

Committee on Health, Education, Labor, and Pensions
Full Committee Hearing
"One Year Later: Inadequate Progress on
America's Leading Cause of Workplace Injury"
April 18, 2002
Statement of Senator Edward M. Kennedy, Chair

America's workers have waited for more than a year for a plan from the Department of Labor to keep them safe on the job from ergonomic injuries. Two weeks ago we learned that they will have to wait even longer for serious action on the nation's leading cause of workplace injury. During that extended delay by the Administration, America's workers have suffered over 1.8 million workplace injuries that could have been prevented. The Administration's delay has also cost the economy dearly – nearly \$50 billion according to the National Academy of Sciences due to injury costs and lost productivity from injured workers unable to do their jobs.

As we will hear today, these injuries have devastated lives and destroyed careers. Ergonomic injuries account for approximately one-third of all workplace injuries. Women have suffered the most from the Administration's extended delay. Women make up less than one-half of the workforce, yet they suffer about two-thirds of all workplace injuries from carpal-tunnel syndrome and tendinitis.

Many of these injuries could have been prevented if this Administration had acted as promised. Sadly, the long-awaited plan of action by the Administration falls far short of protecting America's workers. It is not the "comprehensive approach to ergonomics" promised by the President and the Secretary over a year ago. In fact, it is really only a plan to come up with a plan.

The Administration's plan is a replay of failed strategies from the past. They rely on toothless voluntary guidelines that most corporations will simply ignore. In fact, after over a year of delay, the Administration still has not identified what industries will be covered and has not produced a single one of these voluntary guidelines.

Under the Administration's voluntary plan, great emphasis is placed on the importance of training. Yet, the President's budget cuts workplace safety training by \$7 million. With these cuts, the Administration is eliminating a long-time successful program for improving workplace safety for immigrant workers.

This issue has been studied and studied again for over ten years. There were three Congressionally funded studies over four years. There is absolutely no doubt that millions of workers suffer from repetitive motion injuries due to their jobs. Yet, the Administration's plan means more study, additional delay, unenforceable guidelines, and another decade in which little is done to protect these workers.

We all know that if a million CEOs were injured on the job – instead of a million secretaries and cashiers – we would see a very different plan presented to this Committee today.

As the American Public Health Association stated, "It is very clear that American workers need a real ergonomics standard, that there is scientific data supporting a standard and that Secretary Chao has chosen to ignore this information in favor of big business interests."

The Administration mistakenly claims that a purely voluntary approach is best to protect workers. We've already been down this road. In fact, the first Bush Administration recognized the failure of voluntary guidelines, compliance assistance and enforcement under the general duty clause and began to develop a nation-wide standard ten years ago. Instead of taking seriously the lessons of history, this Administration is protecting employers who ignore the safety of their workers. And America's workers are left to suffer the consequences. Millions of injured workers have their lives disrupted and their careers destroyed just for doing their job well. We owe it to them to do all we can to protect them.

I welcome our witnesses today, and look forward to hearing from them on how we can best protect America's workers on the job.