“The Washington Buzz”

Yuma Pacific/SW Local Section

San Diego, CA

January 20, 2017
What Just Happened!!!!!!!!!!!!!!

Not a Shattered Glass Ceiling –
What Just Happened!!!!!!!!!!!!!!

Not a Shattered Glass Ceiling –

But a Complete Roof Collapse!
What Just Happened!!!!!!!!!!!!!!

Or As Thomas Frank of “The Guardian” Stated ----- “A Technocrat That Offered Fine Tuning When the Country Wanted to Take a Sledgehammer to the Machine”.

The Present and the Future

Let’s Take a Look at The Impact of This Election

- What May Happen at OSHA?
- What May Happen in Congress?
- What May Happen at the White House?

Impact on Occupational Safety and Health
OSHA – Change on the Way

Who’s In Charge –
- Jordan Barab – Acting Asst. Sec. (But Not for Long – Non-Career)

Who’s on Deck –
- Numerous Names Being Floated
- Don’t Expect Anything for 3 to 6 Months
- Will Be on a Short Leash For Sure
OSHA Under Trump

Probable Approach

- No New Regulations for Some Time
- Limitation on Penalty Increases
- Tighten Window on Repeat Violations
- Cut the Severe Violator Enforcement Program
- Increase VPP Participation
- DOL and DOJ Effort May Continue
- Scale Back Enforcement – “no brainer”
Congress Under Trump

Congress –

- Senate is 52-46-2
  - Lamar Alexander – Chair
  - Patty Murray – Ranking Member
  - Johnny Isaakson – Chair
  - Al Franken – Ranking Member

- House is 241-194
  - Virginia Fox – Chair
  - Robert “Bobby” Scott – Ranking Member
  - Subcommittee Not Yet Announced

- I See No Champion for OH&S
Congress Under Trump

The Budget –

- Debt Limit to Rise
  - Another $10.7 Trillion by 2026
  - Just Finished Doubling Last 8 Years

- Sequestration Issues

- CR Until April 28
  - Working on FY17 and FY18 Same Time
Congress Under Trump

The Budget –

- OSHA - $552.8 million
- MSHA - $375.9 million
- NIOSH - $339.1 million
  - Expect No Immediate Threat to ERC and AFF Funding
Congress Under Trump

Probable –

- Use Appropriations to Delay or Halt Existing and New Issues

Possible –

- REINS Act – Congress Must Approve any Regulation Impacting $100+ million
- Environmental Impact – Streamline Reviews
- Repeal 2 Regs for Every 1 Published
White House Under Trump

Probable and/or Possible—

- Repeal Many Obama Executive Orders
- Procurement Change
- Higher Threshold to NOT Use Consensus Standards
- Roll Back “non worker” Proposals
  - Electronic Recordkeeping
  - Guidance Documents, i.e., Labor Officials Accompany OSHA Staff on Inspections of Non-Union Sites
White House Under Trump

Some OSHA “Hot Button” Issues

- Beryllium – Finalized (Expanded to Construction and Shipyards) Expect to Stay
- Fall Protection – Probably a Go
Outside The Box Thoughts!!

Some Old – Some New

“All From a ‘Has Been’”

- OSHA Is Not A Priority
  - Congress, Trump and the Nation Have More Pressing Concerns
Some Old – Some New

“All From a “Has Been”

- OSHA Is Not A Priority
  - Congress, Trump and the Nation Have More Pressing Concerns

- Will Trump Dismantle or Zero-Fund the Agency?
  - NO! He’s a Businessman!
Outside The Box Thoughts!!

- Move NIOSH
  - Make Independent Agency
Outside The Box Thoughts!!

- **Move NIOSH**
  - *Make Independent Agency*

- **Compliance Assistance**
  - *Workplace Reviews – Use Private Sector*
Outside The Box Thoughts!!

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  - Make Independent Agency

- **Compliance Assistance**
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- **Private Sector Stakeholder Committee**
  - NACOSH Isn’t Successful
  - More Representation by OH&S Groups
Outside The Box Thoughts!!

- Combine OSHA/MSHA
  - Could Have a Potential $1 billion to Spend
Outside The Box Thoughts!!

- **Combine OSHA/MSHA**
  - Could Have a Potential $1 billion to Spend

- **Budget Problems**
  - Don’t Look for Any Increases
Outside The Box Thoughts!!

- **Combine OSHA/MSHA**
  - *Could Have a Potential $1 billion to Spend*

- **Budget Problems**
  - *Don’t Look for Any Increases*

- **States Involvement**
  - *Will Increase Two-fold*
  - *This is Where the Action Will Be*
Outside The Box Thoughts!!

- 21st Century Issues
  - Telecommuting
  - Nanotechnology
  - The Unknown
Outside The Box Thoughts!!

- **21st Century Issues**
  - Telecommuting
  - Nanotechnology
  - The Unknown

- **Standard Setting**
  - Non-Profit Private Sector
  - Opportunity is NOW to Impact PELs
  - Opportunity to Propose OH&S Solutions
Final Thoughts!

A Divisive Election – But Remember

“We should all hope that Donald Trump is a good President. Wanting him to fail is like wanting the pilot to crash the plane we are ALL on!”
And Remember –

“In The End It Might Make Very Little Difference What OSHA Does or Doesn’t Do or What Congress Does or Doesn’t Do – So Long As You Continue To Do Your Job Workers Will Continue To Go Home Safe and Healthy Each And Every Day!!!!”
Decision to Retire

A Change -

“From the Land of Fruit and Nuts to the Other Land of Fruit and Nuts But With More Golf!”