

BARBARA A. MIKULSKI
MARYLAND

COMMITTEES

APPROPRIATIONS

SELECT COMMITTEE ON ETHICS

LABOR AND HUMAN RESOURCES

United States Senate

WASHINGTON, DC 20510-2003

April 24, 1995

Mr. Dennis K. Rathbun
Director, Office of Congressional Affairs
Nuclear Regulatory Commission
1 White Flint North Bldg., Room 17A2
11555 Rockville Pike
Rockville, Maryland 20852

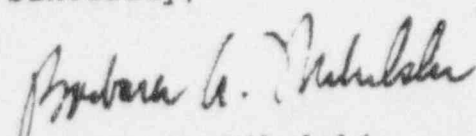
Dear Mr. Rathbun:

I am in receipt of the attached correspondence from my constituent, Michael J. Dorsey. I would appreciate it if you would review my constituent's concern and contact my office as soon as possible with the appropriate information.

Please send your response in duplicate form to the attention of my assistant, Patrice Murray, in my office at 9658 Baltimore Avenue, Suite 208, College Park, Maryland 20740.

Thank you for your consideration of this matter.

Sincerely,



Barbara A. Mikulski
United States Senator

BAM:plm

Enclosure

- IN REPLY, PLEASE REFER
TO OFFICE INDICATED
- ☐ WORLD TRADE CENTER SUITE 2017
401 E PRATT STREET
BALTIMORE MD 21202-704
(410) 982-4511
VOICE TDD (410) 982-4512
 - ☐ 60 WEST STREET SUITE 202
ANNAPOLIS MD 21401-1933
(410) 263-1805
BALTIMORE (410) 268-1850
 - ☒ 9658 BALTIMORE AVENUE SUITE 207
COLLEGE PARK MD 20740-1346
(301) 345-5517
 - ☐ 82 WEST WASHINGTON STREET SUITE 407
HAGERSTOWN MD 21740-4804
(301) 797-2826
 - ☐ CITY CENTER ON THE PLAZA
213-218 WEST MAIN STREET
SALISBURY MD 21801
(410) 546-7711

Coll. Ph.

**WASHINGTON, D.C.
BUILDING AND CONSTRUCTION TRADES
COUNCIL, AFL-CIO**

4725 SILVER HILL ROAD, SUITLAND, MD 20746

Michael J. Dorsey
Secretary-Treasurer

PHONE (301) 736-3891
FAX (301) 736-1211

April 14, 1995

Honorable Barbara A. Mikulski
United States Senator
709 Hart Senate Office Building
Washington, DC 20510

Dear Senator Mikulski:

Enclosed for your information and review are copies of "whistleblower" complaints against Bartlett Nuclear, Inc., a construction company hired by Baltimore Gas and Electric Company to perform maintenance work at the Calvert Cliffs Nuclear Power Plant in Calvert County, Maryland.

These complaints were made to the Nuclear Regulatory Commission and the U.S. Department of Labor, respectively. The Campaign for Workers' Rights, who made the complaint on behalf of several employees on the Calvert Cliffs site, ask the NRC and the USDOL to begin immediate investigations.

Any assistance your office can provide in encouraging the agencies to begin their investigations expeditiously will be appreciated very much.

Kindest regards.

Sincerely yours,



Michael J. Dorsey
Secretary/Treasurer

Enclosures: as stated



CAMPAIGN FOR WORKERS' RIGHTS

A Program of the Building & Construction Trades Dept. AFL-CIO



In Conjunction with: The Washington, D.C. Building & Construction Trades Council, AFL-CIO

Telephone:
(301) 736-2252
1-800-59-UNION

4725 Silver Hill Road
Suitland, MD 20746
FAX (301) 736-1211

April 12, 1995

CERTIFIED RETURN RECEIPT NO. Z 009 904 629

Maria Echaveste, Administrator
Wage and Hour Division
Employment Standards Administration
U.S. Department of Labor
Room S3502
200 Constitution Avenue NW
Washington, DC 20210

