

## ORC URGES 'CULTURE CHANGE,' REFORM UNDER OBAMA OSHA

A prominent industry consulting firm has floated a white paper calling for the incoming Obama administration to restructure the national occupational health and safety debate by fixing what it calls a broken OSHA standard-setting process. ORC Worldwide prescribes a "culture change" at OSHA that it says would require a structured national dialogue facilitated by the new administration to prioritize key long-term safety and health goals, and for employers to adopt a systems-based rather than hazard-by-hazard approach to reducing occupational safety risks.

ORC debuted the paper on the eve of election night, urging the next administration to bring stakeholders together in a more transparent and participatory deliberative process after calling OSHA "a stumbling block over the years to a spirit of cooperation and collective consideration of major policy initiatives." It advises OSHA to reinvigorate the role of the National Advisory Committee on Occupational Safety and Health (NACOSH) and bring stakeholders together at the earliest possible stage.

To address what is widely viewed as the agency's stagnated regulatory process, ORC suggests the incoming administration undertake a review, possibly through the National Academies of Sciences, to examine both statutory and administrative solutions to streamline the standard-setting process.

The document urges employers to adopt a program of continually identifying, assessing and reducing risks rather than focusing on specific hazards and identifies developing such new approaches as well as updating OSHA's outdated permissible exposure limits as areas where stakeholders may agree reform is needed.

ORC supported an idea pushed by OSHA during the Clinton administration that called for employers to maintain health and safety programs. ORC also names the American National Standards Institutes's Z10 voluntary consensus standard, adopted in 2005, as a possible model. The standard emphasizes employee participation, continual hazard assessment and prioritization and, a hierarchy of controls and training.

A former OSHA policy chief praised the document as a "thoughtful and constructive rethinking" that could break up regulatory gridlock at the agency. He noted a spirit of cooperation encapsulated in the document that he said captures the current political climate.

The ex-OSHA official, however, also expressed concern that allowing stakeholders to take on greater roles in setting the agenda at such an early stage could cause more stagnation and divert attention away from important short-term priorities, such as issuing a silica standard and extending OSHA coverage to federal employees. The head of ORC's occupational safety and health practice waived aside the concerns, contending stakeholders have the choice to "pay now or pay later." He said he envisions agenda setting under the ORC model to only take six months to one year.

By first developing a consensus, stakeholders will be able to address Congress with more credibility on important occupational safety and health issues, an official with the American Industrial Hygiene Association said, backing ORC's strategy. Such a move, he added, would reduce the risk of disgruntled stakeholders taking new standards or PELs to the courts. Past missteps by the agency make it impossible for OSHA to undertake the task of updating PELs, the official says, which he added would best be left for an outside organization, such as AIHA.