

Unit 7: Workplace Safety, Health and Security

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OSHA was passed to assure so far as possible every working man and woman in the Nation safe and healthful working conditions.

— President Nixon, December 1970

Background

During the 19th and early 20th centuries from the building of the railroads from the East to West coasts to the sweatshops in the NE and coal mining in places such as West Virginia and Pennsylvania workplaces were unsafe, unsanitary and injuries and deaths were the norm. With the advent of the industrial revolution in the U.S. and the aim to be number one in productivity, companies started to take shortcuts and put millions of their workers at risks. High volume was the goal – safety was not a concern and workers were expendable and cheap to replace. Seeking monetary damages for the death of a worker or an injury in most cases was not successful or the monetary compensation was so low that the companies had no reason to be concerned about the safety and health of their employees.

Placing children in harm's way was a common practice of the industrialist of the 19th century and early 20th century. Children, as young as six years old, worked 10 to 14 hours a day, often with minimal or no pay. Prior to the start of the Industrial Revolution there were many Textile mills located in NE who had children workers because they were smaller and fit in places that adults couldn't. Machinery ran so quickly that fingers, arms, and legs could easily get caught. Beyond the equipment, the environment was a threat to children as well as factories put out fumes and toxins. When inhaled by children there was a high chance of illness, chronic conditions or disease. Child labor continued throughout the Industrial Revolution and wasn't completely stopped until the Fair Labor Wage Act passed in 1938. (Childhood Lost – Child Labor During the Industrial Revolution, n.d.)



Per Aldrich (n.d.) in the History of the American Workforce from 1860 to 1970, safety in the United States was unusually dangerous. He said the "...American system encouraged the use of labor-saving machines and processes. These developments occurred within a legal and regulatory climate that diminished employer's interest in safety. As a result, Americans developed production methods that were both highly productive and often very dangerous..." (Aldrich, n.d.)

All industries were dangerous from the textile mills, factories, construction, railroads, steel mills and most especially mining. All have their stories of unsafe working conditions and the steps that were slowly taken to make them safer.

Aldrich recounts that small steps were taken to improve conditions in the various industries and in some of these industries, there was a decline in injuries. However, the danger in mining continued. Mining accidents often involved the loss of many lives at one time. It wasn't until 1940 that six separate disastrous accidents killed 276 men that the government finally in 1941 formed the Federal Mine Inspections.

From 1890 on the United Mine Workers of American worked tirelessly with continued threat of physical harm and hardship to achieve their goals of an 8-hour workday in 1898, collective bargaining in 1933, health and retirement in 1946 and health and safety protection in 1969. (History, n.d.)

The Progressive Era in the early 1900s, when Theodore Roosevelt was President (1901 – 1909), attempted to reduce workplace hazards. Any protection was on a State level. Per the MacLaury (n.d.) in an article entitled The Job Safety Law of 1970: Its Passage was Perilous, said “Many (State) legislatures failed to provide adequate funds for enforcement. Inspectors, who were often political appointees, were not always given the legal right to enter workplaces. States with strong safety and health laws tended to lose industry to those with less stringent ones, which made States competitive and limited their legislative efforts.” (MacLaury, n.d.)

An example would be if New York passed their own health and safety guidelines companies in NY would be enticed to move their manufacturing to a State without health or safety laws. Hence the need for federal legislation on Safety and Health. The public and public officials concern about working conditions was heightened by the increase in newspapers and the many journalists who publicized the unsafe and unsanitary conditions.

MacLaury (n.d.) stated that in 1910,

...William B. Hard, a muckraking journalist, published an article in Everybody's Magazine titled, “Making Steel and Killing Men,” based on his firsthand investigations of a Chicago mill. Hard estimated that every year, out of a work force of 10,000 workers, 1,200 were killed or seriously injured. He urged the steel industry to use its technical knowledge to reduce this casualty rate. U.S. Steel, spurred by mounting accident tolls, had already begun to collect accident statistics. Safety programs in subsidiaries dated back to the 1890's. In 1908, U.S. Steel formed a safety committee with instructions from the company president, Judge Elbert Gary, to cut the accident rate as much as possible. A highly successful “safety first” movement developed from this which spilled over to other industries and led to the creation of the National Safety Council in 1915. (MacLaury, n.d.) Public outrage led to government action. President Theodore Roosevelt could pass a limited worker's compensation law for Federal employees. Several States also did the same thing for workers within their State. These laws were ineffective because the compensation was so low and because they tended to make their State's less competitive. During this period, little was done to increase the overall safety in the workplace and

mining disasters continued.



It wasn't until President Franklin Roosevelt came to office in 1933 that emphasis was again placed on safety in the workplace. President Theodore Roosevelt was Franklin Roosevelt's 5th cousin and Eleanor Roosevelt's uncle.

