

OCCUPATIONAL SAFETY & HEALTH



An Update on NACOSH & the State of the Profession

Professional Safety recently spoke with *Margaret M. Carroll, P.E., CSP*, who is one of two safety representatives on the National Advisory Committee on Occupational Safety and Health (NACOSH). Carroll, who was ASSE's 1994-95 president, is a safety engineer with Sandia National Laboratories in Albuquerque, NM. During our discussion, she shared her thoughts about the committee's activities, the direction of OSHA and NIOSH, and the future of the profession.

PS: Give us an overview of NACOSH and your role on the advisory committee.

MC: NACOSH was established to advise the secretaries of Labor and Health and Human Services on occupational safety and health programs and policies. In its current makeup, the committee has 12 members—two represent management; two represent labor; two represent the occupational safety profession; two represent the occupational health profession; and four members represent the public.

I am one of the safety representatives on the committee. I was first appointed by ASSE in 1996 and my nomination was approved by then-Assistant Secretary of Labor for OSH Joseph Dear. I believe the appointment was an outgrowth of continued contact that ASSE had cultivated with him even before he was seated as the head of OSHA. I was recently reappointed to a third two-year term.

PS: How does the committee perform its tasks?

MC: Currently, we work offline in groups of two or three, then report our discussions back to the entire group for further deliberation. These workgroups focus on key issues—such as ergonomics, strategic plans, and the safety and health program rule. This setup facilitates the work flow. We also work on some projects as an entire group, such as the recently completed review of the standards-setting process. To some, 12 people may seem like an unmanageable number of people for achieving anything. But, in my opinion, we could actually use more members by the time we divide up the work.

PS: What are some key issues currently before the group?

MC: Several issues have been hot in recent months, including the ergonomics standard, safety and health program rule and recordkeeping. One current hot issue is the education and training for compliance safety and health officers (CSHOs), the public, and employees/employers dealing with occupational

safety and health. The committee is looking at everything—from standards for training to subject areas covered, to assessment of the level of training that CSHOs receive. We really just started this effort during our September meeting.

PS: At that meeting, ASSE reviewed the draft Z490 Standard, Criteria for Accepted Practices in Safety, Health and Environmental Training, for which it is secretariat. How was that presentation received?

MC: It was well-received. There were questions, as one would expect. But I think—although the committee didn't discuss the presentation or the standard itself—the presentation helped us develop a baseline for what good training is. I think we can use that standard as a benchmark as we deliberate training issues.

PS: At this point, it appears NACOSH's primary concern is the training of OSHA compliance officers. Is that true?

“I don't think anyone in 1970 envisioned it would take 15 to 17 years for a standard to go from birth to enforcement. Because of the long process, look at the people who might not have been injured or killed had those regulations been in place earlier.**”**

MC: Yes. We will focus first on CSHO training for several reasons. Primarily, many employers seem to believe that CSHOs simply don't have the knowledge needed to review their workplaces. Based on that belief, they often reject the CSHO's findings and don't listen to what the officer says.

At the same time, with the advent of the ergonomics standard and safety and health program rule, we have to determine whether CSHOs are qualified to judge safety management systems. You know employers are going to be saying, "Show me." So, our intent is to look at what compliance officers are receiving in the way of training, and to reassure employers that these individuals *do* know what they are doing—that they have a basis to make judgments.

PS: Will the committee focus on what training CSHOs receive once they join OSHA or what education they receive before they enter the field?

MC: The committee is considering both. We don't yet have the data on what background they enter the field with, but expect to receive that data soon. So, for now, our focus is on the training they receive once they join OSHA. This will be a real telling mark. By knowing what OSHA is saying to its people, we'll have some idea of what the agency presumes they already know.

PS: Some would contend that OSHA does not encourage its compliance officers to pursue professional development. Your thoughts?

MC: Charles Jeffress has taken a different approach to professional development than previous administrators and it's been a breath of fresh air. For years, we have called on the administration to encourage certification for its CSHOs—both safety engineers and industrial hygienists. Charles is encouraging that. In fact, he has put that on his "list of things we want to do."

PS: Has this new approach had an impact?

