



Colorado Department
of Public Health
and Environment

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
Hazardous Materials and Waste Management Division
Radiation Management Program

NOTICE TO EMPLOYEES

STANDARDS FOR PROTECTION AGAINST RADIATION (PART 4); NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS (PART 10); EMPLOYEE PROTECTION

To report radiation safety concerns or violations by your employer,

Telephone:

303-692-3300 (daytime)

303-877-9757 (after hours)

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Within Colorado, the Radiation Management Program of the Hazardous Materials and Waste Management Division (the Division) is the regulatory agency responsible for licensing and inspecting the use of radioactive materials and registering and inspecting radiation producing machines.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION'S RESPONSIBILITIES

The Division's primary responsibility is to ensure that workers and the public are protected from unnecessary or excessive exposure to radiation. The Division does this by establishing requirements in the State of Colorado *Rules and Regulations Pertaining to Radiation Control*, 6 Code of Colorado Regulations (CCR) 1007-1 (Regulations).

EMPLOYER RESPONSIBILITIES

Any individual conducting activities licensed or registered by the Colorado Department of Public Health and Environment (Department), Hazardous Materials and Waste Management Division, must comply with the Department's requirements. If a violation of the Department's requirements occurs, the license or registration can be modified, suspended or revoked and/or the licensee or registrant can be fined.

Your employer must post or make available Department radiation regulations and must post Department Notices of Violation involving radiological working conditions.

EMPLOYEE RESPONSIBILITY

For your own protection and the protection of your co-workers, you should know how Department requirements relate to your work and should obey them. If you observe violations of the requirements, you should report them.

REPORTING VIOLATIONS

If you believe that violations of the Department rules or of the terms of the license have occurred, you should report them immediately to your supervisor. If you believe that adequate corrective action is not being taken, you may report this to a Department inspector or to the Division.

WORKING IN A RADIATION AREA

If you work with or in the vicinity of radioactive materials or radiation producing machines, the amount of radiation exposure that you may legally receive is limited by the Regulations. The limits on your exposure, as well as limits for an embryo/fetus, are contained in Part 4 of the Regulations. While those are the maximum allowable limits, your employer should also keep radiation exposure as far below those limits as is "reasonably achievable".

OBTAINING A RECORD OF WORKER RADIATION EXPOSURE

If the Regulations require that your radiation exposure be monitored, your employer is required to advise you annually of your dose. In addition, if you terminate employment with the licensee or registrant, you may request that your employer provide, at termination, a report of your radiation exposure during the current year.

IDENTIFYING VIOLATIONS OF DEPARTMENT REQUIREMENTS

The Department conducts regular inspections at licensed and registered facilities to assure compliance with Department requirements. In addition, licensees and registrants are required to perform audits, surveys and/or measurements to assure compliance.

CONTACTING A DEPARTMENT INSPECTOR

Your employer may not prevent you from talking with a Department inspector and you may talk privately with an inspector and request that your identity remain confidential.

REQUESTING AN INSPECTION

If you believe that your employer has not corrected violations involving radiological working conditions, you may request an inspection. Your request should be addressed to the Hazardous Materials and Waste Management Division, Colorado Department of Public Health and Environment, and must describe the alleged violation in detail. You or your representative must sign the request.

CONTACTING THE DEPARTMENT

Call the Division. Department Staff would like to talk to you if you are worried about radiation safety or other aspects of licensed or registered activities.

CAN I BE FIRED FOR RAISING A SAFETY ISSUE?

Federal law prohibits an employer from firing or otherwise discriminating against you for bringing safety concerns regarding radioactive material to the attention of your employer or the Department. You may not be fired or discriminated against because you*:

- ask the Department to enforce its rules against your employer;
- refuse to engage in activities which violate Department requirements;
- provide information or are about to provide information to the Department or your employer about violations of requirements or safety concerns;
- are about to ask for, or testify, help or take part in, a Department, Congressional, or any Federal or State proceedings.

*NOTE: Federal Law Provisions do not apply to workers using only radiation producing machines (x-ray machines).

WHAT FORMS OF DISCRIMINATION ARE PROHIBITED?

It is unlawful for an employer to fire you or to discriminate against you with respect to pay, benefits, or working conditions because you help the Department or raise a safety issue.

HOW AM I PROTECTED FROM DISCRIMINATION?

If you believe that you have been discriminated against for bringing violations or safety concerns to the Department or your employer, you may file a complaint with the U.S. Department of Labor pursuant to Section 211 of the Energy Reorganization Act of 1974 (42 U.S.C. 5851). To do so you may directly contact the Occupational Safety and Health Administration (OSHA) Regional Office to receive your complaint. Your complaint must describe the firing or discrimination and must be filed within 180 days of the occurrence.

Send complaints to:

Department of Labor/OSHA
1999 Broadway, Suite 1690
P. O. Box 46550
Denver, Colorado 80201-6550

or contact OSHA office by telephone at (720) 264-6550 or by fax at (720) 264-6585.

WHAT CAN THE DEPARTMENT OF LABOR DO?

The Department of Labor (DOL) will notify the employer that a complaint has been filed and will investigate the case.

If the DOL finds that your employer has unlawfully discriminated against you, it may order that you be reinstated, receive back pay, or be compensated for any injury suffered as a result of the discrimination.

WHAT CAN THE RADIATION MANAGEMENT PROGRAM DO?

If DOL or the Division finds that unlawful discrimination has occurred, the Division may issue a Notice of Violation to your employer, impose a fine, or suspend, modify or revoke your employer's license or registration.