

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210




Reply to the attention of:

JUN 27 2014

MEMORANDUM FOR: REGIONAL ADMINISTRATORS

THROUGH: 
DOROTHY DOUGHERTY
Deputy Assistant Secretary

FROM: 
THOMAS GALASSI, Director
Enforcement Programs


RICHARD MENDELSON, Acting Director
Whistleblower Protection Programs

SUBJECT: Whistleblower Complaints and Safety and Health Referrals

The purpose of this memorandum is to reiterate OSHA's long-standing policy of ensuring that safety and health hazards identified during the whistleblower complaint intake and screening process are referred to OSHA enforcement or the appropriate agency.

Both the Whistleblower Investigations Manual (CPL 02-03-003 9/20/2011) and the Field Operations Manual (CPL 02-00-148 4/22/2011) direct supervisors to make referrals when safety, health, or other regulatory ramifications are identified during the whistleblower complaint intake and screening process. All allegations of safety and health hazards, or other regulatory violations, shall be referred immediately to the appropriate office through established channels. It is equally important that all allegations of retaliation (not limited to the OSH Act) be referred, through established channels, for evaluation and screening.

CSHOs shall assure that workers understand their rights against retaliation under Section 11(c) of the OSH Act. CSHOs shall also inform employers during enforcement activities of the prohibition against retaliating against employees who exercise their rights under the Act. Any allegations of retaliation shall be promptly forwarded, via established channels, to the Regional Supervisory Investigator for further assessment.