

## From Page 10

regulatory agenda in the spring and the fall, and the first regulatory agenda under the administration did take a number of standards, mostly ones that were in the early stages, off of the regulatory agenda. There *are* a number of standards that they are supposedly working on: infectious diseases, chemical process safety management, workplace violence and a standard that would cover tree care. The only one of those that was actually mentioned in the last budget as something they may move forward on is tree care, probably because even the tree care industry has been advocating for it.

**Speaking of process and delay, our publication has been rather critical over the years of the Obama Administration's safety record, mostly for delay, and the silica rule is the prime example. Having been in the Obama Administration, were you frustrated by those delays as well?** Yeah, extremely. That was the one thing that had the potential to keep me up at night. Especially in the last couple years of the first term. It's extremely difficult to move forward on OSHA standards in best of circumstances. There's just a lot of requirements that have to be met, and they're resource-intensive, and they take a long time. But the instructions we got from the White House in about 2010 to well into 2013 were "don't move forward on anything." That set us back on a number of regulatory activities we would like to have completed in the eight years that we had.

**So in that respect, the Trump Administration's current stance is not that different.** Well, we did end up issuing quite a few regulations. Silica was a major regulation, probably covers more workers than any other previous OSHA safety regulation. Beryllium. Walking working surfaces. Beryllium and silica had been worked on for close to 20 years. Walking working surfaces is something that OSHA literally began working on in 1972. It deals with fall protection and a number of other issues in general industry. Two pretty good record-keeping regulations. A major update in hazard communications standards. Crane and derrick standards. So we ended up issuing a fair number of regulations.

**But would I be wrong to suggest that it was very much at the end of the eight years, and that a number of them were**

**even taking effect after he was out, and have since been reversed or delayed?** Some of them were, right at the end. We were very aware of the Congressional Review Act [a law that lets Congress repeal administrative rules implemented within 60 days of the end of a presidential administration.] We tried to get as many of them issued before that deadline came up as we could. Except for beryllium and walking working surfaces, we managed to get them all out before so they weren't subject to the Congressional Review Act. Beryllium has been weakened, but actually survived the Congressional Review Act. They [Congress] could have taken that down but didn't. And walking working surfaces was not controversial.

**What's the current status of the silica rule? I know it was delayed by the Trump Administration. It's implemented and it's being enforced now.**

**You've been at this for more than 30 years. What made you want to make worker safety your life's work?** It was kind of coincidence, actually. I was hired at AFSCME in 1982 as a labor economist, which meant you helped figure out what kind of money is available in cities, counties and states, to support bargaining and organizing efforts. But they also handed me a box the first day, and said, "You know what OSHA is, right?" And I had done a little bit of work with OSHA in an environmental organization in Florida. And they said, "Good, you're now our OSHA person. We've been promising to put together some manuals and fact sheets. That's now your job." That ended up being a lot more interesting than the labor economics. Then in 1987 we got our first OSHA grant, and it really took off. You know, AFSCME represents public employees and really had never had any kind of health and safety program before. A lot of people, even in AFSCME, thought public employees didn't have any health and safety issues. But we represented wastewater treatment workers, highway workers, hospital workers, corrections officers, all kinds of people that had very dangerous jobs. Plus, public employees aren't covered by OSHA in most states, so that made it even worse.

**CONFINED SPACE BLOG**

There aren't many blogs about worker safety. Jordan Barab's might be the best. See it, and subscribe, at: [jordanbarab.com/confinedspace](http://jordanbarab.com/confinedspace)



Raymond Thomas



James Coon



# THOMAS, COON, NEWTON & FROST

PORTLAND LAW FIRM SINCE 1980



Cynthia Newton



Chris Frost



Melissa Haggerty



Sydney Montanaro



Scott Sell



Chris Thomas

*If a defective product causes your work injury you may be able to sue the manufacturer for damages in a products liability claim*

820 SW Second Ave., Suite 200,  
Portland, OR 97204

[www.tcnf.legal](http://www.tcnf.legal)

Workers' Compensation  
Construction Injuries  
Death Claims  
Personal Injury & Product Liability  
Medical Malpractice  
Social Security Disability  
Mesothelioma

503-228-5222  
Straight answers.  
No cost for consultation.

[nwLaborPress.org](http://nwLaborPress.org)  
news for working people

Join the conversation ...  
**ONLINE**

Re-Elect  
PAUL  
**SAVAS**  
FOR  
CLACKAMAS COUNTY COMMISSIONER



"Paul Savas has been rock solid in his support of organized labor. He earned the endorsement of the Northwest Oregon Labor Council, and we're proud to stand with him in this election."

—Bob Tackett, Executive Secretary-Treasurer  
Northwest Oregon Labor Council



Endorsed by:

Northwest Oregon Labor Council  
Columbia Pacific Building Trades  
Joint Council of Teamsters No. 37  
IBEW Local 48

Professional Firefighters of Clackamas County  
IAFF Local 1159  
Tualatin Valley Fire Fighters Union IAFF Local 1660  
AFSCME Council #75 and Local 350  
UFCW Local 555