



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Audit and Evaluation

800 Independence Avenue SW
Washington DC 20591

MAY 22 2018

Mr. Gerald Eastman
FARS-Fraud.org



Freedom of Information Act (FOIA) request 2018-006681

Dear Mr. Eastman:

This letter is in response to your April 18, 2018 request under FOIA, 5 U.S.C. 552. You are requesting a copy of the following documents (or documents containing the following information) be provided to you:

“all documents and communications between the FAA and Boeing and within the FAA concerning safety issues on 787 aircraft: An approximately a 25% 787 oxygen bottle failure rate when attempted to be activated by squib/firing pin, as previously reported to the FAA by a whistleblower on 12/13/17 or before. I do not need information the whistleblower provided, but any communications not shared with him I request as well, including this safety issues current and past status.”

A search was conducted of the Office of Audit and Evaluation’s Whistleblower Protection Program (WBPP) files. The search revealed twenty-three (23) pages that pertained to your specific request and will be released to you. Your request has been partially denied because portions of the enclosed documents containing names, telephone numbers, and addresses have been redacted and are being withheld from disclosure. Ten (10) of the 23 pages have been redacted under Exemption 6 of the FOIA. Exemption 6 of the FOIA protects information that pertains to an individual “the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. 552(b)(6). There is no discernible public interest in this information.

Five (5) of the 23 pages are being redacted under Exemption 5 of the FOIA. Exemption 5 protects inter-agency or intra-agency memorandum or letters which would not be available by law to a party in litigation with the agency. The three most frequently invoked privileges are the deliberative process, the attorney work-product, and the attorney client-product. Exemption 5 allows agencies to withhold recommendations, opinions, and analysis under the deliberative process privilege.

The Federal Aviation Administration’s Northwest Mountain Region has also been assigned to respond to your request and will reply separately with the results of their search.

If you owe fees for the processing of this request, an invoice containing the amount due and payment instructions will be enclosed.

The undersigned is responsible for this partial denial. You may request reconsideration of this determination by writing the Assistant Administrator for Finance and Management (AFN-400), Federal Aviation Administration, 800 Independence Avenue., SW, Washington, DC 20591 or through electronic mail at: FOIA-Appeals@faa.gov. Your request for reconsideration must be made in writing within 90 days from the date that the initial determination was made, and must include all information and arguments relied upon. Your appeal must also state that it is an "appeal" from the above-described denial of a request made under the FOIA and include your assigned FOIA control number. The envelope containing the appeal should be marked "FOIA."

You also have the right to seek dispute resolution services from the FAA FOIA Public Liaison via phone (202-267-7799) or email (7-AWA-ARC-FOIA@faa.gov) noting FOIA Public Liaison in the Subject or the Office of Government Information Services (<https://ogis.archives.gov>) via phone (202-741-5770 / toll-free--1-877-684-6448; fax--202-741-5769); or email (ogis@nara.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "H. Clayton Houshee".

H. Clayton Houshee
Director

Enclosures



Federal Aviation Administration

Memorandum

Date: MAR 21 2017

To: Vincent L. Murray II, Manager, Audit and Analysis Branch, AAE-100

From: Dorenda D. Baker, Director, Aircraft Certification Service, AIR-1 *DDA*

Prepared by: Jeffrey E. Duven, Manager, Transport Airplane Directorate, ANM-100

Subject: Whistleblower Complaint EWB17544, The Boeing Company – Boeing South Carolina

The Federal Aviation Administration (FAA) Aircraft Certification Service completed the investigation of whistleblower complaint EWB17544, alleging The Boeing Company – Boeing South Carolina failed to:

1. Follow their quality system for nonconformance records.
2. Properly track nonconforming parts.
3. Properly investigate oxygen bottle squib failures.
4. Notify customers of deficiencies of delivered aircraft.

The investigation substantiated a violation of a regulation or standard of the FAA. Accordingly, the FAA is taking the appropriate action and will monitor followup corrective actions until they are complete.

