



Approved By:

TC Stewart

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Prepared By: Tiffany Lee

TC Stewart

Date

George Shell

9/29/2005

QA Concurrence George Shell

Date

Procedure:

Employee Concerns Program

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1.0 Objective

The Hanford Tank Waste Treatment and Immobilization Plant (WTP) project shall establish and manage an Employee Concerns Program (ECP). The WTP shall provide a method for employees of Bechtel National, Inc. (BNI) and Washington Group International to formally or informally raise and address questions and concerns regarding safety, health, the environment, security, quality, waste, fraud, abuse, corruption; and harassment, intimidation, retaliation, and discrimination (HIRD) for raising a concern or engaging in a protected activity. The ECP is intended to supplement, not replace, existing processes designed to address concerns and resolve disputes.

2.0 Scope

This procedure applies to all BNI and Washington Group International employees. It further applies to the execution of duties performed under the direction of the Project Director of BNI and the General Manager of Washington Group International, who have responsibility for the programs. Lower tier subcontractors performing work at the WTP project may also be required, through subcontract requirements, to have an ECP. This procedure does not replace existing statutory or regulatory procedures addressing Equal Employment Opportunity (EEO), labor union, WTP subcontractor or Department of Energy (DOE), and DOE-contractor employment related matters.

3.0 Policy

The WTP ECP provides the framework to identify, report, and resolve employee concerns in the areas of safety, health, the environment, security, quality, waste, fraud, abuse, or corruption in connection with the work performed at the WTP. The program provides employees with an avenue to raise issues and concerns to the attention of management without fear of HIRD.

The ECP and management shall encourage employees to bring concerns to management's attention as the concern is identified or occurs. Sharing concerns in staff meetings, Safety Task Analysis Risk Reduction Talk (STAART) Card meetings, toolbox meetings, or other structured meetings where the concern and the progress made to resolve it could be openly discussed is encouraged. In addition, employees have the option of discussing their concern with their safety representative, union steward, or Building Trades safety representative.

Although confidentiality cannot be guaranteed, if requested by the employee raising the concerns, their identity shall be protected to the maximum extent possible, taking into account overriding conditions such as safety, security, or legal requirements. In such a case, the employee should be informed in advance, of how and when their name will be used.

The *WTP Project Management Open Door and Zero Tolerance for Retaliation Policy* details the WTP expectations for employees to work in a Safety-Conscious Work Environment (SCWE) in which employees feel free to raise issues, concerns, and questions without fear of HIRD. BNI and their subcontractor's management fully support the Zero Tolerance for Retaliation Policy.



The WTP project shall not discharge, demote, reduce pay, coerce, restrain, threaten, or take other adverse personnel actions against any employee because they file a concern or exercise any rights set forth in this procedure and/or state or federal laws.

Stop Work: Employees are empowered to Stop Work when a concern presents an *imminent* danger to employee safety and health, the environment, facilities, or property without fear of HIRD. For details, refer to 24590-WTP-GPP-MGT-008, *QA Stop Work/Management Suspension of Work*.

Any employee who believes that their concern response is unsatisfactory, or that they have been discharged or in any manner discriminated against in violation of this procedure, may file a complaint directly with the DOE Office of River Protection (ORP) ECP or with congressional representatives, and so forth, at any time without fear of reprisal.

Issues that do not involve environmental, safety, health, security, and/or quality concerns (for example, employee relations, company policy, labor relations, or ethics) may be transferred or referred to the appropriate department for review and response.

4.0 Procedure

4.1 Definitions

Anonymous Concern	A concern submitted by a Concern Individual (CI) who wishes to have his or her identity protected. They identify themselves by using a code name for communication purposes.
Concerned Individual (CI)	An individual who raises an Employee Concern to an ECP representative or manager.
Confidential Concern	A concern submitted by a CI who wishes to have his or her identity protected from all persons except the ECP representative and those with a need-to-know to the maximum extent reasonably possible.
Discrimination	An unfavorable or unfair treatment of an employee for having identified an Employee Concern.
Employee Concern	A concern raised in good faith by a CI regarding safety, health, environmental, security, quality, waste, fraud, abuse, mismanagement or corruption concern with activities in connection with the work performed on the WTP.
HIRD	Harassment, Intimidation, Retaliation or Discrimination for raising a concern or engaging in a protected activity.
Harassment	In the context of the ECP, an action taken or condoned by an employer against or toward a CI to bother, belittle, humiliate, or impede that CI in his or her work environment, relationship with others, or job performance because the CI, reasonably and in good faith raised a concern. Harassing actions can include, but are not limited to, threatening, restraining, coercing, blacklisting, mocking, humiliating, or isolating a CI.
Imminent Danger Condition	Any condition or practices in any workplace that creates a danger that could reasonably be expected to present an immediate risk of death or serious physical harm.