President Franklin Roosevelt appointed as his Secretary of Labor Frances Perkins, who had experience in occupational safety and health in New York. The 1930s brought on a period of actions concerning employees from the major Social Security Act of 1935, the Fair Wage Act of 1938 and the Walsh-Healey Act of 1936 which mandated that companies doing business with the government more than 10K had to pay employee time and a half for hours worked more than 40 hours per week. Also during President Franklin Roosevelt's time in office (1933- 1945) MacLaury (n.d.) states that “Secretary of Labor Perkins created the Federal Standards Act of in 1934 which was a rallying point for those interested in job safety and health. This was the first permanent Federal agency established primarily to promote safety and health for the entire workforce. The Bureau helped State governments improve their administration of job safety and health laws and raise the level of their protective legislation.” (MacLaury) Unfortunately, this Agency did not have the clout or funding or any law behind it to be effective.

However, after the passage of the groundbreaking Fair Labor Standards Act in 1938 the President's attention, and the nation's attention, turned to World War II and the war efforts.

Over the next three decades, the discussions continued within the government and outside the government (including unions)

on making safety a priority. However, no substantiate progress was made until 1968 when President Johnson said it was “the shame of a modern industrial nation” that each year more than 14,000 workers were killed and 2.2 million injured on the job. (MacLaury, n.d.)

When President Nixon was elected (1969 – 1974) one of his campaign promises was to call for Federal action on safety in the workplace. This finally led to another long struggle within Congress with the result being the Occupational Safety and Health Act of 1970 (OSHA) and the vital oversight administration, the Occupational Safety and Health Administration in 1971. OSHA would be a major turning point for health and safety in the workplace.

Under the ACT employers are responsible for providing and maintaining a safe and healthful workplace. OSHA’s mission is to assure that employers do this by setting and enforcing standards and by providing training, outreach, education and assistance. Employers must comply with all applicable OSHA standards. (OSHA Law & Regulations, n.d.)

As per the United States Department of Labor site on the Timeline commemorating OSHA’s 40 Year History states:

The Occupational Safety and Health Administration was established in 1971. Since then, OSHA and our state partners, coupled with the efforts of employers, safety and health professionals, unions and advocates, have had a dramatic effect on workplace safety. Fatality and injury rates have dropped markedly. Although accurate statistics were not kept at the time, it is estimated that in 1970 around 14,000 workers were killed on the job. That number fell to approximately 4,340 in 2009. At the same time, U.S. employment has almost doubled and now includes over 130 million workers at more than 7.2 million worksites. Since the passage of the OSH Act, the rate of reported serious workplace injuries and illnesses has declined from 11 per 100 workers in 1972 to 3.6 per 100 workers in 2009. OSHA safety and health standards, including those for trenching, machine guarding, asbestos, benzene, lead, and bloodborne pathogens have prevented countless work-related injuries, illnesses, and deaths. This timeline highlights key milestones

in occupational safety and health history since the creation of OSHA. (OSHA Timeline, n.d.)

Future of OSHA

OSHA administrator, Dr. Michaels addressed the challenges of the future in an article by Morrison (2013) entitled “Washington Update” Michaels outlines OSHA’s future agenda. Per Morrison, Michaels said:

The growth of the contingent workforce, the number of vulnerable workers in our most dangerous occupations, the increasing transience of workers in occupations where we once saw much more stability – all present challenges that previous administrations did not have to face. OSHA is reaching out to vulnerable workers – including non-English speakers.... Temporary workers are being reached through labor and construction groups, and the Whistleblower Protection Advisory Committee was established to help improve protections for workers who report violations. To help with a few of the initiatives OSHA will need to become more diverse to serve its populations better and create innovative approaches to problems.



As per Morrison (n.d.) Michaels continued that OSHA is ...launching a multi-year initiative to ensure diversity inclusion throughout OSHA's business operations, including recruitment and promotion. The agency also is seeking to increase its use of data to better target High-Hazard workplaces and evaluate the effectiveness of OSHA's strategies. The more complete and consistent we keep our data, the more useful it becomes for learning about hazards and protecting workers... (Morrison, 2013)

Security and Safety Concerns Threatening Today's Workplace

The workforce of the 21st century has its unique security, health and safety concerns. However, not all the issues involve cybercrimes, security breaches or ergonomics.

As per Steffy (2013), The new oil boom in Texas and other parts of the country is being revitalized with the new technology of hydraulic fracturing that allows hard to reach underground deposits. This new technology is bringing security and safety concerns to employees, property owners, and oil companies.

