Nuclear Plant Whistleblower Wins Case

JAY REEVES Associated Press Writer — September 29, 2009

BIRMINGHAM, Ala. (AP) — A painter who was fired after complaining about a potential safety threat at a nuclear power plant in north Alabama won his whistleblower lawsuit against a Tennessee Valley Authority contractor in a decision made public Monday.

A Department of Labor review board sided with James Speegle of Tuscumbia five years after he was dismissed by Stone & Webster Construction Inc. while working at the Browns Ferry Nuclear Plant near Athens.

Speegle, 43, contended he was fired for raising concerns about possible safety problems at the plant's Unit 1 reactor in 2004. Unqualified workers were doing a sloppy job that could have resulted in paint clogging an important cooling system, he argued.

The company said Speegle was fired for cursing a supervisor during a meeting, and an administrative law judge sided with the company. But the review board overturned that decision, sending the case to a judge to decide how much compensation Speegle should receive.

"It's been difficult," said Speegle, a lifelong painter now working on a project at NASA's Marshall Space Flight Center in Huntsville. "It's good to see it hopefully coming to a close."

A spokeswoman for Stone & Webster, Gentry Brann, said the company was disappointed the board opted "to overrule the decision of the arbitrator who conducted the hearing in this case, considered all of the evidence, and ruled in the company's favor."

Stone & Webster is a division of The Shaw Group Inc., based in Baton Rouge, La.

Speegle's lawyer, David Marshall, said he would seek back pay, compensatory damages, reinstatement and attorney fees from the company.

"We're yet to calculate what that will be," said Marshall.

Speegle's lawsuit claimed he complained to company management about a faulty paint job by unqualified apprentices in the cooling system of the Unit 1 reactor, which TVA was bringing back on line at the time.

"It was major. It was to the point that it could have been catastrophic," Speegle said.

Speegle was fired within days of reporting his concerns, the suit said.

An attorney with the Washington-based Government Accountability Project, which promotes whistleblowing to reveal government and corporate wrongdoing, said it was "somewhat unusual" for the Labor Department board to order compensation after ruling for a whistleblower.

"With respect to this particular board, we have noticed over the last seven to eight years it has not been kind to employees," said Richard Condit, senior counsel with the organization.

The company could appeal the decision to the federal appeals court in Washington, D.C., or try to settle with Speegle, Condit said.

Source URL (retrieved on *10/26/2014 - 3:46am*):
http://www.chem.info/news/2009/09/nuclear-plant-whistleblower-wins-case