

WORK PLACE SAFETY

Did you know that you do not have to risk your life to keep your job? Recently, the U.S. Secretary of Labor Thomas E. Perez said that, "No one should have to sacrifice their life for their livelihood, because a nation built on the dignity of work must provide safe working conditions for its people."

OSHA, the Occupational Safety and Health Administration, protects a worker's right to speak up about violations of safety and health and other laws. OSHA recently investigated the case of a truck driver who was fired for refusing to drive a company vehicle pulled from service by the Iowa Department of Transportation. Iowa commercial motor vehicle enforcement ticketed a Jake Rieger tractor-trailer truck driver for operating an unsafe tractor-trailer truck and lacking proper state registration. The driver was directed to a repair shop, contacted his employer, and returned to Nebraska. OSHA's investigation found that a co-worker drove the employee back to the repair shop in Iowa to retrieve the truck. Jake Rieger Farms told the driver to bring the vehicle, which still lacked proper registration, back to Nebraska and to start driving after law enforcement personnel left the area. When the driver refused, the company immediately fired him and forced him to find his own transportation home to Nebraska, a distance of about 170 miles.

OSHA found Nebraska-based Jake Rieger Farms LLC violated the whistleblower provisions of the Surface Transportation Assistance Act of 1982. OSHA ordered Jake Rieger Farms to pay the driver \$25,000 in punitive damages and \$30,000 in compensatory damages, which includes back wages, repayment for tickets paid by the driver that were issued by the Iowa DOT, attorney fees, transportation back to Nebraska, and compensation for distress. "No worker should face termination for complying with federal laws which protect the safety of the motoring public," said Marcia Drumm, OSHA's regional administrator in Kansas City. "In this case, Jake Rieger Farms retaliated against an employee who refused to drive a truck that Iowa law enforcement deemed unsafe. His employer fired him on the spot and left him to find his way home to Nebraska. OSHA is committed to protecting the rights of any worker to refuse unsafe and unlawful orders from their employer."