

Jordan Barab Named Deputy Assistant Secretary for OSHA

By: Aaron Trippler, Director, AIHA Government Affairs

Last week, OSHA announced that Labor Secretary Hilda Solis selected Jordan Barab to be Deputy Assistant Secretary for OSHA and Acting Assistant Secretary, effective Monday, April 13.

Typically, two Deputy Assistant Secretaries of OSHA are appointed. One Deputy Assistant Secretary serves as the political person, and this is the position to which Barab has been appointed. This position does not require Senate confirmation. Barab will assume the duties of Acting Assistant Secretary until an Assistant Secretary is nominated and confirmed, which suggests that the administration is nowhere close to nominating someone to serve as head of OSHA.

Barab comes to OSHA from the House Education and Labor Committee, where he was the Senior Labor Policy Advisor for Health and Safety to Chairman George Miller. From 2002 through 2007, he worked at the U.S. Chemical Safety and Hazard Investigation Board. He was previously employed at OSHA as Special Assistant to the Assistant Secretary from 1998 to 2001.

Serving as Acting Assistant Secretary limits Barab's opportunities, but AIHA expects him to move forward on many issues that have lingered at the agency for some time, including combustible dust, diacetyl, silica, and cranes and derricks. He may direct staff to move quickly to examine these issues. However, he may have a special interest in confined spaces and ergonomics.

AIHA also believes that Barab supports updating the PELs and has interest in GHS. We are hopeful that he recognizes that OSHA must assume a major role in the effort to update PELs. With his Hill background, he is well suited for working with Congress to seek a legislative solution, if this is the only option. But again, he will be limited in whatever he does because of the title "Acting" Assistant Secretary.

Because of Barab's connections to the Hill and his labor ties, we expect OSHA to receive a considerable increase in funding in the 2010 budget. However, all will not be easy. Labor and industry will likely differ strongly on this appointment, especially if Barab ends up being named Assistant Secretary. A labor supporter commented on Barab's appointment, stating, "For OSHA staff to do their jobs better, they need a leader who knows their jobs. I think that will happen April 13." An e-mail from an industry source said, "Watch him—he is pro-labor, and unless we find a middle ground, we all lose."

In AIHA's dealings with Barab the last few years, he has exhibited a passion for OHS, a very good command of the issues, and a willingness to listen to all sides before making a decision. He has been approachable and ready to discuss any issue. AIHA is hopeful that Barab will enlist the expertise of OHS professionals when addressing the many issues facing OSHA.

Who might be nominated as Assistant Secretary if Barab is not eventually chosen for the position? Many individuals previously considered as possibilities for Assistant Secretary are probably no longer under consideration. The administration will likely take its time when seeking a permanent leader. Let's hope that the administration picks someone with a professional OHS background to lead the agency.