

**Remarks as Prepared for
JORDAN BARAB
Acting Assistant Secretary of Labor
for Occupational Safety and Health**

**AMERICAN SOCIETY OF SAFETY ENGINEERS
Safety 2009 Conference
San Antonio, Texas
1:00 - 2:00 p.m. Monday, June 29, 2009**

Good afternoon, everyone. I know that you're eager to hear about the future of OSHA, the new leadership in the Department of Labor, and how this will affect you in your workplaces.

We'll get to that in a moment - but here and now, I want to focus on an important but possibly underappreciated factor in workplace safety.

Leadership in Washington and in State labor departments is necessary; standards and guidance documents are essential; enforcement is critical; but I want to recognize the other factor in the safety equation.

What makes workplace safety a reality in the offices and factories, hospitals and schools, warehouses and shipping docks, at the top of electrical towers and in the trenches of construction sites - is the quiet hero on the ground, the on-site safety and health professional who suits up, shows up and speaks up every day to help protect fellow workers.

Many of your employers and fellow workers may appreciate what you do, but many others don't completely understand how grateful they should be when you call a safety meeting, pass around OSHA *QuickCards* and other information, respond to close calls and complaints, and talk to upper level management about steps that need to be taken to increase workplace safety.

Your employers have shown admirable foresight and responsible management by hiring you - granted. Giving you a position of responsibility to protect the workers around you as well as the integrity of their business makes sound business sense; so, good for them and good for you.

I just wonder whether your job titles truly capture the enormous benefit you provide.

You are the guardians at the gate of tragedy and disaster, yet you rarely get the recognition you deserve for performing your job perfectly. You get no credit when your worksite has a normal day - when nothing blows up or burns down, when no one on your watch gets hurt or killed. While your vigilance and expertise ensure that your co-workers go home at the end of the workday with all their fingers, toes and limbs intact, you probably get no mention in the prayers at their dinner tables. As the family breadwinner, safe and sound, doles out the dessert, you almost never see a slice of that cake or pie; but you should.

Heroes that you are, you take silent pride at the end of the workday and return home to your own families and friends with hardly a word said about how well you did your job today.

Well, I know what you do, and so does Labor Secretary Hilda Solis, and on behalf of the Department of Labor and OSHA, from the bottom of our hearts we thank you for your invaluable daily contribution to workplace safety and health.

It's not every organization that gets both the Secretary of Labor and the (acting) head of OSHA in the same day. But we so much appreciate your work that we both came here to join you in San Antonio to tell you in person: Thank you. Great job. Well done!

We also came here to ASSE's Safety 2009 Conference to tell you that you are not alone. We've got your back. Your fight is our fight.

I hope you all heard Labor Secretary Hilda Solis at this morning's opening general session. I was so pleased when President Obama appointed this great Secretary of Labor. She is the proud daughter of union members, a woman who understands workplace health, and a former Congresswoman with constituents who suffered from popcorn lung. She understands the hopes and dreams of workers, she understands the struggles they face every day on the job, and she understands that every worker has a right to a safe workplace.

On Workers Memorial Day, I traveled with her to the National Labor College in Silver Spring, MD where she announced that OSHA is back in the enforcement business and back in the standard-setting business.

Secretary Solis asked me to fill in as head of OSHA until we have a confirmed Assistant Secretary who will carry this fight forward. It was an honor to say to her "Yes, I will," and I'm here to tell you that it's a new day at the Department of Labor.

On this day, health and safety professionals like you will have a voice, workers will have a voice, and their unions will have a seat at the table because this administration understands that workers know plenty about making workplaces safe.

On this day, employers can no longer blame workers who get hurt on the job. The law says that employers are responsible for workplace safety and health, and there's a new sheriff in town to enforce the law.

On this day, business owners can no longer excuse themselves from training their workers or providing protective equipment by complaining that it takes too long or costs too much to save a life.

Understand this: OSHA offers a helping hand to those companies and associations who will commit to working with us constructively. Together, we can transform workplaces for the benefit of everyone on the job. However, to those whose only response to every OSHA regulatory or enforcement initiative is "no," I also have a message: Take off the blinders, take on some responsibility, and stop wasting our time and the people's tax dollars.

Secretary Solis has said that we will turn our energies from voluntary programs to enforcement. Let me be clear, however: We are not eliminating the Voluntary Protection Programs. We are not saying companies who truly excel in health and safety don't deserve recognition. They do. Nor are we saying that strong partnerships with employers can't benefit workers and companies and OSHA. They can.

But the days of signing companies into VPP programs or Alliances just to fill arbitrary goals, and the days of promoting Alliances as a replacement for standards, are over.

And the days of delaying rulemaking are over.

And the days of starving OSHA's budget are over.