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WHISTLEBLOWER PROTECTION PROGRAM**

CASE EWB17544

REPORT OF INVESTIGATION

Investigation Team: Federal Aviation Administration (FAA) Aviation Safety Inspectors, FAA Certificate Management Office-Boeing (CMO) located in Charleston, South Carolina

Person(s) Interviewed: (b) (6) Complainant
(b) (6) Boeing South Carolina (BSC) (b) (6)
(b) (6)
(b) (6) BSC (b) (6)
(b) (6) BSC (b) (6)
(b) (6) Boeing (b) (6)
(b) (6)
(b) (6) (b) (6)
(b) (6) (b) (6)
(b) (6) BSC (b) (6)

The FAA CMO received Whistleblower complaint EWB17544 on January 19, 2017. The complainant alleged BSC, located in Charleston, SC failed to:

1. Follow their quality system for nonconformance records.
2. Properly track nonconforming parts.
3. Properly investigate oxygen bottle squib failures.
4. Notify customers of deficiencies of delivered aircraft.

OTHER INVESTIGATION ACTIVITIES:

The FAA contacted the complainant on January 30, 2017. The allegations were discussed and no additional information was provided.

The complainant submitted several allegations relating to the BSC facility, which is responsible for Boeing Model 787 manufacturing and delivery.

The initial investigation determined the first two allegations pertained to the same quality system concerns. Therefore, the investigation and response was combined below.

FINDINGS & FOLLOWUP ACTIONS:

Allegations 1 & 2: BSC failed to follow their quality system for nonconformance records and properly track nonconforming parts.

Investigation: The complainant alleged that there are a total of 220 Boeing Model 787 nonconforming parts lacking traceability documentation. The complainant also claimed Boeing does not have objective evidence showing the current manufacturing status of these parts.

The FAA conducted interviews with BSC (b) (6) personnel February 7-14, 2017. The FAA also reviewed Boeing Commercial Airplanes (BCA) approved quality system documentation, associated procedures and nonconforming part records. The BCA quality system requires a nonconforming part to be identified and segregated. BCA procedures also address control of nonconforming parts records.

During the FAA interviews, BSC (b) (6) disclosed there is an ongoing internal BSC investigation relating to open nonconformance records. The BSC investigation determined nonconforming parts lacked sufficient documentation to determine if they were scrapped or reworked to meet design requirements. The FAA determined the location of these parts is unknown and they are considered lost. An FAA review of the BSC investigation showed 45 nonconforming part records have been researched so far and BSC has identified 53 nonconforming parts that are considered lost. The BSC investigation is still in progress and 176 nonconforming part records need to be researched.

The FAA concluded, after review of the BSC investigation documentation/records and BCA nonconforming part processes, that BSC personnel did not follow approved quality system processes to track and disposition nonconforming parts. As a result, 53 nonconforming parts are known to have been lost.

Finding: A violation of a regulation or standard of the FAA was substantiated.

Corrective Action: The FAA issued a Formal Compliance Action to Boeing in accordance with FAA Order 2150.3B, FAA Compliance and Enforcement Program. The corrective action plan from Boeing is due on or prior to March 21, 2017. After review of the corrective action plan, the FAA can provide AAE-100 an update of when the Formal Compliance Action is expected to be closed and verified.

Allegation 3: BSC failed to investigate oxygen bottle squib failures.

Investigation: The FAA conducted interviews of BSC (b) (6) and (b) (6) personnel on February 8, 2017. The FAA reviewed BCA's approved quality system, including the associated oxygen system test procedures. BCA approved quality system processes require corrective action investigations to contain the effect of nonconformances on other processes or products.

The FAA investigation discovered each Boeing Model 787 Passenger Service Unit (PSU) contains one emergency oxygen bottle and a squib. The purpose of the squib is to initiate the flow of oxygen when commanded. The PSU electrical circuits are tested twice during the airplane production assembly phase and in the event of a failure, the PSU is removed from the airplane. After removal, BSC personnel discharge the emergency oxygen bottles and there have been some cases where the squibs failed.