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Intimidation	Any action taken by coworkers or management against or toward a CI to cause that CI to cease engaging in protected activities; to be fearful of engaging in protected activities; or to otherwise be afraid for his or her safety, reputation, or job security as a result of having identified concerns about any aspect of DOE or WTP Program activities or operations.
Investigation	An inquiry conducted by or on behalf of the ECP office, for the purpose of evaluating and resolving a concern, usually involving interviews, inspection of relevant documents, sites, or equipment, and an evaluation of practices being followed.
Not Substantiated	The concern has been investigated and no evidence of merit was found to support the assertion and no corrective action deemed necessary.
Other-Than-Serious Condition	Hazards, violations, or conditions that do not present a credible risk of death or serious physical harm, property loss, and/or environmental impact but may relate to one worker safety and health or the environment.
Partially Substantiated	The concern has been investigated and resulted in a observation, an opportunity for improvement, or requires an action on the part of the responsible department.
Protected Activities	Activities such as raising concerns or otherwise making disclosures protected under law, regulations, or legal precedent of information related to DOE operations, which the individual reasonably and in good faith believes is evidence of unsafe, unlawful, fraudulent, or wasteful practices.
Referral of a Concern	Transmittal of an Employee Concern to another organization or process for investigation or resolution, with the results of the investigation or resolution attempts being reported to the ECP office within a specified time period with recommended resolution including corrective actions.
Reprisal	Any action taken against a CI in response to, or in revenge for, the CI having raised, in good faith, reasonable concerns about any aspect of DOE-related operations. Reprisals against contractor CI may lead to the imposition of penalties under the Price-Anderson Amendments Act (PAAA) of 1988 (Pub. L. 100-49, August 20, 1988), implemented by DOE under 10 CFR Part 820 (Part 820). Pursuant to Part 820, to the extent a reprisal by a DOE contractor results from a CI's involvement in matters of nuclear safety in connection with a DOE nuclear activity, the reprisal could constitute a violation of a DOE Nuclear Safety Requirement.
Resolution of a Concern	Actions taken and decisions made that respond to the concern by verifying the concern and establishing plans to correct identified deficiencies, correcting the deficiencies, or determining that the concern is not substantiated and that no corrective action is required.
Retaliation	Any actions taken against an employee with respect to employment as a result of the employee's protected conduct. Retaliation includes: discharge, demotion, or other negative action with respect to the employee's compensation, terms, condition or privileges of employment, as well as threats and coercion with respect to those matters. Retaliation can be perceived.
Serious Condition	A hazard, violation, or condition that presents a reasonable possibility that death or serious physical harm, property loss, and/or environmental impact could result.



Subject Matter Experts (sme)	Individuals with in-depth knowledge in the subject area requiring investigation.
Substantiated	The concern has been investigated, evidence was found to support the allegation, and corrective actions will be required. Term is interchangeable with validated.
Transfer of a Concern	Transmittal of a concern that is not within the jurisdiction of that office to a program or department with subject matter responsibility or expertise pursuant to which that program or department will address the concern with the CI.

4.2 Responsibilities

The specific responsibilities of individuals involved in the WTP ECP are outlined in this section.

4.2.1 Employees

Employee responsibilities include the following:

- Stop Work when a concern presents an imminent danger to employee’s safety, health, the environment, facilities, or property and report the dangerous situation to the manager or supervisor in the immediate area where the danger exists.
- Report conditions that adversely affect the quality, safety, health, the environment, security, quality of DOE operations and potential waste, fraud, abuse, or corruption.
- All employees are also encouraged to identify Near Misses to help ensure that opportunities for improvements are considered.
- Employees are free to discuss any matter of concern at any time with their management, or the Employee Concerns Program office without recrimination or reprisal. Normally, employees should seek to resolve concerns first by working with immediate management, or the appropriate service or oversight organization. However, if an employee believes that normal management processes have not or will not resolve a concern, or if an employee does not know how to deal with a concern, any of the resources below are available:
 - The ECP office
 - Employee Relations (employment discrimination or sexual harassment)
 - Human Resources office (all personnel issues)
 - Grievance procedure (contract-related issues for bargaining unit Concerned Individuals, *only*)
 - DOE-ORP ECP or any authorized agencies

4.2.2 Managers and Supervisors

Managers and supervisors are responsible for establishing open communication to enable employees to raise concerns and to address the concerns of employees under their supervision in a manner that protects the health and safety of employees and the public



and efficient operation of DOE programs. This responsibility must be carried out in a manner that fosters the free flow of information without employees being subjected to reprisal for raising concerns. Management must lend support to the ECP office by the following:

- Recognizing and supporting the need to ensure that employee concern information is kept confidential in accordance with this procedure.
- Providing facilities that allow ready access by concerned employees, privacy for discussions, and access to information.

If the employee concern involves alleged HIRD, fraud, waste or abuse of government property, or a violation of the law, advise the BNI ECP office immediately. The BNI ECP office may confer with the BNI legal counsel to determine responsibility for investigation and further action.

