tennessee Valley Authority, alleging violations of the Energy Reorganization Act, Public Law 95-601, Section 210, 42 USC 5851. Your complaint was received in our Knoxville office on January 16, 1992. The Act requires the Secretary of Labor to notify the parties named in the complaint about the filing of the complaint and to conduct an investigation into the alleged violations. Consequently, we are providing the Tennessee Valley Authority with a copy of your complaint and information concerning the Wage and Hour Division's responsibilities under this law. We have enclosed a copy of the pertinent section of the Act and a copy of Regulations, 29 CFR Part 24 for your information.

We are considering this new complaint a continuation of the ones received October 15, 1991, December 4, 1991 and December 5, 1991. By previous agreement, a decision by the U. S. Department of Labor is due February 14, 1992.

This case has been assigned to Wage-Hour Investigator Thomas Reesor whose first action will be to try and achieve a mutually agreeable settlement. If this is not possible, a fact-finding investigation will be conducted as soon as possible. If you have further evidence, please give it to our representative who will contact you on this matter. If you have any questions, do not hesitate to call me or our representative at (615) 549-9339, Knoxville, TN.

Sincerely,

George Friday

George Friday
District Director

Enclosures

cc: Attorney Charles Van Beke
NRC, Washington
NRC, Atlanta

Arc # 11

U.S. Department of Labor

June 11 1993

Employment Standards Administration
Wage and Hour Division
Airport Executive Plaza, Suite 511
1321 Murfreesboro Road
Nashville, TN 37917
(615) 781-5343



Certified #P 383 162 306
Return Receipt Requested

Mr. George M. Gillilan
[REDACTED]

Re: George M. Gillilan v. Tennessee Valley Authority

Dear Mr. Gillilan:

This will acknowledge receipt of your complaint against the Tennessee Valley Authority alleging violations of the Energy Reorganization Act. Your complaint was received in the Knoxville office on June 10, 1993.

The Act requires the Secretary of Labor to notify the party named in the complaint about the filing of the complaint and to conduct an investigation into the alleged violations. Consequently, we are providing the Tennessee Valley Authority with a copy of your complaint and information concerning the Wage and Hour Division's responsibilities under this law. We have enclosed a copy of the pertinent section of the Act and a copy of Regulations, 29 CFR Part 24 for your information.

This case has been assigned to Wage and Hour Investigator Thomas Reesor whose first action will be to offer the employer an opportunity to provide "clear and convincing" evidence that the unfavorable action would have occurred absent the protected conduct. If this evidence is not provided or does not clearly demonstrate the employer's requisite showing, we will then try and achieve a mutually agreeable settlement. If this is not possible, a fact-finding investigation will be conducted as soon as possible. If you have further evidence, please give it to our representative who will contact you on this matter. If you have any questions, do not hesitate to call me or our representative at (615) 545-4620, Knoxville, TN.

Sincerely,

George Friday
George Friday
District Director

Enclosures

cc; NRC, Washington
NRC, Atlanta

ATC # 12

U.S. Department of Labor

December 3, 1993

Employment Standards Administration
Wage and Hour Division
Airport Executive Plaza, Suite 511
1321 Murfreesboro Road
Nashville, TN 37217



(615) 781-5343

Certified #P 383 162 463
Return Receipt Requested

Mr. O. D. Kingsley, Jr.
President, Generating Group
Tennessee Valley Authority
1101 Market Street, 6A Lookout Place
Chattanooga, TN 37402

Re: George Gillilan v. Tennessee Valley Authority

Dear Mr. Kingsley:

This letter is to notify you of the results of our compliance actions in the above case. As you know, George Gillilan filed two complaints with the Secretary of Labor under the Energy Reorganization Act, Public Law 95-601, Section 210, 42 USC 5851. These complaints were received in our Knoxville Area Office on June 10, 1993 and August 26, 1993.

By mutual agreement of the parties the time for issuance of a decision was extended until December 3, 1993.

