



For Immediate Release

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BOLI Final Order: Adult foster care home violated civil rights of whistleblower
Former employee of Blue Gryphon prevails in retaliation ruling

PORTLAND, OR—A Lane County adult care home, Blue Gryphon LLC, unlawfully retaliated against an employee who reported an inadequate food supply for residents, the Bureau of Labor and Industries (BOLI) announced today.

After making a good faith complaint of a food shortage at the facility, Lewis Garchow was suspended then fired by the facility's owner, Flora Turnbull.

"No one should have to fear for their job because of reporting neglect or abuse," said Labor Commissioner Brad Avakian. **"It's critical that whistleblowers are free to raise safety concerns on behalf of vulnerable foster care residents."**

The agency awarded Garchow \$1620 in back pay and \$20,000 for emotional distress damages.

The facility, now closed, operated a mental health foster home caring for residents diagnosed with severe and persistent illness. Prior to 2013, the facility set a monthly food budget of \$1200 for its five residents, but reduced the amount to \$800 as expenses tightened.

In March 2013, Garchow expressed concern to a visiting nurse that there was not enough food for residents for the weekend. The nurse reminded the employee that both were "mandatory reporters" with a duty to report neglect.

After the visit, the nurse reported Blue Gryphon to several state agencies and Lane County Protective Services. Garchow also contacted Lane County Protective Services about lack of food.

Prior to his discharge, Garchow had never been disciplined or written up by the owner. During the contested case hearing, Garchow testified that he had developed strong relationships with the residents and that it was difficult for him not to see them or be able to say goodbye.

The termination presented a financial hardship for Garchow, who both fell behind on his rent and lost his car during his months-long search for a new job.

Both the full Blue Gryphon Final Order and additional information about BOLI's efforts to protect the civil rights of Oregonians can be found on the agency's website at <http://www.oregon.gov/BOLI>.

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