PRESS RELEASE

Governor to Sign Hanford Worker Comp Bill into Law

First-of-Its-Kind Legislation Reverses Years of Injustice for Hanford Nuclear Site Workers

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Seattle, WA: Today, Washington State Governor Jay Inslee will sign into law the most comprehensive legislation designed to provide Hanford nuclear site workers one of the best medical compensation programs in the nation.

The Washington State Legislature recently passed House Bill 1723 to improve the standards that Hanford nuclear site workers must meet in order to receive worker compensation benefits.

“Washington State has recognized the often terrible price Hanford workers on the front lines of nuclear production and cleanup have to pay for their service to the nation,” said Tom Carpenter, Executive Director of Hanford Challenge, who testified in favor of the law. “This law removes the unfair barriers that prevent workers from qualifying for worker compensation, despite working at the most contaminated and hazardous site in the nation.”

In 2017, Hanford Challenge, United Association Local 598 Steamfitters and Plumbers (a Hanford union), and others promoted a legislative fix that would interrupt the cycle of workers being denied compensation or medical care. The first attempt died in the State Senate.

In 2018, State Representative Larry Haler from the Tri-Cities reintroduced the legislation in the State House. The legislation creates a "presumption of causation" in Washington's Labor & Industries law for Hanford workers seeking compensation for illnesses and injuries due to work exposures.

The new law relieves Hanford workers of having to show the exact chemical or toxin that they may have been exposed to while working at Hanford that caused an illness, including respiratory, heart, neurological diseases, and certain cancers.

Other provisions include:

- workers, and families of workers who have died, and been denied compensation in the past can refile a claim under the new standards;

- any Hanford worker who has worked a single 8-hour shift on the site itself is covered;
the law allows claims to be filed any time within the lifetime of the worker, without regard to the law's date of passage, acknowledging the long latency periods for exposure to many toxins such as asbestos, beryllium and radiation. In other words, a condition that develops from an exposure that occurred years ago would still be covered;

Once a worker establishes a prima facie case of causation, the employer's rebuttal must be proved by clear and convincing evidence.

Hanford workers have not had access to WISHA or OSHA oversight because of the nature of the Hanford site’s management as a federal facility. National studies have also documented the higher rates of cancer and other diseases among DOE nuclear site workers.

“Hanford workers deserve the kind of legislative reform they just received that will help enable them to get that compensation and medical care resulting from illnesses caused by working at Hanford,” said Carpenter.

Background

The Hanford nuclear site operated for 45 years to make plutonium, the highly radioactive fuel that is the engine for nuclear weapons. The site was a giant industrial concern, hosting nine nuclear production reactors, five chemical reprocessing facilities, and employing thousands. It was also operated under strict secrecy, with no outside oversight.

Hanford generated millions of tons of radioactive and chemical contaminants, many of them poorly understood from a health perspective. The national security mission made health and safety a backseat concern. Tens of thousands of workers were exposed to a vast array of highly toxic and radioactive materials, often with zero monitoring or documentation.

Even after Hanford shuttered its plutonium-making mission in 1989, a new era of cleanup began. New generations of workers continued to be exposed to a toxic soup of known cancer-causing, disease-inducing substances. More workers continue to get sick. Hanford cleanup will last decades, and is entering even more dangerous phases as demolition proceeds.

Hanford workers’ claims are denied at five times the rate of other self-insured employers (averaged over the past 5 years).

Hanford workers are forced to go to Independent Medical Exams that violate state standards.

Hanford workers who contest the denial of their claims are met with aggressive DOE legal tactics that interfere with objective claims management and create an uneven playing field.

Hanford’s workers’ compensation program is fraught with opportunities for DOE interference.

www.hanfordchallenge.org