President Obama has just asked for the biggest increase in OSHA's budget in anyone's memory - over 10 percent. That will allow us to hire over two hundred new staff, including 130 new inspectors. It won't be easy to hire all those people, but the Secretary has challenged us to succeed and to improve OSHA's diversity so that OSHA in the 21st century looks like, speaks like and understands the United States in the 21st century.

So, let me lay it out for you, so that there's no doubt about where the Department of Labor and OSHA are going: Secretary Solis and I believe in vigorous enforcement of laws that protect the safety and health of workers. We're committed to a strong federal role in protecting workplace safety and health, as mandated in the OSH Act that created the Agency.

To underscore this point, OSHA recently formed a task force to design a new enforcement initiative. Under the Severe Violators Enforcement Program, OSHA will conduct an intensive examination of an employer's inspection history. Any systematic problems that we identify with an employer's safety and health program would trigger additional, mandatory inspections to ensure compliance with workplace safety and health standards.

And we're not waiting any longer to address a critical problem with construction injuries and fatalities right here in Texas.

Under the "New OSHA," we will react - swiftly and decidedly - when we see a problematic trend. This is why this morning Secretary Solis announced that, in just one week, OSHA will launch a major new Construction Safety Focus throughout the State of Texas. For the next several weeks, a "SWAT team" of OSHA compliance officers from around the country will fan out across the State to inspect construction sites. We will use computer analyses of industry data to target the most likely cities and worksites that need our immediate attention to prevent construction injuries and fatalities.

In addition, in the next few weeks, we will announce details of a new National Emphasis Program to address hazards in chemical plants.

We are also preparing an NEP to confront recordkeeping problems. Congressional hearings, studies and media reports have all described serious accounts of underreporting injuries and illnesses, as well as policies that discourage workers from reporting when they're sick or hurt. To address this problem, OSHA received \$1 million for Fiscal Year 2009, which we're putting to work. Ensuring the accuracy of injury and illness numbers is critically important to OSHA's ability to accurately target enforcement and evaluate our effectiveness.

And one more thing on recordkeeping: We will also be taking a close look at programs that have the effect of discouraging workers from reporting injuries and illnesses. These include programs that discipline workers who are injured or safety competitions that penalize individual workers or groups of workers when someone reports an injury or illness.

Getting the OSHA regulatory process moving again after 8 years is not going to be easy. A long list of difficult but critical issues has to be addressed. The good news is: We're moving ahead.

In the last couple of months: We announced new rulemaking for combustible dust; announced a new round of two-year Susan Harwood training grants; and we moved forward on standards addressing diacetyl, silica, cranes and derricks, confined spaces in construction, and the Globally Harmonized System of Classification and Labeling of Chemicals.

In the last few weeks, we issued several new fact sheets and other informational documents to supplement our guidance on how to prepare every workplace for a flu pandemic.

In response to a Government Accountability Office report, we will conduct a thorough review of OSHA's cooperative programs, assessing where the program belongs in the context of OSHA's resources and mission, to ensure that these programs are effective in pursuing OSHA's mission.

And we are telling our State partners who operate their own occupational safety and health plans to be sure that Federal and State OSHA offices speak with one voice. We are going to strengthen our oversight of State plans to ensure better program performance and consistency.

With all of this, we also need to confront the 60,000-pound elephant in the room: Ergonomics. Let's acknowledge a couple of obvious things about "ergo." First, it's a huge health and safety problem recognized by reliable science. Second, it's a huge political football that some very big players don't want to see on the field. Well, we're going to pick up that football and we're looking to team up with people who genuinely want to move beyond destructive politics and focus on the goal of worker safety and health. People are getting hurt by unnecessary muscle strains, repetitive motion injuries, and backbreaking behavior that can be reduced or eliminated with proven remedies. We can fix this.

This is why I want to encourage everyone here to become more active in workplace safety and health in two particular ways:

First: You are the safety and health authority in your workplaces, so I want you to talk to your managers and CEOs. As bills are introduced in the Congress that may affect workplace safety and health, your CEOs and their professional associations will deliberate on whether to take a position. Make sure that you weigh in to the debates within your organization with your unique authority and experience. Whatever side you take in these debates, don't cede your leadership position to outside organizations that act only on ideological preconceptions rather than on what actually makes workplaces safer.

Second: In the weeks and months ahead, as OSHA moves forward with proposed rulemaking, you need to participate. Take part in regulatory hearings, send us your thoughts during the comment periods, voice your concerns, and share your experience and expertise.

First and foremost, we need strong standards that protect workers, but we also need standards that make sense in the workplace. This is where you can make a difference: When OSHA is doing something right, support us by speaking up. When we're missing the mark, I know you'll be there to say so, too.

We're in this fight together, and together we can make our workplaces safer and more healthful for our family members, neighbors and friends. That's a lasting legacy that we can work on every day - and every day take pride in our accomplishments.

You have a great conference ahead of you. I appreciate your kind welcome, I hope you'll all visit the OSHA booth in the exhibit hall, and I want you to know that you're all heroes in my book.

Thank you.