

# US Congress eliminates new workplace safety standards

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The US Congress Wednesday struck down a new workplace safety regulation aimed at reducing repetitive strain injuries that affect more than one million workers each year. After only an hour of debate the House of Representatives voted 223-206 to strike down the new standards issued by the Occupational Safety and Health Administration (OSHA), which the agency has said would prevent 4.6 million injuries caused by repetitive motion and heavy lifting over the next decade.

The House vote Wednesday came just a day after the Senate voted by a 56-44 margin to rescind the OSHA rules. The Republican majority in Congress used the Congressional Review Act of 1996 to quickly overturn the standards, which were put into effect by former President Bill Clinton on January 16 following 10 years of studies and hearings. The act, which allows the repeal of new regulations with a simple majority vote and prohibits a Senate filibuster, will also prevent OSHA from issuing any similar workplace standards.

President Bush, who publicly supported overturning the safety measures, is expected to sign the bill soon. During the congressional debate the White House issued a public statement expressing “concern over the overly burdensome current rules because of the negative impact they would have on jobs and economic growth.”

The repeal of the OSHA standards underscores the reactionary social agenda being pursued by the Bush administration, which includes huge tax breaks for the wealthy and a push to lift virtually all restrictions of the ability of big business to exploit the working class.

The safety regulations set to be overturned—which cover 102 million workers in 6.1 million workplaces—require employers to inform workers about common injuries and hazards and refrain from taking

punitive measures against those reporting injuries or dangerous working conditions. Management is required to make workplace improvements—such as adjusting the height of machinery or limiting the amount of weight lifted by workers—but only in the event that more than one worker has already been injured at a single workplace over the space of 18 months.

According to the safety standards, employers are also required to pay the full wages and benefits of a worker placed on a lighter workload by a doctor because of an injury, and 90 percent of earnings and full benefits—for up to 90 days—if an employee is removed from work because of such an injury. OSHA predicted that these new standards would prevent 4.6 million injuries from occurring over the next decade, and would actually save employers tens of billions in compensation costs and lost productivity.

Although the OSHA standards imposed only minimum obligations on employers, Republicans on the floor of Congress denounced the rules as an illegitimate interference with the prerogatives of private business. Don Nickles (R.—Okla.), the Senate Majority Whip who introduced the “resolution of disapproval,” said the OSHA rules were “probably the most expensive, intrusive regulation ever promulgated, certainly by the Department of Labor, maybe by the government entirely.”

Hardly able to contain their contempt for the working class, Republican politicians claimed the standards were too complicated and expensive for business and would encourage workers to feign injuries in order to collect compensation. Arguing that the regulations would bankrupt US companies and cause massive layoffs, Rep. Anne Northup of Kentucky, a cosponsor of the bill, said, “There's a sure way to make all the injuries go away, and that's to make all the jobs go

away.”

Corporate America was quick to applaud the vote. Walter McCormick Jr., president of the American Trucking Association, issued a statement congratulating the Senate, which said, “Without so much as a guarantee that a single workplace injury will be prevented, this rule would unnecessarily drain US businesses of billions of dollars that could better be used for job growth.”

Repetitive motion, heavy lifting, vibration and awkward working positions have long been known to cause devastating and painful musculoskeletal disorders (MSDs), such as carpal tunnel syndrome, tendinitis and lower back pain. The National Academy of Sciences (NAS) recently released a report based on years of research that said these disorders were “national health problem” affecting about 1 million workers each year and costing between \$45 billion and \$54 billion annually in lost wages and time off work. The NAS said these injuries could be reduced through intervention to identify and correct work-related risk factors.

The NAS report said that among men those at highest risk are construction laborers, carpenters and operators of industrial truck or tractor equipment. For women the highest risk jobs are in nursing or nursing support, and in domestic or commercial cleaning and janitorial work. But musculoskeletal disorders are a problem in many industries, the NAS report noted—from agriculture, manufacturing and mining to finance, the service sector and transportation. Women workers are especially susceptible, accounting for 64 percent of such injuries in 1998, even though they make up only 46 percent of the workforce.

Many food processing, apparel, manufacturing, lumber and transportation workers, as well as those who operate computers for long periods of time, are in danger of suffering carpal tunnel syndrome, a swelling of tissue around a nerve in the wrist that causes loss of sensation and movement in the hand. In some cases these workers wake up at night with hands frozen like claws and must soak them in water to be able to move their fingers. Many lose their jobs and the ability to do normal activities, such as carrying their children.

US corporations have long opposed making significant ergonomic improvements. Instead, many companies have claimed that there is no way of

establishing any connection between working conditions and these disorders, often claiming that injuries occur away from the job or that the workers are predisposed to injury due to physical weaknesses. In one case that has recently come to light, Burlington Santa Fe Railroad required workers who complained of hand injuries to take blood tests, so they could secretly probe their DNA for a genetic predisposition to some forms of carpal tunnel syndrome, and in this way cheat the injured workers out of compensation.

The actions of the Republican-controlled Congress and the Bush administration were a naked act on behalf of big business, which lobbied hard to kill the OSHA standards. At the same time the vote in Congress revealed the prostration of the Democrats before the right-wing policies of the Republican Party. In the Senate vote, 6 Democrats joined the Republicans to overturn the safety regulations, while in the House of Representatives 16 Democrats voted for the repeal, providing the Republicans with the crucial margin in a 223-206 vote.

Although several Democrats, including Senator Edward Kennedy, denounced the Republicans for kowtowing to corporate America, Democrats have increasingly embraced pro-business policies that have undermined basic protections for workers. Under the Clinton administration funding for OSHA, in real dollars, remained below the safety agency's original 1975 budget, this under conditions where the US ranks worst in workplace injuries out of 15 industrialized nations.



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