

May 14, 2025

The Honorable Tim Walberg
Chair
House Committee on Education and
The Workforce
Washington, D.C. 20515

The Honorable Bobby Scott
Ranking Member
House Committee on Education and
The Workforce
Washington, D.C. 20515

The Honorable Ryan Mackenzie
Chair
House Subcommittee on Workforce
Protections
Washington, D.C. 20515

The Honorable Ilhan Omar
Ranking Member
House Subcommittee on Workforce
Protections
Washington, D.C. 20515

Dear Chairs Walberg and Mackenzie and Ranking Members Scott and Omar:

Thank you for allowing the National Safety Council (NSC) to submit this statement for the record on today's hearing titled "Reclaiming OSHA's Mission: Ensuring Safety Without Overreach." The United States is at an inflection point in terms of occupational safety and health. The opioid overdose crisis is being felt by businesses, both small and large, around the country. Preventable occupational fatalities are still drastically too high. Additionally, some state and municipal governments are rolling back protections afforded to the most vulnerable workers. It is imperative the Occupational Safety and Health Administration (OSHA) remains active in ensuring occupational safety standards are being upheld. Technology, training and substantive public policy are all focus areas OSHA should prioritize to ensure workers remain safe on the job.

NSC supports any effort to strengthen programs so they are set up for greater success and produce positive outcomes for the American public. No outcome could be more positive to ensure that workers are not seriously injured or killed on the job than successful worker protection efforts. OSHA has made great strides in recent years to ensure worker fatality and serious injury rates subside in the post-COVID-19 era. While still too slow, safety stakeholders are starting to see positive changes being made. Continued investment is needed to ensure pilot programs advance to full programs, the United States Department of Labor (USDOL) has enough staff to respond to reports of hazardous conditions at jobsites, and efforts to strengthen the Voluntary Protection Program (VPP) are seen to fruition. Proactive voluntary programs, such as VPP, non-binding cooperative agreement programs between private employers and USDOL can grow to keep safety-focused employers invested in safe practices which keep their employees safe and healthy year-round.

National Safety Council

The National Safety Council (NSC) is America's leading nonprofit safety advocate – and has been for over 110 years. As a mission-based organization, we work to eliminate the leading causes of preventable death and injury, focusing our efforts on the workplace and roadway. We create a culture of safety to protect people from hazard and injury in the workplace and beyond so they can live their fullest lives. Our more than 13,000 member companies and federal agency partners represent employees at nearly 41,000 U.S. worksites.

Amplifying the Economic ROI of Safety

There is a tremendous economic cost to the United States when workers suffer serious injuries and fatalities at the workplace. In 2023, the total cost of work injuries was \$176.5 billion.¹ This figure includes wage and productivity losses of \$53.1 billion, medical expenses of \$36.8 billion, and administrative expenses of \$59.5 billion.² This total also includes employers' uninsured costs of \$15.7 billion.³ The cost per medically consulted injury at work in 2023 was \$43,000, while the cost per death was \$1,460,000.⁴

These cost burdens are faced by employers and employees alike and are often the impetus for creating policies and programs to keep employees alive and healthy and work. Investing in safety yields critical results, saving not just lives but dollars for families and federal and state governments. Safe workplaces reduce societal cost burdens, lessening the need for higher insurance premiums and public assistance in the forms of Social Security Disability Insurance (SSDI), Medicare, and Medicaid. Businesses with a safe workplace see a return of \$4 to \$6 for every \$1 invested in safety; these dividends come through reduced injury payouts, reduced insurance premiums, and lessened productivity from absenteeism.⁵ Worker safety is good business.

Workplace Safety Requires an Effective Federal Partner

The Occupational Safety and Health Administration (OSHA) is critical to the moral imperative, economic necessity, and federal obligation of workplace safety. Fatalities in the U.S. are down from

¹ <https://injuryfacts.nsc.org/work/costs/work-injury-costs/>

² Ibid.

³ Ibid

⁴ Ibid.

⁵ [https://www.assp.org/docs/default-source/standards-documents/assp-ohsms-roi_2020-version.pdf?sfvrsn=64d48847_2#:~:text=OSHA's%20Office%20of%20Regulatory%20Analysis,for%20every%20\\$1%20inves](https://www.assp.org/docs/default-source/standards-documents/assp-ohsms-roi_2020-version.pdf?sfvrsn=64d48847_2#:~:text=OSHA's%20Office%20of%20Regulatory%20Analysis,for%20every%20$1%20inves)
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about 38 worker deaths a day in 1970 to 15 a day in 2023.⁶ To sustain these wins, OSHA needs a strong workforce. The agency's employees are its greatest resource, and they need America's support and the certainty that comes with knowing they will have the resources to carry out their mission. These employees have decades of combined, hands-on experience that is available to all American workplaces, and we should harness their collective knowledge.

