



Reporting Worker Safety and Health Concerns - Department of Energy

Name of Program	Authority	Responsible Organization	Covered Employees	Scope	More Information
DOE Employee Concerns Program	DOE Order 442.1A	DOE Office of Environment, Health, Safety, and Security	DOE Federal and contractor employees	Provides an independent avenue to raise any concern related, but not limited, to the environment, safety, health, and management.	https://energy.gov/ehss/services/doe-employee-concerns-program
DOE Contractor Employee Protection Program	10 C.F.R. Part 708	DOE Office of Hearings and Appeals	DOE contractor employees	Establishes criteria and procedures for the investigation, hearing, and review of allegations from DOE contractor employees of employer reprisal resulting from a protected employee disclosure.	https://energy.gov/oha/whistleblower-hearings-and-appeals
Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information	41 U.S.C. § 4712	DOE Office of Inspector General	DOE contractor employees	Prohibits retaliation against contractor employees for disclosing information that the employees reasonably believe is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority, a substantial and specific danger to public health and safety, or a violation of law, rule, or regulation relating to the contract. Provides for filing and investigating complaints of reprisal and for remedies for reprisal.	https://energy.gov/ig/services/whistleblower-information
Energy Reorganization Act (ERA): Employee Protection	42 U.S.C. § 5851 and 29 C.F.R. Part 24	Department of Labor/OSHA	DOE Federal and contractor employees	Prohibits retaliation against any employee who reports violations or refuses to engage in violations of the ERA or the Atomic Energy Act.	https://www.whistleblowers.gov/
DOE Worker Safety and Health Program	10 C.F.R Part 851	DOE Office of Enforcement	DOE contractor employees	Requires DOE contractors to provide processes for employees to report safety concerns without fear of reprisal and permits employees to request investigations of alleged violations of Part 851.	https://energy.gov/ea/request-investigation-or-inspection-safety-or-classified-information-security-violations
Employee Requests for Inspection by OSHA and Requirements Prohibiting Retaliation	29 U.S.C. § 657 and 29 C.F.R. Part 1977	Department of Labor/OSHA	DOE contractor employees at sites regulated by OSHA, which are not covered under 10 CFR Part 851	Provides employees and their representatives the right to file a complaint and request an OSHA inspection of their workplace if they believe there is a serious hazard or their employer is not following OSHA standards. Prohibits employer discrimination against employees for filing a safety and health complaint.	https://www.osha.gov/workers/file_complaint.html
Employee Reports of Unsafe or Unhealthful Working Conditions	29 C.F.R. § 1960.28 and Executive Order 12196	Department of Labor/OSHA	DOE Federal employees	Establishes provisions for employees to file reports regarding hazardous and/or unhealthful working conditions without reprisal.	https://www.osha.gov/dep/fap/
Worker Protection Program for DOE (Including NNSA) Federal Employees	DOE Order 440.1B	DOE Offices	DOE Federal employees	Requires DOE elements to provide employees with the right to express safety concerns without reprisal.	https://energy.gov/ehss/worker-safety-and-health-program-10-cfr-851doe-o-4401b

Notes: "DOE" includes the National Nuclear Security Administration, and "DOE contractor" includes their subcontractors.