

# 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 musculoskel. 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 musculoskel. injury prev. prog that addresses hazards specific to housekeeping
- No effective day yet set
- More info at <http://www.dir.ca.gov/OSH/Hotel-Housekeeping-Musculoskeletal-Injury-Prevention.html>

# 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  - Find the unnecessary regs & repeal, modify, or replace those that are outdated, unnecessary, ineffective, or have costs that outweigh benefits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)



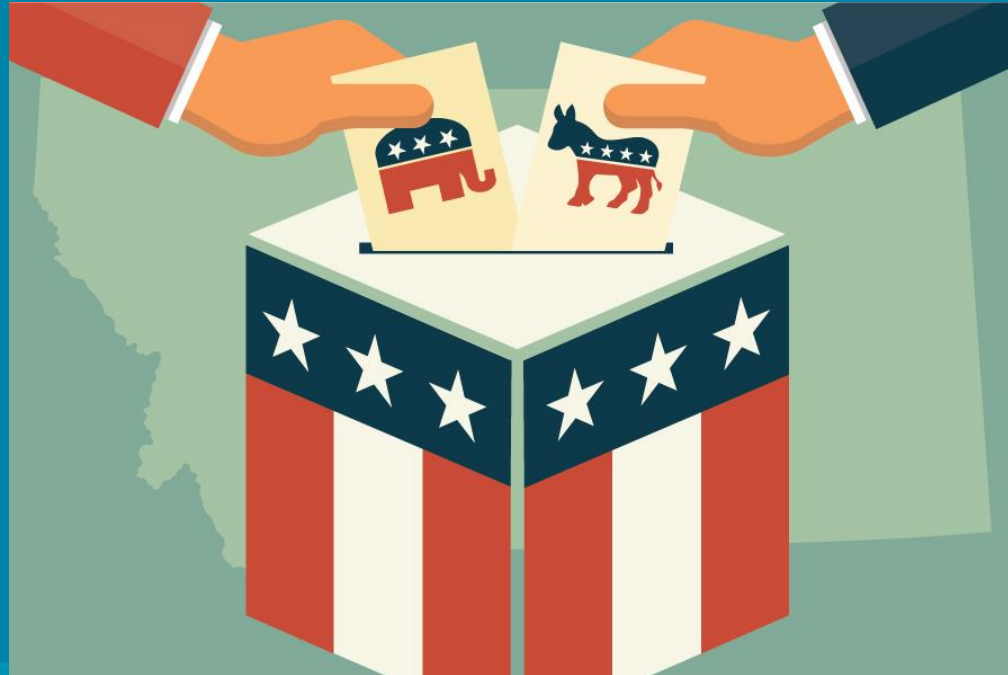
# Update & Futurecasting

- 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

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- 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](mailto:mames@aiha.org).

# Questions & Discussion

*Thank You!*

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