

**Hanford Concerns Council  
Joint Memorandum of Understanding**

The Council is an independent body incorporated for the purposes of mediating and resolving work safety and environmental concerns and related personnel issues identified by employees of participating Hanford site contractors and subcontractors. The Council is not a judicial entity; rather it seeks resolution through rational discussion and mediation. The Council's authority and basic functions are specified in the charter that describes the Council's mandate and scope in resolving employee concerns.

At a minimum, the Council is made up of three (3) members from an employee safety and health advocacy perspective who are familiar with Hanford or similar workplaces; three (3) members who are respected neutral leaders with experience in industry, government, or the non-profit sector and who have experience in collaborative problem solving, mediation, and alternative dispute resolution; and three (3) senior managers with broad perspective and the full confidence of and access to the president of the company they represent, as well as the authority to commit resources and to make other changes in response to concerns handled by the Council; and a neutral Chair.

This memorandum of understanding is a statement of mutual commitment to seek full, fair, and final resolution of the concern at issue through the Council's alternate dispute mediation process.

In order to resolve the concern effectively, the Council will need the support and cooperation of both employer and employee. In seeking to resolve this concern,

1. Participating companies agree to:
  - a) protect the employee from retaliation; protect others from retaliation that might result from their being contacted and or/interviewed by the Council;
  - b) allow access to relevant records and persons necessary to gain information; encourage cooperation with Council efforts; and otherwise enable work towards resolution of the case;
  - c) leave the dispute up to the Council while the Council has the matter under consideration. However, participation in the Council process does not preclude the company from taking employment actions independent of the issue before the Council which it deems necessary for conducting its business.
  - d) presumptively implement Council recommendations, as specified in the Council charter.
2. The undersigned employee agrees to:
  - a) speak candidly with the Council and its staff about the concern and related circumstances;
  - b) allow access to relevant records and persons necessary to gain information and enable working towards resolution of the case;
  - c) leave the dispute up to the Council while the Council has the matter under consideration. In other words, if the employee pursues other remedies while the concern is under review, the Council will normally suspend work in the case. In deciding whether or not to pursue this or other avenues, or to exercise other rights, an employee may wish to consult an attorney for advice. The Council has no desire to interfere in the exercise of such rights. The decision to use an attorney at any step in the Council process is an individual choice and is at the employee's own cost.
  - d) meet with Council members or staff;

- e) discuss with Council members or staff, in good faith, possible resolution of concerns;

Further, the undersigned employee acknowledges receiving and having an opportunity to review the Council's informational brochure and employee question and answer pamphlet.

3. The Council will:

- a) gather information appropriate to objective assessment and resolution of the concern;
- b) talk with people who may have useful knowledge. These may be employers, supervisors, colleagues or others. The Council will use the utmost discretion in handling all aspects of a case.
- c) to the extent permitted by law, protect from disclosure all records, activities and deliberations about the case;
- d) discuss, disclose or use information acquired as a result of Council actions only as necessary in the course of carrying out the Council mandate to resolve concerns, except as required by law to report allegations of criminal misconduct or any substantial safety hazard;
- e) if indicated by the circumstance, recommend to the company protections for the employee and stabilization of the workplace;
- f) proceed in a timely fashion to gain early resolution;
- g) inform the employee and the employer as resolution of the concern progresses whenever appropriate;
- h) provide the employee and affected company(ies) with Council decisions;
- i) notify the employee and the affected company(ies) in a timely manner if for any reason the Council decides to discontinue work on this case;

The Council believes that this process has every likelihood of success and looks forward to a full, fair, and final resolution of this concern.

The undersigned parties agree that these proceedings are entered into voluntarily; and the parties accept the terms and conditions of confidentiality.

- Further, the undersigned parties recognize and agree that all information and correspondence generated by this mediation process, including all offers, promises, and statements, whether written or oral made during the course of the Council proceedings, are privileged and confidential and are not subject to disclosure in any judicial or administrative proceedings. All documents received by the Council are the property of the Council. Even though documents otherwise available through other sources are not made confidential by the fact of the Council's possession of a copy, this does not change the Council's obligation to keep its copy confidential and to keep confidential the fact that the material has been provided to the Council.

The undersigned parties agree to have the Council seek resolution of this concern. The undersigned parties agree to this Memorandum of Understanding and by this memorandum, pursuant to paragraphs 1c and 2c above, make formal request of the below listed agencies, courts, employee organizations or other forums to suspend, but not yield rights to restart, pending filings, actions, investigations or hearings.

<u>Agencies</u>	<u>Reference Identification</u>	<u>Initials</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

_____	_____	_____
Company	Employee	Council
_____	_____	_____
Title	Title	Title
_____	_____	_____
Printed Name	Printed Name	Printed Name
_____	_____	_____
Date	Date	Date