Morris, Alexander

From: FOIA-Central@hq.doe.gov
Sent: Saturday, July 18, 2009 2:13 AM
To: FOIA-Central
Subject: DOE Headquarters FOIA Request

Name: Stephen L. Skala

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Organization:

Address:

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Record Description:

Following is a FOIA request from the US Department of Energy. Please provide documents in electronic form if possible. Also, it is acceptable to provide links to any reported posted on the DOE web site if such documents provide the information requested. One document request is to state policy requiring release of epidemiological data and if release of epidemiological data is released only if requested through a FOIA request. If the DOE policy requires release of epidemiological data though request for such data made by means other than a FOIA request, I then request that my FOIA request for epidemiological data be exempt from fees in fulfilling that portion of my FOIA request.

I have divided my request for documents into four categories that are listed below.

The following request for documents related to DOE policy and procedures regarding health privacy of employees at DOE national laboratories and of policy applying to employees of national laboratories that develop disability while employed at a national laboratory

1) Provide procedure or policy documents regarding dissemination of protected health information as defined in the Health Insurance Portability and Accountability Act (HIPPA). Procedure and policy documents requested should specifically include DOE rules and regulations concerning:
a. Limitations or conditions for managers of employees working at DOE national laboratories to obtain personal and protected health information on an employee.
b. Policy and procedures, if any, that prevent management at DOE-run national laboratories from using personal and protected health information to discriminate against employees.
2) Policy and procedures regarding the ability to terminate an employee at a DOE national laboratory due to health conditions. Specifically, list policy or procedures regarding termination and/or job reassignment and/or eligibility to disability benefits if an employee develops a medical condition resulting in revocation of security clearance under criteria H.

The following request for documents related to DOE policy and procedures requiring employees of the DOE and employees working at DOE national laboratories to report incidents of harassment and/or work place violence to authorities at DOE national laboratories and to the DOE office of health, safety and security.
1) Provide policy and procedure documents that list a definition and examples for workplace violence and harassment that are accepted by the DOE. The policy and procedure document is expected to provide a clear means of determining if a particular incident is to be classified as harassment or work place violence.
2) Provide procedure and policy documents that require employees to report observed

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incidents harassment and/or workplace violence.
3) Provide policy documents that state requirements for national laboratories to provide training on prevention of harassment.
4) Provide requirements of DOE national laborites to report incidents of harassment and work place violence either individually or in an annual report to the DOE Office of Health Safety and Security.
5) Provide procedures to audit compliance at DOE national laboratories of compliance to reporting requirements of harassment and workplace violence.
6) Provide documents that state how a DOE contractor is to consider work place violence as an injury when an employee is misses work or is hospitalized after being a victim of harassment or violence in the workplace.
7) Provide requirements of DOE and/or NNSA investigators employed at the DOE or contracted by the DOE to report any incidents of harassment or workplace violence or any other violations of DOE or federal statute regulations that are uncovered in the course of any investigations by NNSA or the DOE Office of Hearings and Appeals to the Office of Health Safety and Security.

Following request for documentation related to DOE epidemiological research and data on special health risks to DOE employees that hold security clearance. In particular documents that show an increased risk of developing anxiety, paranoia or any other mental condition as a result of holding a security clearance or working in an employment location with a high level of surveillance
1) Provide any reports or documents investigating the risk of developing anxiety, paranoia or any other mental illness among employees of the DOE or of DOE national laboratories that hold security clearance and work on secured facilities.
2) Provide number of incidents per year for the last 10 years of physiological illness due to from work-related stress or other factors related to employment at a secured facility. Include incidents for both DOE employees and DOE contractors employed at national laboratories. Provide the total number of DOE employees and contractors for each year of the last 10 years so to allow determination of incidents per capita.
3) Provide the number per year for the last 10 years of DOE employees and DOE contractors employed at national laboratories that report seeking treatment for a physiological illness. Provide the total number of DOE employees and contractors for each year of the last 10 years so to allow determination of incidents per capita.
4) Provide any reports or documents showing the trend of security infractions and violations involving recording and transmitting devices such as MP3 players, cell phones and digital cameras. Specifically, provide DOE documents that list both reported security violations and an estimate of unreported security violations involving such devices per year for the last 10 years. Provide the total number of DOE employees and contractors for each year of the last 10 years so to allow determination of incidents per capita. Data from unreported security violations would necessarily require a data collecting effort outside the standard security reporting process.
5) Provide documents that list any policies and/or procedures requiring the Department of Health, Safety and Security to collect data for the purpose of epidemiological research from security investigations where security concerns are due to criteria H.
6) Provide policy and procedure documents that state requirements for the DOE or DOE employees to reply to a request for epidemiological data made by a US citizen through correspondence to the DOE other than a FIOA request.

Following request for documentation related to DOE policy and procedures for recording illness and injury events at national laboratories and audit policies and requirements to ensure injury are properly reported to the DOE Office of Health Safety and Security.
1) Provide a list of all illness and injury reports submitted by Sandia National Laboratory in 2007 to CAIRS (Computerized Accident/Incident Reporting System). Report must list the number of injury incidents in 2007, a description of all injuries and any loss of work or hospitalization resulting from injury.
2) Provide a list of all safety incidents occurring in Sandia National Laboratory in 2007 and 2008 entered to the DOE's Corrective Action Management Program.
3) Provide the name and contact information of any auditors independent of the DOE that audit that the DOE is in compliance with all regulations published by OHSA.
4) Provide the latest audit report certifying that the DOE Office of Health and Safety is in compliance of all regulations published by OSHA.
5) Provide the lasted audit report from an auditor independent of the DOE certifying that Sandia National Laboratory is in compliance of all regulations published by OSHA.
6) Provide specific audit procedures to determine if a DOE contractor is in compliance

with CAIRS reporting requirements. For example, when auditing employee time lost to injury or illness, the audit procedure may require inspection of time lost due to illness, injury and disability for any reason and compare to the time lost reported by the contractor as due to a work-related incident and then audit justification for any differences. The documentation requested is expected to list specific audit techniques similar to that in the example.

Sincerely,
Stephen Skala

Preferred Form or Format: electronic

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount $ 500

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing: