

COMMENTARY

# GOP's OSHA bill would gut workplace safety rules

By Rep. Major Owens (D-NY)  
Special to Sentinel-Voice

Desperately seeking to fulfill their pledges to business, the Republicans have initiated a stampede in the U.S. Congress pushing for the privatization of functions handled by the Occupational Safety and Hazard Association.

Billed as the "Safety Advancement for Employees Act" (SAFE) and introduced by Rep. Jim Talent (R-Mo.) and Sen Mike Enzi (R-Wyo.), H.R. 2579 is more aptly titled the "Death and Injury Act." It is a good example of privatization running wild.

This new attack mandates the establishment of a private sector bureaucracy to police health and safety in American workplaces. We cannot ignore the fact that many government functions, including protecting employee health and safety, were established because they were not being performed by the private sector, or were being performed poorly.

H.R. 2579 is based on a set of bizarre assumptions. It's sponsors portray OSHA as a

terrorist organization, harassing employers with inspections, imposing heavy fines for minor violations and inundating management with complicated regulations.

Simultaneously, Mr. Talent acknowledges that OSHA inspects very few worksites. He fails to mention that in OSHA's 25-year history, only 26 health federal regulations have been promulgated. Moreover, in fiscal year 1997, the average penalty was \$4,043.

If, as Mr. Talent suggests, three quarters of the worksites experiencing serious injuries have not had an OSHA inspection in 10 years, then we should expand OSHA's capabilities instead of crippling an underfunded agency. We cannot put the fox in charge of the chicken coop by allowing employers to regulate themselves.

The worst element of this Republican Trojan Horse is that it provides extensive benefits to employers for using third-party and self-audits. The legislation would exempt employers from OSHA penalties for two years for using these inspectors to assess workplace hazards. These

"auditors," who may not be experienced health and safety professionals, could merely offer non-mandatory recommendations. The audit results would be shielded from OSHA and civil courts. I disagree with this blanket liability protection provided to employers that knowingly fail to correct recognized harms to workers, their families, and the public.

Equally objectionable is the provision that reverses current law and allows OSHA to refuse to respond to employee-requested inspections. The intent is to prevent OSHA from being used by unions as a tool for harassing employers during labor-management disputes.

However, as Mr. Talent and Mr. Enzi know, the majority of American workers are unorganized and do not have a union to represent them. So, before using OSHA reform to punish unions, I suggest that the sponsors consider the interests of the majority of employees who have no where to go except OSHA.

The Republican bill also rewards employer ignorance by barring OSHA citations unless an

employer knows of an OSHA violation. I am surprised to hear my Republican colleagues support the notion that ignorance of the law is a valid excuse for failure to comply.

H.R. 2579 further rewards employers for poor management practices by fining employees for violating work rules. Health and safety are management responsibilities, and management has the means to discipline unsafe employees. They don't need OSHA's help.

H.R. 2579 preempts state drug laws that were enacted to prevent employer abuses of drug testing and to ensure testing accuracy. It would turn OSHA inspectors into drug testers and allow employers to peek into the off-the-job lives of their employees.

We must maintain a serious gaze upon the deadly statistics that reveal an unsafe workplace: 6,500 job-related deaths from injury; 862,200 illnesses and 13.2 million nonfatal injuries require that we remain vigilant of the proposals being peddled as the "Safe Act," which in reality constitutes a "Death and Injury Act."

## If the issue is race, what about the white people?

By William Reaves  
Special to Sentinel-Voice

The President's yearlong forum on race has been conspicuously lacking one thing, the opinions of white people. And it appears that may be one of the strategies of forum organizers.

However, on Dec. 18, 1997 at the meeting in Northern Virginia of the President's Advisory Board on Race, one white man broke the silence.

After listening to a lengthy discussion, primarily shadowboxing around the issue of affirmative action, Robert Hoy, a white photographer from Virginia, had his chance to speak.

Hoy, 42, took his turn at the microphone and got down to business: "There's no one up there that's talking about the white people!" Hoy shouted. "We don't want to be a minority in our own country!"

