“The Washington Buzz”

Yuma Pacific/SW
Local Section
San Diego, CA
January 22, 2016
The Budget

- Debt Limit Raised
  - Through March 2017
  - CBO Deficit Triple by 2026
  - Debt Rises by $10.7 Trillion by 2026

- Sequestration Overridden
  - Through September 2017

- Individual Budgets
  - Most Flat - Few Policy Riders
  - $80B Spending Increase
The Budget

- Existing Budget $552.8 m
- President’s Proposal $592.1 m
- Senate Proposal $524.5 m
- House Proposal $535 m

PENALTIES INCREASED

House and Senate had Wanted Cuts in Enforcement and a Delay or Block of Silica Rule
OSHA Wanted 90 FTEs
The Budget

- **Existing Budget** $375.9 m
- **President’s Proposal** $394.9 m
- **Senate Proposal** $357 m
- **House Proposal** $371 m

House and Senate Wanted –
1.3% to 5% Cut in Existing Budget
Cut $15 m federal enforcement
The Budget

- Approved Spending $339.1 m
- Existing Budget $334.9 m
- President’s Proposal $283 m
- Senate Proposal $316 m
- House Proposal $341 m

Continued Funding for ERC and AFF Programs

Dr. John Howard Re-Appointed
Congressional Activity

- Regulatory Reform –
  - Approval by Congress
  - Less Burdensome Alt.
  - Internet Summary
  - Review Existing
  - Regulatory Budget
  - Permanent Committee

Senate Regulations Caucus
Can It Work?

House Task Force on Executive Power
Congressional Activity

- OSHA Reform
- TSCA Reform
  - Passed House – Passed Senate
  - Will There Be A Compromise?
- Abatement before Citation
- Federal Contracting
- Noise Abatement & Control
- Safe Patient Handling
- Guidelines?
OSHA Activity

- Reporting – Severe Illness & Injuries
  - **FINAL** - Effective Jan 1, 2015
    - Old – Report Fatalities & Hospitalization of 3+ within 8 hrs.
    - New – Fatalities within 8 hrs, but all eye loss, hospitalization, amputations within 24 hrs.

Electronic Reporting Now Allowed
  - Form Just Now Made Available

**ONLY FINAL IN 2014**
OSHA Activity

- Confined Spaces in Construction
  - FINAL – Published May 4, 2015

  Took Effect – August 3

  Compliance Deadline – October 2 for “Good faith Efforts” – Now January

  Pending lawsuit – But Doubtful To Halt Rule

  ONLY FINAL IN 2015?
OSHA – Ongoing Issues

The Biggie –

Crystalline Silica –
#1 Priority of OSHA

- Scientific Rationale Questioned
- Is There Really A Need?

OSHA and White House – “This WILL Happen”
Final By 02/16? Now at White House
OSHA – Ongoing Issues

Beryllium

- Labor / Industry Agreement
- Focus on General Industry
  - OSHA Considering Adding Construction?
- Reduce PEL by 90 Percent
- Finally Proposed
- Public Hearing 2/29

OSHA To Finalize? No timeline Stated
Time Running Out!
OSHA – Ongoing Issues

- Permissible Exposure Limits (PELs)
  - Options to Control Exposure
- Process Safety Management
  - Small Business Review – Delayed Again
- Program Management Guidelines
  - Comments Close 2/16
- DOJ and DOL Joined Forces to Prosecute
OSHA – Wish List

OSHA Wish List –

- Combustible Dust
- **Infectious Diseases***
- MSD Recordkeeping
- Electronic Recordkeeping
- **Injury and Illness Prevention Program***
- Safe Patient Handling
- Nanotechnology
- Safety Incentives
- State Plans
- Emergency Response
OSHA – Regulatory Agenda

OSHA Wish List Compared to Regulatory Agenda—

- Pre-Rule Stage
  - Bloodborne Pathogens – End Review
  - Combustible Dust – SBRFA 08/16
  - PELs – Analyze Comments 04/16
  - Process Safety Mgmt. – SBREFA Ends 04/16
  - Emergency Response – Workgroup 03/16
  - Revoking Obsolete PELs – RFI -7/16
OSHA – Regulatory Agenda

OSHA Wish List Compared to Regulatory Agenda–

- **Proposed Rule Stage**
  - Beryllium – Analyze Comments - 12/15
  - Standards Improvement – NPRM – 05/16

- **Final Rule Stage**
  - Silica – 02/16
  - Tracking of Injuries & Illnesses – 03/16
  - Streamline State Plans – NPRM Withdrawn
The Real Leader in OS&H

The States!

- Half with State Plans
- Issues –
  - VPP
  - Safe Patient handling
  - Mold Remediation
  - Confined Spaces
  - Abatement Issues
  - Heat Stress
  - Exposure Limits (OR)
  - Caution – Budgets!
Before Solutions – The Problem

Congress –

- Inability to lead
  - Parties Have No Control
  - Boehner Example

- Continued Gridlock
  - How to Make the Other Guy Look Bad!

- No Champion for OH&S
  - Elections Not Won or Lost on This Issue
  - $182 Million!!!!!!
Before Solutions – The Problem

OSHA –

- Not Enough Resources
  - OSHA Budget Less Than Cost to Guard Embassy and Personnel in Baghdad

- Convoluted Regulatory Process
  - 7 Health Standards in Last 20 Years – 6 in 1978 Alone

- Outdated Exposure Limits
  - Thousands with None
  - Industry Says Limits Too High
  - Labor Says Limits Too Low
Solutions! – But First 2016

- Presidential Election –
  - Terrorism – Immigration - Economy
  - Who are the Candidates?

- Congress –
  - Senate –
    - Current 54 – 44 (2) Up - 24 GOP vs 10 Democrat
  - House – 246 GOP – 188 Democrat (1)

- Second Session – 11 Days
Outside The Box Solutions!!

Lemonade from Lemons

Budget Cuts Present Opportunities
Outside The Box Solutions!!

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Budget Cuts Present Opportunities

Move NIOSH
Make Independent Agency
Outside The Box Solutions!!

**Lemonade from Lemons**

*Budget Cuts Present Opportunities*

**Move NIOSH**

*Make Independent Agency*

**Compliance Assistance**

*Workplace reviews –*

- Use Private Sector? Incentives?
- Shortage of Professionals
Outside The Box Solutions!!

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Workplace reviews –
Use Private Sector? Incentives?
Shortage of Professionals

Combine OSHA/MSHA
Outside The Box Solutions!!

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*Shortage of Professionals*

**Combine OSHA/MSHA**

**Standard Setting**

*Non-Profit Private Sector?*
There Are Positives

Congress – Founding Fathers were Right!
It’s Supposed To Take Time

OSHA – Ergo, IAQ,
Regulations and Standards Not Always Needed

H&S Professionals – You are Doing the Job!!
Workers Are Protected
“To Those Who Think of Politics Simply as a Game – They Don’t Understand That It’s The Most Important Game Our Country Is Involved With, Every Day.”
Thanks!

And Remember –

“You Can’t Escape Politics – You Either Play or Be Played.”

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