



## PRESS RELEASE

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### **Department of Labor Administrative Review Board Affirms Judge's Decision in Favor of Hanford Whistleblowers**

*Hanford Whistleblowers Successful at Every Stage of Department of Labor Process*

Seattle, WA: On March 10, 2021, the Department of Labor Administrative Review Board issued a final [Decision & Order](#) in the case of *Kirtley Clem & Matthew Spencer v. Computer Sciences Corporation*, upholding the lower court's decision.

Kirtley Clem and Matthew Spencer were employed as computer professionals at Hanford's medical clinic, operated at the time by a contractor called Computer Sciences Corporation, or "CSC." They were removed from the workplace in September 2012 after reporting numerous failures with a new Electronic Medical Records system (called "OHM") to their supervisors and the U.S. Department of Energy. They alleged that the system could put worker health and safety at risk, but their concerns were brushed aside by management and the system was deployed over their objections.

The Department of Labor (DOL) found in favor for Mr. Clem and Mr. Spencer at every stage of this matter. On November 18, 2014, A Department of Labor Investigator found that CSC had retaliated against Clem and Spencer for engaging in protected activity.

On September 16, 2016, Christopher Larson, an Administrative Law Judge with the Department of Labor, issued a strongly worded decision in favor of Mr. Clem & Mr. Spencer. In his decision, Judge Larsen characterized some of CSC's arguments as "an astonishing display of chutzpah," "evidentiary hash" and "not convincing."

And finally, on March 10, 2021, the DOL Administrative Review Board affirmed Judge Larson's decision and order, making Judge Larson's decision in favor of Mr. Clem and Mr. Spencer final in the Department of Labor.

Nikolas Peterson, legal counsel for Mr. Clem and Mr. Spencer and Legal Director of Hanford Challenge, said “It has been an honor to find some justice for these two Hanford workers. The Hanford Site is a much safer place to work because Mr. Clem and Mr. Spencer were not afraid to bring up safety concerns.”

Mr. Peterson added, “This result sends yet another message to contractors at the Hanford Site that Hanford Challenge is here to protect whistleblowers and that contractors will always be held accountable for their actions.”

Mr. Clem said, “I am grateful that the Department of Labor found in our favor. After all these years, it feels great to be vindicated in this final decision at the Department of Labor. I am also thankful for Hanford Challenge and our attorneys for believing in us and supporting us throughout this long journey. Retaliation continues to happen all too frequently at Hanford and at the expense of employees simply trying to do the right thing.”

Stephani Ayers<sup>1</sup>, legal counsel for Mr. Clem and Mr. Spencer, stated, “I am amazed at the sacrifices these two made to their personal lives in order to protect the Hanford workforce, and I hope other employees are inspired to be as courageous as these two heroes.”

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[www.hanfordchallenge.org](http://www.hanfordchallenge.org)

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<sup>1</sup> Law Office of S.L. Ayers.