Kansas Administrative Regulations

Department of Health and Environment

Article 35.—Radiation—Part 10. Notices, Instructions and Reports to Workers; Inspections.

28-35-337. Requests by workers for inspections.

(a) Any worker or representative of workers who believes that a violation of the act, these regulations or a license conditions exists or has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged may request an inspection by giving notice of the alleged violation to the department. Any such notice shall be in writing, shall set forth the specific grounds for the notice, and shall be signed by the worker or representative of the workers. A copy shall be provided to the licensee or registrant by the department no later than at the time of inspection except that, upon the request of the worker giving the notice, the worker's name and the name of individuals referred to shall not appear in the copy or on any record published, released, or made available by the department, except for good cause shown.

(b) If, upon receipt of the notice, the department determines that the complaint meets the requirements of subsection (a), and that there are reasonable grounds to believe that the alleged violation exists or has occurred, an inspection shall be made as soon as practicable, to determine if the alleged violation exists or has occurred. Inspections pursuant to this section need not be limited to matters referred to in the complaint.

(c) No licensee or registrant shall discharge or in any manner discriminate against any worker because the worker has filed any complaint, or instituted or caused to be instituted any proceeding under these regulations, or has testified or is about to testify in any proceeding, or because of the exercise by the worker on behalf of the worker or others of any option afforded by this part.

(Authorized by K.S.A. 1984 Supp. 48-1607; implementing K.S.A. 1984 Supp. 48-1604, 48-1607, 48-1609; effective May 1, 1976; amended, T-85-43, Dec. 19, 1984; amended May 1, 1985.)

***** Authenticated Kansas Administrative Regulation *****