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*Full and Fair Resolution of Whistleblower Issues: The Hanford Joint Council For Resolving Employee Concerns, a Pilot ADR Approach*

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Abstract by: Christine Parsadaian

This article examines Hanford Nuclear Site's success in efficiently dealing with whistleblower issues and suggests that its unique and well-devised alternative dispute resolution system can provide a strong foundation for other entities in their attempt to effectively deal with whistleblower concerns. To convey the current system's value, the author provides a historical perspective, which highlights that prior to the adoption of the new system costly litigation was the only option to resolving whistleblower issues. Miscommunication and conventional wisdom complicated effective dealings between employees and employers and led to negative media coverage and government hearings. Moreover, oftentimes the safety issue that initiated the complaint was never resolved, becoming lost in the increasingly complicated dispute. The complexity of the disputes, the article argues, not only left companies with a bad rap, but it also left remaining employees feeling a sense of distrust toward their company.

To provide the rationale behind the new system's structure, the author presents excerpts from a 1992 study Hanford used to identify common flawed patterns in handling whistleblower cases. The author proceeds by examining the flexible yet structured characteristics of the new system which responds to its survey findings and by making the new system both cost and time-effective. Most notably, the article finds that the composition of the council that decides the disputes is unbiased and diverse and consequently lends legitimacy to council rulings. Also important is Hanford's commitment to restoring a stable employee relationship by facilitating the smooth transition of employees back to work. Though other companies may not be able to implement Hanford's policy precisely, the article concludes that this new system provides a good starting point for any company trying to resolve whistleblower disputes effectively.