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**EDUCATION & LABOR COMMITTEE**

**Congressman George Miller, Chairman**

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Tuesday, April 28, 2009  
Press Office, 202-226-0853

**Chairwoman Woolsey Statement At a Committee Hearing On  
“Are OSHA’s Penalties Adequate to Deter Health and Safety  
Violations?”**

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. Lynn Woolsey (D-CA), chairwoman of the House Subcommittee on Workforce Protections Subcommittee for a subcommittee hearing on “Are OSHA’s Penalties Adequate to Deter Health and Safety Violations?”*

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Thank you, Chairman Miller for holding this very important hearing on OSHA penalties.

In the more than two years that I have chaired the subcommittee on workforce protections, I, like you, Mr. Chairman have heard story after story of worker tragedies and of deaths and injuries that could have been prevented if the employer had safety and health protections in place.

My heart goes out to Becky Foster and other family members, who have senselessly lost their loved ones to workplace incidents.

I can think of no more fitting tribute to workers on workers Memorial Day than to dedicate ourselves to putting policies in place that will protect workers and have a deterrent effect on employers.

That is why this hearing is so important.

OSHA penalties against employers are shockingly low.

It is rare that an employer gets more than a slap on the wrist, even when a worker dies or is seriously injured, even in the most egregious cases. It is rarer still that they are referred for prosecution.

H.R. 2067, the Protecting America’s Workers Act (PAWA), which I introduced last week provides needed reforms to the Occupational Safety and Health Act, including increasing penalties so they will have a deterrent effect.

Thank you, Mr. Chairman for your strong support of this legislation.

Under PAWA, civil penalties are raised to the level to account for inflation since 1990, and then they will be indexed to inflation in the future.

Criminal penalties are expanded to not only cover willful violations resulting in death but those willful violations that result in serious injury as well.

Also these criminal penalties would be subject to felony prosecution and provide for up to 10 years in jail.

Possibly most importantly, workers and their families would have the right to participate in OSHA's enforcement process against the employer... they can appeal and modify a decision... in fact they can way in ahead of time.

Mr. Chairman, thank you for being a fierce advocate for American workers. I look forward to this hearing and to passing strong safety and health legislation.

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