



**Alaska**

**Department of  
Transportation  
and  
Public Facilities**

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# **Employee Safety Concerns Program Manual**

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April 15, 2009



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## 1.0 PURPOSE

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This manual describes the ADOT&PF's Employee Safety Concerns Program (ECP) by presenting the structure and elements of the program. The ECP is an alternative means for employees to raise and resolve safety concerns

## 2.0 SCOPE AND APPLICABILITY

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This ECP applies to all ADOT&PF construction employees. ADOT&PF has an expectation of its employees to raise any safety concern for management to resolve in a timely manner. An alternative approach is to use the Employee Safety Concerns Program (ECP) as a process for identifying and resolving safety concerns in a timely, and if requested, confidential manner.

## 3.0 POLICY

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We (DOT&PF) are committed to provide an environment where employees are encouraged to raise safety concerns without fear of retaliation. It is appropriate for employees to spend work time to report concerns. Management at all levels invites the communication of safety concerns and is committed to the timely investigation and disposition of all safety-related issues. Retaliation for raising concerns is not tolerated and when found appropriate management action will be taken.

The ECP Coordinator and management encourage employees to bring concerns to their attention as the concern is identified or occurs. Sharing concerns in staff meetings, safety meetings, toolbox meetings, or other forums 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 professional in that region. See Appendix A for contact information.

Although confidentiality cannot be guaranteed, if requested by the employee raising the concern, their identity is protected to the maximum extent possible, taking into account overriding conditions such as safety, security, or legal requirements. In

such cases the employee must be informed in advance of how and when their name will be used. Employees are empowered to "Stop Work" when a concern presents an imminent danger situation to employee safety, health, environment, or property without fear of HIRD (See Appendix B Terminology).

## 4.0 RESPONSIBILITIES

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The following are specific responsibilities to ensure that employee safety concerns are reported and resolved in a timely manner:

### 4.1 Program Coordinator

The Program Coordinator is responsible for the oversight of the ECP Program, which includes:

- Ensuring that managers and superintendents are aware of their responsibilities for raising and resolving employee safety concerns
- Periodically informing managers and superintendents of these responsibilities through training and/or communications.
- Documenting investigation results for all concerns identified by an employee
- Receiving and addressing concerns in a positive, objective, professional, and timely manner as well as tracking the results

See Appendix C. Employees Concern Flowchart.

### 4.2 Statewide Radiation Safety Officer

The Statewide Radiation Safety Officer is responsible for all concerns regarding the Nuclear Gauge Program which includes:

- Ensuring that managers and superintendents are aware of their responsibilities for raising and resolving employee radiation safety concerns
- Periodically informing managers and superintendents of these responsibilities through training and/or communications.
- Documenting investigation results for radiation concerns identified by an employee
- Receiving and addressing radiation concerns in a positive, objective, professional, and timely manner as well as tracking the results

See Appendix C. Employees Concern Flowchart.

### 4.3 Management's Role

ADOT&PF managers and supervisors are expected to take ownership of concerns when brought to their attention and to address the issue(s) in a timely manner. They must engage in identifying the issue(s) and make a sincere attempt to reach a satisfactory and agreeable resolution. Management will:

- Recognize and support the need to ensure that employee concern information is kept confidential in accordance with this policy
- Provide facilities that allow ready access by concerned employees, privacy for discussion and access to information
- Follow-up to ensure commitments are completed
- Monitor the workplace for conditions that are not acceptable to the standards that have been established
- Complete appropriate identified actions necessary to correct conditions that have been identified.

Managers and supervisors are responsible for keeping 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. This responsibility must be carried out in a manner that fosters the free flow of information without employees being subjected to HIRD.

### 4.3 Employee's Role

The employee's role includes identification and addressing issues and concerns in a constructive manner. This includes working collaboratively with their supervisors and others, if necessary, to resolve an issue. Management expects employees to follow up with their supervisors if the actions that were committed to did not occur as agreed upon. Employees who believe they have been retaliated against for any reason are free to bring their concern to higher levels of management or to an ECP representative.

## 5.0 ALTERNATIVE RESOLUTION METHODS

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Once an employee identifies a safety concern, contacts include:

- Supervisors: Contacting your immediate supervisor or any member of your management chain is generally the most efficient means to resolve an issue
- Human Resources Call Center: If your concern is not specifically related to safety, the HR Call Center maybe better able to assist you.
- Employee Safety Concerns Program: ECP is appropriate if an employee is uncomfortable with direct management interface or desires confidentiality
- Government Agencies: You may raise safety concerns with appropriate State and Federal agencies with regulatory authority. Employees are urged to first submit their concerns to their supervisor for resolution. However, employees are not obligated to first express concerns to management and supervisors.

## 6.0 EMPLOYEE SAFETY CONCERN PROGRAM (ECP)

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### 6.1 Submitting a Concern

#### 6.1.1 Available Avenues

Several avenues are available to employees for reporting concerns to ECP. These include:

- Telephone contact through the ECP Helpline or with the Program Coordinator
- Email addressed to Department Safety Officers , Radiation Safety Officers or Human Resources
- Direct contact with Department Safety Officers , Radiation Safety Officers or Human Resources

See Appendix A – Places to get Help.

#### 6.1.2 Content

Be specific with facts when expressing the concern, and if known, cite governing regulations, procedures, policies, or practices.

