

110TH CONGRESS
1ST SESSION

H. R. 1327

To direct the Occupational Safety and Health Administration to complete its rulemaking on Employer Payment for Personal Protective Equipment for workers.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2007

Ms. ROYBAL-ALLARD (for herself and Mr. GEORGE MILLER of California) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To direct the Occupational Safety and Health Administration to complete its rulemaking on Employer Payment for Personal Protective Equipment for workers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protective Equipment
5 for America’s Workers Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The use of personal protective equipment
9 (PPE), such as respirators, chemical resistant cloth-

1 ing, metal mesh gloves, lifelines and lanyards, safety
2 glasses, and face shields substantially reduces the fa-
3 talities and injuries among the Nation's workers.

4 (2) An estimated 20 million workers use PPE
5 on a regular basis to protect them from job hazards.

6 (3) In some jobs, including many low-wage jobs
7 dominated by immigrant workers, personal protec-
8 tive equipment is a worker's principal protection
9 from harm.

10 (4) Data from the Bureau of Labor Statistics
11 show that in 2005 there were over 4 million non-
12 fatal injuries in the private sector and over 5,700 fa-
13 talities.

14 (5) In 1999, the Occupational Safety and
15 Health Administration (OSHA) proposed a rule to
16 require employers to pay for PPE needed to protect
17 workers exposed to hazards on the job.

18 (6) The proposed rule did not impose new obli-
19 gations on employers to provide PPE, but simply
20 clarified their responsibility to pay for it.

21 (7) According to OSHA, the PPE rule would
22 prevent nearly 48,000 injuries and as many as 7 fa-
23 talities each year.

24 (8) OSHA first estimated that the final PPE
25 rule would be issued in 2000, but the agency missed

1 that deadline and has missed the subsequent dead-
2 lines announced in its semi-annual regulatory agen-
3 da in 2004, 2005, and 2006.

4 (9) Since 1999, when OSHA first proposed the
5 PPE rule, workers have suffered almost 400,000 in-
6 juries and more than 50 deaths that could have been
7 prevented had the rule been issued, according to
8 OSHA estimates.

9 **SEC. 3. OSHA RULEMAKING ON PERSONAL PROTECTIVE**
10 **EQUIPMENT.**

11 Notwithstanding any other provision of law, not later
12 than 30 days after the enactment of this Act, the Sec-
13 retary of Labor shall issue a final rule under the Occupa-
14 tional Safety and Health Act of 1970 (29 U.S.C. 651 et
15 seq.) on Employer Payment for Personal Protective
16 Equipment, which shall provide no less protection to em-
17 ployees and shall have no further exceptions from the em-
18 ployer payment requirement than the proposed rule pub-
19 lished in the Federal Register on March 31, 1999.

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