

Protecting America's Workers Act

Background

The *Occupational Safety and Health Act* (OSHAct) was enacted over fifty years ago to ensure every working American can come home safely at the end of their shift. Over the years, this legislation has been critical to mitigating workplace injuring and death. Unfortunately, the OSHAct has failed to keep pace with the modern workplace.

Problem

Millions of workers still fall outside the law's protections, weak sanctions fail to provide meaningful incentives for those employers tempted to cut corners on compliance with safety and health standards, and anti-retaliation protections for workers who report unsafe conditions are antiquated and ineffective.

As a result, according to the Bureau of Labor Statistics, in 2023, 5,283 workers lost their lives from job-related traumatic injuries, and nearly 3.2 million workers incurred a serious, non-fatal on-the-job injury or illness. In addition, an estimated 135,000 workers died in 2023 from occupational diseases. Every day, more than [14 workers](#) go to work, never to return home to their families due to a fatal workplace injury.

Solution

The *Protecting America's Workers Act* will address shortfalls in the law that have hamstrung further progress towards safer workplaces. Specifically, the *Protecting America's Workers Act* will:

- **Protect millions of workers by expanding OSHA coverage** to 8.1 million state and local government employees in 24 states who currently have no right to a safe workplace;
- **Ensure worker safety is protected** by mandating that employers correct hazardous conditions in a timely manner;
- **Reinstate an employer's ongoing obligation** to maintain accurate records of work-related illness and injuries, and reverses a Trump era Congressional Review Act resolution that undermined OSHA's ability to hold employers accountable who violate requirements to record workplace injuries and illnesses;
- **Improve whistleblower protection** for workers who face retaliation for calling attention to unsafe working conditions;
- **Update obsolete consensus standards** that were adopted when OSHA was first enacted in 1970;
- **Deter "high gravity" violations** by providing authority for increased civil monetary penalties for serious or willful violations that cause death or serious bodily injury;
- **Expand injury and illness records** that employers are required to maintain and report in order to enable OSHA to more effectively target unsafe workplaces;
- **Authorize felony penalties against employers who knowingly commit OSHA violations** that result in death or serious bodily injury and extend such penalties to corporate officers and directors;
- **Require OSHA to investigate all cases of death and serious injuries** that occur within a place of employment;

- **Establish rights for families of workers who were killed on the job** by giving them the right to meet with OSHA investigators, receive copies of citations, and to have an opportunity to make a statement before any settlement negotiations; and
- **Improve protections for workers in state OSHA plans** by allowing the Secretary of Labor to assert concurrent enforcement authority in those states where the state OSHA program fails to meet minimum requirements needed to protect workers' safety and health.