



Protecting the safety of the American worker

During the August 2010 national convention in Anaheim, we were privileged to hear from Cecil Roberts, president of the United Mine Workers. His extremely passionate speech addressed the importance of unions in protecting the rights of its membership. If you are interested in seeing his speech, you can find it on the NALC website under News>Convention. Otherwise, you can type in nalc.org/news/conv/anaheim2010.html.

UMWA President Roberts emphasized that he is always working with his members to protect their safety and well-being. Each death can be traced back to a rule that was violated or a rule that must be developed.

There are many entities involved in developing and promulgating safety rules. Most of our existing safety rules and our safety laws come from studying prior accidents. For example, seat belts were made a standard equipment item on vehicles sold in this country because they save lives. Rear-view mirrors and side-view mirrors became requirements when it was discovered that many accidents occurred because the other person was in our blind spot, and mirrors help to reduce that blind spot.

So it goes that if we have all the necessary facts in our investigation of an accident, we can drill down and determine what really caused the accident. If our investigation of similar accidents reveal patterns, we can develop solutions to prevent the same from occurring to others.

The Employee and Labor Relations Manual (ELM) contains a section dedicated to this principle at §821.3, Accident Analysis. The section explains that the purpose and responsibility is as follows:

...Accident analysis is vital for identifying the hazardous conditions, contributing factors, and root causes of accidents...Installation heads/managers must use the results of accident analyses to address the causes of accidents, develop specific actions (countermeasures), and enter them into an accident reduction plan (ARP)...The ARP serves as management's primary tool for reducing OSHA injury and illness (OSHA II) and motor vehicle accident (MVA) rates....

Following the above excerpts of the *ELM*, there are numerous rules listed identifying the responsibilities that

fall on management's shoulders. Review those regulations if you feel that the accident reduction plan fails to hit the mark in your office.

In my July article titled "Ergonomics," I commented on the fact that the Department of Labor recently had proposed to change the injury record-keeping system to require annotation of those injuries that fall in the category of musculo skeletal disorders (MSDs). (What is a musculoskeletal disorder? It is a condition where a part of musculoskeletal system is injured over time.) This simple act would provide us with more statistical information to investigate the cause of MSDs, which, as indicated above, would lead us to the solutions that prevent similar injuries.

Guess what happened next? The anti-worker forces on Capitol Hill recently struck out against OSHA's proposals, which were prepared to protect the American worker.

The House Appropriations Committee issued the draft bill on Sept. 29. This bill would provide OSHA with \$565.7 million for fiscal year 2012, an increase of more than \$7 million from the agency's FY 2011 budget.

The funding did, however, come with strings attached from the anti-worker power brokers who control the House Appropriations Committee. They deemed that it would be too costly and restrictive for business to have to keep records of MSDs. So, their funding bill bars OSHA from development and enforcement of its proposed standard.

Think about this: The proposed revision would have required an employer to place a checkmark in a box identifying an OSHA reportable injury as MSD-related. Doing so would allow for the development of a bank of information that would assist in MSD injury prevention.

When I read this, I thought that someone had to be kidding—but no! In my eyes, this translates to the following: Placing a checkmark in an OSHA form costs too much.

It would cost business too much because accident prevention might come up with a solution that might cost a few dollars. What price is business willing to pay to protect a worker from an injury?

Fight like hell for the living!

