

U.S. Department of Labor

Employment Standards Administration  
Office of Workers' Compensation Programs  
Division of Energy Employees Occupational  
Illness Compensation  
Washington, D.C. 20210



OCT 20 2010

Mr. Gary Vander Boegh, Vice President  
Commonwealth Environmental Services, LLC  
4645 Village Square Drive, Suite F  
Paducah, Kentucky 42001

RECEIVED  
10-25-10  
Kanda G Stevens

Dear Mr. Vander Boegh:

On January 29, 2010, I sent you a letter requesting that all inquiries made on behalf of claimants under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) should be submitted in writing, by letter, or via facsimile. In addition, I advised that e-mail messages sent randomly to any single employee run the risk of not being routed expeditiously to the correct person for action within the Division of Energy Employees Occupational Illness Compensation (DEEOIC). I also explained that any e-mail messages sent between individuals or non-government agencies and the Office of Workers' Compensation Programs (OWCP) occurs outside the Department of Labor (DOL) network and that any reference to a specific case file or case number, or claimant's name or social security number, made in any part of an e-mail message, is not secure. In that letter of notification, I stated that e-mail inquiries or communications will not be considered official requests and that information submitted by e-mail will not affect the adjudication status of any claim.

In correspondence to you dated August 27, 2010, I noted that you were sending copies of your inquiries to multiple receivers within DOL, including Secretary of Labor Hilda L. Solis, OWCP Director Shelby Hallmark, Final Adjudication Branch (FAB) Chief LuAnn Kressley, FAB Assistant Branch Chief Thomasyn L. Hill, and various offices within the DEEOIC. I explained the difficulties that occur from multiple, identical inquiries to different personnel, and asked that you please address your inquiries to the district office in which the referenced claim has been filed – or if a case has been forwarded to the FAB for a hearing or final decision, that you send your inquiry directly to the FAB and provide a copy of the inquiry to the appropriate district office. At that time, I advised that the DEEOIC district office would review your inquiries and determine the appropriate course of action. Despite my requests, you continue to send emails such as those mentioned herein.

I am also aware that on multiple occasions you have displayed less than courteous or professional behavior to staff in both our district offices and resource centers. The Department of Labor does not tolerate this kind of communication. It is disrespectful of staff and in no way furthers the adjudication of any claim or discussion of any policy related to the DEEOIC. It is imperative that your communication with the DEEOIC and its resource centers be both professional and courteous. Any continued reports of inappropriate communication will be forwarded to me so that it can be properly addressed.

Again, I ask that you comply with these instructions. I am confident that this process will allow us to more effectively serve your clients' needs. If you have any questions regarding my request, please call me at (202) 693-0081.

Sincerely,

A handwritten signature in cursive script that reads "Rachel P. Leiton".

Rachel P. Leiton  
Director, Division of Energy Employees  
Occupational Illness Compensation