4.2.3 BNI Employee Concerns Program Office

The BNI Employee Concerns Program office is responsible for processing employee concerns in accordance with applicable contract requirements and procedures and following through to resolution. ECP office will work with both the CI and management as necessary to collect, evaluate, and communicate relevant information to the parties involved in an effort to investigate and resolve the concern.

Responsibilities include the following:

- Inform employees of the availability of the ECP and their rights to raise concerns related to the environment, quality, safety, health, waste, fraud, or abuse of DOE-related activities without any fear of HIRD.
- Maintain an employee concerns database (ECD) and a secure filing system with controlled access.
- Notification of the availability and purpose of the ECP. This includes reaffirmation of management's support of the CI's freedom to raise concerns without fear of retaliation.
- Conduct self-assessments annually to measure the effectiveness of the ECP and take necessary actions to improve ECP operations.
- Report regularly to BNI management and as requested basis to DOE.
- Cooperate with DOE ORP ECP actions including requests for documentation or information involving employee concerns.
- Notify DOE ORP ECP of any significant concerns or allegations of HIRD.
- Evaluate and attempt to resolve employee concerns in a manner that protects the health and safety of employees and the public, ensures effective and efficient operation of programs, and uses alternative dispute resolution techniques whenever appropriate.
- Coordinate with WTP Acquisition Services to ensure appropriate subcontract requirements for the establishment of ECP.



- Coordinates with WTP Quality Assurance to ensure appropriate assessments of subcontractor ECPs are completed annually.

The ECP office uses appropriate resources for investigating and responding to concerns. Normally, a CI submits a concern, but the ECP also investigates issues identified by management or safety issues raised by former or exiting CIs.

4.2.4 WTP Management, Labor Relations, or Human Resources

- If made aware of any concern that a CI wants addressed through the ECP, management must notify the ECP office immediately.
- Upon employment termination, refer to procedure 24590-WTP-GPP-HR-002, *Termination of Employment*, for non-manual employees and 24590-WTP-GPG-CON-2401, *Termination of Direct Hire Employees*, for manual employees exit processes. These processes should include the "Employee Concerns Program Exit Checklist"(24590-ECP-F00001) that should be filled out by the employee and the original sent to the BNI ECP office for record purposes.
- Involve ECP in reduction-in-force, assignment completion, and term for cause measures in advance of the notification to employee.

4.2.5 WTP Acquisitions Service

The procurement service manager is responsible for coordinating with ECP and including appropriate ECP subcontract flow down requirements in all lower tier subcontracts.

4.2.6 WTP Project Management

The BNI Project Director and Washington Group International's General Manager are responsible for identifying members of their staff to be the ECP officers for their respective ECP.

4.3 Concern Identification

Numerous forums exist for employees to raise employee concerns, including safety meetings, toolbox meetings, staff meetings, STARRT cards surveys, exit interviews, use of the ECP Hotline, telephone numbers, or sending letters or faxes.

4.4 Procedure for Filing, Processing and Investigating an Employee Concern

4.4.1.1 Employee

Employees are encouraged to take concerns to their immediate manager or supervisor. If the employee does not feel the manager or supervisor resolves their concern appropriately, or if they feel they cannot take their concern to their manager or supervisor, the employee can file their concern with their ECP office.

Employees are urged to first submit their concerns to their employer's ECP office for resolution, before submitting concerns to DOE. However, the CI is not obligated to first



express concerns to internal company management or the ECP offices. The CI may call the DOE ORP ECP or any other authorized agencies.

A concern may be submitted orally, in writing, by phone, or in person. When a CI chooses to express a concern, the following steps should be decided and taken:

- **Involvement in concern process:** Provide your name, if you wish to be interviewed or contacted for questions and comments during the investigation.
- **Request confidentiality:** Indicate clearly whether confidentiality is requested. If confidentiality is requested, the CI's identity will be protected to the greatest extent practical. However, confidentiality is conditional and not absolute, nor guaranteed. The information will be shared on a need-to-know basis with individuals required to have knowledge of it in the performance of their duties, to the extent required to make an informed decision about the concern. Further, confidentiality should not be expected in cases where maintaining confidentiality puts the health and safety of the workers or the public at risk, nor in the event of other overriding conditions such as security or legal requirements of disclosure.
- **Anonymity:** If a CI does not wish to disclose his/her identity, a concern may be raised anonymously. The CI may provide a code name for communication purposes. If anonymity is the chosen method, the recommendation is to contact the ECP office about a week after submitting the concern to discuss the concern, clarify issues, and get resolution input. If no one is available, leave the date and time that you will call back. Follow up with a return call about a month later for resolution feedback.

Deliver the concern to the ECP office via telephone, email, letter, fax, or telegram, by using the ECP Hotline numbers or by meeting with your ECP representative. Concerns may also be submitted to the immediate manager or supervisor, other levels of management, Quality Assurance, or Safety Assurance organizations.

