
EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

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**Chairwoman Woolsey Statement at Subcommittee Hearing On
“Have OSHA Standards Kept up with Workplace Hazards?”**

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. Lynn Woolsey (D-CA), chairwoman of the House Subcommittee on Workforce Protections, for a subcommittee hearing on “Have OSHA Standards Kept up with Workplace Hazards?”*

In 1970, the United States Congress passed the Occupational Safety and Health Act to provide every working man and woman in the nation a safe and healthful workplace. One of the most important roles it gave the new agency was to develop safety and health standards.

The standards that OSHA has established have saved literally thousands of lives.

For example, in 1978 when OSHA's cotton dust standard was adopted, there were 40,000 cases of Brown Lung disease annually -- 12 percent of all textile workers suffered from this deadly disease.

By 2000, and because of the OSHA standard, brown lung was virtually eliminated.

OSHA's 1978 standard on lead dramatically reduced lead poisoning.

And the 1989 Excavation Standard designed to protect workers from trench collapses has reduced deaths by more than 20% while construction activity has increased by 20%.

OSHA has made an enormous difference in workers' lives. But sadly, many workers are still at risk from unsafe conditions in their workplaces. The Bureau of Labor Statistics reported that in 2005, there were over 5,700 workers---or 16 per day---killed in the workplace.

In addition to terrible fatalities, there are millions more workers---like Mr. Peoples here today---who suffer from injuries and illnesses while working.

This is not a time to slow down on protecting worker safety.

But yet that is what this Administration has done. There are various areas where OSHA has failed to do its job and over the coming months, this Committee will look into them. Today's hearing will focus on standard-setting, and in this arena, the Administration has the worst record of standard setting of any administration in the history of the law.

The Administration began on a tragic note for America's workers – with the shameful repeal of OSHA's ergonomics standard.

That was followed by the removal of dozens of rules from the regulatory agenda, including the standard to protect health care workers against tuberculosis. I pray that we don't live to regret it when extremely drug resistant TB -- which is killing 2/3 of those who get it in South Africa – reaches this nation in significant numbers.

To date, this Administration has issued only one significant health standard to protect workers against cancer-causing chemical hexavalent [hex-a-valent]chromium– and that standard was issued under court order.

One of the worst failures of this administration is its failure to issue a rule that requires employers to pay for employees' personal protective equipment. This rule was almost finished during the Clinton administration. Seven years later, OSHA has finally agreed to issue this standard – again under threat of a court order.

Today we will hear the tragic story of Eric Peoples who has “popcorn lung disease” and has lost much of his lung capacity. He faces an early death due to his exposure to a chemical called diacetyl [dye-aci-tell] that is used in butter flavoring for popcorn. The industry and OSHA are well aware that that exposure to diacetyl has dire health consequences for workers. But OSHA has yet to initiate regulatory action.

In fact, the entire area of chemical regulation is a travesty. OSHA currently regulates only around 600 chemicals out of the tens of thousands used in industry, but most Americans would be shocked to learn that these standards are based on science from the 1950's and 1960's.

I'm also concerned that OSHA is substituting voluntary programs for enforceable standards. We want to know what evidence OSHA has to argue that these voluntary programs are effective replacements for OSHA standards.

We owe it to our workers to protect their health and safety, which, which is what CalOSHA---my home state's program---is doing. For example, in response to a union petition, CalOSHA is currently proceeding on the fast-track to develop a standard for diacetyl and is conducting aggressive inspections of facilities that use this chemical in its operations.

In addition, in contrast to federal OSHA, CalOSHA is also working on updating large numbers of its chemical standards.

The purpose of this hearing is to begin to understand why OSHA is not even coming close to fulfilling its original mission and what we can do to correct this.

With that, I defer to Ranking Member Joe Wilson for his opening statement.

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