



U.S. Department of Energy
Office of Inspector General
Office of Audits and Inspections

INSPECTION REPORT

Worker Safety and Health at the Y-12 National
Security Complex

OAI-L-16-06

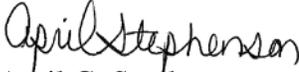
December 2015



Department of Energy
Washington, DC 20585

December 22, 2015

MEMORANDUM FOR THE MANAGER, NATIONAL NUCLEAR SECURITY
ADMINISTRATION PRODUCTION OFFICE

FROM: 
April G. Stephenson
Assistant Inspector General
for Inspections
Office of Inspector General

SUBJECT: INFORMATION: Inspection Report on “Worker Safety and Health at
the Y-12 National Security Complex”

BACKGROUND

The Department of Energy’s (Department) National Nuclear Security Administration (NNSA) Production Office ensures the safe, secure, and cost-effective management of the Y-12 National Security Complex (Y-12) in Oak Ridge, Tennessee. On January 8, 2013, NNSA selected Consolidated Nuclear Security LLC (CNS) to be the management and operating contractor for Y-12 effective May 1, 2013. Y-12 is a covered workplace¹ as defined by Title 10 Code of Federal Regulations (CFR) §851, *Worker Safety and Health Program*. As such, CNS is responsible for the safety and health of the Y-12 workforce. In September 2013, the Secretary of Energy reaffirmed the Department’s commitment to protect the safety and health of employees. The Secretary emphasized the need to extend safe work practices and responsibility throughout all levels of work activities and operations to enable the Department to create an effective safety culture.

The Office of Inspector General received a complaint alleging that (1) supervisors and managers at Y-12 sometimes encourage employees to ignore safety regulations or even commit acts known to be in violation of standard safety protocols, and (2) non-reporting of injuries at Y-12 is a common practice due to fear of reprisal from management. Given the Department’s emphasis on safety and health, we initiated this inspection to determine whether Y-12’s safety and health programs provide reasonable assurance that concerns will be reported and addressed as required and to determine the facts and circumstances surrounding the allegation.

RESULTS OF INSPECTION

We were unable to substantiate the allegations. Nothing came to our attention to indicate Y-12’s safety and health programs do not provide reasonable assurance that concerns will be reported and addressed as required.

¹ Place at a Department site where a contractor is responsible for performing work in furtherance of a Department mission.

Worker Safety and Health Program

The CFR section entitled *Worker Safety and Health Program* (10 CFR §851) establishes requirements for a worker safety and health program that will prevent occupational injuries, illnesses, and accidental losses by requiring Department contractors to provide their employees with a safe and healthful workplace. In addition, *Y-12, Worker Safety and Health Program* (Y73-004PD), states Y-12 encourages and expects all employees to maintain a questioning attitude and raise safety concerns to their supervisor or other management official. Moreover, Y73-004PD emphasizes that retribution, harassment, or intimidation for raising safety concerns will not be tolerated.

To accomplish our inspection objective, we interviewed Federal and contractor employees and management officials, including the complainant. We also reviewed Contractor Assurance System quarterly reports, Occurrence Reporting and Processing System reports, Lessons Learned reports, and Initial Event Information forms. From these, we selected a judgmental sample of incidents to examine further. Our examination of these incidents included reviewing documentation and corrective actions taken.

We noted that Y-12 has multiple mechanisms available for employees to report safety concerns, including line management, the Employee Concerns Program, onsite union representatives, and onsite facility representatives. We were told by the Employee Concerns Program Manager over Environment, Safety, and Health that no issues of retaliation against employees for raising safety and health concerns were reported during calendar years 2012 through 2014. We were informed by employees that they are able to call a safety pause if they have concerns about an activity and feel free to do so without reprisal. Additionally, employees informed us that they generally feel free to report injuries without reprisal.

We are not making any recommendations, so a formal response is not required. We appreciate the cooperation of your staff during our inspection.

Attachments

cc: Deputy Secretary
Chief of Staff

OBJECTIVE, SCOPE, AND METHODOLOGY

OBJECTIVE

The Office of Inspector General (OIG) received a complaint alleging that (1) supervisors and managers at the Y-12 National Security Complex (Y-12) sometimes encourage employees to ignore safety regulations or even commit acts known to be in violation of standard safety protocols, and (2) non-reporting of injuries at Y-12 is a common practice due to fear of reprisal from management. Given the Department of Energy's emphasis on safety and health, we initiated this inspection to determine whether Y-12's safety and health programs provide reasonable assurance that concerns will be reported and addressed as required and to determine the facts and circumstances surrounding the allegation.

SCOPE

The scope of our inspection was calendar years 2012 to 2014. We conducted our fieldwork from June 2015 through December 2015 at Y-12 in Oak Ridge, Tennessee. The inspection was conducted under OIG project number S15IS015.

METHODOLOGY

To accomplish our objective, we:

- Interviewed key personnel to gain an understanding of Y-12's safety and health programs, program managers to identify/select activities most affected by safety and health concerns, and personnel responsible for performing selected activities to gain an understanding of how the safety culture flows down to the employees.
- Obtained and reviewed policies and procedures for safety and health programs.
- Interviewed Federal and contractor employees and management officials including the complainant.
- Obtained and reviewed documentation of safety and health incidents and their resolutions.
- Reviewed related Government Accountability Office and OIG prior reports.

We conducted the inspection in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*. Those standards require that we plan and perform the inspection to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions and observations based on our inspection objective. We believe the evidence obtained provided a reasonable basis for our conclusions and observations based on our inspection objective. Accordingly, the inspection included tests of controls and compliance with laws and regulations to the extent necessary to satisfy the

inspection objective. Because our review was limited, it would not necessarily have disclosed all internal control deficiencies that may have existed at the time of our inspection. Finally, we did not rely on computer-processed data to satisfy our objective.

Management waived the exit conference on December 8, 2015.

FEEDBACK

The Office of Inspector General has a continuing interest in improving the usefulness of its products. We aim to make our reports as responsive as possible and ask you to consider sharing your thoughts with us.

Please send your comments, suggestions and feedback to OIG.Reports@hq.doe.gov and include your name, contact information and the report number. You may also mail comments to us:

Office of Inspector General (IG-12)
Department of Energy
Washington, DC 20585

If you want to discuss this report or your comments with a member of the Office of Inspector General staff, please contact our office at (202) 253-2162.