

...Ergonomics reform fizzles

(From Page 2)

had already implemented an employer ergonomics requirement, triggered if employees turned up with identical musculoskeletal disorders caused by the same problem. In 2006, the Washington State Legislature passed a law mandating that hospital employers implement ergonomics improvements to reduce injuries caused when nurse assistants lift and move patients.

But a national regulation, of the kind OSHA was getting ready to implement in 2001, appears to be off the agenda. Congress would have to repeal its legislation for OSHA to act.

"Given the political climate in Congress, I don't think there's any way you could get them to overturn the prohibition," says Seminario. It's not just Senate Republican willingness to use the filibuster, but also that Democrats are concerned about the economy, and

business groups would argue that imposing ergonomic standards would be a "job-killer."

In fact, business is ready to fight any movement in that direction. The latest is an OSHA proposal to reinstate a requirement that employers identify musculoskeletal disorders on the workplace injury log they're required to file. Under the Bush Administration, the Labor Department got rid of a rule requiring them to count such injuries.

In a Dec. 7, 2009, chat session, Jordan Barab, deputy assistant secretary of labor for occupational safety and health, told a questioner that the proposed reporting requirement is not a prelude to a broader ergonomics standard. Labor Secretary Hilda Solis has also said OSHA has no current plans to pursue a new ergonomics rule.

Nor is it an immediate priority for the AFL-CIO.

"It was such a huge political fight

that we lost," Seminario said. Labor doesn't want to bang its head against the wall fighting that fight again, Seminario said: It wants to do something to protect workers.

"Since the Bush Administration did virtually nothing in the regulatory arena on job safety for eight years, there's a huge backlog. It's not just ergonomics. They didn't issue a standard on silica. We've had cranes collapsing. We've got infectious diseases, pandemic flu...."

Those other workplace safety issues don't have a law preventing OSHA from taking action, Seminario said, so the AFL-CIO is pushing the agency to act on them.

"It's not that we've abandoned ergonomics, by any means," Seminario said. "It's just that given current legal constraints and political and economic realities, we have to ask, 'how do we move forward?'"

Governor to mark 20th anniversary of workers' comp reform in Oregon

2010 marks the 20th anniversary of the "Mahonia Hall" reforms to Oregon's workers' compensation system.

In recognition of that, Oregon Gov. Ted Kulongoski and the Consumer and Business Services Department will hold a gathering at 10:30 a.m., Monday, May 3, at the Capitol Galleria.

In addition to Kulongoski, other speakers will include Bob Shiprack, executive secretary of the Oregon Building & Construction Trades Council, and Wayne Drinkward, CEO of Hoffman Construction Co.

In a one-day special session May 7, 1990, the Oregon Legislature adopted a controversial major overhaul of the workers' comp system (Senate Bill 1197). The special session followed months of negotiations by then-Gov. Neil Goldschmidt and a 14-person

committee composed of employers and union officials. Meetings were held in the basement of the governor's mansion, Mahonia Hall thus it was dubbed the Mahonia Hall reforms.

At the time of the reform, Kulongoski was Oregon's insurance commissioner and Shiprack was a state

representative from Beavercreek, and chair of the House Labor Committee.

Shiprack was one of seven labor representatives at Mahonia Hall.

For more information about the May 3 event, contact Lisa Morawski at 503-947-7897 or online at lisa.m.morawski@state.or.us.

Oregon workers' comp rates decline

Oregon employers are paying less for workers' compensation insurance coverage in 2010. According to the Oregon Department of Consumer and Business Services, the workers' compensation "pure" premium rate in 2010 decreased by an average of 1.3 percent, saving employers \$18.1 million. Oregon's workers' comp costs have declined more than 60 percent since 1991, saving employers \$17.4 billion, the agency said.

According to a Premium Rate Ranking Summary released in October 2008, the most recent data available, Oregon's premium rate index is \$1.88 per \$100 of payroll, ranking it the 39th highest rate in the nation.

Local Motion

March 2010

Union certifications and decertifications in Oregon and Southwest Washington, as reported by the National Labor Relations Board and the Oregon Employment Relations Board

Recognition elections

Name of employer Date	Name of union	Location	Results:	
			Union Yes	Union No
City of Ashland Parks & Recreation 3/3	Ashland P&R Assn.	Ashland	19	1



Requests for recognition election

Name of employer Name of union	Location Number of employees
Pepsi Northwest Vending (decertification) Teamsters Local 962	Bend 50
Fairview Transitional Care (certified nurse assistants) Teamsters Local 962	Grants Pass 36
Portland French School American Federation of Teachers - Oregon	Portland 38
Avis Car Rental System Teamsters Local 305	Portland 37

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- **Understands the issues**

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