

Federal OSHA discloses details of plan to pursue worst job safety violators

WASHINGTON, D.C. (PAI)—The Occupational Safety and Health Administration's (OSHA) plan to pursue the nation's worst job safety violators calls for heightened OSHA scrutiny of employers' actions in specific hazardous circumstances, repeated inspections, and extension of the "worst of the worst" designation to entire companies, not just individual plants or job sites, among other things.

The Severe Violators Enforcement Program (SVEP) will also increase the agency's penalties against those firms, said agency administrator Dr. David Michaels.

"For many employers, investing in job safety happens only when they have adequate incentives to comply with OSHA's requirements," Michaels said. "Higher penalties and more aggressive, targeted enforcement will provide a greater deterrent and further encourage these employers to furnish safe and healthy workplaces."

"SVEP will help OSHA concentrate its efforts on those repeatedly recalcitrant employers who fail to meet their obligations under the Occupational Safety and Health Act. It will include a more intense examination of an employer's practices for systemic problems that would trigger additional

mandatory inspections," Michaels added.

The SVEP was announced just before the AFL-CIO's annual report on deaths and injuries on the job, which it publishes before Workers Memorial Day on April 28. The report showed there were 5,214 deaths that year, and an estimated 4.6 million injuries and illnesses on the job.

Details of the Severe Violators Enforcement Program include:

- "High-emphasis hazards" are targeted and include fall hazards, amputations and hazards from combustible dust, crystalline silica, excavation and trenching, exposure to lead, and ship-breaking.

- Oil refineries in particular could land on the severe violators list for breaking process safety standards. Process safety refers to rules that cover entire industrial processes and worker exposure to hazardous conditions or chemicals within them, not just safety problems with one machine or one fuel tank.

- For the first time, OSHA will determine if federal agencies are severe violators, too. AFL-CIO Safety and Health Director Peg Seminario noted OSHA does not cover many federal workers and also does not cover virtu-

ally all state and local workers. She urged lawmakers to close those loopholes, as well as increasing OSHA fines and criminal penalties.

- A company will land on the severe violators list if there is a "fatality/catastrophe inspection in which OSHA finds one or more willful or repeated violations or failure-to-abate notices based on a serious violation related to a death of an employee or three or more hospitalizations," the agency said.

But it also could land on the list if OSHA's inspectors "find two or more willful or repeated violations or failure-to-abate notices — or any combination of those — based on high-gravity serious violations related to a high-emphasis hazard."

- OSHA will tag a firm as a severe violator when its inspector "finds three or more willful or repeated violations or failure-to-abate notices covering high gravity serious violations related to hazards due to potential release of a highly hazardous chemical, as defined in the process safety management standard."

OSHA made it clear it won't trust the severe violators to fix themselves. Even when it gets written notification and documentation they've done so, its probers must make follow-up inspections "after the citations become final orders," it said.



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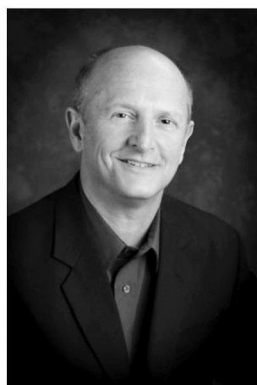
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