The concern description should be very specific and include important information such as names of witnesses, actions, dates, times of events, buildings, equipment, documents, and so on. It is critical that the concern description includes key words and/or phrases that represent fairly and accurately your view of the concern. Employees are encouraged to suggest a resolution.

4.4.2 ECP Office

- Immediately review the concern for Imminent Danger and Stop Work action. Where imminent danger is present, the appropriate management must be notified immediately to ensure work is stopped consistent with procedural requirements. For details, refer to 24590-WTP-GPP-MGT-008, *QA Stop Work/Management Suspension of Work*.
- Review concern for noncompliance with a nuclear safety requirement set forth in PAAA rule. For details, refer to 24590-WTP-GPP-QA-101, *Price-Anderson Amendments Act Compliance and Reporting*.
- Validate that the concern falls within the parameters of the ECP. If the concern does not fall within the parameters of the ECP, it may be referred or transferred to the



appropriate department. If the issues of the concern are too general, the concern will be closed. The CI, if known, will be notified of the closure.

- The ECP office creates a written record, reflecting the scope and substance of the concern. If the CI declines to provide all requested intake information, the ECP office attempts to establish the reason but does not discourage the CI from using the process by demanding additional detail.
- Explain the terms of confidentiality to the CI.
- When seeking resolution to an open concern, the ECP office may elevate the concern to the appropriate level of management.
- Communicate with the individual to determine what action the CI would consider satisfactory to resolve the concern.
- The following information should be obtained when possible and entered into the Employee Concerns Database:
 - Full name of the CI
 - Mailing address
 - Telephone number where the CI can be reached
 - Position or relationship to the employer (DOE or contractor)
 - Nature of the concern
 - The availability of employer processes to address the concern
 - Previous attempts to have the concern addressed within the CI 's organization

The investigator will in most cases, enter and inspect places and records; interview individuals with knowledge of the issues; inspect relevant documents, sites, or equipment; and obtain other information as deemed necessary.

Based on the need for independent investigation, unless otherwise agreed to by the CI, the organizational element named in the concern should not be involved in the conduct or management of the investigation. At the same time, individuals or organizations outside the CI 's organization should not be selected to conduct the investigation where their involvement presents a conflict of interest.

Contact the responsible functional or project manager to review the basic elements of the concern (maintaining employee confidentiality if requested by employee). As needed, request the name of a subject matter expert (sme) to assist in the investigation.

Obtain the functional/project manager's commitment for action and inform the manager of the timeline involved in completing the investigation and resolving the concern.

Because employee concerns may touch upon more than one investigation type or category, close consultation is necessary between the ECP office and other groups in investigating the complex aspects of the concern. When necessary, coordinate investigations and corrective actions between the WTP project and subcontractors for resolution.



Review concern and fact-findings for potential conditions adverse to quality that, if uncorrected, could have a serious affect on safety, operability of systems, structures or components, or product quality. A corrective action report may be necessary to complete concern resolution actions or develop a resolution action plan. For details, refer to procedure 24590-WTP-GPP-QA-201, *Corrective Action*.

Identify potential resolutions and obtain commitments from management, if necessary, then communicates the information to the CI.

4.4.2.1 Subject Matter Expert

The sme works with the CI, if possible, and/or management to collect and evaluate relevant information. The sme must remain objective and act as a neutral party.

Keep a file record of information obtained. Confine file notes to factual information and do not include gratuitous characterizations or judgments that are premature to the completion of an investigation, unnecessary, irrelevant to the concern, or not supported by findings.

Review concern and fact findings for potential conditions adverse to quality that, if uncorrected, could have a serious affect on safety, operability of systems, structures or components, or product quality. For details, refer to procedure 24590-WTP-GPP-QA-201, *Corrective Action*.

Smes may be required by the ECP to provide a documented report per ECP's directions or prepare an Employee Concerns Response Form (24590-ECP-F00002.) Attached documentation may be required.

- Fact finding and interview dates
- Interview notes
- Fact Finder (name and title)
- Employees contacted (include names and titles)
- Scope of fact finding
- References (formal documents supporting the fact finding)
- Details (include an explanation of attached documents)
- Summary details
- Closeout documents (for example, procedures, recommended corrective actions, and so on)
- Submitted by (signature and date)

4.5 Closing Concerns

The process of closing the employee concern is specified in *DOE Order 442.1A*, Employee Concerns Program. The closing process can begin when the following occur:

- The concern has been investigated, necessary corrective actions have been identified, and implementation/jurisdiction of the corrective actions has been identified.



- The concern has been investigated and no corrective action is deemed necessary.
- A transferred/referred concern from DOE ORP ECP has been investigated, necessary corrective actions have been identified, and implementation/jurisdiction of the corrective actions has been identified.
- The ECP office determines that the issues are frivolous or too general to investigate and the CI has been notified that the concern is closed.

