

Sick Worker Newsletter

for former employees of LLNL, SNL-CA, and LBNL made ill by on the job exposure

Fall
2011

Senate Passes Resolution Honoring Sick Nuclear Workers with a National Day of Remembrance

The United States Senate designated October 30, 2011 as a National Day of Remembrance for Nuclear Weapons Program Workers. As the resolution states, "These dedicated workers paid a high price for their service to develop a nuclear weapons program for the benefit of the United States, including having developed disabling or fatal illnesses." It also "encourages the people of



the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate

October 30, 2011, as a national day of remembrance for past and present workers in the nuclear weapons program of the United State."

Since 2000, Tri-Valley CAREs has facilitated a support group for Lawrence Livermore National Laboratory, Lawrence Berkeley National Laboratory and Sandia-Livermore National Laboratory workers who have been made ill by on the job exposure to radiation and toxic chemicals.

At our upcoming meeting at the Livermore Public Library at noon on Wednesday, November 2, 2011, we will observe the National Day of Remembrance for Nuclear Weapons Program Workers and recognize the sacrifices of these workers by sharing stories and memories of these

individuals who worked at Livermore Lab, Berkeley Lab and Sandia-Livermore and who suffered illnesses from on-the-job related exposures to radiation and toxic chemicals. **Please bring pictures, stories and other memorabilia to share.**

We will also discuss experiences with the Energy Employees Occupational Illness Compensation Program Act and recent developments in the law. Cake, light snacks and beverages will be provided. Current and former workers, and their family members, are all invited to join us. Please call [\(925\) 443-7148](tel:925-443-7148) for more information.

Do You Know a Sick Worker Who Needs Help?

If you are receiving this newsletter, you likely know more about the Energy Employees Occupational Illness Compensation Program Act than you would like to. However, I am repeatedly surprised with how many former Energy employees in this community are completely unaware of the program.

Applying for benefits from the Act can be an overwhelming and complicated process.



If you or someone you know needs help with their existing claim, starting a

claim, or appealing a claim, send him or her our way and we can offer advice and suggestions, or completely handle their claim as an Authorized Representative.

Contact Scott Yundt, Tri-Valley CAREs Staff Attorney: (925) 443-7149 or scott@trivalleycares.org



Save the date:

**The Next
LLNL-SNL-
LBNL Sick
Worker
Support Group
Meeting:
Wednesday
November 2nd
at noon at
Livermore
Public Library,
1188 So.
Livermore Ave.**

Update: New Legislation for a Part E Advisory Board

U.S. Reps. Ed Whitfield, R-Ky., and Jared Polis, D-Co., have introduced legislation to support sick workers at sites in the U.S. nuclear weapons complex.

The Energy Employees Occupational Illness Compensation Program (EEOICPA) Amendment Act of 2011 would require President Obama “to establish and appoint an advisory board on toxic substances and worker health responsible for overseeing a portion of the original EEOICPA legislation known as ‘Part E.’ ”

The Part E program can provide eligible employees with payments up to \$250,000, plus medical expenses, for health conditions as a result of having been exposed to toxic substances while working at the Department of Energy sites, including at Lawrence Livermore, and Sandia, Livermore National Labs.

The intention for the new board is that it advise the Secretaries of Labor, Energy and Health and Human Services on the review and approval of applications for compensation under EEOICPA’s problematic Part E.

“Furthermore, the Ombudsman for the Department of Labor would be required to provide an annual report to Congress on the program and make the report available to the public online,” the release from Whitfield’s office said. Recently, Sen. Mark Udall, D-Colorado, introduced similar legislation in the U.S. Senate.

Whitfield said a second bill introduced would amend Part E to allow survivors of family members who file claims under Part E but who pass away before their claims are approved to receive the full benefit that would have been awarded to the claimant, which can include reimbursement for medical bills.

In a statement, the Kentucky congressman said, “Too often workers and surviving family members at sites ...run into challenges when weaving through the federal government maze to claim benefits they deserve. I am pleased to join Congressman Polis today to introduce this important legislation which will help improve the efficiency and effectiveness of EEOICPA and, in turn, help ensure workers and their families receive just compensation in a timely manner.”

To date, no California representative in Congress has co-sponsored either piece of legislation.

In September, Tri-Valley CAREs sent me to Washington DC in my capacity as Staff Attorney and as the program lead for our Sick Worker advocacy work.

While in DC I met with several congressional aides, including Richard Miller, a professional staffer for the House Minority Committee on Education and the Workforce. Local Representative George Miller D-CA (Martinez) is the minority chair for the Committee. Richard, an expert on EEOICPA, was instrumental in its drafting and helped push it through Congress in 2000.

Our meeting focused on these new legislative proposals. Mr. Miller pointed out that the proposed legislation as drafted, fails to mandate that the advisory board be presidentially appointed, leaving it open to appointment by the Department of Labor itself. Mr. Miller, who supports the idea of a strong advisory board, foresees that this legislation could result in weak oversight by a “sham” advisory board. Because the legislation is not likely to progress this year, we will advocate that it be re-written in the coming year to mandate presidential appointment of a strong advisory board.

Despite its currently flawed language, I brought the attention of numerous other congressional offices to the legislation as a bill to support in its future iteration. We at Tri-Valley CAREs will continue to advocate in Washington for this, and other improvements to this program.

Sick Worker Newsletter

Fall
2011