There was a smattering of boos and jeers, as everyone in the audience detected that something was about to happen. Within moments a police officer (one source said he was a secret service agent), escorted Hoy out of the building because it was felt that his comments were "disrupting" the event.

Several white and non-white audience members, and reporters followed him out the door. That's where the real debate took place.

Hoy expressed what I suspect was genuine concern that his privilege of whiteness was being overshadowed by the increasing presence of, and focus on, minority issues. I also suspect that Hoy's honest challenge and questioning is the view shared by many white people.

The president has asked for an open and honest discussion on race and warned us that the "hard" questions needed to be answered. He

also predicted that people would be offended.

Indeed, given that counter-racist logic says that in order to have a serious discussion on racism/white supremacy, white people must be offended, and non-white people must be embarrassed, Hoy's speedy exit was perplexing, though sadly predictable.

The question must be asked, why did Hoy get escorted out of the president's forum on race, given that the constitution is generally interpreted to allow for free speech?

Hoy's presence or the presence of other white people who share this perspective is essential if the "hard" questions are to be answered. Questions like: What about the white people who don't want to be a minority in this country? Who are they? What do they want? What will we/they have to settle for? Can any progress be made without settling the concerns of white people who want to insure a future for their white posterity?

I predict that in the aftermath many people will try to divert, deviate, subvert or confuse the central issue of these questions. I suspect that these subversive people will be covert white supremacists and others may be non-white people who are uncomfortable about having a direct discussion with white people about the true motivation for white supremacy.

However, these questions that responsible "black" people should ask of their so-called white and black friends. If we are not willing to stand up and engage white people in polite political dialogue, how can we ever hope to synthesize a solution to racism?

William Reaves is a freelance writer from the Washington, D.C. area who frequently writes on racism/white supremacy.

### Carl Rowan's Commentary

## Clinton health proposal leave seniors sick

Special to Sentinel-Voice

I can think of only one reason compelling well-to-do senior citizens to pay Medicare premiums of up to \$200 a month while their less-affluent neighbors pay only \$70: it is morally right.

Over the last three years, while undergoing an assortment of surgeries and medical procedures, I have learned more than I ever wanted to know about the costs of medical care and medicines.

Quite honestly, I don't see how people with ordinary incomes can deal adequately with any illness of consequence, and that's why I favor

most proposals that require the wealthy to bear a larger share of the health care burden.

A therapist friend told me recently of an aged patient whose blood pressure was incredibly

volatile, most often at dangerously high levels. The therapist found that this patient was supposed to take heart disease medicine three times a day but was taking the pills only three times a week because "that's all I can afford."

Could this medical risk-taking be plausible or commonplace in this day? Personal experience tells me that a lack of funds jeopardizes millions of Americans.

I recently left my post-knee-surgery medicines in a hotel in South Dakota. I urgently wanted a supply of anti-inflammatory pills and found out at the pharmacy that I had used up the "co-pay" support of my insurance company on that drug as well as the others left in that hotel.

So the anti-inflammatory pills that I would normally get for \$9, I had to pay \$81 for this time, even after the senior citizen's discount.

Most elderly people take several different pills and make a lot of visits to medical care practitioners every month, and the costs are far beyond the reach of those who depend on Medicaid and Medicare.



CARL ROWAN

I, like most well-off seniors, have deplored

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the idea of imposing a means test for Medicare, which turns it into another "welfare" program with the stigma the word brings.

Many congressmen have run from this plan for a

means test because it is an undisguisable tax increase on the wealthy aged, and it would, as first proposed, have given the long-hated Internal Revenue Service wider authority to snoop inside the private financial affairs of seniors.

Mr. Clinton's alternative proposal to have us seniors figure out our Medicare premiums and send a check to the "Medicare Trust Fund" at the Treasury Department seems more palatable, but would be so inefficient that the revenues raised would fall from about \$9 billion over the next five years if collected by the IRS to just under \$4 billion.

There are other objections that are logical enough to suggest that the idea of using a means test to determine Medicare premiums ought to be abandoned. But the fairness factor simply overrides all the objections.

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