GA Update: Beryllium takes effect March 12, NIOSH advances TWH, Blankenship deems himself fit to serve -

**OSHA**

- Safe + Sound: In February the Safe + Sound Campaign’s offerings include a new fact sheet on Safety Walk-Arounds for Managers and a free webinar on Foundations for Safety Leadership. Hosted by CPRW: The Center for Construction Research and Training, the webinar is on February 21st at 1pm CST and focuses on how an effective leader can create a strong jobsite safety climate. Stay tuned for a March webinar from ASSE on building the business case/ROI for safety, but in the meantime review ASSE’s latest article on OSH system mistakes to avoid.

- Silica: OSHA Region 6 and OSHA Education Centers in Louisiana, Oklahoma, and Texas, are offering a free WebEx presentation on compliance with OSHA’s silica standards, available for viewing March 5-9. OSHA also released a new fact sheet on silica standards for general industry and maritime.

- Beryllium: ASSE’s RegBrief on the beryllium final rule explains all the delays, details, and which provisions take effect when; most provisions for general industry take effect on March 12.

**NIOSH**

- Total Worker Health: As part of its TWH webinar series, NIOSH is hosting Numbers to Know How: Linking Research to Healthier Workplace Practices on March 21st at 12noon CST. Register for this free webinar to hear experts discuss results from the Workplace Health in America Survey, the National Health Interview Survey, and the National Occupational Mortality Surveillance System.
This webinar is a preview topic for NIOSH’s 2nd International Symposium to Advance Total Worker Health. ASSE is a Presenting Partner for this symposium dedicated to TWH research and practice, held May 8-11, 2018 in Bethesda, MD.

- National Occupational Injury Research Symposium (NOIRS): ASSE is also pleased to be a co-sponsor for the 2018 National Occupational Injury Research Symposium held in Morgantown, WV from October 16-18, 2018. Abstract or session proposal submissions will be accepted until March 2 and registration is open now.

- This month’s NIOSH Research Rounds covers black lung disease (more on that in the MSHA section below), the true cost of workplace injuries and illnesses, and better sleep for truck drivers. NIOSH also celebrates National Engineers Week with summaries of the OSH issues their researchers are helping to solve.

MSHA

- Bleak statistics: There were 8 coal mining deaths in 2017, nearly doubling from 2016’s tally of 8 lives lost. NPR investigated cases of black lung and found that federal regulators had been severely underreporting cases, by more than a factor of 10. NIOSH epidemiologist says, “The current numbers are unprecedented by any historical standard.”

- Zatezalo goes before the House: On February 6 Assistant Secretary of Labor for Mine Safety and Health David Zatezalo testified before the Committee on Education and the Workforce at the U.S. House of Representatives. A major topic of discussion was the Pattern of Violations (POV) rulemaking and the controversy surrounding it. When questioned about whether current MSHA criminal penalties are strict enough to deter reckless behavior, Zatezalo demurred, responding that it is his duty to administer the laws, not interpret them.

- Of the 15 miner deaths last year, 12 of them occurred in coal-heavy West Virginia where Sen. Joe Manchin (D-WV) is up for re-election this year. Vying for the Republication nomination to run against Manchin is none other than Don Blankenship, a former coal CEO convicted of conspiring to violate mine-safety laws in the Upper Big Branch Mine Disaster. Under Blankenship, Massey Energy systematically and intentionally broke the law, keeping two sets of books and employing intimidation tactics against workers. The worst mining disaster in decades, 29 men and women died at Upper Big Branch. Blankenship was the...
first person in U.S. history to be convicted of a workplace safety crime, and spite toward Manchin – who was the governor of West Virginia at the time of the disaster – appears to be a chief motivator. Blankenship has never admitted guilt.

**FY19 Appropriations**

- While Congress continues to dither on passing a FY18 budget (the current continuing resolution expires on March 23), on February 12 the Trump Administration released its FY19 proposed budget.

- Funding for OSHA and MSHA remains relatively stable (meaningful considering the Department of Labor budget request is a 21% decrease). The budget proposes eliminating OSHA’s Susan Harwood training grants in favor of compliance assistance programs such as the Voluntary Protection Program.

- NIOSH again faces a 40% budget cut, including eliminating funding for the Education Research Centers. Moreover, in a supporting explanatory budget document (p54) released by the Office of Management and Budget, the President is proposing consolidating NIOSH into the National Institutes of Health. Little detail is provided.

- Finally, the Chemical Safety Board is again proposed for elimination in the name of efficiency. The CSB is an independent, non-regulatory agency tasked with investigating incidents at fixed facilities and issuing safety recommendations to prevent similar incidents, protecting people and the environment. The CSB has been operating at $11 million since FY14 and requested $12.1 million in its FY19 budget justification.

- It is worth noting that each of these requests (except the NIOSH consolidation) was made in the FY18 budget proposal and none of them is included in the current budget bills the House and Senate are working on.