Contact the CI, if known, and review resolution for closure. If the resolution is accepted, close the employee concern. If resolution not accepted, investigate further for resolution or review and close without CI acceptance.

The ECP will provide a closure letter to the CI to the extent practical.

If any management areas of improvement are identified (non-corrective action), management is notified and the actions are entered into the Bechtel Internal Tracking System (BITS) for tracking. The concern is closed after identified actions are completed.

Concerns are tracked until closure. Closure information could include: scope of actions taken to investigate the concern; tools used (surveys, interviews, and so forth); who and what departments were involved; findings; evidence to support results (substantiated, partially substantiated, not substantiated, frivolous or too general); or other related information.

5.0 Program Requirements

5.1 Training

5.1.1 ECP Personnel

Personnel responsible for implementing the ECP or investigating concerns must be trained to properly carry out their responsibilities. Training shall be conducted on selected government and industry documents that discuss regulations or provide information associated with employees raising concerns and employee protections. Reference material that shall be reviewed and training requirements documented per 24590-WTP-GPP-CTRG-002 for ECP personnel include the following:

- 10CFR Part 708, DOE Contractor Employer Protection Program
- 42 USC 211, Energy Reorganization Act of 1974, Title II, Nuclear Whistleblower Protection
- DOE Contracts Requirement Document (CRD) Order 442.1A, Supplement Rev. 1.
- DOE Order 442.1A, Employee Concerns Program
- DOE Order 221.1, Reporting Fraud, Waste and Abuse to the Office of Inspector General
- 29 CFR Part 24, Procedures for Handling of Discrimination Complaints Under Federal Employee Protection Statutes
- WTP Zero Tolerance for Retaliation Policy



- WTP Anti-Harassment Policy
- 24590-WTP-GPP-MGT-005, WTP ECP Procedure
- 24590-WTP-GPP-QA-201, Corrective Action
- 24590-WTP-GPP-QA-101, Price-Anderson Amendments Act Compliance and Reporting
- 10CFR Part 820, App. A, Procedural Rules for DOE Nuclear Activities
- 10CFR Part 830, Subpart A, Quality Assurance
- 10 CFR Part 830, Subpart B, Safety Basis
- 10 CFR Part 835, Occupational Radiation Protection
- 24590-WTP-CBT-TRA-080101, Employee Concerns

5.1.2 ECP Manager

ECP manager or designee shall screen completed BNI ECP concerns which were substantiated (validated) and subcontractors' ECP referral response reports for potential PAAA violations.

The ECP screener shall use the Quality Assurance Information System (QAIS) Screening Checklist. Results of this screening shall be documented in accordance with 24590-WTP-GPP-QA-101, Price-Anderson Amendments Act Compliance and Reporting.

Typically substantiated non-HIRD issues (potential conditions adverse to quality) should be documented on the appropriate corrective action document per 24590-WTP-GPP-QA-201, Corrective Action. Issues documented per the Corrective Action procedure will receive a PAAA screening as part of that process.

Substantiated HIRD issues for protected activities will be evaluated in accordance with the QAIS Screening Checklist utilizing 10 CFR 708 checklist criteria.

5.1.3 Investigation Training

ECP personnel should be adequately trained in investigative and interviewing techniques, report writing, and dispute resolution training. On-the-job training is appropriate for new ECP investigators, who should participate in at least three investigations with an experienced investigator.

5.1.4 Continuing Training

Continuing training for ECP personnel should include any of the following:

- Employee Concern Program Forum conferences and training classes
- Procedural refresher training on a periodic basis
- Refresher/additional investigative training
- Labor Law and employment seminars



- Periodic meetings of industry personnel sharing information on this and associated topics
- Lessons learned from personnel experienced in the day-to-day handling of concerns
- Safety Conscious Work Environment
- Root Cause Analysis

5.1.5 All Project Employees Training

The commitment of the ECP is reinforced in the WTP training requirements. New Employee Orientation Training for employees presents an opportunity to discuss employees' responsibilities and company expectations for identifying problems and methods for raising concerns. New employees not requiring site access are required to read the ECP procedure and complete the computer-based training module (24590-WTP-CBT-TRA-080101) within 90 days of employment. Both of these can be accessed through the ECP website on the WTP Intranet. Non-manual employees may be required to complete an additional CBT module for site access. New employees and subcontractors requiring construction site access will receive additional ECP training within the construction site orientation modules (24590-WTP-CRM-TRA-000030 for manual employees, 24590-WTP-CRM-TRA-000040 for non-manual employees, and 24590-WTP-CRM-TRA-000050 for subcontractor employees).

