



September 4, 2008

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Hanford Pipefitters Win Final Round Against Contractor

**WA State Supreme Court Affirms Victory on Behalf
of Hanford Pipefitter Whistleblowers**

Olympia, WA – The Washington Supreme Court today affirmed the jury verdict in the trial of 11 Hanford pipefitter whistleblowers who were awarded nearly \$5 million in damages. Additionally, the court let stand \$1.5 million in attorney fees, and allowed for recovery of attorney fees for the appeal as well.

Jack Sheridan, counsel for the pipefitters, stated:

“These pipefitters are heroes. They stood up for safety when everyone else put their heads down for fear of being fired. It took a while, but this decision proves that the system works that in front of a jury it doesn’t matter how powerful you are—only whether you are telling the truth. The pipe fitters told the truth, the jury listened, and justice was done.”

In September 2005, a unanimous jury found that Fluor Federal Services managers had retaliated against Hanford workers who raised safety and health concerns, and who ultimately refused to commit what they saw as an unsafe act: the installation of an under-rated valve in a high-level waste transfer system. Additionally, those workers who vocally supported the original crew also found themselves on the layoff list.

The U.S. Department of Labor, in an early ruling in the case, found that:

“Complainants allege that, upon reinstatement, their working environment was hostile, intimidating and retaliatory. Evidence supports them.... [E]vidence of hostility is exhibited by the foremen who directed the work of the complainants. Three foremen were heard making disparaging remarks and comments about the complainants. Jokes were made that the complainants had to pay taxes on their settlement payments. One foreman was heard saying, "...the complainants should have stayed laid off. I'll do

anything in my power to get rid of them." Another foreman was so vocal in his hostility towards the complainants, they were warned by other employees to "watch their backs" around him. All of the complainants worked for these foremen after their reinstatement."

Tom Carpenter, Director of Hanford Challenge, who assisted the pipefitters early on through his work at the Government Accountability Project, stated,

"This decision is an important vindication for the right of workers to raise important safety and health concerns at a federal nuclear site. It vindicates their interests and the interest of the public, and will resonate throughout the Hanford Site for decades to come."

The Supreme Court held that the jury awards were proper and that the evidence admitted at trial, which included testimony of other witnesses who suffered retaliation by Fluor for standing up for safety, was properly admitted.

With the final judgment in this case over, Fluor Federal Services is at risk of being ordered to reimburse all of its legal costs and remedies to the government under existing government rules and statutes. Fluor's attorney fees in defending the case were paid to Fluor's attorneys by the Department of Energy.

The case revolves around the initial firing of seven pipefitters, let go after refusing to install an unsafe valve in the tank farm system that holds approximately 53 million gallons of high-level nuclear and toxic waste underground. If the valve failed, it would have risked serious injury or death for those in the vicinity, potentially spread contamination, and jeopardized the structural integrity of the storage tanks.

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