

OSHA Criticized for Rulemaking Process

Whenever a serious workplace injury happens within Pennsylvania, there is often an investigation to determine the accident's cause. What led to the worker's injury? Is there anything that can be done to prevent these accidents and injuries from occurring in the future?

State and federal agencies use this information to develop new rules that are designed to improve workplace safety. While injured workers may rely on workers' compensation to help them make ends meet while they recover, this does little to ensure that changes are being made to correct potentially dangerous workplaces.

The Occupational Safety and Health Administration (OSHA) is the federal agency tasked with promoting workplace safety. OSHA may investigate workplaces for compliance with rules in place, and may also hand out fines and other penalties if procedures that are not followed.

OSHA is also responsible for drafting new rules to address new safety concerns that may arise. Recently, critics have called on OSHA to improve its rulemaking process, as they feel the agency is taking too long to pass safety regulations.

A government audit revealed that it takes roughly eight years for OSHA to pass a new rule. This is considerably longer than other agencies, and could have potentially dangerous consequences for workers.

While these new rules are being debated, workers are left exposed to the same potential hazards that are trying to be addressed by the rule. For example, the report cites the rulemaking process that OSHA used to correct problems with construction cranes. The agency took 10 years to create new

rules, during which time, several other serious accidents occurred.

OSHA contends that its hands are tied by the multiple interests that need to be considered when it is drafting new regulations. Businesses, employers and employees all may weigh in with opinions during the initial stages, which can lead to further study and delay. As new dangers in the workplace develop, workplace safety will continue to be an issue.

Source: Insurance Journal "[OSHA Hit for Taking Too Long to Adopt Workplace Safety Rules](#)" Sam Hananel, April 23, 2012.