

Safety and Health Update

In 2003, more than 4.3 million workers were injured and 5,559 workers were killed due to job hazards. Another 60,000 died due to occupational disease. Since taking office in January 2001, the Bush administration has turned its back on workers and workplace safety. Siding with its corporate friends, the administration has overturned or blocked dozens of important workplace protections and weakened job safety programs, leaving workers in danger. Republicans in Congress have made attempts to weaken the OSH Act. Here are some of the highlights of the Bush administration's record of failure on workplace safety and what we need to be prepared for on the legislative front:

- **Moved to Slash the Job Safety Budget** – President Bush's budgets have all moved to reduce the federal government's commitment to protecting workers' safety and health. The FY 2006 budget is no exception, reflecting the administration's priorities and policies that favor employers over workers and voluntary compliance over enforcement. Taking into account inflation, this year's proposed budget freezes OSHA's and MSHA's enforcement programs. Due to the unions' efforts, the Congress has rejected these proposed cuts in previous years and maintained the budgets for the job safety agencies.
- **Tried to Dismantle Worker Safety and Health Training Programs** – While expanding outreach to employers, the Bush administration has tried to gut the training and education programs for workers, previously proposing to slash the worker training budget by 75% and eliminate funding for union run programs. **For FY 2006, the President's budget eliminates the worker training and education program all together.** Thus far, unions have successfully fought these cuts, but the administration is clearly determined to see these programs killed.
- **Shut Down All New Workplace Safety and Health Rules** – The Bush administration killed dozens of worker protection measures under development at OSHA and MSHA, including rules on cancer causing substances, reactive chemicals, and infectious diseases such as TB. They have even refused to issue a rule requiring employers to pay for personal protective equipment, particularly important for immigrant and low wage workers. This Bush administration has the worst record on safety rules in OSHA's entire history, issuing no new significant rules during its first term.
- **Favored Employer Voluntary Programs Over Enforcement and Excluded Workers and Unions** – The administration has made expanding voluntary programs and outreach to employers a top priority. Bush's OSHA has set up partnerships and

alliances with dozens of employers, largely excluding unions. Union representatives critical of the administration have been removed from all agency advisory committees in an attempt to silence opposition.

- **Killed Workplace Ergonomic Protections** - The Bush administration started its assault on worker safety soon after taking office joining with anti-worker business groups to repeal OSHA's ergonomics standard. The standard, 10 years in the making, would have required employers to protect workers from the nation's biggest job safety problem – injuries caused by heavy lifting and repetitive work. The administration's promised "comprehensive plan" to address ergonomic hazards has turned out to be a sham. In 3 years, only three voluntary non-enforceable guidelines – for nursing homes, retail grocery and poultry – have been issued.
- **Repealed Recordkeeping for Ergonomic Injuries** – Adding insult to injury, the Bush administration repealed the OSHA rule requiring musculoskeletal disorders to be identified on the workplace injury log. Instead of requiring hazards to be eliminated, they are hoping reports of injuries will simply disappear.
- **Appointed an Industry Anti-ergo Leader as DOL's Chief Lawyer** – A few weeks after killing the OSHA ergonomics standard, the President nominated Eugene Scalia, one of the leaders of the industry campaign to kill the ergonomics standard, as the chief lawyer at the Department of Labor. Scalia called ergonomics "quackery" and "junk science" and claimed workers injuries weren't real.
- **Safety and Health Legislation** - During the 108th Congress, the House passed four Republican sponsored bills that would erode worker protections under the OSHAct. These bills among other things required taxpayers to pay the legal costs of small employers who prevailed in OSHA enforcement cases, even if they had other serious or willful violations that were upheld and undermined OSHA's authority to interpret its own standards in enforcement cases.

In the Senate, Senator Enzi introduced an OSHA reform bill to allow third party inspections and to reduce some OSHA penalties, while Senator Kennedy introduced legislation to strengthen OSHA by expanding coverage to uncovered workers, enhancing whistleblower protections and increasing penalties for serious and willful violations.

In both the House and the Senate legislation, supported by the AFL-CIO was introduced to enhance the criminal penalties under the OSHAct – to make criminal penalties a felony, not a misdemeanor.

In the 109th Congress, with Republicans in control of the House and Senate, we expect renewed attempts to weaken the OSHA law.

American workers need a strong workplace safety agency that puts workers, not employers, first and protects safety and health, not corporate interests. We will continue to fight for strong safety and health protections for all workers.

Please contact the AFL-CIO Safety and Health Department
if you have questions about this fact sheet or need additional information
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