



NRC NEWS

**U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF PUBLIC AFFAIRS, REGION I**

475 Allendale Road
King of Prussia, PA 19406

No. I-00-52

July 21, 2000

CONTACT: Diane Screnci (610)337-5330/ e-mail: dps@nrc.gov
Neil A. Sheehan (610)337-5331/e-mail: nas@nrc.gov

NRC PROPOSES \$5,500 FINE FOR PHILADELPHIA VA MEDICAL CENTER FOR VIOLATION INVOLVING TREATMENT OF WHISTLEBLOWER

The Nuclear Regulatory Commission has proposed a \$5,500 fine against the U.S. Department of Veterans Affairs Medical Center, Philadelphia, for a violation of agency requirements involving the treatment of a worker who raised safety concerns. The action is based on the findings of the U.S. Merit Systems Protection Board, which ruled that the center discriminated against the research nurse because of her activities.

Between April 1997 and May 1998, the employee was subjected to a hostile work environment for engaging in whistleblowing, a federally protected activity, the NRC determined. Specifically, the NRC found that the nurse, who no longer works at the facility, was isolated by her supervisor and experienced significant negative changes to her working conditions after she raised issues regarding the adequacy of consent forms signed by participants in a research study. Among the changes were threats of dismissal, exclusion from work discussions and unfounded accusations of criminal activity.

The worker approached the U.S. Food and Drug Administration with her concerns in April 1997 and the NRC in June 1997.

The case was also considered by the Merit Systems Protection Board, which issued its decision on April 16, 1999. While the board did not find discrimination had occurred with respect to most of the specific incidents raised by the nurse, it did conclude that discrimination occurred when the individual was subjected to intolerable working conditions and when she was terminated prior to the expiration of her term employment.

VA officials are required to respond to the Notice of Violation within 30 days.

#