

TESTIMONY

OF

RICK BLOOMINGDALE, PRESIDENT

THE PENNSYLVANIA AFL-CIO

ON

THE PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND
HEALTH ACT

BEFORE THE

HOUSE LABOR AND INDUSTRY COMMITTEE

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Good morning Chairperson Gingrich, Chairman Galloway, and members of the House Labor and Industry Committee. My name is Rick Bloomingdale. I am the President of the Pennsylvania AFL-CIO, and I am here today on behalf of the affiliated labor organizations representing over 800,000 working women and men.

Thank you for the opportunity to present testimony regarding House Bill 1082, the Jake Schwab Worker's Safety Bill. It is a fundamental right of all employees to work in an environment that is safe.

In 1970, Congress enacted the Occupational Safety and Health Act to assure safe working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance. Since the Occupational Safety and Health Administration's inception, dramatic improvement in workplace safety has transpired. Accurate statistics were not kept at the time of

the legislation's enactment, but the estimate is that, in 1970, approximately, 14,000 workers lost their lives on the job. In the meantime, even though U.S. employment has virtually doubled and now includes over 130 million workers at more than 7.2 million worksites, the results were encouraging. By 2009, the number of workers who were killed on the job that year *fell* to approximately 4,340. Over the same period of time, the rate of reported serious workplace injuries and illnesses has declined from 11 per 100 workers in 1972 to 3.6 per 100 workers in 2009.¹ Suffice it to say that OSHA safety and health standards have prevented countless work-related injuries, illnesses and deaths. It has been a success story.

The need to expand these protections is imperative. The Commonwealth and its political subdivisions employ over 500,000 workers. Many of these public employees perform jobs comparable to those performed by their private sector counterparts. The latter are protected by the Occupational Safety and Health Act of 1970 (Public Law 91-2596, 29 U.S.C. § 651 et seq.). But, under current federal law, OSHA provides protection for just these private sector employees, not those of the public sector. The upshot is that there are two standards for employee safety: one applicable to those who are employed in the private sector and one for those who are work for a public employer. This needs to change, and Representative Hawkins' bill does just that. It provides for safe workplace protections for the

state's public sector employees similar to those OSHA provides for private sector employees.

Under this legislation, the benefits accruing to the state employees may be obvious. That state employers stand to gain may not be as clear. It is constructive to understand the advantages of this bill to employers as well. Injuries, illnesses, and deaths in the workplace are costly in financial as well as in human terms. Employers lose countless hours of productivity to illness and injuries that a safe workplace could easily reduce. While this is the case in the private sector, it can easily be translated as applying to the public sector. The latest figures from the Bureau of Labor Statistics indicate that lost-time injuries are about twice as frequent for public employees as for private sector workers. That alone is a tremendous cost to the public employers and totally preventable.

Some years ago, the American Society of Safety Engineers' *Journal of Safety, Health and Environmental Research* published an extensive study, "A Data-Based Evaluation of the Relationship Between Occupational Safety and Operating Performance." The study's conclusions were that "good safety is good business. Safety and operating performance measures should be viewed as in concert with each rather than as competing entities."²

House Bill 1082 requires the state and its political subdivisions to provide the same type of protection for the employees of its public sector as the federal

government requires for Pennsylvania's private sector employees. The Commonwealth ought to promote this plan for the development and enforcement of occupational safety and health standards with respect to public employers and employees, in accordance with section 18(b) of the Occupational Safety and Health Act of 1970, and the Secretary of Labor and Industry ought to be empowered to promulgate regulations in order to administer and enforce this act. The Pennsylvania AFL-CIO strongly supports Representative Harkins' House Bill 1082.

I thank you for this opportunity to appear before you.

¹ <https://www.osha.gov/osha40/timeline.html>

² "A Data-Based Evaluation of the Relationship Between Occupational Safety and Operating Performance" by Anthony Veltri, Mark Pagell, Michael Behm, and Ajay Das. Journal of SH&E Research Vol.4, No. 1 (Spring 2007). Results of study of 19 manufacturing firms supports theory that good safety performance is related to good operating performance.