

PROTECTING AMERICA'S WORKERS ACT

Summary

Since the Occupational Safety and Health Act (OSHA) passed 45 years ago, we have made great progress toward providing every American worker with a safer work environment. But the law has not been updated in quite some time, and there are still major problems that need to be addressed.

Too many workers are still being injured and even killed on the job. In 2012 alone, 4,628 workers were killed on the job, and more than 3 million worker injuries were reported. That's an average of 12 workers who don't go home to their families at the end of the work day, and nearly 8,000 who are injured.

The Protecting America's Workers Act honors the memory of those who have died at work by expanding and strengthening our workplace safety laws. It amends OSHA to cover more workers, update penalties, strengthen protections, enhance public accountability, and clarifies an employer's duty to provide safe work environment.

Cover more workers.

- Over 8.5 million American workers are not covered currently by OSHA's protections. These include federal, state, and local public employees, and some private sector employees.
- The bill provides OSHA protections to these workers, which include flight attendants, state correctional officers, and workers in government agencies.

Increase penalties for those who break the law.

- Under current law, an employer may be charged—at most—with a misdemeanor when a willful violation of OSHA leads to a worker's death.
- The bill makes felony charges available for an employer's repeated and willful violations of OSHA that result in a worker's death or serious injury.
- The bill also updates OSHA civil penalties—which have been unchanged since 1990—and sets a minimum penalty of \$50,000 for a worker's death caused by a willful violation.

Protect workers who blow the whistle on unsafe conditions in the workplace.

- OSHA whistleblower provisions have not been updated since their adoption in 1970.
- The bill updates those whistleblower protections by incorporating successful administrative procedures adopted in other laws, like the Surface Transportation Act.

Enhance the public's right to know about safety violations.

- The bill improves public accountability and transparency:
 - It mandates that DOL investigate all cases of death or serious incidents of injury in the workplace.
 - It gives workers and their families the right to meet with DOL investigators.
 - And it requires employers to inform workers of their OSHA rights.

Clarify an employer's duty to provide a safe worksite, safety equipment and track recordable injuries and illnesses for all workers onsite.

- Amends the General Duty Clause to include all workers on the work site.
- The bill clarifies employer responsibility to provide the necessary safety equipment to their workers, such as personal protective equipment.
- Directs DOL to revise regulations for site-controlling employers to keep a site log for all recordable injuries and illnesses among all employees on the work site.