



NRC NEWS

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NRC STAFF PROPOSES \$110,000 FINE AGAINST TVA FOR DISCRIMINATION AGAINST A FORMER CORPORATE EMPLOYEE

The Nuclear Regulatory Commission staff has proposed a \$110,000 civil penalty against the Tennessee Valley Authority for discrimination against Gary L. Fiser, a former TVA corporate employee, for engaging in protected activities. The violation is characterized as the agency's second highest level violation. In addition, the NRC staff sent notices of violation to two TVA corporate managers who were directly involved in the employment decisions affecting Fiser.

The NRC determined that, in July 1996, TVA, as part of a corporate reorganization, eliminated Fiser's position and took subsequent actions to ensure that he was not selected for one of two new positions. The NRC investigation concluded that TVA took these actions, at least in part, in retaliation for Fiser's involvement in protected activities. Fiser's protected activities included identifying chemistry-related nuclear safety concerns in 1991-1993 and filing a U.S. Department of Labor complaint in 1993 based, in part, on those concerns.

NRC regulations prohibit a licensee from discriminating against any employee for engaging in certain protected activities such as providing a licensee with nuclear safety concerns or testifying at any Federal proceeding related to NRC requirements.

TVA has denied that discrimination against Fiser occurred.

TVA has 30 days from receipt of the Notice of Violation to either pay the fine or protest its imposition.

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