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NRC and Chicago Bridge & Iron Agree on Measures to Improve Safety-Conscious Work Environment

The Nuclear Regulatory Commission and Chicago Bridge & Iron have agreed on several measures the company will implement to improve its safety-conscious work environment as part of a settlement of two employee protection violations.

The settlement, spelled out in a Confirmatory Order issued by the NRC's Office of Enforcement, was reached through the agency's alternative dispute resolution process. It resolved two violations issued by the NRC in April regarding employment discrimination at Shaw Nuclear Services, a vendor purchased by Chicago Bridge & Iron in February.

The first violation involved a quality assurance supervisor who was fired after raising concerns about potentially faulty rebar that may have been shipped to the National Enrichment Facility in New Mexico by a third-party vendor. The second involved language in Shaw's Corporate Code of Conduct that could prohibit, restrict, or otherwise discourage employees from participating in protected activities, including providing information to the NRC.

Through mediation, Chicago Bridge & Iron agreed to take several measures to improve safety culture for all company employees, including contractors and subcontractors, involved in NRC-regulated activities. These measures include a written communication from the chief executive officer on the company's strategy to improve its safety culture to be consistent with the NRC's 2011 Safety Culture Policy Statement; updating its nuclear safety culture and safety-conscious work environment policies; improving safety culture and employee-protection training for supervisors and staff; establishing a nuclear safety culture oversight program; establishing a uniform process to ensure independent management review of all proposed significant adverse actions against employees; developing a single company-wide Employee Concerns Program; and performing independent safety culture assessments, including site surveys at all Chicago Bridge & Iron nuclear businesses.

The settlement also incorporates many of the items Chicago Bridge & Iron committed to in its response to the NRC's "chilling effects letter" of April 18.

As part of the agreement, the NRC will exercise enforcement discretion and withdraw its Notice of Violation and the proposed \$36,400 civil penalty.

"We believe the broad, comprehensive corrective actions Chicago Bridge & Iron has agreed to in the mediation process will result in greater improvements in public safety than we could have achieved through our traditional enforcement process," said Roy Zimmerman, director of NRC's Office of Enforcement.

NRC inspectors will ensure that the company properly implements its employee protection and safety culture improvements.