5.1.6 Subject Matter Expert Training

Subject matter experts assisting in an employee concern investigations are required to maintain confidentiality of CIs in accordance with the terms of this Procedure, and the ECP personnel should discuss such confidentiality requirements with the sme. Training/reading requirements for smes should include the following:

- ECP Procedure, 24590-WTP-GPP-MGT-005
- Safety Conscious Work Environment
- WTP Zero Tolerance for Retaliation Policy
- DOE Order 442.1A, Employee Concerns Program

5.2 Prioritization Process for Evaluating Concerns

Each employee concern submitted to the ECP shall be prioritized for investigation. The criteria used is identified in the Intake Package.

5.3 Annual Notification

The success of an ECP office depends in a large part on the visibility of the ECP program and of management's support. To ensure this visibility, the project and senior management will remind all employees annually of the availability and purpose of the ECP, and of each employee's right to raise concerns without fear of retaliation.



5.4 Posters

The ECP office will place posters in conspicuous locations to inform individuals of the existence of the ECP; the ECP office telephone numbers; Inspector General office telephone number, the DOE ORP ECP telephone number, and the availability of an ECP's 24-hour access Hotline.

5.5 Hot-Line Access

The ECP office provides 24-hour Hotline access to the program. The listing of telephone numbers on posters and brochures serves to advise individuals of the availability of and means to access the ECP.

5.6 Employee Concerns Tracking System

Information regarding concerns is maintained in a tracking system. Because of the nature of the information, it is maintained in accordance with DOE Order 442.1A and applicable procedures.

The tracking system may include the following information, to the extent practicable:

- Assigned concern number
- Date of the concern
- Whether the concern meets the criteria for an Imminent Danger condition concern; a serious condition concern; or an other-than-serious condition
- Method of receipt (for example, walk-in, mail, hot-line, telephone)
- Category of the concern (for example, environmental, safety, security, fraud, waste, abuse, employee relations, labor relations, quality, management, workplace violence, and HIRD, etc.)
- A brief description of the concern
- Date of receipt acknowledgment to the concern originator
- Date of transfer or referral of the concern to another organization or authority (as applicable)
- Name of the investigative organization
- Date the investigative responsibility was assigned
- Date the investigation results were received
- Whether the concern was substantiated, partially substantiated, or unsubstantiated
- Disposition/resolution, including any corrective action(s) taken or anticipated
- Date of resolution
- Date the originator was notified of the resolution
- Date the ECP office closed the concern



5.7 Confidentiality

Confidentiality is the cornerstone of an effective ECP. Recognizing that some individuals will come forward only if they believe their identities will be protected from public disclosure, thus the protection of confidential sources is a significant factor in ensuring the voluntary flow of information.

When requested by a CI, the ECP will maintain confidentiality of the CI's identity to the greatest extent practical. However, confidentiality is conditional and not absolute, nor guaranteed. The information will be shared on a need-to-know basis with individuals required to have knowledge of it in the performance of their duties, to the extent required to make an informed decision about the concern. Further, confidentiality should not be expected in cases where maintaining confidentiality puts the security, health or safety of the workers or the public at risk. Further disclosure of confidential information may be required in response to subpoenas, in connection with proceedings before the Department of Labor, Equal Employment Opportunity Commission (EEOC), a court of law, and other legal and governmental bodies, or pursuant to other requirements of federal laws, regulations, orders, or directives requiring the release of such information.

Matters of confidentiality are discussed with the CI prior to investigation of the concern in the intake process. The investigator should understand the CI's confidentiality status and concerns with the possibility of revealing the CI's identity.

5.8 ECP Security Measures

In communications and contacts with the CI, the ECP investigator makes all reasonable efforts to ensure that communications and contacts do not result in the disclosure of the CI if confidentiality has been requested. These efforts may include conducting interviews off-site or in a private setting away from other employees.

The ECP office will protect documents about the employee concern from inadvertent disclosure by filing in locked cabinets, and not leaving documents unattended on desk if doors are left unlocked.

The ECP Hotline and fax machine are located in a private and confidential area.

The ECP has ensured that adequate computer and software measures are in place to protect electronic ECP information.

6.0 Records

Records are maintained in a locked file cabinet within the BNI and Washington Group International ECP offices. Records are retained by the appropriate ECP office up to, and beyond, the end of the project life. The records are company records and not project records. Access to records is restricted and names of approved access individuals are listed on a memo posted on the locked file cabinets. Records generated during the performance of this procedure include:

