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OSHA Trade News Release

U.S. Department of Labor
OSHA, Office of Communications

February 6, 2013

Contact: Office of Communications

Phone: 202-693-1999

OSHA announces interim final rules on Seaman's Protection Act whistleblower procedures

WASHINGTON – The Occupational Safety and Health Administration today published interim final rules that establish procedures governing whistleblower complaints filed under the Seaman's Protection Act. The Act protects seamen from retaliation for engaging in protected activity under the Act, including providing information to the government about an alleged violation of maritime safety laws or regulations. OSHA is requesting public comment on the interim final rules.

On October 15, 2010, Congress amended the Seaman's Protection Act by enacting Section 611 of the Coast Guard Authorization Act of 2010. Among the revisions, Congress transferred the administration of the whistleblower protections in the Act to OSHA, which were previously enforced through federal court. Congress also expanded protected activities under the Act, and adopted the procedures and burdens of proof provided in Section 31105 of the Surface Transportation Assistance Act.

The interim final rule establishes the procedures and time frames for handling retaliation complaints, including procedures and time frames for filing complaints with OSHA, investigations, appeals of OSHA determinations to an administrative law judge for a hearing, review of ALJ decisions by the Administrative Review Board, and judicial review of the secretary of labor's final decision.

Individuals may submit comments electronically at <http://www.regulations.gov>, the Federal eRulemaking Portal. Submissions may also be sent via facsimile or mail. See the [Federal Register notice](#) for details. Submissions must be submitted by April 8, 2013. Faxed submissions, including attachments, must not exceed 10 pages and should be sent to the OSHA Docket Office at 202-693-1648. Comments submitted by mail should be addressed to the OSHA Docket Office, Docket No. OSHA-2011-0841, U.S. Department of Labor, Room N-2625, 200 Constitution Ave. NW, Washington, D.C. 20210.

OSHA enforces the whistleblower provisions of the Occupational Safety and Health Act and 21 other statutes protecting employees who report violations of various workplace, commercial motor vehicle, airline, nuclear, pipeline, environmental, railroad, public transportation, maritime, consumer product, motor vehicle safety, health care reform, corporate securities, food safety and consumer financial reform regulations. Additional information is available at <http://www.whistleblowers.gov>.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

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