



## NYCOSH Recommendations for OSHA Submitted by Joel Shufro, Executive Director

1. Expansion of Worker Safety and Health Training
  - a Re-institute and expand New Directions Programs
  - b Expand definition of emergency response personnel and provide appropriate safety and health training
2. Increase funding for agency,
  - a increase numbers of OSHA inspectors;
  - b Hire inspectors who are multi-lingual
  - c Increased emphasis on enforcement; less emphasis on voluntary programs
3. Changes in OSHA Law
  - a Safety and Health Program Standard: Require all workplaces to have written safety and health program which provides for worker involvement
  - b Expand workers rights to refuse dangerous jobs and/or shut down dangerous jobs
  - c Shut down of operations cited by OSHA inspector if citation is contested by employer.
  - d Give OSHA inspectors right to shut down unsafe jobs
  - e Increase and index fines; increase criminal penalties; eliminate requirement that there must be a fatality before criminal prosecution is pursued.
  - f Cover all public sector workers
  - g Change 11-C so that workers have real protection when exercising their rights.
  - h Private right of action
  - i Eliminate the use of AUnclassified@ citations
  - j Explicit right to bring in outside experts
  - k OSHA directive HSO 01-00-001, effective 12/18/03, requires default to non-enforcement of applicable standards during emergency response operations. Change to make enforcement the default position. As per EPA, AThere are no exemptions for emergencies in the [OSH] Act.@ (U.S. Environmental Protection Agency. Guidelines for Catastrophic Emergency Situations Involving Asbestos. EPA 340/I-92-010, February 1992.)
4. OSHA Standards
  - a Enact Ergo standard
  - b Update out-dated standards;
  - c End second class status of construction workers
  - d Prevent OSHA preemption of stronger state and local standards.
  - e Need exposure standards for acute exposures and sub-chronic exposures. Bring OSHA exposure limits in line with more protective exposure standards of other government agencies
5. Immigrant/Youth Workers/Older Workers: Develop special emphasis programs for these populations.
6. Data Collection: Revise OSHA=s record keeping standard. Eliminate exemptions for industries below the national injury average. Establish a comprehensive injury and illness surveillance system that does not rely on employer-based data sources.
7. Reconvene the National Commission on Workers Compensation
8. Require Safety and Health Training for all federally funded job training programs through the stimulus program currently being considered by Congress