### 6.2. Confidentiality

Employees using the ECP may request that their identity remain confidential. If confidentiality is requested, the ECP will not disclose identities unless authorized by the concerned individual, or as a matter of legal or regulatory activity beyond the ECP's control (e.g. concerns affect the health and

safety of other employees or the public).

The ECP will normally shelter identities as a matter of routine practice. However, concerns with significant safety implications may require divulging names to those having a need to know in order to preserve the safety of the work site, its personnel and the public. In such cases, the ECP will discuss this with employees prior to acting.

### **6.3 Processing a Concern**

Upon receiving a concern, the Program Coordinator, Department Safety Officers, or the Statewide Radiation Safety Officer will ascertain if resolution was attempted using other DOT&PF processes. If not, then the ECP will facilitate resolution through the employee's management chain or Human Resources, if appropriate. See Appendix C – Employee Concern Flowchart.

If neither Human Resources nor the employee's immediate management chain is an option, then the ECP will facilitate resolution.

Priority is placed typically on concerns involving:

- Radiation Safety
- Industrial/Construction Safety
- Environmental/HAZMAT
- Falsification, misrepresentation or omission of regulatory required documents
- Retaliation, harassment, discrimination or intimidation for raising safety concerns/issues





## Appendix A. Places to Get Help

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### Employee Concerns Program Helpline **(907) 338-1482**

#### Program Coordinator

Resource	Area	Phone Number	Email Address
Mickey Hendrickson	Program Coordinator, Safety and Health	(907) 338-1482	<a href="mailto:mickey.hendrickson@alaska.gov">mickey.hendrickson@alaska.gov</a>

#### Regional Safety Officers

Resource	Area	Phone Number	Email Address
Mike Oden	Northern Region Safety Officer	(907) 451-2280	<a href="mailto:mike.oden.sr@alaska.gov">mike.oden.sr@alaska.gov</a>
Larry White	Southeast Safety Officer	(907) 465-1770	<a href="mailto:Larry.white@alaska.gov">Larry.white@alaska.gov</a>
Mickey Hendrickson	Central Region	(907) 338-1482	<a href="mailto:mickey.hendrickson@alaska.gov">mickey.hendrickson@alaska.gov</a>

#### Statewide Radiation Safety Officer

Resource	Area	Phone Number	Email Address
Gregory S Christensen	Statewide Radiation Safety Officer	(907) 269-6248	<a href="mailto:greg.christensen@alaska.gov">greg.christensen@alaska.gov</a>

#### Human Resource Section Contacts

Name	Area	Phone Number	Email Address
Amanda Holland	Statewide Lead	(907) 465-6956	<a href="mailto:amanda.holland@alaska.gov">amanda.holland@alaska.gov</a>
Dana Lattimore	Central Region	(907) 269-0499	<a href="mailto:dana.lattimore@alaska.gov">dana.lattimore@alaska.gov</a>
Jennifer Smith	Central Region	(907) 269-0505	<a href="mailto:jennifer.smith2@alaska.gov">jennifer.smith2@alaska.gov</a>
Brittany Patzke	Northern Region	(907) 269-0288	<a href="mailto:brittany.patzke@alaska.gov">brittany.patzke@alaska.gov</a>
Shelly Saviers	Southeast Region	(907) 465-8230	<a href="mailto:shelly.saviers@alaska.gov">shelly.saviers@alaska.gov</a>
Inga Aanrud	AMHS	(907) 465-8838	<a href="mailto:inga.aanrud@alaska.gov">inga.aanrud@alaska.gov</a>
	HR CALL CENTER	(907) 465-3009	

#### Other Contacts

Resources	Area	Phone Number	Email Address
Troxler	Gauge Manufacturer	(919) 549-9539	--
NRC	NRC Safety Hotline	(800) 695-7403	--
Clyde Pearce	SOA Rad Health Program	(907) 334-2100	<a href="mailto:clyde.pearce@alaska.gov">clyde.pearce@alaska.gov</a>
OSHA	State of Alaska	(800) 770-4940	



## Appendix B. Terminology

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**Adverse Action** – Action initiated by the employer that detrimentally affects the employee’s terms, conditions or privileges of employment. They can include any action that involves involuntary changes in the Concerned Individual’s employment. Examples are but not limited to termination, demotion, denial of a promotion, lower performance appraisal, or transfer to a less desirable job.

**Anonymous** – A concern submitted by a Concern Individual who wishes to have his or her identify protected.

**Concerned Individual (CI)** – An individual who communicates a concern to an ECP representative, co-workers, supervisors, managers, a government agency, Congress, or the Media.

**Confidential Concern** – A concern submitted by a CI who wishes to have his or her identify 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.

**Employees Safety Concern Program (ECP)** – An alternative avenue to raise safety concerns outside of chain of command.

**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 management or coworkers 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.

**Intimidation** – An action taken by coworkers or management against to toward a CI to cause that person 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 activity or operation.

**Investigation** – An inquiry conducted by or on behalf of the ECP representative 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 Conditions** – Hazards, violations, or conditions that do not present a credible risk of death or serious physical harm, property loss, and/or environmental impact.

**Protected Activity** – A Protected activity occurs when an employee identifies an issue that he/she believes impacts any aspect of an organization’s activities that are regulated by a government agency and communicates that concern to co-workers, supervisors, the regulating bodies, Congress, or the media.

**Reprisal** – Any actions taken against a CI in response to, or in revenge for, the CI having raised, in good faith, reasonable concerns about any aspect of operations.

**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, conditions 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.

# Appendix C. Employee Concern Flowchart

