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Contact: Jeff Colvin
SPSE Legislative Director
(925) 449-4846

FOR IMMEDIATE RELEASE

SPSE-UPTE Urges LLNS Management to Put 2008 Layoffs Behind by Paying \$37.25 Million to Those Wrongfully Terminated Without Cutting Programmatic Budgets or More Layoffs

A settlement was announced last week of the lawsuit alleging age discrimination and wrongful termination stemming from the May 2008 layoffs at the Lawrence Livermore National Laboratory (LLNL). The lawsuit was brought by 130 former employees against Lawrence Livermore National Security, LLC (LLNS, the Management and Operating Contractor of LLNL). In settling the lawsuit LLNS has agreed to pay 129 of the former employees a total of \$37.25 million in contract damages.

UPTE-SPSE has advocated for a settlement for the laid-off employees since the layoffs occurred in May 2008, and publically urged LLNS to settle the lawsuit in May 2013 when the 5 “test plaintiffs” won a court judgement against LLNS. We commend LLNS for settling. We also commend the plaintiffs’ attorneys, Gary Gwilliam and his colleagues at Gwilliam, Ivary, Chioso, Cavalli, and Brewer. They spent six years pursuing justice for these former employees. We expect this settlement to begin, at long last, to promote the healing process at LLNL, and close the book on the “Black Wednesday and Thursday” trauma of the May 2008 layoffs.

The trauma began shortly after LLNS took over, in 2007, the M&O (Management and Operations) contract for LLNL. LLNS management then took a number of unconscionable actions to implement faulty decisions, which in May 2008 culminated in a final outrage, the degrading dismissal of several hundred employees on “Black Wednesday and Thursday.” Instead of treating employees selected for layoff with dignity and respect, loyal and dedicated employees were given one-hour to pack up their belongings while being watched, had their badges confiscated, and then were “perp-walked” out the gate like criminals.

The resulting crash in morale at LLNL was deep and profound. The faulty process for selecting who would be laid off and the unnecessarily degrading treatment of all employees, especially of those laid off, inexcusably aggravated and prolonged the crash. The Laboratory has yet to fully recover from the mismanagement of the layoffs, but now, seven years later, we hope that this settlement will help hasten the recovery.

The recovery, however, can happen only if LLNS does not try to shift the settlement costs onto employees by, for example, cutting programmatic funding and conducting more layoffs because of funding shortfalls. Instead, SPSE-UPTE urges that senior management bear the entire cost of the settlement, especially those managers responsible for the faulty decision-making that resulted in this lawsuit. If cuts should become necessary, they should come from the top.