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The President's Schizophrenia on the Working Class

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Co-authored with Matthew Shutz

President Obama's [approval rating is up to 50 percent](#) for the first time in two years after a stellar period of national reconciliation and the safeguarding of Obamacare, his signature, and truly momentous, achievement. The president, in fulfillment of his noble promises to help the middle class, is about to put his weight behind a [Labor Department rule](#) that would hike minimum earnings needed to earn overtime pay, a proposal that would affected 5 million Americans. These accomplishments remind people why they voted for him in the first instance and returned him to office by a very comfortable margin.

But for those of us who believe that people should be able to go to work without getting sick or dying, a remarkable [series of stories by the Center for Public Integrity](#) can only strengthen the despair that has been building slowly since the president took office. The series describes an Occupational Safety and Health Administration (OSHA) so impotent with respect to pervasive workplace hazards that it is fair to ask whether this 45-year old institution is fundamentally irrelevant to most American workers. Consider the following "[dispiriting facts](#)" reported by editor Jim Morris and reporters Jamie Smith Hopkins and Maryam Jameel:

- Ninety percent of the 2,238 chemicals produced or used in "high volumes" (over one million pounds/annually) do not have any workplace exposure limits;
- A side-by-side comparison of OSHA standards with standards developed by a professional association of industrial hygienists reveals that the agency allows exposures that are orders of magnitude higher than state-of-the-art workplaces;
- For 16 chemicals known to cause cancer, OSHA tolerates workplace exposures that could result in 6 out of 10 workers getting cancer;
- The worst such carcinogen is silica, a substance that is the subject of the single significant rule proposed during the Obama Administration. Yet it is far from clear whether this rule will be finalized during the Obama Administration, if ever. Hostile economists at the White House spent a year picking over the proposal behind closed doors and OSHA has been slow walking it ever since;

The agency acknowledges that 50,000 people die every year from what they breathe or touch at work. This number likely understates the impact of such health hazards but is still more than the total killed in car accidents and four times as many as the number of people murdered on an annual basis.

Apart from chemicals and other hazardous substances like silica, [as we've written](#)

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before, OSHA has also shoved its head far into the sand on ergonomic injuries, the other cause of workplace misery. Chastened by Congress (what else is new?) at the beginning of the George W. Bush administration, OSHA has effectively abandoned the field, even as the problems grows to intolerable proportions in health care facilities and meatpacking plants.

When interviewed for the Center's series, agency head David Michaels blamed the "very, very complex, onerous process" he must go through to promulgate chemical exposure standards. Dr. Michaels, of course, is an extraordinarily talented epidemiologist who wrote the path-breaking book, *Doubt is Their Product: How Industry's Assault on Science Threatens Your Health*. When he went to OSHA riding a wave of hope from labor advocates, he knew very well what it would take to lead the agency out of its doldrums. So it's distressing to hear the sense of resignation to a too-weak statute and a too timid bureaucracy in his remarks. After all, the last time OSHA waded into the chemical exposure problem was during the Reagan Administration. Surely endangered workers could expect far more from a "transformative" president.

Of course, in fairness to Dr. Michaels and his beleaguered staff, industry allies in Congress have done everything possible to undermine OSHA, beginning and ending with untenable appropriations that leave the agency at the same level of resources as it had four decades ago. Funding shortfalls bite deep, and demand the most creative and focused response OSHA has ever mustered. For example, we pleaded with OSHA staff years ago to launch enforcement of [high-profile general duty clause cases](#) against the most dangerous employers. Such prosecutions would charge that employers are exposing workers to toxic chemicals at levels much higher than everyone knows are safe. A concerted effort in this less expensive, equally effective arena is not discernible.

Given the stakes and the scope of the failures, it's fair to ask why President Obama has ignored OSHA so systematically. Being well enough to go to work is, after all, the condition precedent to bringing home a paycheck. Yet Michaels has hurled himself against the White House gates to no avail. The united front presented by the president and his top advisors has sucked all the air out of OSHA, leaving behind a series of erratic enforcement cases against egregious violators but failing to prevent the large majority of workplace illness and injury.

A cynic might suggest that the president and his political advisors simply are not willing to fight off the squads of industry lobbyist who saddle up every time OSHA contemplates marginally more aggressive behavior. Admittedly, such fights are a profoundly unpleasant way to spend one's time and, for reasons that remain mysterious, the president may simply have overlooked the devastating effects of industry greed and OSHA dysfunction. Yet if the president is serious about restoring grace in our public spaces, surely those suffering most greatly among us must not be left behind.

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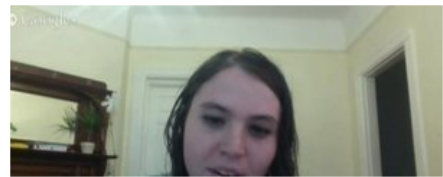
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