Our initial efforts to conciliate the matter did not result in a mutually agreeable settlement. A fact-finding investigation was then conducted. Based on our investigation, the weight of evidence to date indicates that George Gillilan was a protected employee engaging in a protected activity within the scope of the Energy Reorganization Act and that discrimination as defined and prohibited by the statute was a factor in certain of the actions which comprise his complaints. The following information supported this determination:

1. The TVA is an employer subject to the Act;
2. George Gillilan was discriminated against by TVA employees in meetings on April 12, 1993 and July 8, 1993. These meetings were symptomatic of an abusive work environment leading to a negative impact on his emotional and psychological state. Gillilan's subsequent visits to physicians and medication prescriptions lend support to these conclusions.
3. These adverse actions were directly linked to nuclear safety issues raised by Mr. Gillilan in relation to his discovery of instruction errors concerning circuit breaker removal and installation.

Mr. O. D. Kingsley, Jr.

2

12/3/93

Re: George Gillilan v. Tennessee Valley Authority

This letter is notification to you that the following actions are required to remedy the violation:

1. Restore to Mr. Gillilan any psychiatric medical leave taken as the result of the aforementioned discrimination;
2. Avail to Mr. Gillilan any opportunities for overtime work during the hours he missed (on leave) for purposes of medical attention caused by this discrimination;
3. Pay all psychiatric medical costs not covered by Mr. Gillilan's medical insurance for expenses incurred from this discrimination;
4. Expunge any unfounded negative remarks placed in Mr. Gillilan's personnel file as the result of these incidents.
5. Cease all discrimination against Mr. Gillilan in any manner with respect to compensation, terms, conditions and privileges of employment because of any action protected by the Energy Reorganization Act.

This letter is also notification to you that if you wish to appeal the above findings and remedy, you have a right to a formal hearing on the record. To exercise this right you must, within five (5) calendar days of receipt of this letter, file your request for a hearing by telegram to:

The Chief Administrative Law Judge
U. S. Department of Labor
Suite 400, Techworld Building
800 K Street, N. W.
Washington, D. C. 20001-8002.

Unless a telegram is received by the Chief Administrative Law Judge within the five-day period, this notification of findings and remedial action will become the Final Order of the Secretary of Labor which must be implemented within thirty days. By copy of this letter, Mr. George Gillilan is being advised of the determination and the right to a hearing. A copy of this letter and complaint have also been sent to the Chief Administrative Law Judge. If you decide to request a hearing, it will be necessary for you to send copies of the telegram to Mr. Gillilan and me at the U. S. Department of Labor, Airport Executive Plaza, Suite 511, 1321 Murfreesboro Road, Nashville, TN 37217 (615) 781-5343. After

ATC # 12

Mr. O. D. Kingsley, Jr.

3

12/3/93

Re: George Gillilan v. Tennessee Valley Authority

I receive the copy of your request, appropriate preparations for the hearing can be made. If you have any questions do not hesitate to call me.

It should be made clear to all parties that the U. S. Department of Labor does not represent any of the parties in a hearing. The hearing is an adversarial proceeding in which the parties will be allowed an opportunity to present their evidence for the record. The Administrative Law Judge who conducts the hearing will issue a recommended decision to the Secretary based on the evidence, testimony and arguments presented by the parties at the hearing. The Final Order of the Secretary will then be issued after consideration of the Administrative Law Judge's recommended decision and the record developed at the hearing and will either provide for appropriate relief or dismiss the complaint.

Sincerely,

George Friday, Jr.

George Friday, Jr.
District Director

cc: The Chief Administrative Law Judge

-George Gillilan


Phillip Reynolds
Keith Fogleman
William Hinshaw
Edward Christenbury
Hudson Ragan
NRC, Washington
NRC, Atlanta

Oct 27, 1993

Craven Crowell
400 West Summitt Hill
Knoxville, TN 37902

Dear Sir;

I am an Electrician, employed by TVA at Watts Bar Nuclear Plant Spring City, TN. I am entitled to protection under the Whistle Blowers Act.

I have been subjected to continuous Intimidation, Harrassment, and Reprisal Actions by TVA Management, due to reporting safety concerns to NRC.

I have been continuously harrassed, intimidated, and reprisal actions taken against me and discriminated against since Jan of 1987. When it became public knowledge that I was an alledged whistle blower. I have been ran off the job at SQNP by plant manager Steven Smith and the business agent was threaten by Mr Smith that if I filed a grievance, that he would see to it that I was terminated. Shortly there after, your TVA Psychiatrist staff pulled my security clearance, and I was forced off the job. And it was mandated that I seek Psychological cou sleing.

My Psychological evacuation was that my only problem was continuous harrassment by TVA management and work related stress.

In July of 1988, I was forced transfered to Browns Ferry Nuclear Plant, while at Browns Ferry Nuclear Plant; I was threaten by TVA management. I was threaten with pysical violence. I was told by TVA foreman, "not to be looking for a house or anything in that area, for I would not be there that long." I had my life threaten by a phone call, and had other threatening phone calls. In Sept of 1988 there was a so called agreement with TVA and I.B.E.W. that I would receive back payment for money lost, by being forced from SQNP by Steven Smith. TVA's labor relations person Carl Treppard agreed on several different occassions to meet with me and work out a settlement. But he never followed through.(money in excess of \$20,000.00).

I was number three on the retention list, yet TVA with the assistance of I.B.E.W. Representative Carl Landsen blocked all of my transfers, yet they continued to fill jobs illegally with hourly employees. I wrote a letter to congresswoman Marlyn Lloyd, it was forward to Ronnie Flipppo; due to I was living in Alabama at the time. I have a copy of a letter to Ronnie Flipppo in response by TVA signed by Bill Willis, witch has untrue and misleading statements.

The last day I was at Browns Ferry Nuclear Plant, I was threaten by Electricial Maintenance Superintendent and General Foreman at this meeting I was denied union representation witch is a violation of Federal Law. I called the TVA Inspector General's office, requesting assistance, and got no responce.

In Feb of 1989 I was given a RIF notice, on or about this time I had filed a DOL suite agaist TVA. The RIF notice was resented and I was forced back to Watts Bar Nuclear Plant where my problems orginally began. Since that time I have filed a series of DOL suites, three of witch was settled out of court. Yet TVA never lived up to the settlement agreement. Since that time I have filed several more DOL suites for discrimination and reprisal actions witch the Dept of Labor ruled in my favor. TVA Attorney's have filed an appeal and requested a summary judgement. At present time I have three more suites filed for discrimination and dening me union representation, intimidation, and harrassment. I am in the process of filing two more DOL suites for discrimination. I have many form letters signed by Kingsley, and plant manager Moody, stateing that intimidation, harrassment, reprisal actions, and discrimination will not be tolerated. Yet no one will take action agaist persons taking these discrimination actions.

I would like to meet with you personally, and discuss what actions could be taken to settle my previous suites, and to end all harrassment, and discrimination actions taken agaist me.

Your personal attention is requested, due to no one else with- in TVA will take any actions to correct this matter.

Sincerely

George M. Gillilan

George M. Gillilan



ATC 16

Nov 29, 1993

Craven Crowell
400 W. Summitt Hill
Knoxville, TN 37902

Dear Sir;

On Oct 27, 1993, I mailed a letter to you, requesting to meet with you personally and discuss what actions could be taken to settle my previous suites, and to end all harrassment and discriminations actions taken agaist me.

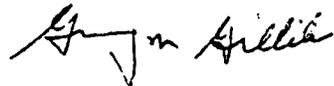
My previous letter must have not been brought to your attention, for I am sure you would have responced by now.

Enclosed a copy of original letter.

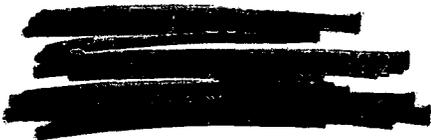
I am requesting your personal assistance for no one else seems to take any action.

cc: Honorable John J. Duncan, Jr.
Honorable Marilyn Lloyd

Sincerely



George M Gillilan



ATC 17



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

Craven Crowell
Chairman, Board of Directors

December 1, 1993

Mr. George M. Gillilan

[REDACTED]

Dear George:

Thank you for your October 27 letter concerning past difficulties which you believe are related to your raising nuclear safety concerns. I want to assure you that the TVA Board of Directors is committed to maintaining a work environment free of intimidation or harassment.

From your letter I gather that you have been or are currently involved in several Department of Labor (DOL) cases. In addition, I understand that TVA's Office of Inspector General has a current investigation under way to address specific allegations related to your DOL issues. In keeping with our goal to put employees first, I will very closely monitor issues such as those raised in your letter.

Like all residents of the Valley, I am especially interested in the safe and efficient operation of TVA's nuclear power program. Thank you for the information you provided.

