

Saint-Gobain sued by ex-in-house lawyer over firing after PFOA warning | Business Information & News | FE

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(Reuters) - A former in-house lawyer of Compagnie de Saint-Gobain accused it before OSHA, or the Occupational Safety and Health Administration, on Tuesday of firing him to retaliate after he warned the company that it should investigate its use of a carcinogenic chemical at more factories than it says.

Complainant Amiel Gross says he was fired after he insisted construction materials group Saint-Gobain should probe his findings that more of its U.S. factories than publicly known had used perfluorooctanoic acid (PFOA) for decades and possibly contaminated drinking water with it. Gross claims the company violated the Safe Drinking Water Act (SDWA) and the Sarbanes-Oxley Act by firing him.

Paris-based Saint-Gobain did not immediately respond to a request for comment.

Gross' lawyer, Jeanne Christensen of Wigdor, said in a statement: "Employees that do the right thing should be rewarded - not discarded and retaliated against."

Gross, starting in 2016 until his firing in 2020, acted as defense counsel for a Saint-Gobain subsidiary in class action lawsuits making claims the company has contaminated drinking water with PFOA from manufacturing facilities in Hoosick Falls, New York; Bennington, Vermont; and Merrimack, New Hampshire.

PFOA is associated with various illnesses including cancer.

During the course of that work, the lawyer became aware of testimony saying PFOA has or may have been used at about 10 other current or former Saint-Gobain sites, the complaint says.

In 2019, he told then chief executive of Saint-Gobain North America Tom Kinisky, now a chairman for the company, that the company should look into potential drinking-water contamination at those sites, but was told not to do so, according to the complaint.

Amid an increasingly hostile work environment, Gross was fired in October 2020 after being told he was under investigation for insubordination, it says.

Gross seeks reinstatement and punitive damages from his ex-employer for unlawfully retaliating against him as he "had assisted or participated or was about to assist or participate to carry out the purposes of the SDWA." He also claims his former employer violated the Sarbanes-Oxley Act's prohibition to retaliate against whistleblowers reporting fraud while employed by a publicly-traded company.

The case is Amiel Gross v. Compagnie de Saint-Gobain et al, U.S. Department of Labor Occupational Safety & Health Administration, No. not available.

For Amiel Gross: Jeanne Christensen of Wigdor