Regulatory Update+

YPSW 2018 Annual Meeting
Friday, January 19, 2018
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AIHA
Want to be influential?

- Get involved!
- Be at the table
- Regs typically take years to create at the municipal, State, or Federal levels of government
  - Find out which gov’t groups are developing which regs, and join them
- AIHA can help – and often so can your colleagues, who may have insider connections & intel
Lots of action happening all the time

• Regs have the force of law
• Regulations are a very broad type of policymaking
  – E.g., Building codes, info collection requests & proposed rules for everything imaginable
  – Remember: Lots of action occurs via advisory boards, municipal gov’ts, etc.
• Many more regs go into effect each year than legislation enacted at any level of gov’t
Federal vs. State Activity

• Federal gov’t = Lots of consequential regulatory action expected in 2018.
  – *Federal Register* published 5 days a week

• State gov’t = Less action by any one State than the Federal gov’t, but likely more over all.
  – State regulatory notices often published once a week or month
    • CA Regulatory Notice Register published weekly
Let’s compare…

- Federal rules issued in 2016: 3,853
- Federal bills that became law in 2016: 329

Other fun trivia:
- Pages in the FR (2016): 97,110
- Bills introduced in Congress: 12,063
- State bills introduced: 95,661
New CA Rule Protecting Housekeeping Workers!

- Brand new this week – approved Jan. 18
- Focused on preventing musculoskeletal injuries
- Need: Housekeeping workers suffer musculoskeletal injuries at higher rates than other workers
  - 103 vs. 29 (overall) for every 10,000 workers
New CA Rule Protecting Housekeeping Workers!

• Basic req’s – pretty commonsense
  – Req’s hotels & other such businesses to est., implement & maintain an effective musculoskeletal injury prev. prog that addresses hazards specific to housekeeping

• No effective day yet set

Regulations Revolution!

Massive Currents that Move the Ocean: Executive Orders & Agency Plans

• 3 for 1: For every 1 new reg, Fed agencies will plan to take 3 deregulatory actions

• Each agency has a Regulatory Reform Officer & Reg Ref Task Force
  – Find the unnecessary regs & repeal, modify, or replace those that are outdated, unnecessary, ineffective, or have costs that outweigh benefits

• Each agency given a budget for significant new regs (those that >$99 million)
Update & Futurecasting

• Silica rule survives challenge in US Court of Appeals for DC Circuit
  – Rule for construction went into effect Sept. 23, 2017
  – General industry & maritime have until June 23, 2018
• OSHA expected to propose changes to its final rule to Improve Tracking of Workplace Injuries and Illnesses
• Beryllium: No recent news; litigation continues with more expected
• Jurisdictional issues b/t EPA & OSHA concerning new TSCA & protections for workers
  – Clarifying guidance expected
Update & Futurecasting

• Big development that will impact OSHA regs: Senate confirmation of Scott Mugno, President Trump’s nominee to serve as Assistant Secretary
  – No date set for this to occur, but it’s expected he will eventually be confirmed

• Congress is continuing its oversight activities of reg reform
  – Expect continued challenges to silica rule, but probably not much will occur here
It’s an Election Year!
Election Year

• More than 6,611 State and Federal seats up + more at the local level

• AIHA is encouraging its members to speak to their candidates and Parties about the importance of worker health & safety, and encourage them to incorporate our priorities into their speeches, etc.

• AIHA is nonpartisan and doesn’t give $$ to candidates or endorse them
AIHA’s Public Policy Priorities
Public Policy Priorities

• Protecting first responders and others from occupational exposure to opioids and their synthetic analogues
• Teen workplace safety education
• Cannabis industry worker health and safety
• Disasters
• Gig, seasonal, temporary workers
Implementing AIHA’s Public Policy Priorities: The ACTIONS Committee
ACTIONS (AIHA Coalition of Technical Influencers On New Solutions) Committee

• Is the direct successor to AIHA’s Government Relations Beta Group.
  – The Beta Group was a trial balloon; when it amassed over 350 members, the need became clear for it to become a formal volunteer group = ACTIONS Committee.

• Open to AIHA members. Non-members will be consulted as-needed to pull-in their technical expertise.
ACTIONS Committee

• Core Functions:
  – Implementing the current, and proposing new goals and activities under AIHA’s Public Policy Priorities. This is done in collaboration with AIHA’s other VGs.
  – Developing specific language for legislation and regulations at the Federal, State, and Local levels.
  – Organizing and mobilizing AIHA’s members for the purpose of achieving the Association’s objectives through government relations.
  – Advising AIHA’s Board of Directors on GR matters.
ACTIONS Committee

Interested in joining?

Sign up using the circulating sheet or email Mark Ames, AIHA’s Director of Government Relations, at mames@aiha.org.
Questions & Discussion

Thank You!

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