

# STAND WITH WORKERS:

## Public Sector Workers Have a Right to OSHA Protections



### SUPPORT PUBLIC SECTOR OSHA - HB 299 / SB 93

This legislation promotes consistent and comprehensive safety standards by applying the protections afforded to private sector employees under OSHA to public employees across the Commonwealth of Pennsylvania. This bill would extend OSHA protections to nearly 600,000 public sector workers across Pennsylvania.

### PUBLIC SECTOR OSHA

This bill is named in remembrance of Erie resident Jake Schwab who was fatally injured at work in 2014. Jake was a mechanic with the Erie Metropolitan Transit Authority, a public sector employer exempt from OSHA regulations. Additionally, the details that led to Jake's death and any safety concerns that would have been raised through an OSHA review are untraceable.

- **Pennsylvania has a responsibility to provide employees with a place of work:**
  - which is free from hazards that are causing or likely to cause death or serious physical harm; and
  - which will provide reasonable and adequate protection to the lives, safety, and health of employees.
- **The legislation would also:**
  - require public employers provide employees with a list of toxic substances that employees encounter, upon request;
  - establish a PA OSHA review board to hear appeals and issue civil and criminal penalties for violations;
  - provide whistleblower protections for employees who file complaints;
  - require the Department of Labor secretary establish recordkeeping requirements for public employees.

### PRIVATE SECTOR PROTECTIONS FOR PUBLIC SECTOR WORKERS

- Private sector employees are protected under the federal Occupational Safety and Health Act of 1970 (OSHA), **while public sector employees are not covered by the same federal protections.**
- Each state is responsible for extending such protections to public sector workers. While over half of US states have done so; **Pennsylvania has not.**
- Private sector workers have more workplace protections established by OSHA, **police officers, firemen, corrections officers, road maintenance workers, and other public employees in Pennsylvania have none.**
- Private sector employees are less likely to be injured on the job, **state and local public-sector employees are 64% more likely to be injured on the job,** according to the AFL-CIO's 2019 Death on the Job Report.
- Private sector workers are safer on the job, **public sector workers face higher rates of workplace violence** in comparison to workers in the private sector. **The workplace violence incidence rate is 745% higher for state employees and 535% higher for local government workers,** according to the AFL-CIO's 2019 Death on the Job Report.

## A SAFE WORKPLACE IS A HEALTHY WORKPLACE

- Every Pennsylvanian should have the right to safe and healthy working conditions, not just private sector workers.
- Workplace safety is a right, not a political issue.
- Safe and healthy working conditions are guaranteed to workers through OSHA.
- Public sector workers have some of the most dangerous jobs in the Commonwealth, and Pennsylvania has a responsibility to provide an environment that is free from unnecessary health and safety hazards.
- Workplace injuries often involve expensive litigation and the cost of workers compensation claims.
- Businesses pay between \$176 billion and \$352 billion annually in direct and indirect (overtime, training, and lost productivity) costs on workers' compensation losses for the most disabling injuries.
- Workplace fatalities are too common among Pennsylvania public workers - families left with unanswered questions face serious difficulty getting closure without OSHA required reporting in place.
- According to the 2022 Death on the Jobs report, 4,700 workers are killed on the job nationally each year. That equates to 340 workers killed daily.
- Over one-third of fatalities occur among workers over the age of 55. Workers over the age of 65 have 2.5 times the risk of dying on the job.

## LABOR'S CALL TO ACTION

We urge the Senate to pass Public Sector OSHA legislation, which finally extends these protections to our public sector workforce. The labor movement is joining elected officials in the fight for OSHA protections for public workers because everyone deserves to come home safely to their families at the end of the day.

**For more information, contact:**  
**PA AFL-CIO Legislative Director**  
**Sarah Hammond at [shammond@paafICIO.org](mailto:shammond@paafICIO.org)**

TO READ THE AFL-CIO'S 2023  
DEATH ON THE JOBS REPORT,  
SCAN HERE:

