

NOTATION VOTE

RELEASED TO THE PDR

RESPONSE SHEET

2/16/95

date

af

initials

TO: JOHN C. HOYLE
ACTING SECRETARY OF THE COMMISSION

FROM: THE CHAIRMAN

SUBJECT: SECY-94-303 - DRAFT POLICY STATEMENT,
"FREEDOM OF EMPLOYEES IN THE NUCLEAR
INDUSTRY TO RAISE SAFETY AND COMPLIANCE
CONCERNS WITHOUT FEAR OF RETALIATION"

APPROVED ☒ w/cmts DISAPPROVED _____ ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS: I vote to approve the draft policy statement with the
attached change.

9502230063 950106
PDR COMMS NRCC
CORRESPONDENCE PDR

220101

SIGNATURE

RELEASE VOTE ☒

January 6, 1995

DATE

WITHHOLD VOTE ☐

ENTERED ON "AS" YES ☒ No ☐

LFog
11

and not the Commission, who has the primary responsibility for, and is most able to ensure, safe operation of nuclear facilities and safe use of nuclear materials.⁵ Employees have a variety of responsibilities to their employers to raise concerns to them, based on employment contracts, employers' rules, and NRC requirements. In fact, many employees in the nuclear industry have been specifically hired to fulfill NRC requirements that licensees identify deficiencies, violations and safety issues. Examples of these include many employees who conduct surveillance, quality assurance, radiation protection, and security activities. In addition to individuals who specifically perform functions to meet monitoring requirements, the Commission believes that all employees have a responsibility to raise concerns to licensees if they identify safety issues⁶ so that licensees can address them before an event with safety consequences occurs.

The Commission emphasizes that employees who raise concerns serve an important role in addressing potential safety issues. Retaliation against employees who, in good faith, attempt to carry out this responsibility cannot and will not be tolerated.

⁵ The expectation that employees provide safety and compliance concerns to licensees is not applicable to concerns of possible wrongdoing by NRC employees or NRC contractors. Such concerns are subject to investigation by the NRC Office of Inspector General. Concerns related to fraud, waste or abuse in NRC operations or NRC programs including retaliation against a person for raising such issues should be reported directly to the NRC Office of Inspector General, ~~and not to the licensee~~. The Inspector General's toll free hotline is 800-233-3497.

⁶ Except in the area of radiological working conditions, the Commission has not codified this obligation. Licensees are required by 10 CFR 19.12 to train certain employees in their responsibility to raise issues related to radiation safety.