Based on interviews and documentation reviews, the FAA confirmed BSC is aware of the squib failures and is actively investigating the issue. A Boeing supplier of the PSU, BE Aerospace, is also engaged in the investigation and corrective action process. Preliminary BSC investigation findings have attributed squib failure to wire harness damage occurring during storage, handling, and installation. BSC and BE Aerospace root cause analysis and corrective action activities are ongoing at this time.

Finding: A violation of a regulation or standard of the FAA was not substantiated.

Corrective Action: None

Allegation 4: BSC failed to notify customers of deficiencies of delivered airplanes.

Investigation: The whistleblower hotline report further clarified this allegation. The complainant alleged BSC failed to notify customers of incomplete/incorrect/missing data relating to serial number control of installed components.

The FAA conducted an interview with the BSC (b) (5) on February 9, 2017. The FAA reviewed BCA's approved quality system, associated procedures and ARL records. The FAA also reviewed post-delivery customer notifications. BCA utilizes the ARL to capture and document the serialized parts installed in a Boeing 787 airplane prior to delivery. The FAA investigation determined the ARL must be complete prior to issuance of an airworthiness certificate. If an error or missing information is identified in the ARL after airplane delivery, the BCA quality system requires notification to the customer. The FAA confirmed when an error in the ARL (e.g., incomplete, incorrect, and missing information related to serial numbers) is found that impacts a delivered airplane the customer is notified as required by the approved quality system procedures.

Finding: A violation of a regulation or standard of the FAA was not substantiated.

Corrective Action: None

Westrom, Al (FAA)

From: Frishe, Thomas T Jr (FAA)
Sent: Wednesday, November 15, 2017 3:18 PM
To: Westrom, Al (FAA)
Cc: Murray, Vince (FAA); Atherton, David (FAA)
Subject: RE: EWB17544 (Boeing South Carolina)

(b) (5)

T.J. Frishe
Senior Investigator
Audit & Analysis Branch (AAE-100)
Office of Audit & Evaluation (AAE)
(202) 510-7088

From: Westrom, Al (FAA)
Sent: Wednesday, November 15, 2017 2:55 PM
To: Frishe, Thomas T Jr (FAA) <Thomas.T.Frishe-Jr@faa.gov>
Cc: Murray, Vince (FAA) <Vince.Murray@faa.gov>; Atherton, David (FAA) <David.Atherton@faa.gov>
Subject: FW: EWB17544 (Boeing South Carolina)
Importance: High

TJ: (b) (5)

(b) (5)

AL WESTROM
Whistleblower Protection Program Coordinator
202 267-3792

From: Millage, Michael (FAA)
Sent: Wednesday, November 15, 2017 1:21 PM
To: Westrom, Al (FAA) <Al.Westrom@faa.gov>
Cc: Pang, Bernard (FAA) <Bernard.Pang@faa.gov>; Vrana, Tim (FAA) <Tim.Vrana@faa.gov>; Stratton, Afton (FAA) <Afton.Stratton@faa.gov>; Palermo, Dionne (FAA) <Dionne.Palermo@faa.gov>; Hunter, Millicent (FAA) <millicent.hunter@faa.gov>; Ferrer, Frank (FAA) <Frank.Ferrer@faa.gov>; Tiernan, Thomas B (FAA) <Thomas.B.Tiernan@faa.gov>
Subject: FW: EWB17544 (Boeing South Carolina)
Importance: High

Hello Al,

(b) (5)

(b) (5)

1. (b) (5)
2. (b) (5)
3. (b) (5)

Please let me know if you have any additional questions.

