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Bush Administration Ergonomics "Plan" Fails to Protect Workers From Crippling Injuries

Abstract

[Excerpt] On March 20, 2001, President Bush--in his first major legislative action--signed legislation repealing OSHA's ergonomics standard. This important worker safeguard, issued in November 2000, was ten years in the making and would have prevented hundreds of thousands of workplace injuries a year. But, bowing to Big Business groups who opposed any ergonomics regulation, after the 2000 election, the Republican controlled Congress and the Bush Administration joined together to kill this worker protection measure.

Last March, as Congress contemplated the repeal of OSHA's ergonomics standard, Secretary of Labor Elaine Chao stated, "Repetitive stress injuries in the workplace are an important problem." She promised that if the standard was repealed, the Department would "pursue a comprehensive approach to ergonomics, which may include new rulemaking... This approach will provide employers with achievable measures that protect employees before injuries occur."

Keywords

health care, ergonomics, AFL-CIO, legislation, OSHA, health and safety

Comments

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BUSH ADMINISTRATION ERGONOMICS “PLAN” FAILS TO PROTECT WORKERS FROM CRIPPLING INJURIES

Background

On March 20, 2001, President Bush--in his first major legislative action--signed legislation repealing OSHA's ergonomics standard. This important worker safeguard, issued in November 2000, was ten years in the making and would have prevented hundreds of thousands of workplace injuries a year. But, bowing to Big Business groups who opposed any ergonomics regulation, after the 2000 election, the Republican controlled Congress and the Bush Administration joined together to kill this worker protection measure.

Last March, as Congress contemplated the repeal of OSHA's ergonomics standard, Secretary of Labor Elaine Chao stated, "Repetitive stress injuries in the workplace are an important problem." She promised that if the standard was repealed, the Department would "pursue a comprehensive approach to ergonomics, which may include new rulemaking...This approach will provide employers with achievable measures that protect employees before injuries occur."

Instead of protecting workers, the Bush Administration joined ranks with the most extreme elements of the business community, appointing one of the industry's anti-ergonomic leaders, Eugene Scalia, as the department's top lawyer. Now, after more than a year of inaction, and another 1.8 million workers injured, the Bush Administration has announced a plan that includes no regulation and fails to provide workers any meaningful protection from ergonomic injuries.

The Bush Administration Ergonomics “Plan” is a major step backwards, that leaves workers with less protection than provided a decade ago.

- The Bush Administration Ergonomics “Plan” includes no new ergonomics standard to protect workers against ergonomic hazards. Instead, it relies totally on voluntary measures, leaving it up to employers to decide if workers will be protected from this major job safety problem.
- Their plan provides workers with far less protection against ergonomic hazards than the first Bush Administration. This plan does not include an ergonomic standard that could be enforced, only voluntary guidelines in industries that haven't even been identified. It includes an enforcement “component” that fails to even target high risk industries. Instead of action to fix hazards, it relies on compliance assistance. It proposes a new DOL advisory committee to evaluate research on work-related musculoskeletal disorders, ignoring the fact that research is the responsibility of NIOSH, the nation's job safety research agency. At the same time the Bush Administration has proposed to cut the OSHA enforcement and training budget by more than \$10 million and the NIOSH job safety research budget by \$28 million.
- Voluntary approaches alone have failed to protect workers from MSDs as evidenced by the 1.8 million MSDs suffered by workers each year. According to OSHA, only one third of employers have put in place ergonomic programs to reduce hazards. As stated in the preamble to the 1999 proposed OSHA ergonomics rule, “Promulgation of an ergonomics rule will add the only tool the Agency has so far not deployed against this hazard – a mandatory standard – to these other OSHA and employer-driven initiatives.”
- By refusing to issue an ergonomics standard, the Bush Administration is once again lining up with its business and corporate supporters who contributed millions in campaign contributions, abdicating its responsibility to protect workers from the nation's biggest workplace safety and health problem.

Ergonomic injuries and illnesses are the biggest job safety problem in the U.S.

- Musculoskeletal disorders (MSDs) caused by ergonomic hazards are the biggest job safety problem workers face today, accounting for an estimated 1.8 million injuries every year. According to the Bureau of Labor Statistics, each year 600,000 workers suffer serious workplace injuries caused by repetitive motion and overexertion that require them to miss time from work. According to the National Academy of Sciences, these injuries cost the country \$45 - \$54 billion annually.
- Since March 2001, when the President killed the ergonomics standard, more than 1.8 million workers have suffered ergonomic injuries.
- MSDs are on the rise in many economic sectors. For 1998 to 1999, BLS reported increases in the rate of lost workday injuries and illness involving musculoskeletal disorders in about half of the industry sectors, including meatpacking, poultry processing, bakery products, numerous textile and garment industries, grocery stores, building services, computer and data processing services and hospitals.
- Women workers suffer a disproportionate number of MSDs. Women suffered more than two-thirds of all reported carpal tunnel syndrome cases and 61 percent of reported tendinitis cases in 1999 even though women comprised less than half of the workforce and accounted for one-third of total workplace injuries.

Strong scientific evidence shows that workplace factors cause musculoskeletal disorders.

- The 2001 National Academy of Sciences and Institute of Medicine report on Musculoskeletal Disorders and the Workplace found strong scientific evidence showing that exposure to ergonomic hazards in the workplace causes musculoskeletal disorders:

“The panel’s review of the research literature in epidemiology, biomechanics, tissue mechanobiology, and workplace intervention strategies has identified a rich and consistent pattern of evidence that supports a relationship between the workplace and the occurrence of MSDs of the low back and upper extremities.” (Page ES-3)

- In addition, a large community of medical and health experts is on record that the scientific evidence on musculoskeletal disorders is sound and that an OSHA ergonomics standard is needed to protect workers. This includes the American College of Occupational and Environmental Medicine, the American Industrial Hygiene Association, the American Public Health Association, the American Association of Occupational Health Nurses, and hundreds of individual medical and health experts.
- ***Ergonomic Standards issued by the States and Other Countries Show Regulation is Feasible.***

While the Bush Administration claims it is premature to regulate ergonomic hazards, other governments have already taken action. California and Washington State have issued ergonomic standards to prevent musculoskeletal disorders (MSDs), as have the provinces of British Columbia, Alberta and Saskatchewan. In Europe, the European Community has mandated protections for manual handling and computer use since 1990 and is now developing requirements to cover other ergonomic hazards that cause musculoskeletal disorders.