

Dealing with Retaliation against the RSO – Legal Path or Quiet Path?

This paper describes a case pertaining to retaliation against a Radiation Safety Officer at a major university-affiliated teaching hospital. The hospital in question operates under an NRC license for by-product materials; the program is also overseen by the National VA Health Physics Program and a State Radiation Control Department. After routine inspection of a laboratory in April 1995, the RSO sent a memo to the Laboratory Director recommending repair or replacement of a survey meter. No response was received despite two written requests over two months. The RSO consulted Hospital Administration, which ultimately provided funds for the meter in August 1995. In late August 1995 the Laboratory Director informed the RSO that the RSO's faculty appointment was being terminated, and provided him with a copy of a letter to the University Administration to that effect. The RSO reported the incident to Hospital Administration and the Division Director at the University. The administration viewed the case as retaliation against the RSO and recommended that the Department Chairman reinstate the faculty appointment. We conclude that RSOs should take the following steps to avoid retaliation, or respond to it when it occurs: (1) establish an effective, credible radiation safety program with a definitive chain of command; (2) avoid direct conflict with authorized users; (3) seek Administration involvement quickly; (4) compile complete documentation of incidents; (5) avoid litigious threats or actions.