Regards,

Michael Millage

Technical Program Management Specialist
Northwest MIO Branch, AIR-870
Office: 425-227-2236
Michael.millage@faa.gov

We value your feedback: [Click here to send us your feedback](#)

From: Millage, Michael (FAA)
Sent: Thursday, July 13, 2017 12:41 PM
To: Westrom, Al (FAA) <Al.Westrom@faa.gov>
Cc: Hunter, Millicent (FAA) <millicent.hunter@faa.gov>; Vrana, Tim (FAA) <Tim.Vrana@faa.gov>; Stratton, Afton (FAA) <Afton.Stratton@faa.gov>; Pang, Bernard (FAA) <Bernard.Pang@faa.gov>; Ferrer, Frank (FAA) <Frank.Ferrer@faa.gov>; Tiernan, Thomas B (FAA) <Thomas.B.Tiernan@faa.gov>
Subject: EWB17544 (Boeing South Carolina)
Importance: High

Hello Al,

(b) (5)

(b) (5)

(b) (5)

- (b) (5)
- (b) (5)
- (b) (5)

(b) (5)

(b) (5)

Regards,

Michael Millage

Technical Program Management Specialist

Seattle Manufacturing Inspection Office

Aircraft Certification Service

Office: 425-227-2236

Michael.millage@faa.gov

We value your feedback: [Click here to send us your feedback](#)

Westrom, Al (FAA)

From: Frishe, Thomas T Jr (FAA)
Sent: Thursday, July 13, 2017 3:50 PM
To: Westrom, Al (FAA)
Cc: Murray, Vince (FAA); Atherton, David (FAA); Smith, David P (FAA)
Subject: RE: EWB17544 ROI

(b) (5)



(b) (5)



(b) (5)



T.J. Frishe
Senior Investigator
Audit & Analysis Branch (AAE-100)
Office of Audit & Evaluation (AAE)
(202) 510-7088

From: Westrom, Al (FAA)
Sent: Wednesday, March 22, 2017 10:29 AM
To: Frishe, Thomas T Jr (FAA)
Cc: Murray, Vince (FAA); Atherton, David (FAA); Smith, David P (FAA)
Subject: EWB17544 ROI

TJ: (b) (5)



(b) (5)



AL WESTROM
Whistleblower Protection Program Coordinator
202 267-3792

Westrom, AI (FAA)

From: Millage, Michael (FAA)
Sent: Thursday, July 13, 2017 3:41 PM
To: Westrom, AI (FAA)
Cc: Hunter, Millicent (FAA); Vrana, Tim (FAA); Stratton, Afton (FAA); Pang, Bernard (FAA); Ferrer, Frank (FAA); Tiernan, Thomas B (FAA)
Subject: EWB17544 (Boeing South Carolina)
Importance: High
Follow Up Flag: Follow up
Flag Status: Completed

Hello Al,

(b) (5) [Redacted]

(b) (5) [Redacted]

(b) (5) [Redacted]

- (b) (5) [Redacted]
- (b) (5) [Redacted]
- (b) (5) [Redacted]

(b) (5) [Redacted]

(b) (5) [Redacted]

Regards,

Michael Millage
Technical Program Management Specialist
Seattle Manufacturing Inspection Office
Aircraft Certification Service
Office: 425-227-2236
Michael.millage@faa.gov

We value your feedback: [Click here to send us your feedback](#)



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Audit and Evaluation

800 Independence Ave., SW.
Washington, DC 20591

July 13, 2017

MaryAnn Garrahan, Director
Directorate of Whistleblower Protection Programs
Occupational Safety and Health Administration
200 Constitutional Avenue NW, Suite N4618
Washington, DC 20210

Dear Ms. Garrahan:

The FAA's Aircraft Certification Service has completed their investigation of air carrier safety allegations in FAA case #**EWB17544** (ref: OSHA #4-0520-17-015) by (b) (6). The investigation substantiated that a violation of an order, regulation or standard of the FAA related to air carrier safety occurred. Accordingly, the FAA is taking appropriate corrective and/or enforcement action. Our office will monitor these actions until complete.

