

## YOUR RIGHTS UNDER THE ERA

**THE ENERGY REORGANIZATION ACT (ERA), MAKES IT ILLEGAL FOR AN EMPLOYER COVERED BY THE ACT INCLUDING A LICENSEE OF THE NUCLEAR REGULATORY COMMISSION (NRC) OR AN AGREEMENT STATE, AN APPLICANT FOR A LICENSE, A CONTRACTOR OR SUBCONTRACTOR OF A LICENSEE OR APPLICANT AND A CONTRACTOR OR SUBCONTRACTOR OF THE DEPARTMENT OF ENERGY (DOE) UNDER THE ATOMIC ENERGY ACT (AEA) - TO DISCHARGE OR OTHERWISE DISCRIMINATE AGAINST AN EMPLOYEE IN TERM OF COMPENSATION, CONDITIONS OR PRIVILEGES OF EMPLOYMENT BECAUSE THE EMPLOYEE OR ANY PERSON ACTING AT AN EMPLOYEE'S REQUEST PERFORMS A PROTECTED ACTIVITY.**

**RIGHT TO RAISE A SAFETY CONCERN:** YOU ARE ENGAGED IN PROTECTED ACTIVITY WHEN YOU:

- (1) NOTIFY YOUR EMPLOYER OF AN ALLEGED VIOLATION OF THE ERA OR THE AEA;
- (2) REFUSE TO ENGAGE IN ANY PRACTICE MADE UNLAWFUL BY THE ERA OR THE AEA, IF YOU HAVE IDENTIFIED THE ALLEGED ILLEGALITY TO THE EMPLOYER,
- (3) TESTIFY BEFORE CONGRESS OR AT ANY FEDERAL OR STATE PROCEEDING REGARDING ANY PROVISION OR PROPOSED PROVISION OF THE ERA OR THE AEA;
- (4) COMMENCE OR CAUSE TO BE COMMENCED A PROCEEDING UNDER THE ERA, OR A PROCEEDING FOR, THE ADMINISTRATION OR ENFORCEMENT OF ANY REQUIREMENT IMPOSED UNDER THE ERA;
- (5) TESTIFY OR ARE ABOUT TO TESTIFY IN ANY SUCH PROCEEDING; OR
- (6) ASSIST OR PARTICIPATE IN SUCH A PROCEEDING OR IN ANY OTHER ACTION TO CARRY OUT THE PURPOSES OF THE ERA OR THE AEA.

**UNLAWFUL ACTS BY EMPLOYERS:** IT IS UNLAWFUL FOR AN EMPLOYER TO INTIMIDATE, THREATEN, RESTRAIN, COERCE, BLACKLIST, DISCHARGE OR IN ANY OTHER MANNER DISCRIMINATE AGAINST ANY EMPLOYEE BECAUSE THE EMPLOYEE HAS ENGAGED IN PROTECTED ACTIVITY.

**COMPLAINT:** AN EMPLOYEE OR EMPLOYEE REPRESENTATIVE MAY FILE A COMPLAINT CHARGING DISCRIMINATION IN VIOLATION OF THE ERA WITHIN 190 DAYS OF THE DISCRIMINATORY ACTION. A COMPLAINT MUST BE IN WRITING AND SHOULD INCLUDE A FULL STATEMENT OF FACTS, INCLUDING THE PROTECTED ACTIVITY ENGAGED IN BY THE EMPLOYEE, KNOWLEDGE BY THE EMPLOYER OF THE PROTECTED ACTIVITY, AND THE BASIS FOR BELIEVING THAT THE ACTIVITY RESULTED IN DISCRIMINATION AGAINST THE EMPLOYEE BY THE EMPLOYER. A COMPLAINT MAY BE FILED IN PERSON OR BY MAIL AT THE NEAREST LOCAL OFFICE OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA), U.S. GOVERNMENT, DEPARTMENT OF LABOR, OR WITH THE OFFICE OF THE ASSISTANT SECRETARY, OSHA, U.S. DEPARTMENT OF LABOR, WASHINGTON, D.C. 20210.

**ENFORCEMENT:** OSHA WILL REVIEW THE COMPLAINT TO ENSURE THAT IT MAKES AN INITIAL SHOWING OF DISCRIMINATION. IF NOT, OR IF THE EMPLOYER PROVIDES CLEAR AND CONVINCING EVIDENCE THAT THERE WAS NO DISCRIMINATION, THERE WILL BE NO INVESTIGATION. IF THE REQUIRED SHOWING IS MADE, OSHA WILL NOTIFY THE EMPLOYER AND CONDUCT AN INVESTIGATION TO DETERMINE WHETHER A VIOLATION HAS OCCURRED. EITHER THE EMPLOYEE OR THE EMPLOYER MAY REQUEST A HEARING BEFORE AN ALJ.

