

# Reported.sick-injured.at.work.and.discriminated. against?.File.a.whistleblower.complaint.with.OSHA. or.the.FAA

Both OSHA and the FAA have Whistleblower Rules. These rules tell airlines (and other employers) that they can't discriminate against workers who report certain safety violations at work. As a flight attendant, you can file a complaint if you get disciplined in certain ways as the result of reporting (or planning to report) an unsafe or unhealthy working condition (like breathing toxic fumes), either to your airline or to the government.

Here is an example: If you breathed oil fumes during a flight, you may need medical attention beyond first aid. You may not be well enough to finish your trip and you may need to take additional time off work. In response, your airline may give you disciplinary points. Also, if



your airline codes your absence as "sick-on-line", your injury will not get reported to OSHA because "sick-on-line" is not a work-related injury. Some airlines may later recognize the injury as being work-related – they may recode your absence and remove your points. But that usually only happens if you win your workers' compensation claim and (in AFA's experience), airlines typically deny fume event compensation claims. Anyway, even if you win your claim, you may not get that decision for months, during which time you have points and lost pay. Also, winning workers' compensation is not OSHA's definition of what injuries are reportable. In summary, if your airline does not properly report your workplace injury to OSHA (see 29CFR1904.7), then they have violated the OSHA recordkeeping standard, and you can file a whistleblower complaint.

Similarly, if you are sick after breathing fumes during a trip, then safety would be compromised if you continued to fly the rest of your duty day. But you may feel pressured to keep flying, especially if your airline has a policy of not paying you for the rest of your trip or giving you points. Continuing to fly because you are scared of discipline is both discrimination and a safety hazard, so you can file a whistleblower claim with the FAA.

1. AFA bulletin on the [whistleblower reporting options at OSHA and the FAA](#);
2. Tips on how to file a [whistleblower complaint with OSHA](#);
3. and Tips on how to file a [whistleblower complaint with the FAA](#).

Note: Whistleblower claims aside, you could file a [safety/health hazard complaint with OSHA](#), describing the hazard(s) and the facts of what happened. There is no specific OSHA regulation for fume events, but employers are required to meet the General Duty Clause in the Occupational Safety and Health Act. That clause requires the employer to provide "employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." The OSHA website has provided some interpretation on this.