Please let us know if Respondent is found to have violated 49 U.S.C Section 42121 so we may consider appropriate administrative action. If you have any questions, please do not hesitate to call me at 202 815-1973.

Sincerely,

Vincent L. Murray II
Manager, Audit and Analysis Branch



Federal Aviation Administration

Memorandum

Date: January 19, 2017

To: Dorenda D. Baker, Director, Aircraft Certification Service, AIR-1
Attn: Millicent Hunter, AIR-10 *see [Signature]*

From: Vincent L. Murray II, Manager, Audit and Analysis Branch, AAE-100

Prepared by: Al Westrom, 202-267-3792

Subject: Whistleblower Complaint EWB17544, Boeing South Carolina

In accordance with the Whistleblower Protection Program (WBPP), 49 U.S.C. § 42121, the attached complaint alleges a violation or noncompliance of an FAA order, regulation, or standard by Boeing South Carolina. Please investigate the air carrier related safety aspects.

Investigators must contact the complainant by the most expeditious means possible (phone, email, etc.). The identity of the complainant is considered confidential for the investigation and must not be provided to the respondent company, nor should they be informed that a "whistleblower" complaint is being investigated. Unauthorized disclosure of such information may constitute a violation of the Privacy Act (5 U.S.C. section 552a) and FAA rules of conduct. At a minimum, please investigate and comment on the following allegations:

- Failure to follow quality system for nonconformance records
- Failure to properly track nonconforming parts
- Failure to properly investigate oxygen bottle squib failures
- Failure to notify customers of deficiencies of delivered aircraft

Additional safety issues revealed during the investigation should also be specifically addressed in the report. The U.S. Department of Labor's Occupational Safety and Health Administration is responsible for investigating any allegations of discrimination or retaliation.

Please respond to this memorandum within 45 days to AAE-100, Vincent L. Murray II, Manager Audit and Analysis Branch, with a report of the results of your investigation. This report should include a statement that either "A violation or non-compliance of an FAA Order, Regulation or Standard was substantiated" or "...was not substantiated". If substantiated, include action taken including EIR number(s), if any.

Attachment (complaint)

Electronic Complaint Notification

To qualify for the Whistleblower Protection Program (WBPP), you must be or have been an employee of a U.S. air carrier, or a contractor or subcontractor of a U.S. air carrier.

A PERSONAL REMEDY FOR DISCRIMINATION IS ONLY AVAILABLE THROUGH THE U. S. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA). **You must file a WBPP complaint with OSHA within 90 DAYS of the discrimination event.** This notification advises the FAA but is not a substitute for filing the required complaint with OSHA.

Has this complaint been filed with OSHA?: **Yes**

EWB17544 Submitted on: **01/19/2017**

Personal Info

Personal Information

Complainant's Name: (b) (6) Number: **EWB17544**

Street:

(b) (6)

City: (b) (6)

State: (b) (6)

Zip Code: (b) (6)

Country: **United States**

Province (Non-U.S.):

Postal Code:

Phone: (b) (6)

Cell Phone:

(b) (6)

Employee's Job:

(b) (6)

Employer Info

Employer Information

Company Type: **Air Carrier Contractor**

Company Name:

Boeing South Carolina

d/b/a:

Certificate Number:

Street:

City:

State:

Zip Code:

Phone:

Extension:

Alleged Safety Violation(s)

Alleged Safety Violation(s)

Safety Violation Category:

Safety Violation Subject:

FAA Regulation/Order/Standard Violated **Don't Know**

Which

Regulation? (If Known):

Non-FAA Federal Law Violation Related To Air Carrier Safety:

Short Description of Violation:

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Public Availability to be Determined Under 5 USC 552.

Alleged Adverse Personnel Action

Alleged Adverse Personnel Action

Alleged Adverse Personnel Action: **Intimidation** Short Explanation:

Discrimination Date: *mm/dd/yyyy* **10/20/2016** 90 Days Expires on: **01/18/2017** (File with OSHA before this date)

Geographic Location of Discrimination: State (U.S. Province (Non-U.S.): Only): **SC**

Complaint

Complaint

Sent From : **OSHA**

Alleged safety violation: To whom did you report it and what alleged discriminatory personnel action resulted from your report. Be as specific about names, dates, and events as space permits.



