

ASSE Government Affairs Committee Update

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In any activity, the purpose of ASSE's Government Affairs is to

- support the advancement of the safety, health and environmental (SH&E) profession and that the contribution of SH&E professionals to the health and well being of the American people is appropriately recognized by government at all levels, and
- influence the decisions government makes so that the impact on safety, health and the environment in the workplace reflects good science and best practices of our member SH&E professionals.

For 2009, ASSE has made the following legislative and regulatory commitments:

Develop Cooperative Ways to Address OSHA's Standard-Setting Process

Mechanisms need to be developed to allow the occupational safety and health community to overcome the division that for too long has limited OSHA's and MSHA's ability to update permissible exposure limits (PELs) and other standards appropriately. For example, ASSE has long called for the use of negotiated rulemaking to set exposure limits and legal protections to standard development organizations (SDOs) to pursue exposure limits through the voluntary consensus standard process. Department of Labor leadership can help establish a national stakeholder dialogue on OSH issues that helps build common ground on priorities and encourages the development of creative approaches to regulation that can better make use of what most likely will be OSHA's continued limited resources, given the current economic climate.

Advance Risk-Based Regulatory Approaches

OSH regulation must better encompass risk-based approaches that better encourage employers to take overall responsibility for safety and health throughout their organizations. Ways need to be found to encourage more employers to take a proactive approach for safety and health management and not simply be reactive to minimal regulatory mandates. Successful employers use this approach to help maintain competitiveness, and OSHA and MSHA can help encourage more U.S. companies to be competitive in the global marketplace by encouraging more active safety and health commitments.

Provide OSHA Coverage for State and Municipal Employees

In states that do not have their own state OSHA plans and, thus, are covered by federal OSHA, state and municipal workers are not guaranteed protection under the OSHA standards. An estimated 8.5 million state and municipal workers are not afforded the same workplace protections private sector workers are given. Our members are working now to achieve such coverage in Florida. For the nation, we support federal legislation to require that all state and municipal employees enjoy the same workplace protections given private sector employees.

Aim OSHA Penalties Appropriately

Strengthening OSHA criminal and civil penalties for workplace safety and health violations ending in fatalities is a key issue of concern over the last several years in Congress. ASSE hopes that a bipartisan approach can be reached on changes to the OSH Act that would target truly bad actors and encourage corporate responsibility for setting a culture of safety at the highest level of management and not simply focus on levels of penalties.

Support NIOSH Effectiveness

ASSE is concerned that NIOSH's singular role in occupational safety and health in recent years has not been fully supported within the Center for Disease Control and Prevention (CDC). CDC reorganization efforts have taken various key resources from NIOSH's direct control, and current budget proposals would further weaken NIOSH. Nevertheless, NIOSH has energized its cooperative efforts with stakeholders, including ASSE's member SH&E professionals, and provided national leadership in addressing key OSH issues like nanotechnology and respiratory protection. As the only resource for federal occupational safety and health research and education support, NIOSH must be given the leadership and resources it needs to fulfill its mission.

Ensure Safety Agency Commitments

In a difficult economic climate, ASSE will work to ensure that federal commitment to OSHA, MSHA, NIOSH, the U.S. Chemical Safety and Hazard Investigation Board (CSB) and other agencies that impact workplace safety and health is not compromised and that leadership of these agencies is appointed that can build consensus among all stakeholders.

Advance Global Harmonization

OSHA's rulemaking on global harmonization of US hazard communications (GHS) must be completed. GHS is a positive opportunity for OSHA both to advance safety and health and to help ensure competitiveness for U.S. employers.

Advance NIOSH Support for Safety Education and Research

We are committed to working with NIOSH and Congress to increase NIOSH's support for safety education, training and research. Action is needed to increase the number of safety PhD programs, especially since the current supply of safety PhDs is approaching retirement age. Recent increases in NIOSH support for safety training needs to continue. To educate future business leaders about the value of safety, NIOSH should lead efforts to incorporate safety into business and engineering school curriculums. While the NORA sector councils have encouraged greater involvement of the safety community in setting NIOSH's research agenda, a concerted effort is needed to establish an appropriate balance between safety and health research funding.

Include SH&E in Trade Policy

ASSE encourages OSHA to take a role in ensuring that safety and health is part of this nation's

trade policy so that American corporate investments in SH&E are not undermined by international competitors who unfairly compete without investing in these global responsibilities.

Support Third Party Consultation

ASSE continues to support extending OSHA effectiveness by allowing third party safety audits of companies under strict requirements to ensure professionalism and maximize effect, thereby expanding OSHA's reach beyond the limits of its current enforcement and cooperative programs.

Build Consensus on Ergonomics

If ergonomics emerges as a legislative or regulatory issue, ASSE will work toward achieving a consensus position to overcome the long-standing polarization on this issue. An approach is possible that is risk-based, encourages cooperation, and avoids prescriptive, one-size-fits-all solutions that our expert members know will not work.

Encourage Use of Voluntary Consensus Standards

ASSE will work to encourage all federal agencies to fully comply with the Technology Transfer Act's mandate to consider national consensus standards where feasible when engaged in rulemaking. Use of such standards, like ANSI/ASSE Z15 Safe Practices for Motor Vehicle Operations, ANSI/ASSE Z117 (confined space standard) and ANSI/ASSE Z490.1 (safety training) will help to improve protections of workers and expedite rulemaking activities while reflecting the current technology and industry best practices.

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