

From: Alan Kabat <kabat@bernabeipllc.com>
Sent: Thursday, May 2, 2019 1:48 PM
To: Fehlman, Lauren - OSHA
Cc: Chandler, Christopher C; Chin, Steven C
Subject: Wetzel / TVA, No. 4-1760-19-025
Attachments: 2019 05 02 Kabat to OSHA (economic damages) (confidential).pdf

Dear Ms. Fehlman,

As requested, attached please find updated information on Ms. Wetzel's economic damages.

Sincerely,
Alan

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"Chandler, Christopher C" <ccchandler0@tva.gov>
Tracking Status: None
"Chin, Steven C" <scchin@tva.gov>
Tracking Status: None
"Fehlman, Lauren - OSHA" <>
Tracking Status: None

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By Email and First Class Mail

May 2, 2019

Lauren Fehlman, Regional Investigator
U.S. Department of Labor-OSHA
2296 Henderson Mill Road, NE,
Suite 200
Atlanta, GA 30345-2739

Re: Beth Wetzel / Tennessee Valley Authority, 4-1760-19-025.

Dear Ms. Fehlman:

On behalf of my client, Beth Wetzel, I write to provide more information on the economic damages that she has incurred as a result of being terminated, including the expenses related to the OSHA proceeding.

The attached spreadsheet indicates that her lost income, through 2022, is \$1,028,954.60. Ms. Wetzel had planned to work at TVA until at least December 2021 (when she reached the regular retirement age), so these losses reflect both lost income and the future value of lost retirement contributions by TVA. The chart assumes that she would have received, at a minimum, annual salary increases of 2 percent, and bonuses (“Winning Performance”) at a rate of 110 percent of her compensation – both of which are very conservative estimates.

Through the present, she has attempted to mitigate her damages but has only been able to obtain a temporary contract position with a consulting firm with a total compensation of \$16,374. Since TVA terminated her allegedly “for cause,” she has to disclose that she was terminated whenever she applies for a new job, which will make it much harder for her to obtain comparable employment. TVA’s conduct in terminating her also resulted in her losing her security clearance, which she has had for over 20 years, which will preclude her from obtaining

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Lauren Fehlman, Regional Investigator
Occupational Safety and Health Administration
May 2, 2019
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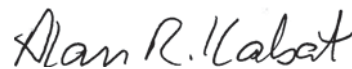
employment with the federal government or with a contractor that requires a security clearance for access to the worksite. Furthermore, because TVA placed an administrative flag on her record in PADS (the database used for access to nuclear plants), she was recently unable to access the Three Mile Island plant as part of her work until TVA finally lifted the administrative flag, and she could not obtain other employment over the past several months as a result of TVA's conduct.

Through April 30, 2019, Ms. Wetzel has also incurred the following expenses arising out of her OSHA complaint and the termination of her employment:

Attorneys' fees and expenses	\$15,223.80
2 trips to Washington, DC	\$1,410.56
Continuing Education (non-refundable)	\$650.00
ADR expenses (travel, meals)	\$2,201.63
total expenses	\$19,485.99

Please let me know if you require any additional information relating to Ms. Wetzel's OSHA complaint.

Sincerely,



Alan R. Kabat
Attorney for Beth Wetzel

Enc.

cc: Ms. Beth Wetzel
TVA Office of General Counsel

Year	Salary Lost	Winning Performance	Health Insurance	Dental Insurance	Annual leave lost	401K Matching	Lost Retirement	Total
2018	\$1,206.09	\$14,606.68	\$0.00	0	0	0	0	\$15,812.77
2019	\$185,190.92	\$50,674.11	\$9,839.28	\$1,306.86	\$18,426.95	\$8,349.19	0	\$273,787.31
2020	\$188,894.43	\$51,687.60	\$10,036.06	\$1,306.86	\$18,795.40	\$9,397.70	0	\$280,118.05
2021	\$192,671.63	\$52,721.35	\$10,236.78	\$1,306.86	\$19,171.40	\$9,585.65	0	\$285,693.67
2022							\$173,542.80	\$173,542.80
Total	\$567,963.07	\$169,689.74	\$30,112.12	\$3,920.58	\$56,393.75	\$27,332.54	\$173,542.80	\$1,028,954.60