Fired by East Lansing, Whistleblower Keeps Pushing

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By:
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Above: Troy Williams outside East Lansing's City Hall last week.

Troy Williams believes he wasn’t fired by the City of East Lansing just because he had been a whistleblower in the past.
He believes the City fired him because top management knew he wasn’t going to stop being a watchdog.

We reported last month that the City fired Williams [2] from his job as a mechanic at the City?s wastewater treatment plant because, management said, they could not find him a job to accommodate two work-related disabilities ? a torn bicep from handling a heavy object at the plant and asbestosis in his lungs. Medical documentation shared with ELi indicate both of these disabilities are understood to have arisen from conditions at the plant.

Yet now Williams has received a letter from the state unemployment office, which he showed to ELi, stating, ?You were fired from CITY OF EAST LANSING on December 31, 2018 for excessive attendance violations. Disciplinary action had been initiated prior to your being fired.?

Williams never had "excessive attendance violations."

His termination letter from East Lansing?s Director of Human Resources Shelli Neumann made clear: ?the City of East Lansing has made the decision to terminate your employment? because ?you are unable to return to work without restrictions that we can accommodate."

Reached for comment about the unemployment office?s letter, Neumann told ELi, ?we agree that their statement is incorrect. Mr. Williams was not terminated (or disciplined) for attendance violations, nor did the City of East Lansing suggest that he was terminated or disciplined for that reason.?

So how did the state unemployment office get that idea? Neumann did not explain.

What we do know is that Williams feels like he has nothing left to lose by continuing to try to shine a bright light on problems at the plant, and he has hopes local people will listen.

?The citizens need to know exactly what happened, what went on at the plant, he told me in an interview yesterday. ?There have been huge environmental impacts that should never have happened.?

He’s talking about unmanaged asbestos at the plant and the failure to properly manage a mercury spill ? issues that he brought to light [3]starting in 2014. But now he’s also talking now about PCB dangers and spills of ferric acid at the plant, dangers to the Red Cedar River and the public.

Because the City fired him, instead of spending his time working as a mechanic for the City, Williams is now spending his time pushing state and federal agencies to make East Lansing follow the laws, and to hold accountable those who put his and others' health in danger.

Williams describes having been caught in an endless catch-22 at the plant. Either he had to stay quiet about dangers at the plant that could threaten the health and lives of himself and his coworkers, or he had to keep blowing the whistle and risk losing his job.

He opted for the latter.
Williams' job as a plant mechanic involved working in the tunnels where, he says, asbestos was crumbling off pipe insulation. The boiler would kick on and "water hammering" would occur in the pipes—a phenomenon in which pipes shake and bang into each other or other objects. This in turn would cause the old asbestos insulation to crumble.

He has many photos of the friable asbestos insulation, taken by him after he realized what he had been exposed to. Below is one example from a long sequence of photos, others of which show fine, crumbled insulation material on the ground.

"The stuff would just come off like baby powder," he told me.

Williams wasn't provided safety clothing and masks to deal with this. Tours of school children and adults came through these areas, and they had been given no warnings either. Williams' clothes picked up the material, spreading it around where others might breathe it in.

This was happening even while managers in the City's employ had in their possession a 2007 specialist report [4] documenting asbestos problems at the plant. That report confirmed the City's legal responsibility: to inform the workers of the dangers, properly equip them, and get the problems cleaned up.

Williams says it was only after the mercury spill happened in late 2013 that the superintendent of the plant, Catherine Garnham [5], pulled out from a locked area that special 2007 report from Fibertec Industrial Hygiene Services [6]. The report had been kept from workers for many years—in which Williams and others were exposed without protection.

"That was the first time I found out," he says. "I couldn't believe it."

If Williams had been properly trained and protected, he might never have developed the occupational lung disease the City now says it can't accommodate.
Shocked at how his health had been treated, Williams repeatedly reported additional unmanaged dangers at the plant to Michigan’s Occupational Safety & Health Administration (MIOSHA). Time and again, his concerns were found by external experts to be justified [7].

He names, as another example, being asked to work on 480-volt electrical service without proper licensing or appropriate protective equipment. After he reported this, he says, stickers like the one shown here were affixed all over the plant where he and others had been asked to work without notification and protection.