MC: At this point, it is too soon to point to a cause-and-effect result. For example, I can't state, "We have 20 percent more certified CSHOs now than we did before." But Charles has made it a point on his goal list—part of the goal-setting process within the agency's performance evaluation process.

PS: In your opinion, how is ASSE perceived by NACOSH and OSHA?

MC: Both NACOSH and the OSHA administration look at ASSE as *the* professional safety organization. Because of that, these two groups give quite a bit of weight to positions that ASSE takes. In other words, we look at ASSE as the representative of the safety profession. After all, in less than eight months, ASSE has discussed key standards and training issues with NACOSH. That's a real plus.

PS: Characterize the relationship between NACOSH and OSHA.

MC: It's a partnership. I believe OSHA staff feels the committee has been very helpful in most respects. I'm sure we prick them with a pin every once in a while. But that's what we are supposed to do if we think things are not going in the right direction. Sometimes, we see things that they simply don't see—we bring a different perspective. That is going to be true of any one group of people looking at another.

PS: Can you provide some highlights from NACOSH's standards-setting process report to OSHA?

MC: Our report was the end product of a two-year project. We concluded that the standards-setting process is not working as intended in the OSH Act. I don't think anyone in 1970 envisioned it would take 15 to 17 years for a standard to go from birth to enforcement. Because of the long process—lockout/tagout and confined spaces are good examples—look at the people who might not have been injured

or killed had those regulations been in place earlier. That's a chilling thought.

We also concluded that OSHA and NIOSH don't act synergistically in the standards-setting process. The committee believes these agencies should work more closely. Both Linda Rosenstock [former head of NIOSH] and Charles Jeffress pledged that they would find ways to make that happen. I think one of the strategies is to have their [NIOSH and OSHA] staffs meet more frequently together. If you know each other, you tend to work together more readily. Another problem we found was that the court has set so many barriers to regulation setting—which also probably was not foreseen when the act was passed.

However, the committee's strongest criticism was that no one at OSHA could say, "This is where a standard is on a given day." The process is so complex and projects are always in various stages of completion. NACOSH suggested the agency create a "war room"—put up charts that depict where a project is, how long it can stay at Government Accounting Office or Small Business Administration. This will help staff know what needs to be pushed along in each area. I think we [the committee members] were all demoralized by the complexity of the system. Our review shows that if the process isn't broken, it sure is bent.

We also asked OSHA to make sure that barriers which exist to standards-setting are not internal—unnecessary steps that OSHA may have imposed on itself. So, the committee is asking OSHA staff to take a hard look at what they do and why. In other words, if it's not an external mandate, why do it? I think it will take some time to work through these recommendations.

PS: In that report, you challenged OSHA to work more closely with groups such as ASSE and AIHA. In your view, what should the agency be coming to ASSE for?

MC: My comments were two-fold, both related to standards and regulations. One, ASSE is a tremendously diverse organization—the Society represents every walk of the safety profession. To me, that makes it the ideal sounding board for proposals that OSHA may have.

The agency should make a better effort of asking ASSE, "What flaws do you see with this? Where are we going wrong? Where are we going right? What would make it work better? What would make it easier? What would make it acceptable?" The whole venue of professional societies can provide that type of insight.

Two, occupational safety and health societies such as ASSE and AIHA are real allies of OSHA and NIOSH—they are not adversaries. If the administration would come to these groups and ask, "What can you agree with us on? What can you work with us on? We'd like for you to help us further our goal." This would help the agency leverage its position. I really don't see them taking advantage of that leverage.

PS: On the other side of that equation, how can ASSE better position itself before OSHA?

MC: I think ASSE is doing exactly what it should—and I think the administration would agree. By that I mean ASSE has carefully chosen to comment on everything that affects the profession and occupational health and safety. That's very valuable input to OSHA. It gives the agency an insight that it would not have otherwise—the professional view.

What's better, OSHA now seeks that input. In the past, ASSE was pushing things through transom windows and under doors. That doesn't happen anymore. Now, we get a phone call asking, "What do you think about. . . ?" So, I think ASSE is doing it at the proper level. We are commenting on issues that affect the profession and occupational safety.

