



December 7, 2017

Bryan Slater
Assistant Secretary for Administration and Management
United States Department of Labor

AIHA Comments on US Department of Labor Draft FY 2018 – 2022 Strategic Plan

Federal Register Document Number: 2017-24212

Dear Mr. Slater:

The American Industrial Hygiene Association® (AIHA) appreciates the opportunity to comment upon the US Department of Labor’s Draft Strategic Plan for Fiscal Years 2018 through 2022. As you review our comments and contemplate how we might be of service, please keep in mind that AIHA and our members have a reach that extends to millions of people, and we have solid credibility that is built from 78 years of service to the occupational and environmental health and safety community. Specifically, AIHA has 8,500 members who represent a cross-section of industry, private business, labor, government, and academia. We have 68 Local Sections that meet regularly throughout the United States, and more than 50 volunteer groups. We also have formal and informal partnership agreements with governmental and nongovernmental organizations that represent the full spectrum of worker health and safety vocations. In addition, we have several award-winning publications, a strong social media presence, and host conferences where thought leaders from a variety of industries gather to share new information and answer practical questions on specialized health and safety topics.

While there are many aspects of the Strategic Plan that address worker health and safety, the following comments and recommendations should be viewed as matters of particular importance, and thus given appropriate value and weight in the years to come.

Rename OSHA Strategic Objective 2.1 from “Secure safe and healthful working conditions for America’s workers” to “Prevent fatalities, disease, and injury, and secure safe and healthful working conditions for America’s workers”.

According to CDC Worker Health Surveillance data¹, each day approximately 13 people suffer a fatal injury while at work, and more than 8,000 others suffer a non-fatal injury or acute work-related illness every day. In addition to the terrible emotional toll, these events are a hindrance on the US economy. For instance, non-fatal injuries alone cost US businesses over \$1 billion each week². For these reasons, and as the Federal entities primarily charged with protecting worker health and safety, the US Department of

¹ National Institute for Occupational Safety and Health. “Worker Health Surveillance” <https://www.cdc.gov/niosh/topics/surveillance/workforcedata.html>. Accessed 12/4/2017.

² Liberty Mass Mutual Insurance. “2017 Liberty Mutual Insurance Workplace Safety Index.” <https://www.libertymutualgroup.com/about-liberty-mutual-site/news-site/Pages/2017-Liberty-Mutual-Workplace-Safety-Index.aspx>. Accessed 12/4/2017.

Labor and OSHA should place a much greater emphasis on preventing work-related deaths, injuries, and illnesses.

Unfortunately, worker death, injury, and illness rates have not declined much in recent years; a different approach is thus needed – particularly one that emphasizes the business case for worker health and safety, with special attention paid to small businesses in industries with high fatality, injury, and illness rates. DOL’s Strategic Plan offers a rare opportunity for new leadership in these areas. AIHA and our colleagues in other occupational health and safety organizations have the expertise to help develop specific solutions to address these National problems. We ask that the Federal government be our partner in our efforts by providing a platform – and just as importantly the financial resources – by reorienting Strategic Objective 2.1 to more clearly communicate DOL’s focus on preventing worker fatalities, diseases, and injuries. While many more actions are needed, such a move would represent a modest next step.

Emphasize the Need for Teen Workplace Safety Training

Each year, approximately 60,000 15 to 17-year-olds rush to the emergency room due to work-related injuries; about 40 of these individuals will die from their injuries. Research has shown that teens are twice as likely to be injured on the job as adult workers³. The impacts of teen workplace injuries are particularly tragic for low-income families who may rely upon their wages. Learning may also be adversely affected by such injuries as a result of time away from school, trouble concentrating as a result of pain, etc.

Responding to the need for action, AIHA partnered with the National Institute for Occupational Safety and Health (NIOSH) to develop the *Safety Matters* program, which raises awareness among young people about workplace safety and health and provides an understanding of the skills they need to become active participants in creating safe and healthy work environments⁴. The program is free and no special training is needed to deliver it. To date, several States have enacted laws or taken other actions to encourage teen workplace safety training to be incorporated into the curricula of grades 7 through 12.

AIHA encourages DOL to highlight the importance of preventing teen workplace injuries in its Strategic Plan, and to work with NIOSH, States, and nonprofit associations, such as AIHA to address these issues.

Support for the Voluntary Protection Programs

AIHA strongly supports the Voluntary Protection Programs (VPP) and applauds DOL’s intent to expand the program. AIHA has worked with VPP for several years, and we continue to view it as a valuable means of effectively leveraging limited public and private resources.

Updating OSHA’s Permissible Exposure Limits

AIHA encourages DOL to include a discussion of OSHA’s Permissible Exposure Limits (PELs) in the Department’s Strategic Plan. PELs have the potential to be one of the primary tools for occupational disease prevention, yet the majority of PELs are based upon decades-old recommendations, and with thousands of new chemicals being regularly developed and introduced into the workplace, answering the question of how to update the Exposure Limits becomes increasingly challenging. These are matters the public and private sectors are grappling with, and as such, the Department’s Strategic Plan should include a brief discussion of exposure limits. In addition, the NIOSH proposed occupational exposure banding

³ American Industrial Hygiene Association. “Safety Matters Center.” <https://www.aiha.org/get-involved/SafetyMattersCenter/Pages/default.aspx>. Accessed 12/4/2017.

⁴ Ibid.

(OEB) model can provide a more comprehensive method of categorizing those thousands of chemicals which have not been assigned a PEL. We encourage OSHA to consider the evolution of both PELs and adaptation of OEB to assist the public and private sectors in addressing exposure risks.

Add Protecting Temporary Workers to the Strategic Plan

There are approximately 3 million temporary workers in the US⁵. These workers represent a special class that may be at greater risk of workplace injury, illness, and death. As OSHA states on its website⁶,

“OSHA has concerns that some employers may use temporary workers as a way to avoid meeting all their compliance obligations under the OSH Act and other worker protection laws; that temporary workers get placed in a variety of jobs, including the most hazardous jobs; that temporary workers are more vulnerable to workplace safety and health hazards and retaliation than workers in traditional employment relationships; that temporary workers are often not given adequate safety and health training or explanations of their duties by either the temporary staffing agency or the host employer.”

AIHA agrees with OSHA, and strongly recommends that DOL amend its Strategic Plan to clearly state that it will work with stakeholders to take new actions which will ensure that these 3 million vulnerable temporary workers are protected.

Conclusion

AIHA once again thanks you for the opportunity to comment upon the US Department of Labor’s Draft Strategic Plan for Fiscal Years 2018 through 2022. We look forward to working with you to help protect the health and safety of all of workers throughout the nation. Please feel free to contact Mark Ames, AIHA’s Director of Government Relations, at mames@aiha.org or (703) 846-0730.

Respectfully,



Mark Ames
Director of Government Relations
AIHA

⁵ US Department of Commerce. “Temporary Help Workers in the U.S. Labor Market.” July 1, 2015.
<http://www.esa.doc.gov/sites/default/files/temporary-help-workers-in-the-us-labor-market.pdf>. Accessed 12/4/2017.

⁶ Occupational Safety and Health Administration. “Protecting Temporary Workers”. https://www.osha.gov/temp_workers/index.html. Accessed 12/4/2017.