

Helicopter Safety Supervisor Files Whistleblower Charge Against Sikorsky Global Helicopters

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On June 28, 2011, David Simmons, a former Quality Assurance Supervisor for Sikorsky Global Helicopters ("SGH"), filed a whistleblower-retaliation charge against SGH, alleging that the company terminated him for complaining about extensive flight-safety issues and noncompliance with Federal Aviation Regulations at SGH's Keystone Engine Services ("KES") facility in Coatesville, PA. Simmons filed his complaint with the U.S. Occupational Safety and Health Administration ("OSHA"), which is responsible for enforcing federal laws that protect whistleblowers in the aviation industry, including the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century ("AIR21").

On January 18, 2011, Simmons alleges in the complaint, he began an internal audit of KES operations and discovered evidence of systemic noncompliance with Federal Aviation Regulations. According to the complaint, he initially found more than 50 such violations in a review of just 25 work orders for repairs of helicopter parts. These parts were used in helicopters by public air carriers such as those that conduct tours and provide medical evacuation services. Simmons was concerned that the failure to comply with the aviation regulations posed serious flight-safety risks for the customers of SGH and KES and the public. These fears were heightened, his complaint alleges, when a further review identified more than 300 suspect parts that had not been maintained in accordance with Federal Aviation Administration ("FAA") regulations.

Simmons alerted his superiors at SGH to his findings, and recommended a broader audit and self-reporting to the customers of SGH and KES and to the FAA. According to Simmons's complaint, SGH reported only a handful of violations to the FAA and failed to disclose the systemic nature of the problems. Simmons says his supervisors also dismissed his suggestion that they contact customers who had received parts that were not airworthy.

According to Simmons's complaint, SGH and its affiliates retaliated against him for reporting and opposing noncompliance with flight-safety regulations – first by suspending him for five days, then by removing many of his quality-assurance responsibilities, and eventually by firing him without warning on March 31, 2011. Simmons has asked OSHA to investigate his firing and issue an order awarding an appropriate remedy, which may include reinstatement and monetary damages.

Simmons's attorney, [David J. Marshall](#) of the Washington, D.C., law firm of Katz, Marshall & Banks, says he is confident that Simmons will prevail before OSHA. "Mr. Simmons risked his job to oppose practices that violated FAA regulations," Marshall said. "He showed a deep commitment to the well-being of those who rely on the safety of helicopters for everything from recreation to medical evacuation. Ultimately, that commitment cost him his livelihood." Marshall added that Simmons's firing is "exactly the kind of retaliation that the whistleblower provision of AIR21 is designed to prevent."