



Workplace Whistleblower

Perspectives on whistleblower situations that employers frequently face

Employer Ordered to Pay Whistleblower \$100,000 in Punitive Damages

By James L. Curtis and Craig B. Simonsen

In a recent Federal District Court OSHA 11(c) retaliation case, [Perez v. Sandpoint Gas N Go](#), 14-cv-357 (9-29-2015), Chief Judge B. Lynn Winmill provides a strong reminder that the Courts will protect from retaliation employees who raise workplace safety issues.

In this case, the whistleblower had contacted OSHA in 2012 to complain about workplace safety issues. OSHA conducted an on-site inspection and issued citations. After receiving the citations, the employer fired the complaining employee. Judge Winmill found for the Secretary of Labor, and awarded both compensatory and punitive damages to the whistleblower.

While the Court only awarded about \$980 in compensatory damages for lost wages and interest, the Court also awarded \$100,000 in punitive damages. This punitive damage award should serve as a strong reminder that employers need to take safety complaints seriously and cannot retaliate against the employee who raised the complaint in the first place.

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