

HR 5851

Offshore Oil and Gas Worker Whistleblower Protection Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Jul 26, 2010

Current Status: Pursuant to the provisions of H. Res. 1574, H.R. 5851 is laid on the table.

Latest Action: Pursuant to the provisions of H. Res. 1574, H.R. 5851 is laid on the table. (Jul 30, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/5851>

Sponsor

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

Party: Democratic • State: CA • Chamber: House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Markey, Edward J. [D-MA-7]	D · MA		Jul 26, 2010
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Jul 29, 2010
Rep. Sherman, Brad [D-CA-27]	D · CA		Jul 29, 2010

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Jul 26, 2010

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
111 HR 5749	Related bill	Oct 13, 2010: Referred to the Subcommittee on Workforce Protections.
111 HRES 1574	Procedurally related	Jul 30, 2010: Motion to reconsider laid on the table Agreed to without objection.

**(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)**

Offshore Oil and Gas Worker Whistleblower Protection Act of 2010 - (Sec. 2) Prohibits an employer from discharging, discriminating, against, or engaging in retaliatory actions against specified employees who: (1) report to a government official any violation or unsafe condition under the Outer Continental Shelf Lands Act; (2) testify or participate in a proceeding concerning such violation; (3) reported an illness, injury, or unsafe condition related to the employer's activities to the employer or a state or federal government official; (4) refused to perform duties, or exercised stop work authority, based upon a good faith belief that performing such duties could result in injury to or impairment of the health of the covered employee or other employees, or cause an oil spill to the environment; or (5) objected to, or refused to participate in any activity, policy, practice, or assigned task that the employee reasonably believed to be in violation of such Act.

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

Requires the Secretary to investigate and determine whether there is reasonable cause to believe that the complaint has merit and notify in writing the complainant and the employer regarding the Secretary's findings.

Authorizes a civil action to require compliance with this Act.

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 annually; 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.

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.

## Actions Timeline

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- **Jul 30, 2010:** Rules Committee Resolution H. Res. 1574 Reported to House. Rule provides for consideration of H.R. 3534 and H.R. 5851. General debate for H.R. 3534 shall be one hour and forty minutes. After general debate, the bill shall be considered for amendment under the five-minute rule. And, it shall be in order to consider as an original bill the amendment in the nature of a substitute printed in Part A of the report of the Committee on Rules accompanying the resolution. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in Part B of the report of the Committee on Rules. The rule also makes in order
- **Jul 30, 2010:** Rule H. Res. 1574 passed House.
- **Jul 30, 2010:** Considered under the provisions of rule H. Res. 1574. (consideration: CR H6486-6492)
- **Jul 30, 2010:** Rule provides for consideration of H.R. 3534 and H.R. 5851. General debate for H.R. 3534 shall be one hour. After general debate, the bill shall be considered for amendment under the five-minute rule. And, it shall be in order to consider as an original bill the amendment in the nature of a substitute printed in Part A of the report of the Committee on Rules accompanying the resolution. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in Part B of the report of the Committee on Rules. The rule also makes in order H.R. 5851. General debate for H.R. 5851 shall be limited to one hour and the bill is closed to amendments, with the exception of the amendment printed in part C of the report which is considered adopted.
- **Jul 30, 2010:** DEBATE - The House proceeded with one hour of debate on H.R. 5851.
- **Jul 30, 2010:** The previous question was ordered pursuant to the rule. (consideration: CR H6492)
- **Jul 30, 2010:** POSTPONED PROCEEDINGS - Pursuant to clause 2c of rule 19, the Chair postponed further proceedings on H.R. 5851 until a time to be announced.
- **Jul 30, 2010:** Considered as unfinished business. (consideration: CR H6552-6555)
- **Jul 30, 2010:** Mr. Kline (MN) moved to recommit with instructions to Education and Labor. (consideration: CR H6552-6554; text: CR H6552)
- **Jul 30, 2010:** DEBATE - The House proceeded with 10 minutes of debate on the Kline (MN) motion to recommit with instructions. The instructions contained in the motion seek to report the same back to the House with an amendment to insert a new section in the bill entitled "Whistleblower Protection for Certain Offshore Workers."
- **Jul 30, 2010:** On motion to recommit with instructions Failed by the Yeas and Nays: 171 - 234 (Roll no. 505). (consideration: CR H6553-6554)
- **Jul 30, 2010:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 315 - 93 (Roll no. 506).(text: CR H6486-6487)
- **Jul 30, 2010:** On passage Passed by the Yeas and Nays: 315 - 93 (Roll no. 506). (text: CR H6486-6487)
- **Jul 30, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 30, 2010:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 5851.
- **Jul 30, 2010:** Pursuant to the provisions of H. Res. 1574, the text of H.R. 5851, as passed by the House, was appended as new matter at the end of H.R. 3534.
- **Jul 30, 2010:** Pursuant to the provisions of H. Res. 1574, H.R. 5851 is laid on the table.
- **Jul 26, 2010:** Introduced in House
- **Jul 26, 2010:** Referred to the House Committee on Education and Labor.