



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

MS-147-1

APR 15 1982

MEMORANDUM FOR: J. Lieberman, IE  
B. Berson, ELD  
K. Cyr, ELD

FROM: W. E. Campbell, Jr., MSEB, DET, RES

SUBJECT: EMPLOYEE PROTECTION

As you may be aware, the Commission Paper on Employee Protection has been sent from EDO to the Commission. It is SECY-82-133 dated March 29, 1982.

I have been attempting to update the status of cases in anticipation of possible questions from Commissioners or members of their staffs. During those attempts, I have discovered the following:

1. On March 8, 1982, an ALJ decision was reached in the Con Ed case 81-ERA-6. A copy of the decision is enclosed.
2. There is a case that is over two years old that RES was not aware of. It is Cameron Drew/Jersey Central Power and Light. (81-ERA-3) It is still pending before the ALJ.
3. There was a case (L. J. Gassaway/Baldwin Associates, Ill.; 81-ERA-8) that went to the ALJ and was dismissed August 31, 1981, due to the failure of the party to appear at the Hearing.
4. There is a case (82-ERA-2, D. Darty/Zack of Chicago) that was heard by the ALJ on March 16, 1982, but RES was not aware of the case.
5. On October 23, 1980, the Secretary of Labor acted in 80-ERA-2 (Dick Corporation/Colonello). I have requested a copy of the decision.
6. On March 27, 1982, an ALJ decision was reached in the Wallace/Superior-Stein case. I'm attempting to secure a copy of the decision.

I recommend that the MOU with DOL be cut at a DOL level such that the DOL has the authority - span of control - to cause NRC to receive the documents from not only the ALJ office but also the Secretary's office that relate to cases under the ERA. I don't believe that any DOL (Wage and Hour) individual can establish a routine distribution of those documents.

*W. E. Campbell, Jr.*

W. E. Campbell, Jr.  
Mechanical/Structural Engineering Branch  
Division of Engineering Technology  
Office of Nuclear Regulatory Research

Enclosure and cc's: See next page.

KA

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XA Copy Has Been Sent to PDR

J. Lieberman, IE  
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Enclosure:  
March 17, 1982, Memorandum to  
William Otter

cc w/encl: R. Carlson, NRC-I

cc w/o encl: R. Warnick, NRC-III