- Reports



- Memos
- Forms

6.1 Revision History

Revision	Reason for Revision
0	<p>This procedure cancels and supercedes procedure 24590-WTP-GPP-HR-005, Rev 2.</p> <p>Procedure number change. Previous Employee Concern Program procedure number was designated as a Human Resources procedure, the number now reflects a management procedure number.</p> <p>Total re-write. New Contract Requirements Document (CRD O 442.1A) and the division of a consolidated WTP Employee Concerns Program to the BNI and the Washington Group Employee Concerns Programs CRD O 442.1A.</p>
1	<p>Incorporate recommendations identified in the Corrective Action Plan and DOE-RL Assessment. This update will close out RITS items: 24590-WTP-RITS-QAIS-04-652, 24590-WTP-RITS-QAIS-04-1000, and 24590-WTP-RITS-QAIS-04-654. Changed areas include 4.1, Definitions; Removal of Subcontractor Employee Concerns Program Representative; 5.1, Training Requirements; 5.2, Prioritization Process for Evaluating Concerns; 5.7, Confidentiality; Appendix 1, Confidentiality Agreement; Appendix 2, Employee Concern Flowchart; Appendix 3, WTP Project Management Open Door and Zero Tolerance for Retaliation Policy; and generic changes.</p>
2	<p>Incorporate recommendations by counsel to improve program and process changes to the program. Reflect Division of Responsibilities and Intake Package process. Changes included to close Action Item 2 QA CAR 24590-WTP-CAR-QA-05-173 Rev 0. Rev 2 is a complete rewrite so revision bars are not practical.</p>



7.0 References

7.1 Interfacing References

24590-WTP-GPP-QA-201	<i>Corrective Action</i>
24590-WTP-GPP-HR-002	<i>Termination of Employment</i>
24590-WTP-GPP-QA-101	<i>Price Anderson Amendment Act Compliance and Reporting</i>
24590-WTP-GPP-MGT-008	<i>QA Stop Work/Management Suspension of Work</i>
24590-WTP-CBT-TRA-080101	<i>ECP Computer Based Training Module</i>
24590-WTP-CRM-TRA-000030	<i>Construction Site Orientation Training Modules / Manual Employees</i>
24590-WTP-CRM-TRA-000040	<i>Construction Site Orientation Training Modules / Non-Manual Employees</i>
24590-WTP-CRM-TRA-000050	<i>Construction Site Orientation Training Modules / Subcontractor Employees</i>
24590-WTP-GPG-CON-2401	<i>Termination of Direct Hire Employees</i>
DOE Order 442.1A	<i>Department of Energy Employee Concerns Program</i>
24590-WTP-CRM-TRA-000534	<i>Price-Anderson Amendments Act Screening/Evaluation</i>

7.2 Developmental References

24590-WTP-GPG-MGT-002	<i>Recommendations and Issues Tracking System</i>
DOE Guide 442.1-1	<i>Department of Energy Employee Concerns Program Guide</i>
DOE Order 221.1	<i>Reporting Waste Fraud and Abuse to the Office of Inspector General</i>
DOE Order 221.2	<i>Cooperation with the Office of Inspector General</i>
10 Code of Federal Regulations Part 708	<i>DOE Contractor Employee Protection Program</i>
29 Code of Federal Regulations Part 1960.28	<i>Employee Reports of Unsafe or Unhealthy Working Conditions</i>
29 Code of Federal Regulations Part 24	<i>Procedures for Handling Discrimination Complaints under Federal Protection Statutes</i>
42 United States Code 211	<i>Energy Reorganization Act of 1974, Title II, Nuclear Whistleblower Protection</i>