EWB17544 OSHA Complaint.pdf

Admin

Administration

Not Assigned Assigned

Special Instructions:
Extension approved 1/31/17.
9/20/17: Let Angelique know when case closes for FOIA 2017-008692.

CB AIP OIG Underlying Facts:
 ACB ASN RO

Organization Assignment: **AIR-1**

Date FAA Received Complaint:	Date of AQS100 Assignment:	Date Returned from AQS-1:	Form Letter:	Date Acknowledgment Letter Sent:	Date Assignment Letter Sent:	Date Finding Letter Sent:	Date No-Finding Letter Sent:	Date OSHA Notification Letter Sent:
01/19/2017	01/19/2017							
			AIR	01/19/2017	01/19/2017	07/13/2017		07/13/2017

Date Received: _____ Date Sent: _____ Service: _____ Special Handling: _____

Additional Information:
Additional Information:

OSHA RO: OSHA RO Manually Assigned: **4**

FAA RO: FAA RO Manually Assigned :

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FAA Safety Due Date (45 Days From Date Assigned): Extended Due Date: 03/27/2017

Awaiting Documentation?

Yes No

FAA Response Date:
11/15/2017

FAA Status:
 Open Closed

FAA Closed Date: 11/15/2017

FAA Safety Action:
Corrective

Destroy Date: 11/15/2020

OSHA Tracking:

OSHA Tracking

OSHA Case #: 4-0520-17-015

STEP	Date of First OSHA Acton	Last Date to File Appeal	Remarks
OSHA First Action:			
<input type="radio"/> Preliminary Order			
<input type="radio"/> Complaint Dismissed			
<input type="radio"/> Complaint Settled			
<input type="radio"/> Complaint Not Filed			

OSHA Case Number:
4-0520-17-015

STEP	Remarks
First Action Appealed To ALJ?	
<input type="radio"/> Yes <input type="radio"/> No	

Remarks
Date of Final Order:
AQS-100 EIR: 10/20/2018
Discrimination Date + 2 Years:
FAA Civil Penalty Action (post OSHA Final Order):
Status: Open
Date Closed:

Satisfaction Survey

Satisfaction Survey

Satisfaction Survey Submitted on: Rating Level: (1=Not at all satisfied 10=Extremely satisfied)

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Is this FOIA ? Yes
 No

Review Tracking



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Audit and Evaluation

800 Independence Ave., SW.
Washington, DC 20591

January 19, 2017

MaryAnn Garrahan, Director
Directorate of Whistleblower Protection Programs
Occupational Safety and Health Administration
200 Constitution Avenue NW, Suite N4618
Washington, DC 20210

Dear Ms. Garrahan:

We received your agency's notification of a complaint filed by (b) (6) alleging Boeing South Carolina violated the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR21) (ref: OSHA #4-0520-17-015).

We assigned this complaint FAA case #EWB17544. We will complete an intake analysis of this complaint and, if appropriate, assign for investigation to determine if a violation of an order, regulation or standard of the FAA related to air carrier safety occurred. We will notify your agency of the general results of our investigation.

If you have any questions, please don't hesitate to call me at 202-815-1973.

Sincerely,

VLM
Vincent L. Murray II
Manager, Audit and Analysis Branch

Westrom, AI (FAA)

From: Westrom, AI (FAA)
Sent: Thursday, January 26, 2017 2:52 PM
To: (b) (6)
Cc: Frishe, Thomas T Jr (FAA); Murray, Vince (FAA); Atherton, David (FAA); Smith, David P (FAA)
Subject: Your Whistleblower Disclosures (EWB17544 and EWB17548)
Attachments: EWB17544 Acknowledgement Letter to Complainant.pdf

(b) (6)

Based on an input from OSHA, we assigned your case EWB17544. The attached letter was posted last week. This case has been referred to our Aircraft Certification Branch and an inspector will be contacting you to get any additional/corroborative information.

