

# CWA Occupational Safety and Health

## Bill of Rights: Background Information

Occupational safety and health is not a new issue for the American labor movement. In fact, U.S. unions began to focus upon workplace safety and health issues as early as the 1860's. During the latter part of the 19th Century, the American economy was characterized by the establishment of new industries and methods of production that created new occupational safety and health hazards. This development resulted in a general increase in awareness among American workers and their unions regarding the need for protective safety and health legislation. Spurred by the efforts of the labor movement, by the end of the 19th Century, most of the heavily industrialized states had enacted legislation to reduce or eliminate occupational safety and health hazards. However, state legislation was generally ineffective and inadequate.

Legislative activities at the federal level were also initiated during the latter part of the 1800's. These efforts led to the establishment of the Federal Bureau of Mines (1910), the creation of the Federal Office of Industrial Hygiene and Sanitation (1914), the Federal Employees Compensation Act (1916), and the passage of the Walsh-Healy Public Contracts Act (1936). The Walsh-Healy Contracts Act required employers with government contracts exceeding \$10,000 to comply with certain safety and health standards.

### Workplace Regulations

However, it was not until the 1960's that an approach to enact more comprehensive workplace safety and health legislation was initiated. With the primary leadership provided by the U.S. labor movement and traditional coalition organizations (e.g., environmental, civil rights, and religious groups), these efforts led to the passage of several important federal safety and health laws. These laws included the Contract Work Hours and Safety Act, the Construction Safety Act, the Service Contract Act, the National Foundation on the Arts and Humanities Act, the Federal Metal and Nonmetallic and Mine Safety Act, and the Federal Coal Mine Safety and Health Act. In 1970, these actions were followed by the enactment of the Occupational Safety and Health Act, the Environmental Protection Act, and the Railroad Safety Act. With the passage of the Occupational Safety and Health Act of 1970 (OSHAct), the U.S. labor movement was able to have important workplace safety and health protections established for U.S. workers, both union and non-union.

The primary purpose of the Occupational Safety and Health Act of 1970 is to "assure so far as possible every working man and woman in the nation safe and healthful working conditions...;" furthermore, the OSHAct states that private sector employers are responsible to "furnish to each of his employees employment and a place of employment which

are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." These employers are obligated to comply with standards established by the Occupational Safety and Health Administration (OSHA).

Regarding the structure of the OSHAct, OSHA was charged with the responsibility for developing, promulgating, and enforcing workplace safety and health standards. In addition, the OSHAct created the National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Review Commission (OSHRC). NIOSH was established as the primary federal occupational safety and health research organization and OSHRC was given the authority to rule upon enforcement actions taken by OSHA.

Further, OSHA was established to:

- **Encourage employers and workers to reduce occupational hazards and to implement new or improve existing safety and health programs,**
- **Develop rights and responsibilities for employers and workers,**
- **Create recordkeeping and reporting procedures to identify work-related injuries, illnesses, and fatalities,**
- **Encourage states to assume responsibility for developing and administering their own workplace safety and health programs that must be at least as effective as the federal OSHA program.**

Of particular importance, the passage of the Occupational Safety and Health Act provides the unique opportunity for CWA occupational safety and health activists to ensure that employers are providing workers with safe and healthful work environments. Ideally, this can be accomplished by working with coalitional groups such as committees on occupational safety and health (COSH), labor, university and college, environmental, and civil rights organizations.

**Contact the CWA Occupational Safety and Health Department at [www.cwasafetyandhealth.org](http://www.cwasafetyandhealth.org).**

