

HR 5749

Offshore Worker Whistleblower Protection Act

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Jul 15, 2010

Current Status: Referred to the Subcommittee on Workforce Protections.

Latest Action: Referred to the Subcommittee on Workforce Protections. (Oct 13, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/5749>

Sponsor

Name: Rep. Miller, George [D-CA-7]

Party: Democratic • State: CA • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Jul 15, 2010

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Oct 13, 2010
Natural Resources Committee	House	Referred to	Jul 19, 2010

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
111 HR 5851	Related bill	Jul 30, 2010: Pursuant to the provisions of H. Res. 1574, H.R. 5851 is laid on the table.

Offshore Worker Whistleblower Protection Act - Prohibits an employer from discharging, discriminating, or engaging in retaliatory actions against specified employees who report to a government official any violation under the Outer Continental Shelf Lands Act (OCSLA).

Sets forth complaint filing procedures with the Secretary of Labor regarding such retaliation.

Requires employers to: (1) post a notice approved by the Secretary of Labor explaining employee rights and remedies under this Act in a conspicuous location in the place of employment where employees frequent; (2) provide training to employees about their rights under this Act within 30 days of employment, and at least once every 12 months thereafter; and (3) provide employees with a card containing a toll free telephone number at the Department of Labor to get information or file a complaint under this Act.

Directs the Secretary of Labor, within 30 days after enactment of this Act, to designate agency officials to receive, investigate, and adjudicate complaints concerning violations under this Act.

Prohibits an employer engaged in activities for the exploration for, and development and production of, minerals, alternative energy, or oil spill cleanup under a lease or permit issued under the OCSLA from discharging or constructively discharging an employee performing such activities on or in waters above the Outer Continental Shelf, and who has completed a probationary period of employment of up to six months, without reasonable job-related grounds based on: (1) failure to satisfactorily perform job duties, including compliance with the OCSLA and mandatory health and safety standards or regulations; or (2) other legitimate business reason.

Authorizes an aggrieved employee, within one year of an alleged violation of such requirement, to file a complaint in an appropriate federal district court. Entitles a prevailing employee to: (1) reinstatement with backpay and compensatory damages; and (2) reasonable attorneys' fees and costs.

Directs the Secretary of Labor and the Secretary of the Interior to enter into a cooperative educational and training agreement to jointly train Department of Labor and Department of the Interior inspectors of, and other related personnel on, onshore and offshore oil and gas drilling or production platforms or rigs.

Actions Timeline

- **Oct 13, 2010:** Referred to the Subcommittee on Workforce Protections.
- **Jul 19, 2010:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Jul 15, 2010:** Introduced in House
- **Jul 15, 2010:** Referred to House Education and Labor
- **Jul 15, 2010:** Referred to the Committee on Education and Labor, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jul 15, 2010:** Referred to House Natural Resources