?After I turned them into MIOSHA,? he told me, ?they had an engineer team come in and do an audit on our power, and they put on the doors what size [arc flash] suit you needed and how far to stay away, given the arc flash.? 

?Arc flashes? occur when electrical faults or short circuits expel large amounts of deadly energy. The ?arc flash boundary? shown in this sticker ? on a room where Williams had been asked to help with electrical service ? indicates the minimum safe distance to be over 24 feet. The potential danger here was huge, yet unmarked and unmanaged, according to Williams, until he called it out.

?When I was terminated,? Williams told me, ?they still did not have the suit for the [electrical energy levels] I was dealing with.? 

Williams says he grew tired of having to report conditions that left him exposed to dangers in violation of health and safety rules. But he kept reporting anyway, because he saw no choice. He said he was often met with the message that he should stop complaining.

?Whenever you go to try to explain a safety issue,? he told me, ?they always talk about money ? it costs money.?
That, he says, was the response he got when he asked for proper suiting for dealing with the high-power electrical service.

Ultimately two unsafe conditions – the asbestos and the requirement to lift very heavy objects when a small crane had malfunctioned – led to the disabilities the City says it can’t possibly accommodate with any job in the City: his torn bicep and the need to protect his lungs from further toxic exposure.

Even before being terminated, he says, he felt subject to constant harassment for being a watchdog.

The plant supervisor was talking about his medical conditions with his fellow employees without his permission – something confirmed in an email Williams showed to us, from the Human Resources department. He says he was also placed “on call” for work at the plant during a vacation he had scheduled months earlier – and again, this appears to be confirmed in emails from supervisors that Williams shared with ELi.

I asked Williams if he thought workers in East Lansing would feel safe in terms of bringing forward health and safety concerns, considering what happened to him.

“No,” he answered. “They run the City with intimidation. I was told by management I’d be on the outside looking in if I spoke up. And look at me? I am.”

I asked Williams if he has gotten any support from anyone on City Council. I told him that, among Council Members, Erik Altmann speaks often about the need to protect City workers, Ruth Beier is a big proponent of union workers, Shanna Draheim is known for her dedication to environmental issues, and Aaron Stephens focuses on issues of social justice.

No, he replied. He has not seen any of them take any action on the environmental issues, the health and safety issues, or his predicament of having been fired.

What about the fifth member of Council, Mayor Mark Meadows?

After our report showing that there is no record of the City Manager George Lahanas ever having ordered an investigation to find out where spilled mercury at the plant ended up, Meadows justified a contract extension and raise for Lahanas by saying that Lahanas “did not have anything to do with what happened” in this case.

“The buck stops here,” Meadows said.

But Meadows, says Williams, has done nothing to help him or his coworkers at the plant.

Williams also found little help with former Attorney General Bill Schuette’s office. He believes things may be different with Governor Gretchen Whitmer’s administration, particularly given her East Lansing origins and her stated commitment to protecting whistleblowers.

Whitmer’s very first executive order, signed a day after she took office, specifically spoke to the protection of health and safety of whistleblowers: “Action to mitigate or prevent threats to
public health, safety, and welfare always should take precedence over any ill-advised attempt to protect the reputation of a department or agency, manipulate public perception, avoid political backlash, or engage in defensiveness, self-justification, or insular conduct."

Below: Whitmer signs the executive order (from Michigan.gov).

?The people of Michigan deserve peace of mind that their government is working to protect them,? Liesl Clark, director of the Michigan Department of Environmental Quality (DEQ) said in response [11] to Whitmer?s executive order.

Williams ? whose nickname is ?Smiley? because of his optimistic, gregarious nature ? thinks things could be different under Whitmer.

?I am hoping they will look into all this, and also with what happened to me personally,? he told me. ?There?s a new administration, and I hope they do something. We told the old attorney general, and the higher-ups at the DEQ, and nobody did anything. I am hoping the new people will actually take some action.? He worries about the workers still at the plant. When I asked him if they would call MIOSHA, he said that he had done most of that calling.

?They were scared to even do interviews with MIOSHA? when MIOSHA reps came out, he told me, ?because they were afraid of the repercussions.? Why did he call, knowing he might lose his job?

?I didn?t want to see anybody get hurt or killed,? he told me. ?I was more afraid of that than of losing my job.?