PS: The ergonomics standard, safety and health program rule and revised recordkeeping standard have been the subject of much debate. What are the committee's thoughts on these standards? Will action be taken on any soon?

MC: NACOSH made a couple of statements about the ergonomics standard. Most of the committee would have preferred to see the safety and health program rule come first because it is an overarching umbrella—a building block standard. In other words, build a program first, then get to the specifics—with one of those specifics being ergonomics. Nonetheless, NACOSH offered OSHA some constructive input. I do believe the final version will be published this year. *[Editor's Note: See new items on pg. 1.]* It

will be somewhat modified from what we've seen. I believe the input received during the various hearings will temper what the final standard will look like.

The program rule is certainly stalled. With the upcoming administration change, it is anybody's guess regarding a timeline for this project. We could be back to square one with a new administration taking a different view of where things should be.

With respect to recordkeeping, everyone would agree it is a better standard and will be easier for everyone to handle. What we have now is very complex and has books upon books of interpretations.

PS: What do you see as the greatest challenges currently facing the EHS profession?

MC: One issue will be dealing with the ergonomics standard and the safety and health management rule once they are published. These will tax all of us in ways we've never been taxed before. Safety professionals are going to need to be innovative and creative to meet the intent of those standards.

Everyone who is a professional has a safety program, an ergonomics program of some type, and we probably all feel they could be better. But, with these new standards, we will be challenged to be sure we are covering the bases for our employers. I think we are covering the bases for our employees, because we're making the workplace safer and are giving them the tools—both physical and mental—to accomplish the job safely. But I think we'll have to be really creative to show our corporations that yes, we are meeting these standards.

In addition, I see the graying of the profession. Many came into the profession in the mid-1970s, when the NIOSH grants to universities for graduate school programs were in effect. Those people have been in the workplace about 30 years—they are going to begin to consider doing something else, be it retirement or some other vocation.

In addition, almost none of those graduate school programs are left. There are fewer today than in the 1970s and 1980s. I am concerned that we are going to face a real deficit when it comes time to replace those practitioners leaving the profession. No one waits until they are 65 to retire anymore, so I am worried that we are not going to be prepared when these professionals start leaving full-time employment. Supply and demand may be equal now, but I wonder how long that will be true.

And, there is no latitude for pursuing terminal degrees. Too few programs offer

this option. I would love to pursue my doctorate, but I simply can't pick up and go to California or New York to do so.

PS: What steps can ASSE take to help fill this void?

MC: Continue to encourage people to learn about the profession. I would say more people know about it than ever have. Beyond that, I think it's time for ASSE and other professional groups to say to NIOSH, "We're concerned that we won't have enough people to train the professionals or enough students to have access to a degree program. We'll help you lobby for money to do that." In other words, use leverage.

In addition, we must continue to show businesses that it is to their advantage to have trained professionals. Perhaps now is also the time to start doing some statistical analysis of the profession—to see who is in the profession, who is of what age, how many years they have been practicing—to develop a true picture of where the profession is currently and where it is going in the next few years.

PS: Closing thoughts?

MC: I believe the next few months will be interesting. The face of NIOSH will be changing with Linda Rosenstock's resignation and two other key positions open. *[Editor's Note: After this interview was conducted, Dr. Lawrence J. Fine was named Acting Director of NIOSH; Diane D. Porter was named Deputy Director for Management; and Dr. Kathy M. Rest, former chair of NACOSH, was named Deputy Director for Program.]*

A new administration will also affect OSHA. As a result, I think we may be seeing some real changes in what the agencies look like. With both agency heads potentially up for grabs, it could change the way things happen.

I believe we have been extremely fortunate to have Linda Rosenstock, Charles Jeffress and Joe Dear as agency heads. They have worked together well and with all of us very well. In particular, beginning with Joe Dear, ASSE has had greater visibility and access than ever before. That has been great for everyone in the profession, the Society, and safety and health in general.

I truly hope that by the first part of next year, OSHA will have had time to take a hard look at the NACOSH recommendations on standards-setting and develop a plan—which the committee will help with. That could certainly help change the way things happen. ■