

Changes in OSHA are On the Way

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With the change of every administration in Washington, there comes a change in government policy. With this change there will be no exception. This includes OSHA will look very different under the Biden Administration.

President Elect Biden was endorsed for the presidency by more than 40 unions. They are interested in stricter standards, increased compliance officers and increased penalties. President Elect Biden is being pushed to appoint a safety and health professional from organized labor as the next OSHA Chief.

President Elect Biden wants a new emergency temporary standard for (COVID-19). He wants to double the number of OSHA inspections. His transition team for the Labor Department includes four union representatives, the Director of CAL/OSHA, a staffer from Bernie Sanders office, and two officials with the National Employment Law Project, one of the most vocal critics of OSHA.

Critics of OSHA complain that during the Trump Administration there was no clear direction from the top. The number of inspections dropped to the lowest level in 50 years. There have not been nearly enough COVID-19 related inspections and the penalties are insufficient. Monetary penalties are too small and criminal sanctions too weak. Current OSHA standards are antiquated as are hundreds of chemical exposure standards.

Many observers agree the agency needs to modernize a more dynamic safety and health management system that must be endorsed and encouraged. A mindset change is needed to think safe. A safety culture needs to be emphasized by companies.

This must be OSHA's focus as well to encourage industry to follow.

Many high-ranking OSHA officials agree that a new vision needs to be implemented and that vision passed down to all Compliance and Health Officers. This includes:

- Emphasize Health and Safety.
- COVID-19 compliance is necessary.
- More focus on reducing fatalities outside the regulatory process.
- Promote updated safety management standards.
- Focus more on actual risks and severity and probability.
- Reduce the current Permissible Exposure Limits on a number of chemicals.
- Provide better resources to the staff.
- Focus on no more than 12 to 16 priorities.

There will be an ongoing debate in the future over OSHA's role. More liberal activists believe that OSHA is first and foremost an enforcement agency. More egregious violations need to be jailed. Shame, blame and make an example of businesses that violate health and safety regulator's new standards need implemented and strictly enforced.

Only time will tell if all these changes will be fully implemented, but it is certain that changes will be taking place. I recommend that a careful audit of your safety program be undertaken. Update them where necessary, ensure your employee safety training is up-to-date, inspect your Plant facilities on a regular basis to ensure safe conditions are maintained, promote the value of safety and correct any unsafe items brought to your attention.

You cannot prevent the changes that are coming, but by being proactive you can reduce the negative consequences they may have on your business.

If you need help with your safety program, please call me at 1-330-845-4577 (Office) or 1-330-495-3437 (Cell Phone).