**RELIEF:** IF DISCRIMINATION IS FOUND, THE EMPLOYER WILL BE REQUIRED TO PROVIDE APPROPRIATE RELIEF, INCLUDING REINSTATEMENT (EVEN FOR THE PERIOD BETWEEN THE ALJ DECISION AND APPEAL), BACK WAGES OR COMPENSATION FOR INJURY SUFFERED FROM THE DISCRIMINATION, AND ATTORNEYS FEES AND COSTS.

**CAUTION:** THE PRECEDING PROTECTIONS AND REMEDIES ARE NOT AVAILABLE TO EMPLOYEES WHO ENGAGE IN DELIBERATE VIOLATIONS OF THE ERA OR THE AEA.

**FOR ADDITIONAL INFORMATION:** CONTACT THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, GOVERNMENT, DEPARTMENT OF LABOR (LISTED IN TELEPHONE DIRECTORIES), OR SEE THE DEPARTMENT OF LABOR'S WEB SITE AT: [WWW.OSHA.GOV](http://WWW.OSHA.GOV)

**EMPLOYERS ARE REQUIRED TO DISPLAY THIS POSTER WHERE EMPLOYEES CAN READILY SEE IT.**



# Notice To Employees

## Illinois Department of Nuclear Safety

### STANDARDS FOR PROTECTION AGAINST RADIATION

The Illinois Department of Nuclear Safety (IDNS) has adopted regulations with standards to protect you from hazards associated with radioactive materials and radiation emitting machines that are licensed or registered by IDNS. In particular, the following information is available for your review:

32 Ill. Adm. Code 340: Standards for Protection Against Radiation

32 Ill. Adm. Code 400: Notices, Instructions and Reports to Workers; Inspections

Any other documents your employer must provide, as noted below

These may be found at the following location:

*Office of Environmental Health & Safety  
Rm. 202 Nelson Smith, 438-8325*

#### YOUR EMPLOYER'S RESPONSIBILITY

Your employer is required to:

1. Comply with all applicable regulations and the conditions of the license or registration.
2. Post or otherwise make available to you a copy of the regulations, licenses, registration certificates and operating procedures that apply to work in which you are engaged, and explain the provisions to you.

#### YOUR RESPONSIBILITY AS A WORKER

You should:

1. Know the provisions of the IDNS regulations, the precautions, the operating procedures and the emergency procedures that apply to your work.
2. Observe the provisions for your own protection and for the protection of your co-workers.
3. Report unsafe working conditions or violations of the license or registration conditions or regulations to IDNS.

#### MEDICAL FACILITIES ONLY

Unless exempted by regulation, you must be accredited by IDNS in medical radiation technology if you apply ionizing radiation to human beings. Institutions licensed and/or registered by IDNS are required by law to employ as technologists only those persons who have appropriate credentials in medical radiation technology.

#### REPORTS ON YOUR

#### OCCUPATIONAL RADIATION DOSE HISTORY

1. The IDNS regulations establish occupational limits for radiation dose and for concentrations of radioactive material in air and water. The regulations require your employer to give you a written report if you receive a dose in excess of any applicable limit. The limits on your occupational dose are in 32 Illinois Administrative Code 340.210, 340.270 and 340.280. While these are the maximum allowable limits, your employer is required to take steps to keep your radiation dose as far below the limits as is reasonably achievable.
2. If the regulations require your employer to monitor your occupational radiation dose:
  - a. Your employer must advise you of your occupational radiation dose each year, and
  - b. Upon termination of employment, your employer must give you a written report of your dose if you request it.

#### INSPECTIONS

All licensed or registered activities are subject to inspection by the Illinois Department of Nuclear Safety.

#### INQUIRIES

Direct all inquiries on matters outlined above to:  
ILLINOIS DEPARTMENT OF NUCLEAR SAFETY  
1035 Outer Park Drive  
Springfield, Illinois 62704  
Phone: (217) 785-9900

#### POSTING REQUIREMENT

*Copies of this notice must be posted in every establishment where employees are engaged in activities licensed or registered by the Illinois Department of Nuclear Safety. Posting must permit employees working in or frequenting any portion of a restricted area to observe a copy on the way to or from their place of employment.*