OSHA's regulatory authority and powers must be preserved, with its efforts striking the right balance between supporting compliance assistance, catalyzing innovation and competitiveness while also carrying out enforcement against egregious offenders and bad actors. The agency's collaborative tools must be harnessed and continue to help companies reap the dividends of safety, serving the many small and mid-sized businesses that rely on them, especially the businesses without major budgets who need assistance standing up safety efforts. Businesses that rely on OSHA and its collaborative tools see injury and illness rates lower than industry averages.⁷

OSHA ensures a fair and level playing field, establishing a floor that prevents certain enterprises from racing to the bottom, seeking to undercut competitors by avoiding an investment in safety. OSHA also protects workers from unlawful retaliation, enforces whistleblower laws, advances training, outreach, education and assistance, maintains vital relationships with organized and non-organized labor and ensures state oversight efforts are as effective as federal efforts. OSHA's local offices and staff are vital to these efforts. OSHA's funding must remain level-funded at the Federal Fiscal Year 2025 level in Federal Fiscal Year 2026, free of any budget cuts.

Advancing Serious Incident and Fatality (SIF) Prevention Efforts

Serious Incident and Fatality (SIF) prevention is the next frontier in worker safety and health. Historically, companies have focused on OSHA recordable rates to demonstrate health and safety performance. Recordable rates have continued to trend downward; however, SIF rates have increased over the past decade. OSHA recordable data tells an incomplete picture of the current results of occupational safety practices. Together with leading indicator analysis, SIF prevention will help employers eliminate or substitute hazards that kill or seriously injure workers.

Ideal SIF prevention requires an expanded view of key leading and lagging indicator metrics. Leading indicators provide insight into the content, quality and effectiveness of safety and health-related actions and programs. These indicators shift the attention of safety professionals to

⁶ <https://www.osha.gov/data/commonstats>

⁷ <https://www.osha.gov/vpp/evaluation2021>

preventative measures to control hazards, offer early situational awareness into potential SIFs (pSIFs) and promote a culture of continuous improvement between safety leaders and workers.

NSC recently released a four-pronged model to help employers prevent SIFs in their workplace. The *Plan, Do, Check, Act* model helps employers start their journey to identify potential SIFs, assess risk, and implement needed controls. Furthermore, the model helps employers by ensuring they remember to check the implemented controls and act to drive continuous improvement by addressing system gaps identified when working through the model.

Helping Employers Advance on Their Safety Journey

Not all safety programs are created alike. Many major corporations have robust hazard prevention programs with dedicated career employees to carry out safety efforts. However, smaller companies may not have a single employee dedicated to occupational safety and health. When minor injuries or federal policy violations happen at worksites with less established and maintained safety policies and programs, NSC sees this as an opportunity for increased learning and engagement between employers and USDOL. Most employers want to do the right thing and keep their employees safe. By partnering with small and medium-sized employers to create vigorous safety health and management systems (SHMS) instead of implementing financial penalties in the case of a minor incident, USDOL is creating a positive culture of safety that will keep more employees safe.

Additionally, NSC believes organized labor groups are a key constituency to improved occupational safety and health at jobsites nationwide. 16.2 million workers were represented by a labor union in 2023.⁸ Labor unions are a great conduit for disseminating the latest best practices in occupational safety and health to ensure their membership remains safe and healthy on the job.

The HHS Mission is Critical to Millions of Workers in the United States

HHS agencies, including the Centers for Disease Control and Prevention (CDC) and the Substance Abuse and Mental Health Services Administration (SAMHSA), are vital to the health of America's workforce. Most recently, the United States saw the havoc infectious disease and illness can cause on the workforce through the COVID-19 pandemic. The COVID-19 pandemic shuttered businesses and was responsible for the death of over one million people in the United States as of March 2023.⁹ However, it was the work of the dedicated public servants within the HHS workforce that partnered with private industry and the safety community to facilitate return-to-work policies that

⁸ <https://www.epi.org/publication/union-membership-data/>

⁹ <https://coronavirus.jhu.edu/map.html>

kept America's workforce safe on the job.¹⁰

Occupational Safety and Health Within Federal Government

Created in 1970 by Congress, the National Institute for Occupational Safety and Health (NIOSH) has been the federal government's leading research expert on keeping America's workforce safe and healthy. The Institute has conducted research, facilitated countless on-site inspections and ensured equipment used to protect workers from respiratory threats are safe and properly functioning. No other entity within the federal government is equipped to tackle this worthwhile challenge and NIOSH functions cannot be smoothly integrated into other departments. Additionally, other federal agencies such as the Mine Safety and Health Administration (MSHA) and OSHA rely on NIOSH research for the promulgation of their safety standards. Reductions in force (RIFs) cause the enforcement of these standards to be delayed, potentially costing numerous lives.¹¹

Two research functions impacted by the previously announced RIFs at HHS include the National Personal Protective Technology Laboratory (NPTTL) and the Fatality Assessment and Control Evaluation Program (FACE). These programs exemplify how federal investment in occupational safety and health ensures the safety of America's workforce.

