

Example of essay on occupational safety and health

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For quite a long time the Occupational Safety and Health Administration (OSHA) has been exempted (unlike many other departments) from The Federal Civil Penalty Inflation Adjustment Act. The year 2013 saw OSHA attain the opportunity that has remained overdue for over three decades. The last time OSHA saw major changes in the year 1970, when the act was enacted. Between the year 1963 and 2000, the number of deaths and injuries reduced by 63% (Levy, 2011). This is solid evidence that changes in legislation can bring about substantial changes in the welfare of the employees. The most notable examples of legislation made this year are S. 665, Protecting America's Workers Act, introduced in the Senate on March 22, 2013 and H. R. 632, Voluntary Protection Program Act, introduced in the House in February 13, 2013. There are various provisions of these pieces of legislation that are bound to boost the safety of the American workers as compared to the original OSHA.

Protecting America's Workers Act (PAWA) has a provision that requires a significant increment in the penalties for the violation of the OSHA Act. Before the enactment of this legislation, the penalty against an employer who violated the OSHA was just \$7000 on the maximum (Levy, 2011). The failure by OSHA to review the rates since 1970 has seen a substantial decrease in the real value of the monetary penalty by 39%. For this reason, the rates have been reviewed in such a manner that for every death that is directly linked to the non-compliance of an employer attracts a penalty of \$50000.

The upward review of the penalty will substantially lead to enhanced worker safety compared to the original OSHA because the increase in penalty will

cause deterrence. The high penalties will act as an incentive for the employers to keenly observe the requirements of OSHA. Secondly, the penalties are usually paid from the revenues of the organization. As such, they come as an unforeseen expense, impacting negatively on the financial performance of the business. In order to protect the business interests of the organization, the employers will no doubt comply - something that will see the safety of the employees safeguarded (Emergency department compliance manual, 2013).

The Voluntary Protection Program Act (VPPA) is another example of legislation that will see an improvement in worker safety and welfare. This legislation has a provision that requires all employers to make a binding agreement with the secretary for labor, which will require that they collaboratively enhance the work place conditions through establishing facilities that comply with the standards outlines by the new law, with the aim of prioritizing worker safety. Essentially therefore, the core of the legislation and the agreement is the establishment of comprehensive and elaborate safety and health management systems that will be designed to protect employees from all potential occupational hazards.

This provision will significantly improve the safety of the employees compared with the original OSHA because the original act was not comprehensive enough with regard to establishing collaborative relationships between the employers and the government through the department of labor. The main reason why, in my opinion, this legislation will boost employee safety is that the agreement will create a binding relationship. The binding nature of the agreement will ensure commitment to

perform because breach of the act and failure to comply with the required standards result in criminal and civil liabilities respectively (Emergency department compliance manual, 2013). In order to avoid civil liabilities and criminal obligations, the employer will significantly boost worker safety through compliance. It is important to note that the agreement between the employers and the secretary of labor acts as a second layer of security with regard to worker safety.

References

Emergency department compliance manual: 2013 edition. (2013). S. I.: Kluwer Law International.

Levy, B. S. (2011). Occupational and environmental health: Recognizing and preventing disease and injury. New York: Oxford University Press.