

# NOTICE TO EMPLOYEES

## STANDARDS FOR PROTECTION AGAINST RADIATION (R313-15); NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS (R313-18)



### WHAT IS THE DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL?

Within Utah, the Division of Waste Management and Radiation Control (DWMRC) of the Department of Environmental Quality is the regulatory agency responsible for licensing and inspecting the use of radioactive materials and registering and inspecting radiation producing machines.

### WHAT DOES THE DWMRC DO?

The DWMRC's primary responsibility is to ensure that workers and the public are protected from unnecessary or excessive exposure to radiation. This is accomplished by the Utah Waste Management and Radiation Control Board (Board) establishing requirements in the *Utah Radiation Control Rules* (R313).

### WHAT RESPONSIBILITY DOES MY EMPLOYER HAVE?

Any person conducting activities licensed or registered by the DWMRC must comply with the *Utah Radiation Control Rules*. If a violation of the Board'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 the *Utah Radiation Control Rules*, the license, and must post DWMRC Notices of Violation involving radiological work conditions.

### WHAT IS MY RESPONSIBILITY?

For your own protection and the protection of your co-workers, you should know how DWMRC requirements relate to your work and should follow them. If you observe violations of the requirements or have a safety concern, you should report them.

### HOW DO I REPORT VIOLATIONS?

If you believe that violations of the Board's rules or of the terms of the license or registration 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 DWMRC inspector.

### WHAT IF I CAUSE A VIOLATION?

If you engaged in deliberate misconduct that may cause a violation of the Board's rules, or would have caused a violation if it had not been detected, or deliberately provided inaccurate or incomplete information to either the DWMRC or to your employer, you may be subject to enforcement action. If you report such a violation, the DWMRC will consider the circumstances surrounding your reporting in determining the appropriate enforcement action, if any.

### WHAT IF I WORK 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 Rules. The limits on your exposure, as well as limits for an embryo/fetus, are contained in R313-15. While those are the maximum allowable limits, your employer should also keep radiation exposure as far below those limits as is \*reasonably achievable.\*

### MAY I GET A RECORD OF MY RADIATION EXPOSURE?

If the Rules 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.

### HOW ARE VIOLATIONS OF THE BOARD'S RULES IDENTIFIED?

The DWMRC conducts regular inspections at licensed and registered facilities to assure compliance with the *Utah Radiation Control Rules*. In addition, licensees and registrants are required to perform audits, surveys and/or measurements to assure compliance.

### MAY I TALK WITH A DWMRC INSPECTOR?

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

### MAY I REQUEST AN INSPECTION?

Yes. 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 Division of Waste Management and Radiation Control, Utah Department of Environmental Quality, and must describe the alleged violation in detail. You or your representative must sign it.

### HOW DO I CONTACT THE DWMRC?

Call the Division at (801) 536-0200 [After hours emergencies (801) 536-4123]. DWMRC staff wants 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 CONCERN?

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

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

\* Note: Federal provisions do not apply to workers using only radiation producing machines (X-ray machines); however, UOSH regulations provide for the safety and health of all employees.

### 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 DWMRC 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 DWMRC or your employer, you may file a complaint with Utah Occupational Safety and Health (UOSH) and the U. S. Department of Labor (DOL). Complaints pursuant to Section 211 of the Energy Reorganization Act of 1974 (42 U.S.C. 5851) are handled by the U. S. Department of Labor. Your complaint must describe the firing or discrimination and must be filed within 180 days of the occurrence. To file your complaint, you may directly contact the Occupational Safety and Health Administration (OSHA) Regional Office:

Department of Labor/OSHA  
1999 Broadway, Suite 1690  
Denver, Colorado 80202-5726  
(303) 844-1600

Complaints pursuant to Section 11(c) of the Occupational Safety and Health Act of 1970, Public Law 91-596, as amended, are handled by UOSH. Your complaint must describe the firing or discrimination and must be filed within 30 days of the occurrence. To file your complaint, you may directly contact UOSH:

Utah Occupational Safety and Health  
160 East 300 South, 3rd Floor  
P. O. Box 146650  
Salt Lake City, Utah 84114-6650 (801) 530-6901

### WHAT CAN THE DEPARTMENT OF LABOR DO?

The Department of Labor will notify the employer that a complaint has been filed and will investigate the case. If the Department of Labor 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 DIVISION OF RADIATION CONTROL DO?

If the DOL or the DWMRC 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.