Through NPTTL, NIOSH certifies respirators which are used by thousands of workers including those in the manufacturing, health care, construction and mining industries. For the mining industry, these respirators protect miners from deadly diseases such as black lung and silicosis. Illness from faulty or fraudulent respirators can lead to employees needing to leave the workforce, economic losses in medical expenses and lost wages and painful death. The potential for faulty or fraudulent respirators entering the United States market has greatly increased given NIOSH is no longer accepting new respirators for testing and respirator costs could increase due to potential tariffs.

The FACE Program is another storied program at NIOSH which aims to prevent serious injuries and fatalities at jobsites through investigations, hazard identification and public findings.¹² By publicizing reports on hazard analysis, NIOSH research is helping to prevent future workplace injuries and fatalities. NIOSH prioritizes efforts for this program by the focus areas of participating states and overall federal goals. Without FACE and other NIOSH safety programs, America's workers and employers will be more at risk.

¹⁰ <https://www.nsc.org/getmedia/f5dfd05d-83bf-4753-8903-538a24157725/safer-framework-summary.pdf>

¹¹ <https://www.safetyandhealthmagazine.com/articles/26676-msha-temporarily-pauses-enforcement-of-silica-final-rule>

¹² <https://www.cdc.gov/niosh/face/about/index.html>

NIOSH Areas of Influence

The work of NIOSH does not exist in a silo, instead, it permeates throughout the federal government and private industry alike with a singular focus: protecting America's workforce. NIOSH research has been critical to establishing heat acclimatization recommendations which are currently being used by businesses to prevent heat illness among their workforce population.¹³ NIOSH research has consistently shown a link between "exposure to physical factors at work" and musculoskeletal disorders (MSDs).¹⁴ NIOSH also established a recommended exposure limit (REL) to prevent hearing loss in occupational settings. While all industries are at risk, specific hazard risks exist for workers in the mining, manufacturing and construction industries.¹⁵ Furthermore, NIOSH research was critical to OSHA's "Guidelines for Health Care and Social Service Workers" – a framework to prevent workplace violence in the health care industry.¹⁶ The National Children's Center for Rural and Agricultural Health and Safety (NCCRAHS), a NIOSH-funded Agricultural Center, developed age-appropriate guidelines to prevent injuries from heavy machinery, chemicals and heat stress.¹⁷ Sadly NIOSH-funded research efforts into opioid overdose prevention programs for commercial fishermen have been discontinued.¹⁸ Research and practitioner efforts to combat the opioid epidemic have been of great importance to this committee, the Trump Administration, and the employer community. With opioid deaths decreasing in the United States, now is not the time to back away from efforts that will keep employees safe from harm – especially in high-impact industries such as fishing, construction, manufacturing and transportation.¹⁹

These safety topics are all critical to the success of America's workforce, including the ability to compete in product production on the world stage. When industries see skyrocketing rates of severe injuries and fatalities, it prevents the incoming workforce from seeing that industry as a valuable career option. Today, the industries with the highest number of deaths include:

1. Transportation and warehousing
2. Construction

¹³ https://www.cdc.gov/niosh/heat-stress/recommendations/acclimatization.html#cdc_health_safety_special_topic_types-acclimatization-schedule

¹⁴ <https://www.cdc.gov/niosh/docs/97-141/default.html>

¹⁵ <https://www.cdc.gov/niosh/noise/about/noise.html#:~:text=Take%20precautions%20when%20noise%20is,loss%20over%20their%20working%20lifetime.>

¹⁶ https://wwwn.cdc.gov/WPVHC/Nurses/Course/Slide/Unit5_5

¹⁷ <https://www.cdc.gov/niosh/docs/2011-129/default.html>

¹⁸ <https://deohs.washington.edu/pnash/evaluating-opioid-overdose-prevention-program-commercial-fishermen-cdc-program-evaluation-framework>

¹⁹ <https://www.cdc.gov/media/releases/2025/2025-cdc-reports-decline-in-us-drug-overdose-deaths.html#:~:text=New%20provisional%20data%20from%20CDC's,compared%20to%20the%20previous%20year.>

3. Agricultural, forestry, fishing, and hunting
4. Government
5. Professional and business services
6. Manufacturing²⁰

NIOSH efforts on critical safety topics are of immense importance to private industry and the safety community. The House Education and Workforce Committee has, in a bipartisan manner, continued to recognize the importance of a safe and healthy workforce on the United States economy. NSC asks the committee to continue recognizing that truth and ensure NIOSH is positioned to shape the conversations surrounding occupational safety and health within the federal government.

Conclusion

NSC, and our member companies, recognize the importance of OSHA, NIOSH and the federal workforce that supports the agencies missions. Employers want to prioritize safety, but some do not know where to start. OSHA and NIOSH resources are often the first point of entry for organizations building safety and health programs at their jobsites. Only with a strong culture of safety will American businesses thrive and compete on the world stage.

NSC is grateful to the committee for the opportunity to share this statement for the record and looks forward to continued engagement with the committee, OSHA and HHS on priority safety topics that affect safe business operations for employers.

²⁰ <https://injuryfacts.nsc.org/work/industry-incidence-rates/most-dangerous-industries/>