One of the significant health and safety concerns, per a CBS news report by Kennedy (2014) is on the safety of fracking. The concern is that fracking is leaking methane gas into the air and underground drinking water in Pennsylvania and compromising the structural integrity of the ground and wide-scale pollution of drinking water. (Kennedy, 2014)

Another primary concern is air pollution. Per an article entitled Fracking Destroys the Environment and Poisons the Air We Breathe by D Murphy & J Murphy (2014) the EPA and the States with Fracking operations are not protecting the citizens because of the "collusion between the oil and gas industry and election officials..." and that

...The fracking industry is releasing a toxic time bomb into the air whose full impact may not be felt for many years to come. The indefatigable Theo Colborn, President of The Endocrine Disruption Exchange (TEDX) and Professor Emeritus of Zoology at the University of Florida, has pointed out that there are no government safety standards for many of these chemicals. Where there is a safety level for some chemicals,



it is based on a male worker doing an eight-hour shift five days a week. It does not take into account low-level exposure for residents exposed 24 hours a day seven days a week... (Murphy & Murphy, 2014)

OSHA and Fracking Safety and Health Issues

The concern of exposure to SILICA is part of an ongoing investigating by OSHA. The OSHA site lists a HAZARD ALERT, Worker exposure of SILICA during Hydraulic Fracturing, which states that the "... Hazard Alert discusses the health hazards associated with hydraulic fracturing and focuses on worker exposures to silica in the air. It covers the health effects of breathing silica, recommends ways to protect workers, and describes how OSHA and NIOSH can help. Workers and employers need to be aware of the hazard that silica dust poses. Employers must ensure that workers are properly protected from exposure to silica..." Also the site states "... Hydraulic fracturing sand contains up to 99% silica. Breathing silica can cause silicosis. Silicosis is a lung disease where lung tissue around trapped silica particles reacts, causing inflammation and scarring and reducing the lungs' ability to take in oxygen.

Workers who breathe silica day after day are at greater risk of developing silicosis. Silica can also cause lung cancer and has been linked to other diseases, such as tuberculosis, chronic obstructive pulmonary disease, and kidney and autoimmune disease..." (HAZARD ALERT, n.d.)

Other Safety, Health and Security Concerns Facing the 21st Century Workforce

Cyber Security

Cyber-security attacks and data breaches are major security concerns of the 21st century. Over the past few years

U.S. companies have seen high-end data breaches of large companies, with personal data records and financial information stolen and sold on the black market in a matter of days. HRM has a specific responsibility for this data. A company's Human Resource Information System (HRIS) is developed to guard and protect their employees' personal information.

Per Michael Schmidt, David Sanger, and Nicole Perlroth

(July 2014) In a NY Times article entitled Chinese Hackers Pursue Key Data on U.S. Workers, in March of 2014 Chinese hackers broke into the United States government agency that contains the personal information of all federal employees.

The hackers were targeting the files on tens of thousands of employees who applied for top-secret security clearance.

Author McGregor (2014) as per article on The Top 5 Most Brutal Cyber Attacks of 2014 said so far that in May 2014 eBay revealed that hackers had managed to steal personal records of 233 million users. The hack took place between February and March, with usernames, passwords, phone numbers and physical addresses compromised. The U.S. Government and eBay are only two examples of many cases concerning the violating of employees' personal records. And the cyber-hackers keep getting more aggressive in their targets and attacks.

Ergonomics

Another concern in today's workforce and one that OSHA works to prevent is muscles, nerves, and tendons disorders because of being exposed to work-related duties that bring on these disorders. OSHA explores this subject under Safety and Health Topics, Ergonomic, Preventing of Musculoskeletal Disorders in the Workplace, stating that

"...workers can be exposed to risk factors at work, such as lifting heavy items, bending, reaching overhead,

Pushing and pulling heavy loads, working in awkward body postures and performing the same or similar tasks repetitively.



Exposure to these known risk factors for MSDs increases a worker's risk of injury." (OSHA, Ergonomics)

To prevent Ergonomics requires fitting a job to a person – this helps lessen muscle fatigue, increases productivity and reduces the number of work-related problems.

Workplace Violence

According to OSHA's site on Workplace Violence, "Nearly 2 million American workers report having been victims of workplace violence each year. Unfortunately, many more cases go unreported. The truth is, workplace violence can

strike anywhere, anytime, and no one is immune. Research has identified factors that may increase the risk of violence for some workers at certain worksites. Such factors include exchanging money with the public and working with volatile, unstable people. Working alone or in isolated areas may also contribute to the potential for violence. Providing services and care, and working where alcohol is served may also impact the likelihood of violence." (Safety & Health Topics, Workplace Violence)

The safety and health issues facing OSHA in the 21st century are many and as technology changes so will the issues

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