

OSHA Assesses \$332,000 in Sanctions and Compels Rehire in Wrongful Termination Action

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PRACTICES OSHA, Labor and Employment

In a sweeping condemnation of workplace retaliation, OSHA ordered a transportation company to pay \$154,749 in back wages, \$177,720 in punitive damages and attorney's fees, and the reinstatement of a terminated employee.

RCL Wiring LP, operating as Idaho & Sedalia Transportation Company, allegedly harassed and fired an employee for reporting a work-related injury. The employee had supposedly reported his injuries and requested reimbursement of his medical co-payments. According to OSHA's findings, in response, the company forced him to file an additional injury report, and threatened to discipline him when it was filed late. Following an investigation, the employee was terminated.

In addition to the rehire and damages, the company is also being forced to remove the employee's disciplinary information from his record, and must provide information regarding whistleblower's rights to its employees. Marcia P. Drumm, an OSHA regional administrator, commented that "whistle blower protections play an important role in keeping workplaces safe. It is illegal to discipline an employee for reporting an injury and seeking medical attention."¹

¹ Worker Wrongfully terminated after workplace injury, company ordered to pay more than \$332k in back wages and damages, as well as attorney's fees. OSHA Regional News Release (U.S. Dep't of Labor, Office of Public Affairs), December 9, 2015, [available here](#).