RE: Bartlett Nuclear, Inc. and Insulation Specialties, Inc.
at Calvert Cliffs Nuclear Power Plant
Calvert County, Maryland
WHISTLEBLOWER PROTECTION COMPLAINT

Dear Ms. Echaveste:

The Campaign for Workers' Rights is a coalition of construction unions operating in the District of Columbia and in the surrounding states of Maryland and Virginia. Over the past several weeks, we have been involved in a union organizing campaign among employees of Bartlett Nuclear, Inc. (hereinafter called "Bartlett") and Insulation Specialties, Inc. ("ISI"), as joint employers, which are construction contractors hired by Baltimore Gas and Electric Company ("BG&E") to perform maintenance work at BG&E's Calvert Cliffs Nuclear Power Plant in Calvert County, Maryland.

We are submitting this letter on behalf of several employees and former employees whom we represent as whistleblower protection complainants under one or more of the following federal statutes:

Energy Reorganization Act, 42 USC §5851
Toxic Substances Control Act, 15 USC §2622
Superfund Act, 42 USC §9610
Water Pollution Control Act, 33 USC §1367

Page 2
Ms. Echaveste
April 12, 1995

Solid Waste Disposal Act, 42 USC §6971
Clean Air Act, 42 USC §7622
Safe Drinking Water Act, 42 USC §300j-9
Occupational Safety and Health Act, 29 USC §660(c) (1)

We specifically represent Anthony Hubbard, William Phillips, Mark Danjou, Charles Walker, Kenneth Williams, and others who until recently were employed by Bartlett and/or ISI as construction craftspeople at the Calvert Cliffs plant. During March and April 1995, these employees expressed to us their grave concerns that they and their co-workers may have been exposed to toxic substances and/or inordinate and unhealthy levels of radiation in the course of their work. Furthermore, these same former employees have informed us that, on several occasions, "pre-job" briefings which must be provided to workers prior to their entering irradiated areas either were not provided to workers and/or documents attesting to these pre-job briefings may have been falsified. These workers believed such practices to be potentially hazardous to themselves and their co-workers.

On or about March 30, 1995, at a union organizing meeting, we advised these employees to report their concerns directly to a "hotline" which we believe to be operated by BG&E. Beginning March 31, 1995, and continuing through the week of April 3-7, 1995, these employees made such reports onto a recording device which answered the hotline. Beginning April 6, 1995, and continuing, employees who made these reports to the hotline were terminated.

By letter dated April 11, 1995, we reported these matters to the Nuclear Regulatory Commission, asking for a formal investigation, and faxed a copy to Bartlett and ISI. A copy of this letter is enclosed for your reference. We had previously identified these employees as "worker organizers" to Bartlett.

We submit these facts present a blatant case of unlawful discrimination against the named former employees as a direct result of their having engaged in protected whistleblowing activities.

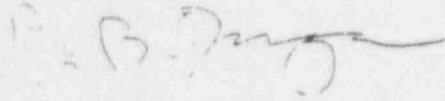
We respectfully request that the Department of Labor immediately commence an investigation of this matter. We further request all employees who have been illegally discriminated against be awarded reinstatement, full back pay, compensatory and punitive damages, attorney fees, and any other relief to which they may be entitled under the law.

Should you need further information regarding this matter, please contact me. This office will fully cooperate and arrange for witness statements to be given upon your request.

Page 3
Ms. Echaveste
April 12, 1995

Thank you for your attention to this matter.

Sincerely yours,



Bob Ozinga, Director
CAMPAIGN FOR WORKERS' RIGHTS

Enclosure: Letter to Nuclear Regulatory Commission, April 11, 1995

cc: James Kight, Regional Administrator
Wage and Hour Division
Employment Standards Administration
U.S. Department of Labor
Gateway Building, Room 15220
3535 Market Street
Philadelphia, Pennsylvania 19104

Honorable Barbara A. Mikulski
United States Senator

Honorable Paul S. Sarbanes
United States Senator

Honorable Steny Hoyer
U.S. House of Representatives