

# HANFORD ADVISORY BOARD

*A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act*

**Advising:**

US Dept of Energy  
US Environmental  
Protection Agency  
Washington State Dept  
of Ecology

June 8, 2007

Mike Weis, Acting Manager  
U.S. Department of Energy, Richland Operations  
P.O. Box 550 (A7-50)  
Richland, WA 99352

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Susan Leckband

**VICE CHAIR:**

Re: Workers Compensation Program

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the Umatilla  
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Department of Health

Dear Mr. Weis,

## Background

At the State of the Site meeting in Richland two years ago and again in 2006, some current and former Hanford workers spoke out forcefully about an impenetrable and frustrating compensation program contracted out by the U.S. Department of Energy (DOE) to Contract Claims Services Incorporated (CCSI).

In response to the information they received at various public meetings DOE initiated three separate audits and reviews beginning in 2002 through 2006. Each audit or review had similar results. Problems with CCSI include difficulties in accessing the program; lack of timeliness of decisions; and failures in communicating back to workers. (DOE reported a fully satisfactory evaluation of CCSI in 2002 despite problems identified).

The review performed in 2005 was fully endorsed by the State of Washington Department of Labor & Industries (L&I) and found many of the same problems identified in the 2002 review. They are summarized in four areas.

- Lack of timeliness with regard to initial claim information, contact back to the worker, and to the attending physician;
- Failure of CCSI to enforce a 30-day claim file and action review policy;
- Failure to resolve customer service problems especially with the elderly;
- Failure of CCSI to share with L&I the best practices as found with other self-insured groups.

An additional audit with a broader scope performed in 2006 by an independent worker advocacy organization concurred with previous findings plus identified additional problems.

In response, DOE-RL issued a letter on December 20, 2006 addressing the concerns, outlining its intent to provide a more user friendly system that includes

full-time staff whose duties include oversight of the Workers' Compensation system; assisting workers in their effort to navigate the paperwork requirements when filing and managing a claim; working the details that crop up daily; and interfacing with contractors and workers directly.

The Hanford Advisory Board compliments DOE for its letter and exceptional and voluntary effort in making the Workers' Compensation process more transparent, reasonable, understandable and user-friendly. It is noted that DOE has fulfilled the terms of its December 2006 letter by assigning a full time staff person to facilitate improvements to the Workers' Compensation process at Hanford and overseeing its implementation.

The Board believes that successful cleanup of the Hanford Site depends upon the trained and experienced workforce. Maintaining a safe working environment with an efficient and responsive medical and Workers' Compensation program for workers is a reasonable expectation for the maintenance of that workforce.

#### **Advice**

- Establish specific improvement goals in its Workers' Compensation process and metrics to measure progress toward those goals.
- Streamline the process, minimize repetitive paperwork and address questions in a timely manner.
- Maintain a uniform application of Workers' Compensation among the Hanford Site contractors, including return to work, accommodation, etc. (especially important in view of changing contracts and contractors).
- Continue to communicate with and monitor contractors regarding their responsibility to report all injuries, rather than resort to underreporting to maintain desirable statistics. Penalties for failing to report should be established and clearly communicated.
- Maintain communications directly to workers and worker representatives regarding the improved Workers' Compensation process through facilitated group training sessions as practicable. Include the practical application of Worker Health Safety Rule 10 CFR 851, and how it applies to the active workforce.

Finally, the Board encourages DOE to provide an update to the Health, Safety and Environmental Protection (HSEP) Committee and the full Board, at a future date, regarding its developed metrics, its progress in educating workers, contractors and adjudicators, and other efforts to continuously improve the Workers' Compensation process as outlined in its December 2006 letter and May 2007 update to the HSEP Committee.

Sincerely,



Susan Leckband, Chair  
Hanford Advisory Board

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*This advice represents HAB consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subject matters.*

cc: Shirley Olinger, Acting-Manager, U.S. Department of Energy Office of River Protection  
Elin D. Miller, U.S. Environmental Protection Agency, Region 10  
Jay Manning, Washington State Department of Ecology  
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Nick Ceto, Environmental Protection Agency  
Jane Hedges, Washington State Department of Ecology  
Doug Frost, U.S. Department of Energy Headquarters  
The Oregon and Washington Congressional Delegations