

## OSHA releases its proposed budget for 2014

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Recently, the U.S. Occupational Safety and Health Administration released its Congressional Budget Justification for the 2014 fiscal year which begins October 1, 2013. Of its \$570 million budget request, some \$104 million would go to the 25 states as well as Puerto Rico and the U.S. Virgin Islands that have their own OSH programs.

Under the appropriation legislation to be passed by Congress, there is an overall limit of 50% on matching grants to state-program states. This ensures that state-program states would not be required to expend from its own revenues more than an amount equal to the grant provided by the federal government.

Kentucky has a state plan. For the 2014 fiscal year, OSHA is proposing to provide a grant to Kentucky's OSH Program of \$3,505,000, down some \$21,000 from the prior fiscal year.

The 2014 budget request, according to OSHA, would enable it to work on longstanding and complex standards, such as the Injury and Illness Prevention Program rule, implement enforcement and whistleblower initiatives designed to have an impact on groups of employers, and engage in outreach and training activities.

Citing a 2012 study published in Science entitled "Randomized Government Safety Inspections Reduce Worker Injuries with no Detectable Job Loss," OSHA contends that enforcement inspections in fact result in safer workplaces and provide employers significant savings through reduced workers' compensation costs.

The study's authors concluded that workers' compensation claims dropped 9.4% at randomly chosen businesses in the four years following an inspection

by the California OSH program, as compared to companies not inspected.

Therefore, OSHA proposes to "continue its intensified commitment, and emphasis on the enforcement of occupational safety and health standards and regulations to improve compliance and deter employers who put their workers' lives at risk."

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OSHA also touts its regulatory agenda as a strategy for reducing injuries and illnesses through regulation. OSHA noted that it had recently issued standards relating to cranes in shipyards and workers who work with chemicals.

OSHA also updated its Hazard Communication Standard to align it with the Globally Harmonized System of Classification and Labeling of Chemicals.

OSHA stated that many of its standards, including those for chemical exposures, are out-of-date.

Indeed, OSHA admitted that there are no Permissible Exposure Limits (PELs) for most of the thousands of chemicals used in the worksites, and the vast majority of existing PELs actually date from the 1960s or earlier.

Citing the Government Accountability Office (GAO) report from their 2012 study entitled "Multiple Standards Lengthen OSHA's Standards Setting," OSHA recognized that the complexity of the current rulemaking process makes it difficult to issue new standards in a short period of time. Thus, "OSHA is exploring new ways to approach the problem of workplace exposure to hazardous substances, both from the enforcement and standard-setting perspectives." ▲

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