**REDA-What is it?**

REDA is the acronym for **Retaliatory Employment Discrimination Act**which became effective on October 1, 1992. Initially referred to as North Carolina’s “Whistle Blower Act,” its intent is to protect employees from employer retaliation/discrimination when employees make complaints about such protected rights including workers’ compensation, pay and workplace safety. Legislation creating REDA was passed by the North Carolina General Assembly as a direct result of a fire at the Imperial Foods chicken processing plant in Hamlet, NC on September 3, 1991.  This was North Carolina’s worst industrial disaster in the state’s history, taking the lives of 25 employees and injuring 49 more. Exit doors that were locked from the inside to prevent product theft was a major cause of lost lives and injuries. The fire started when a hydraulic line ruptured, spraying hydraulic fluid into gas flames heating large oil-filled cooking vats.  Imperial Foods was fined $808,150 by the North Carolina Department of Labor (NCDOL).  The plant’s owner, Emmett Roe, received a 20-year prison sentence of which he only served four years.

Prior to REDA, NCOSHA, the North Carolina Wage and Hour Act, the Mine Safety and Health Act, and the North Carolina Worker’s Compensation Act all had provisions to protect employees who filed complaints or claims. They were investigated/enforced by different government agencies.  With the enactment of REDA, such complaints and/or claims are investigated/enforced by the NCDOL’s Employment Discrimination Bureau.  Employees who believe that they have been aggrieved by a REDA violation have 180 days of the alleged violation to file a written complaint with the NC Commissioner of Labor.  Employers will, within 20 days, receive notice of the complaint and that an investigation will ensue.  The Commissioner will dismiss the complaint and issue a right to sue letter to the complainant if the investigation shows that no violation occurred.  The right to sue letter will enable the employee seek action in civil court.  If, however, the investigation reveals that a violation did occur, the Commissioner will attempt to eliminate the violation by conciliation.  If conciliation is not successful, the Commissioner notifies all parties and proceeds to file action in civil court on behalf of the complainant.

To read the Retaliatory Employment Discrimination Act go to: <http://www.ncga.state.nc.us/enactedlegislation/statutes/pdf/byarticle/chapter_95/article_21.pdf>.

If you have questions about REDA, contact Catapult’s Advice Team at 919-878-9222.

Written by a Catapult Advisor