

Legal case analysis of american textile manufacturers institute, inc. v. donovan

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Statement of Facts

There is a requirement asked for the Secretary of Labor to promulgate occupational safety and health standards and as a required matter under Section 6 of the Occupational Safety and Health Act of 1970. The occupational safety and health standards to be prepared by the Secretary of Labor should be accorded with those who are dealing with toxic materials or harmful things at work. The standard should also be set to which most sufficient assurance and to the extent feasible based on best evidence present such that no employee will suffer material impairment of health (Findlaw: American Textile Manufacturers Institute, Inc. v. Donovan). The meaning of occupational safety and health standards is that it should be a sufficient and reasonable practice to make sure that employees are protected at work under hazardous circumstances that might affect their health conditions.

As a result, the Secretary of Labor on the basis of the said law promulgated a standard named as Cotton Dust Standard which aims to limit the exposure to cotton dust at work that might affect the health of employees. This measure is calculated to prevent employees from byssinosis which could lead to the more serious diseases called brown lung cancer caused by cotton dust exposure. There was a findings that hundreds and thousands of employees, retired and still working are exposed to cotton dust everyday that their health conditions is in danger. The measure called Cotton Dust Standard

allows a minimum exposure to cotton dust and regulating the activities in the workplace to ensure that employees are free from brown lung cancer. At the time when a 4-year interim period was given for permission of full compliance with the said measure, there is a requirement for the employers that they should provide respirators to employees as well as to relocate employees that were not able to wear respirators to another place of position of work if there is any. There should also be a dust level that proves sufficient to follow the measure's exposure limit with no loss of earnings and employment rights and benefits (Findlaw: American Textile Manufacturers Institute, Inc. v. Donovan).

As such, the petitioners filed a case and challenge the legality of the alleged standard before the Court of Appeals. The petitioners represent the cotton industry in this case. The main contention of the petitioners is that that the Act requires OSHA to demonstrate that the Standard reflects a reasonable relationship between the costs and benefits associated with the Standard, that OSHA's determination of the Standard's " economic feasibility" was not supported by substantial evidence, and that the wage guarantee requirement was beyond OSHA's authority (Findlaw: American Textile Manufacturers Institute, Inc. v. Donovan). However, the Court of Appeals affirmed the Cotton Dust Standard for some legal and ethical reasons. Hence, this case was filed by the petitioners before the Supreme Court.

Legal and Ethical Issues Statement

The legal issue of the case is that: is it legal for the Secretary of Labor to promulgate the Cotton Dust Measure despite the opposition of the people

representing the cotton industry thereby invoking legitimate excuses? Is it ethical for the petitioners to limit the occupational safety and health standards of its employees for purposes of profits? The answers to this query were dealt with appropriate basis as the health of employees being exposed to cotton dust is at risk.

Applicable Legal Rules

Section 6 (b) (5) of the Occupational Safety and Health Act of 1970 (Act) requires the Secretary of Labor (Secretary), in promulgating occupational safety and health standards dealing with toxic materials or harmful physical agents, to set the standard " which most adequately assures, to the extent feasible, on the basis of the best available evidence" that no employee will suffer material impairment of health. Section 3 (8) of the Act defines the term " occupational safety and health standard" as meaning a standard which requires conditions, or the adoption or use of practices, means, methods, operations, or processes, " reasonably necessary or appropriate" to provide safe or healthful employment and places of employment. Section 6 (f) of the Act provides that the Secretary's determinations " shall be conclusive if supported by substantial evidence in the record considered as a whole.

Support for Ethical Issues

It is clear to us that the representatives of the cotton industry do not care to their employees since they question the promulgated standard by the Secretary of Labor which is primarily aimed at helping the employees. Essentially, the primary reason why the employers are against of the

measure implemented by the Department of Labor is due to the high cost of implementation in their respective plants or workplaces. Thus, they wanted to protect the earning of their profit upon business operation of cotton materials.

Observation

This case will surely give a huge impact for future employers in the cotton industry. It can be gleaned from the decisions of the Supreme Court that it affirmed in full the decision of the appellate court thereby ordering that there should be approval of the Secretary's application of the wage guarantee provision of the Cotton Dust measure (Findlaw: American Textile Manufacturers Institute, Inc. v. Donovan). In other words, the case was remanded to the lower authority to fix legal questions as ordered by the Supreme Court. The mandate of the law is to protect the employers from hazardous working conditions that is why there was a requirement on the part of the Secretary of Labor to promulgate the aforementioned Cotton Dust Standard. This would only mean that occupational safety and health standards are for the benefit of the employees without neglect of the rights of the employers to earn profits. The dissenting opinion of this case only points out to technical matters that the Secretary of Labor failed to observe while implementing the Cotton Dust Standard.

References

Findlaw. (2008). American Textile Manufacturer Institute Inc. Retrieved September 19, 2008, from <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=>

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