Your electronic submission today was automatically assigned case EWB17548. As the wording in the disclosure exactly matches that from your OSHA input that we used in EWB17544. I will close EWB17548 as a duplicate. No letters will be sent to you pertaining to that number.

Thank you for your submission and for making sure the FAA was aware of the safety issues.

Sincerely,

AI Westrom
FAA Whistleblower Protection Program Coordinator
202 267-3792

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately **notify** the sender by reply e-mail or phone and **delete** this message and its attachments, if any.

Electronic Complaint Notification

To qualify for the Whistleblower Protection Program (WBPP), you must be or have been an employee of a U.S. air carrier, or a contractor or subcontractor of a U.S. air carrier. A PERSONAL REMEDY FOR DISCRIMINATION IS ONLY AVAILABLE THROUGH THE U. S. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA). You must file a WBPP complaint with OSHA within 90 DAYS of the discrimination event. This notification advises the FAA but is not a substitute for filing the required complaint with OSHA.

Has this complaint been filed with OSHA?: Yes

EWB17548 Submitted on: 01/26/2017

Personal Info

Personal Information

Complainant's Name: (b) (6)

Number: EWB17548

Street: (b) (6)

City: (b) (6)

State: (b)

Zip Code: (b)

Country: United States

Province (Non-U.S.):

Postal Code:

Phone: (b) (6)

Cell Phone:

Employee's Job: (b) (6)

Employer Info

Employer Information

Company Type: Air Carrier Contractor

Company Name: The Boeing Co. BSC

Certificate Number:

d/b/a:

Street: 5400 International Blvd

City: Charleston

State: SC

Zip Code: 29419

Phone: 425-577-8969

Extension:

Alleged Safety Violation(s)

Alleged Safety Violation(s)

Safety Violation Category: Manufacturing

Safety Violation Subject: Other

If other, please specify: See comments below.

FAA Regulation/Order/Standard Violated Don't Know

Which Regulation? (If Known):

Multi

Non-FAA Federal Law Violation Related To Air Carrier Safety:

Short Description of Violation: Lost Non-conforming parts/ 25% Failure rate on Emergency Oxy Bottles

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Alleged Adverse Personnel Action

Alleged Adverse Personnel Action

Alleged Adverse Personnel Action: **Retaliation** Short Explanation: **Set up for Failure, Blacklisted, Poor Performance Riviws. Instructed to work in the "grey areas"**

Discrimination Date: *mm/dd/yyyy*
01/18/2017

90 Days Expires on:
04/18/2017 (File with OSHA before this date)

Geographic Location of Discrimination:
State (U.S. Only): Province (Non-U.S.):

SC

Complaint

Complaint

Sent From : **(b) (6)**

Alleged safety violation: To whom did you report it and what alleged discriminatory personnel action resulted from your report. Be as specific about names, dates, and events as space permits.

Here is a complaint I filed with OSHA for retaliation. I wanted to assure the FAA was aware of the safety concerns so you can possibly help drive root cause to assure our planes are in a safe operating condition and meet type design.

Complaint:

I am employed by the Boeing Company in Charleston, South Carolina as a **(b) (6)**. As a result of issues raised by me involving safety and process violations, I have been the victim of a continuing pattern of retaliation by Boeing against me, including: being denigrated and disparaged and treated with disdain; being relieved of investigative responsibilities; and being blocked from two separate **(b) (6)**, one in the Space Launch Systems program in New Orleans (August 30, 2016) and the other in **(b) (6)** South Carolina (October 20, 2016). I fear that Boeing will terminate me in the future in retaliation for my raising the above issues.

