

Legislative Alerts

OSHA REFORM BILL INTRODUCED IN CONGRESS: On September 30, 1997, Senators Enzi (R-Wy.), Gregg (R-N.H.) and Frist (R-Tenn.) introduced the Safety Advancement For Employees (SAFE) Act. This legislation sets forth several overdue changes to the Occupational Safety and Health Act of 1970 (OSH Act) and the agency created to enforce that law - the Occupational Safety and Health Administration, commonly referred to as OSHA.

It is an effort to formulate practical legislation that addresses the most bureaucratic and outdated provisions of the OSH Act, now 27-years old.

The SAFE Act does not try to rewrite the OSH Act. Rather, its carefully drafted provisions address only the most glaring inadequacies of the current law. Clearly, the 1970 law could be completely rewritten. A cautious and in-formed approach addressing only the worst portions of existing law can and will be seen by employees and employers as a vast improvement - one that leads to even safer work-places for all Americans.

The SAFE Act includes the following provisions:

1. Employers may create safety committees in which employees can participate without violating the 1935 such committees on the grounds that they may constitute "sham" unions.
2. Non-government safety experts can be certified as safety consultants authorized to conduct inspections at an employer's request and offer advice and assistance in making the workplace more safe.
3. Compliance with the recommendations of a private inspector will result in a two-year prohibition on OSHA penalties.
4. Proposed OSHA regulations will be subject to review by a Scientific Review Committee appointed by the National Academy of Sciences. This "peer review" process will require sound scientific bases for proposed regulations.
5. Properly trained and equipped employees will be subject to OSHA citations if they knowingly violate an OSHA standard.
6. Routine paperwork or posting violations will no longer be grounds for civil penalties imposed by OSHA.
Employers will be encouraged - not required or coerced - to implement drug and alcohol testing procedures.
7. OSHA personnel will be allowed to provide technical or compliance assistance to employers during an inspection rather than issuing a citation for violations found during the inspection.

The Senate Labor and Human Resources Committee approved the SAFE Act on October 22. It is now ready for a vote by the full Senate. Look for a vote soon. A similar measure was introduced in the House on September 30.

A call or letter to them now would alert them to your concern and encourage them to give

the SAFE Act serious consideration. You can call your senators through the Capitol Switchboard at 202/224-3121. Or address your letters to: The Honorable (Full Name), United States Senate, Washington, D.C.