

# Perspective on the Role of the OSHA in Advancing Occupational Safety and Health for the Nation

## POSITION STATEMENT

*Adopted by AIHA Board of Directors June 17, 2012*



*(In no particular order of prioritization)*

**1. *There is a continuing need for OSHA.***

OSHA remains the federal agency best positioned to address workplace safety and health; however it is necessary to scrutinize OSHA's processes and programs and recommend ways to improve OSHA's effectiveness.

**2. *OSHA should have primary authority for all safety and health issues in workplaces that the agency regulates.***

Overlap and duplication among different government agencies makes compliance difficult, creating confusion and increased cost for employers.

**3. *The OSHA standard-setting process needs to be reformed.***

Reform of the standard-setting process is needed to allow for timely promulgation of standards. Without reform there is a clear gap in protection afforded much of the U.S. working population.

**4. *OSHA penalties are inadequate and should be modified.***

OSHA penalties, including criminal penalties, are inadequate. OSHA criminal penalties should be at least as stringent as penalties for violations of environmental laws.

**5. *OSHA coverage should be provided to all workers.***

All workers in the U.S. should be provided OSHA coverage regardless of whether they work for a private or public employer. The OSH Act should be amended to provide this extension of coverage.

**6. *OSHA should emphasize performance-based approaches whenever possible.***

Performance-based standards should be considered over the traditionally developed detailed specification standards. The maximum flexibility offered by performance-based standards will allow organizations to more effectively achieve goals.

**7. *OSHA should develop and promote occupational safety and health programs for small and medium-sized employers.***

OSHA should develop additional tools geared towards small and medium-sized employers to assist in implementing effective safety and health programs.

**8. *OSHA should have a mechanism that encourages employers to obtain third-party assistance.***

With the limited resources available to OSHA, the agency should promote programs that encourage employers to use third-party assistance to promote and review worksites. Employers should be provided with incentives when using third parties.

**9. *OSHA should continue to provide a mechanism for employees to raise issues.***

OSHA should continue providing mechanisms that allow employees to raise issues without fear of reprisal. AIHA supports a higher profile for the Whistleblower Protection Program.

**10. *OSHA should improve the reliability and efficiency of the occupational injury and illness data collection, interpretation, and dissemination process.***

In addition to a closer working relationship with NIOSH to evaluate the reporting process, AIHA supports a proposal to implement electronic reporting of injury and illness data.

***11. OSHA should require and facilitate education, training, and guidance of employers and employee groups.***

OSHA should offer assistance to employers and employee groups by promulgating a generic training standard that integrates current overlapping and duplicate training specifications.

***12. There should continue to be a general duty clause to enforce employer responsibility to provide safe and healthful working conditions.***

AIHA supports OSHA's ability to use the General Duty Clause to protect workers as well as the agency's ability to use consensus standards.

***13. OSHA should strengthen its support and promotion of partnerships and alliances that achieve excellence in occupational safety and health.***

OSHA should continue programs such as the Voluntary Protection Program and consider alternative programs that ensure employer and employee commitment and accountability.

***14. OSHA should enhance opportunities for employee participation. Safety and health committees and other leadership approaches work well and should be encouraged.***

***15. OSHA should update the Permissible Exposure Limits (PELs) Exposure limits are a primary tool in disease prevention and need to be updated to reflect the latest science and criteria. AIHA supports recommendations for a presidential executive order to update the PELs for federal workplaces and recommends any and all means to expand this update to all workplaces.***

***16. OSHA and NIOSH must be effective partners in the development of occupational and environmental health standards and guidance.***

AIHA supports a recent report that urges OSHA and NIOSH to strengthen their working strategic partnership. NIOSH must be recognized as an equal partner in protecting workers.

***17. OSHA and NIOSH should receive adequate resources to operate effectively.***

Adequate resources must be provided to both OSHA and NIOSH to effectively carry out their responsibilities. Policymakers must be educated on the continuing need to provide sufficient resources to protect workers.