



**Contact:** Lesli Bales-Sherrod  
301-427-2300 x 115  
Lesli.Bales-Sherrod@noaa.gov

**FOR RELEASE**  
Dec. 17, 2009

### **NOAA Fisheries observer fined, prohibited from observing for 10 years**

A NOAA Fisheries groundfish observer who admitted he sexually harassed and created a hostile work environment for another observer paid \$1,000 with an additional \$9,000 suspended for five years and was issued a permit sanction that prohibits him from being employed as a NOAA Fisheries observer anywhere in the country for 10 years.

Benjamin Lewis Michlig, originally of Wausau, Wis., and a former employee of Saltwater Incorporated and Alaskan Observers Incorporated, admitted creating a hostile work environment and sexually harassing another observer over a period of several days while they were housed in a bunkhouse in Kodiak, Alaska, in September 2008.

The Magnuson-Stevens Fishery Conservation and Management Act governs commercial fishing activities within the waters of the United States and authorizes observer programs, such as the North Pacific Groundfish National Observer Program. Observers collect catch and bycatch data from U.S. commercial fishing and processing vessels and play a vital role in providing real-time scientific data for effective conservation and management of fishery resources.

The Magnuson Act also provides heavy penalties for individuals who sexually harass or create a hostile work environment for observers.

"It is important for the entire commercial fishing industry to understand that it does not matter whether you are a vessel captain, crew member or another observer – if you harass a NOAA Fisheries observer you will be punished," said Special Agent Frank Bonadonna of NOAA Office of Law Enforcement's Alaska Division. "The law is unequivocal and is in place for the protection of observers wherever they may be during the course of their official duties."

These violations were reported to and investigated by NOAA OLE's Alaska Division and prosecuted by NOAA Office of General Counsel for Enforcement and Litigation. The \$9,000 suspended will be discharged at the end of the five-year period provided Michlig does not commit any violation similar to any of those violations charged in the Notice of Violation.

The mission of NOAA OLE is to ensure compliance with the laws and regulations enacted to conserve and protect our nation's marine resources. To report a suspected violation, contact the NOAA OLE national hotline at 1-800-853-1964.