Sincerely,

A handwritten signature in cursive script that reads "Craven".

Craven Crowell

DEC 21, 1993

U.S. DEPT OF LABOR
WAGE & HOUR DIVISION
FEDERAL BLDG
710 LOCUST ST
BOX 123
KNOXVILLE, TN 37902

Dear Sir;

I am an Electrician employed by TVA at Watts Bar Nuclear Plant Spring City, TN. I am entitled to protection under the Whistle Blowers Act.

I have been subjected to continuous Intimidation, Harassment, and Reprisal Actions by TVA Management due to reporting safety concerns to NRC.

For failing to perform their duties as described by The Tennessee Valley Authority Act Section six page five, and failing to abide by U.S. DEPT OF LABOR George Friday District Director 's decision of July 17, 1992 and Dec 3, 1993. I am charging the following: Mr. O.D. Kingsley, Jr., (President Generating Group), William L. Hinshaw, Inspector General's office, and Craven Crowell, (Chairman Board of Directors), Tennessee Valley Authority; for discrimination by failing to perform their duties.

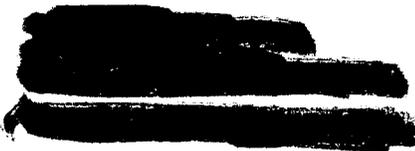
I would appreciate your efforts while investigating this latest problems.

Three Enclosures:
Including page one and five TVA Authority Acts

Sincerely

George M. Gillilan

George M. Gillilan



ATL 19

U.S. Department of Labor

Employment Standards Administration
Wage and Hour Division

July 17, 1992

460 Metroplex Drive, Suite 102
Nashville, TN. 37211-3131
(615) 781-5343



Certified #P 281 906 492
Return Receipt Requested

Mr. O. D. Kingsley, Jr.
President, Generating Group
Tennessee Valley Authority
1101 Market Street, 6A Lookout Place
Chattanooga, TN 37402

Re: George M. Gillilan v. Tennessee Valley Authority

Dear Mr. Kinglsey:

This letter is to notify you of the results of our compliance action in the above case. As you know, Attorney Charles W. Van Beke filed four complaints on behalf of his client, George M. Gillilan, with the Secretary of Labor under the Energy Reorganization Act, Public Law 95-601, Section 210, 42 USC 5851. The complaints were dated and received in this office as follows:

<u>dated</u>	<u>received</u>
October 10, 1991	October 15, 1991
November 17, 1991	December 4, 1991
November 26, 1991	December 6, 1991
January 15, 1992	January 16, 1992

It was agreed to by all parties that all four complaints were to be dealt with at the same time by the same Wage Hour Investigator. By mutual agreement of the parties the time for issuance of a decision was extended until July 17, 1992.

Our initial efforts to conciliate the matter did not result in a mutually agreeable settlement. An investigation was then conducted. Based on our investigation, the weight of the evidence to date indicates that George M. Gillilan was a protected employee engaging in a protected activity within the scope of the Energy Reorganization Act and that discrimination as defined and prohibited by the statute was a factor in the actions which compromise his complaint. The following information was persuasive in this determination:

1. The Tennessee Valley Authority is an employer subject to the Act.
2. George M. Gillilan was discriminated against when TVA did not follow their established policy of calculating seniority at the time of Gillilan's transfer from another plant to Watts Bar Nuclear Plant.

ATA 22

Dec. 21, 1992

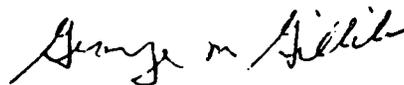
U.S. DEPT. OF LABOR
WAGE & HOUR DIVISION
FEDERAL BLDG
710 LOCUST ST
BOX 123
KNOXVILLE, TENN 37902

Dear Sir;

I would like to file an appeal on my behalf,
on the decision of Judge Daniel A. Sarno Jr.
Reference case numbers 92 ERA 46 and 92 ERA 50.

Attorney Charles Van Beke failed to properly
prepare my case and failed to use pertinent evidence.
I feel I am entitled to present the facts of my case
in a court of law. I have had problems with getting
an attorney who is interested in defending persons
protected under the Energy Reorganization act of 1974.

Sincerely



George M. Gillilan