The safety concerns and process violations I have raised and continue to raise to my leadership, includes, but are not limited to the following:

1. Oxygen Bottles - passenger, flight deck crew and flight attendant emergency oxygen supply. We currently show a 25% failure rate when activating the squib to release the oxygen. I identified this concern in August of 2016 and I was removed from the failure analysis investigation in September 2016. To date, no root cause has been identified and the investigation has stalled due to lack of leadership interest.
2. Serial Number Control - Evidence shows there are process violations, incomplete engineering definition, and a lack of understanding of how losing configuration control impacts our customer and the flying public. A finding was issued by the FAA (August 2016) and I was identified as the corrective action owner responsible for determining root cause, containment and long-term corrective actions. While these items are being addressed, there has been no interest from leadership to research, correct and, if applicable, notify customers of incomplete, incorrect or missing data on their delivered airplanes. I was removed from this investigation in October 2016.
3. Lost Nonconforming Parts - Currently there are a total of 220 nonconforming parts that have no traceability. There is no objective evidence showing the disposition of these parts. Therefore, it is possible that they have been installed onto airplanes. Stringer fittings, stringers, and other structural parts including two 47 sections are just some examples of the types of the lost nonconforming parts. Pressure from leadership is to close out the nonconformance record. 176 of the 220 were closed and records completed out utilizing a Lost Part Form, with no objective evidence showing they are not on delivered airplanes. Per procedure, this issue should be disclosed to the FAA, but during a Quality Special Action

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Meeting where I shared (pitched) this data to leadership, we were told by (b) (6), Quality Director, we were not going to disclose it to the FAA. Additionally, process dictates that customers must be notified via Suspect Discrepancy Report if they possibly have nonconforming parts on their airplanes, but no such action has been taken to date.

I have documentary proof of the safety and process violations I have raised and the retaliatory actions taken against me by Boeing in response. I can also provide a list of witnesses who can attest to these violations and Boeing's retaliatory conduct directed against me.

(b) (6)

Admin

Administration

Not Assigned Assigned Reason Not Assigned: Duplicate of EWB17544 Special Instructions:

Transfer To Safety Hotline

CB AIP OIG Underlying Facts:
 ACB ASN RO

Organization Assignment:

Date FAA Received Complaint:	Date of AQS100 Assignment:	Date Returned from AQS-1:	Form Letter:	Date Acknowledgment Letter Sent:	Date Assignment Letter Sent:	Date Finding Letter Sent:	Date No-Finding Letter Sent:	Date OSHA Notification Letter Sent:
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01/26/2017

Additional Information:
Additional Information:
Date Received: _____ Date Sent: _____ Service: _____ Special Handling: _____

OSHA RO: 4 OSHA RO Manually Assigned:
FAA RO: _____ FAA RO Manually Assigned :
ASO

FAA Safety Due Date (45 Days From Date Assigned): _____ Extended Due Date:

Awaiting Documentation?

Yes No

FAA Response Date: _____ FAA Status: Open Closed
FAA Closed Date: 01/26/2017

FAA Safety Action:

Destroy Date:

OSHA Tracking

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OSHA Tracking

STEP	Date of First OSHA Acton	Last Date to File Appeal	Remarks
OSHA First Action:			
<input type="radio"/> Preliminary Order			
<input type="radio"/> Complaint Dismissed			
<input type="radio"/> Complaint Settled			
<input type="radio"/> Complaint Not Filed			

OSHA Case Number:

STEP	Remarks
First Action Appealed To ALJ?	
<input type="radio"/> Yes <input type="radio"/> No	

STEP	Remarks
Date of Final Order:	
AQS-100 EIR:	01/18/2019
Discrimination Date + 2 Years:	
FAA Civil Penalty Action (post OSHA Final Order):	
Status:	Open
Date Closed:	

Satisfaction Survey

Satisfaction Survey Submitted on: Rating Level: Satisfaction Survey
(1=Not at all satisfied 10=Extremely satisfied)

Is this FOIA ?	<input type="radio"/> Yes
	<input checked="" type="radio"/> No

Review Tracking