

Protecting Those Who Work for Us

*Finding a Way to
Give OSH Coverage to
Florida's State, County
& Municipal Workers*



CITY HALL

Most Floridians would be surprised to know that those people who work for Florida, its counties and municipalities do not receive the same workplace safety and health protections that every Floridian working in the private sector receives under federal law.

Federal law requires employers to provide basic safety and health protections for all employees. But certain states like Florida that have chosen to allow workers in their states to be protected by federal OSHA are exempt from providing these same protections to their state, county and municipal workers.

Florida's leading safety, health and environmental (SH&E) professionals who are members of the American Society of Safety Engineers (ASSE), together with the University of South Florida Safety Florida Consultation Program, the state's leading resource for workplace safety and health expertise, believe the time has come to find a way to make sure every worker in Florida has the same fair chance to go home to their families each day safe and healthy from work.

The urgency of this problem rose in 2006 when two city workers were killed in an explosion at the Daytona Beach municipal water treatment plant. The U.S. Chemical Safety and Hazard Investigation Board's (CSB) investigation into that tragedy found that Florida's lack of safety and health protections for public sector workers was a direct cause of those deaths. CSB's report is at www.chemsafety.gov/index.cfm?folder=completed_investigations&page=info&INV_ID=57.

To help make sure this tragedy is not repeated, Senator Evelyn Lynn and Representative Joyce Cusack, who represent Volusia County where Daytona Beach is located, have introduced bills—SB 652 and HB []—that would establish a task force of Floridians knowledgeable about this issue to determine how best to give these workers the same protections the rest of us have.

It is difficult to determine the full cost of this lack of protection both in lives and injuries and in costs to Florida's taxpayers. Because there is no occupational safety and health coverage for public-sector workers in Florida, there is no requirement that their injuries and fatalities must be reported as there is in federal law. Using the Florida Quarterly Census of Employment and Wages (QCEW) for 2007 and other data, ASSE has made some estimates.

How many state, county and municipal workers are there in Florida?

For the first quarter of 2007, the QCEW showed that there were an average of 195,968 state government employees and 782,242 local government employees in the state.

Do state, county and municipal workers have higher injury and illness rates than private-sector workers?

Most likely they do. Between 2001 and 2006, the average illness and injury incidence rate for Florida's private-sector employees was 4.93 per 100 workers. Because public-sector employers in Florida are not required to report this data, we do not know the exact rate for Florida's public-sector workers.

However, data from other states that do record illness/injury rates show, for

example, that local government employees have much higher incidence rates than any other group, with an average incidence rate of 7.2 per 100 workers.

What costs do the Florida government and taxpayers face because of this lack of OSH coverage for its workers?

Again, only rough estimates can be made. However, a study published in 2004 calculating the costs of occupational illness and injuries in each state found that Florida's private sector cost for non-fatal injuries in 1993 was \$2,566,000,000 and \$977,000,000 for fatal injuries.

Applying the national average local government illness/injury rate of 7.2 per 100 workers to the total of Florida local government employees, there should be an estimated 56,321 reported injuries or illnesses per year for local employees. And using the national average incidence rate of 5 per 100 workers for Florida state government employees, there would be an estimated 9,798 additional reported injuries.

The total recorded cases for occupational injuries and illnesses for Florida's private industry employees in 2006 were 244,400. If Florida's public-sector employees were added, the estimated total for state and local employees of 66,119 would increase the number of Florida's recorded occupational injuries and illnesses by 27%. A percentage increase of 27% added to the \$2,566,000,000 public-sector cost for workplace injuries would mean Florida government employers are paying \$692,820,000 for their workers' injuries alone.

Why should municipalities invest to control these costs?

The companies that invest in worker safety and health protections save money, as these examples show.

•Recently, the global investment firm Goldman Sachs JBWere reported that its investment research has found that companies which did not adequately manage occupational safety and health performed worse financially than companies that did. The findings suggest that smart investors do well to look at companies' occupational safety and health practices

as a factor for deciding where to put their capital. Taxpayers would similarly benefit from the same investment by government in workplace safety and health. The report is at www.gsjbw.com/documents/About/MediaRoom/GSJBW-WHS-Report-Media-Release.pdf.

•ASSE's white paper on Return on Safety Investment concludes that there is a direct, positive correlation between investment in SH&E and its subsequent return on investment for employers. The white paper can be found at www.asse.org/professionalaaffairs/govtaffairs/ngposi10.php.

•Federal OSHA provides a long list of resources that support the return of investment for occupational safety and health. Included is a 2005 Liberty Mutual Company survey of senior financial executives at large and mid-sized companies on their views of safety. These executives cited increased productivity and reduced costs as the top benefits of workplace safety and health.

A similar Liberty Mutual survey in 2001 found that 95% of business executives believed that workplace safety has a positive impact on a company's financial performance. And 61% believed that their companies receive a return on investment of \$3 or more for each \$1 they invest in workplace safety. More information, including tools for employers to determine savings can be found at www.osha.gov/dcsp/products/topics/businesscase/benefits.html.

What is ASSE and who are its members?

ASSE is a global professional society of 32,000 SH&E professionals who work in every industry and in every state and across the globe. SH&E professionals work for and with employers to make sure workplaces are safe from safety and health risks that can kill, injure or make an employee ill. SH&E professionals are instrumental in helping employers contain the significant costs associated with these risks.

ASSE has nearly 1,400 members in Florida. They belong to eight ASSE chapters located in Cocoa Beach, Ft. Meyers, Jacksonville, Miami, Orlando, Palm Beach, Pensacola and St. Petersburg.