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FOR IMMEDIATE RELEASE

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NOTRE DAME AGREES TO A UNIQUE SETTLEMENT WITH THE DEPARTMENT OF LABOR OVER DEATH OF STUDENT EMPLOYEE DECLAN SULLIVAN

INDIANAPOLIS (July 1, 2011) – The Indiana Department of Labor announced today it has reached a settlement agreement with the University of Notre Dame in the fatal-injury death of student employee Declan Sullivan.

Details of the agreement include a requirement for Notre Dame, under the direction of the Indiana Occupational Safety and Health Administration, to launch a nationwide education program directed at other universities and educational organizations about the hazards of the outdoor use of scissor lifts, and the importance of training employees that operate such lifts. This educational program must be launched within 180 days of the date of the settlement agreement.

The university has also agreed to make a substantial contribution to the Declan Drumm Sullivan Memorial Fund within 90 days of the date of the agreement.

“Notre Dame has said multiple times publicly that it wants to ensure nothing like Declan’s death occurs again on its watch, and that it wants to honor Declan’s memory,” said IDOL Commissioner Lori Torres. “We believe this unique agreement allows Notre Dame to live up to those statements, and it allows our agency to carry out its primary mission, which is to advance the safety of employees throughout the state.”

The settlement agreement requires the university to designate a liaison between Notre Dame’s athletic department and the risk-management division to ensure adequate safety training is provided to all employees.

Notre Dame will provide IOSHA with a list of other areas of the university where scissor lifts are in use and will complete a refresher training for all operators of those lifts within 90 days of the date of the settlement agreement.

IDOL issued a safety order to Notre Dame in March, fining the university \$77,500 for several violations in Sullivan’s death. As part of the settlement agreement, the knowing violation was reduced to a “serious” violation, and several serious violations had fines increased from amounts stated in the original safety order.



Indiana

Department of Labor

Advancing the safety, health and prosperity of Hoosiers in the workplace

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The settlement agreement reduces Notre Dame's total fines to \$42,000, due to the State of Indiana.

“This agreement goes far beyond the requirement to pay fines,” said Torres. “It requires one of the nation's most well-known universities to create and implement a mechanism for spreading education about scissor lifts that are used in a range of educational and athletic settings, it requires changes at Notre Dame to ensure employee safety going forward, and it formally recognizes Declan Sullivan's memory.”

Sullivan, 20 years old at the time of his death, was killed while he was videotaping a Notre Dame football practice from a scissor lift that was toppled in high winds on Oct. 27, 2010.

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