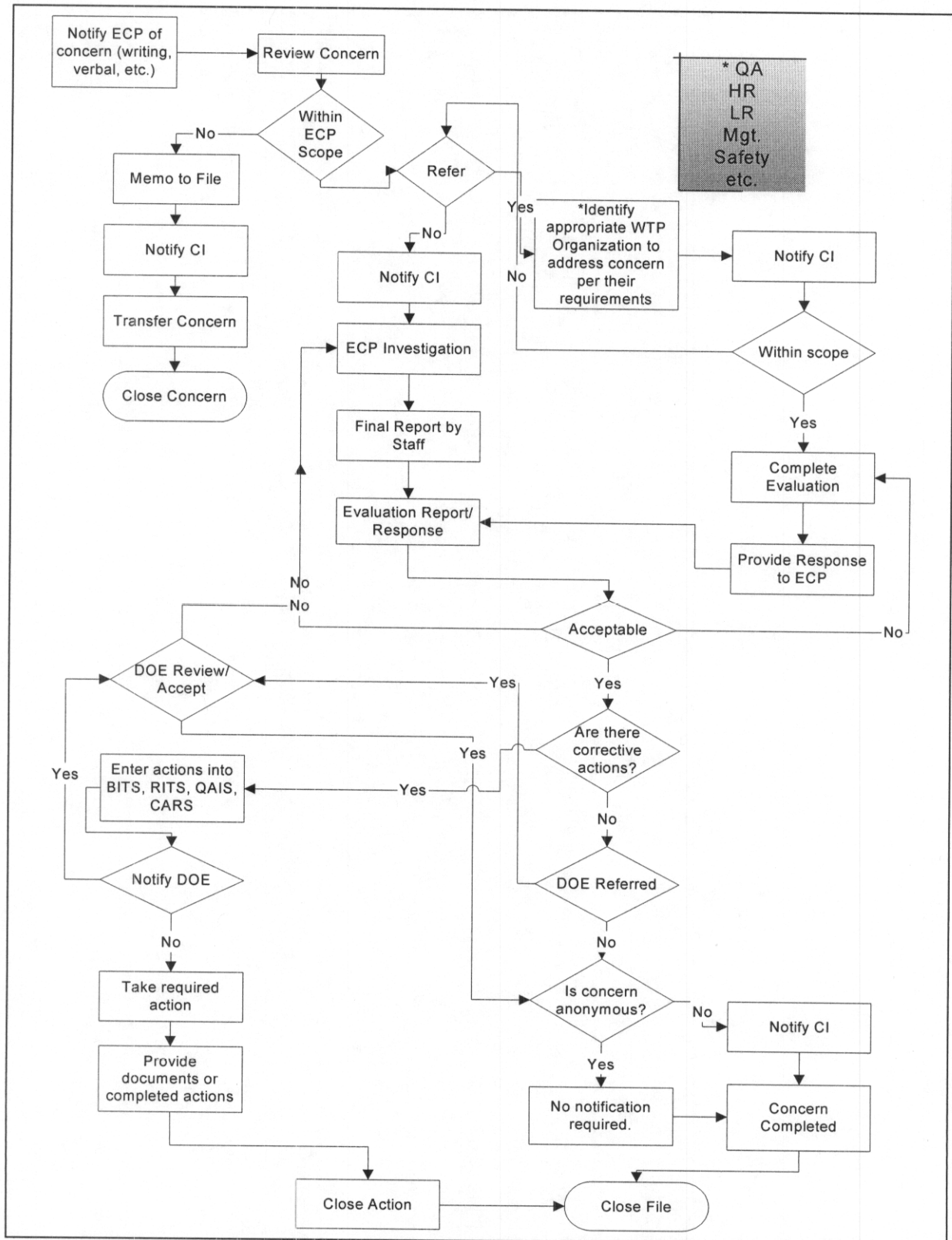
8.0 Appendices

Appendix 1: Employee Concern Flowchart

Appendix 2: WTP Project Management Open Door and Zero Tolerance for Retaliation Policy



Appendix 1: Employee Concern Flowchart





Appendix 2: WTP Project Management Open Door and Zero Tolerance for Retaliation Policy

Message from the WTP Project Management Open Door and Zero Tolerance for Retaliation

We at the Waste Treatment Plant (WTP) Project team are committed to creating a safety conscious work environment (SCWE) in which employees feel free to raise concerns without fear of harassment, intimidation, retaliation, and discrimination (HIRD). Our policy is to establish and maintain effective lines of communication such that employees are encouraged to participate in the identification, reporting, and resolution of all types of concerns, and that such concerns are promptly reviewed, properly prioritized, and resolved with timely feedback to the concerned individual.

All employees have the right and responsibility to raise questions and concerns about work-related issues without fear of retaliation. At the WTP we strive to maintain an environment in which employees feel free to address all types of concerns with their supervisors, managers, foreman and general foreman. If you identify a problem, we encourage you to work with management to resolve it. Open communication and addressing issues this way is the most effective means of solving problems and raising morale. You may also bring forth concerns to second line management, the Employee Concerns Program, Safety Assurance, Labor Relations, or a Human Resources Representative.

We strongly affirm our commitment to zero tolerance for any type of retaliation or HIRD against any employee who, in good faith, has brought forth a concern. Effects of HIRD include, but are not limited to, creating an intimidating or hostile work environment through unwelcome conduct, whether verbal, physical, or visual. HIRD can include anything associated with the reporting of concerns, adverse actions, or influenced by an individual's race, gender, religion, age, national origins, disability or any other characteristic protected by federal, state, or local law. Because this is a Zero Tolerance for Retaliation Policy, any negative action, not only adverse employment actions, will be considered to be in violation of this policy. The company will vigorously pursue complaints of any policy violations, and will not tolerate such behavior against persons who have raised potential safety or quality concerns or allegations of HIRD. Respect for the rights of others is a value we each support; retaliation against another employee who exercises their rights under this policy will not be tolerated.

Failure on the part of a company employee to comply with this policy may result in disciplinary action, up to and including termination. Failure on the part of a contractor or sub-contractor to comply with this policy in dealing with its own concerned individuals may result in termination of the contract. If you believe you are being retaliated against after raising a concern in good faith, or if you have questions, contact your Employee Concerns office.

J. P. Henschel, Project Director

J. P. Betts, Project Manager

B. S. Kuntz, Communications

C. E. Rogers, Business Services

D. S. Hardin, Project Controls

C. M. Albert, Manager of Functions

K. M. Chalmers, Acquisition Services Manager

S. F. Piccolo, Deputy Project Manager

C. M. Davis, Safety Assurance

G. T. Shell, Quality Assurance

A. K. Bockman, Manager of Facilities

R. J. Tosetti, Engineering

C. J. Hammack, Employee Concerns Program