



## NATIONAL COSH

National Council for Occupational Safety and Health  
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### **H.R. 5663: Stronger Protections for all American Workers**

*It's been 40 years since our nation's worker safety laws were adopted and they are badly in need of updating. H.R. 5663 takes a step in that direction by modernizing penalties against employers who break safety laws and put workers' lives at risk. HR 5663 includes provisions to improve both the Occupational Safety and Health Act and the Mine Safety and Health Act.*

*Significant progress has been made on protecting the health and safety of American workers since the creation of the Occupational Safety and Health Administration and Mine Safety and Health Administration almost four decades ago. However, too many workers are still dying, getting injured or becoming ill by working in unsafe and unhealthy conditions. HR 5663 will provide additional tools to ensure that OSHA and MSHA can fulfill their duty to enforce the laws requiring safe and healthy workplaces for all American workers.*

*Specifically, HR 5663 would **increase protections of workers covered by the OSH Act by:***

#### **Strengthening Penalties for OSHA Violations**

- Raises civil penalties and indexes those penalties to inflation.
- Establishes mandatory minimum penalties for violations involving worker deaths.
- Allows felony prosecutions against employers who commit willful violations that result in death or serious bodily injury, and provides for prosecution of responsible corporate officers.

#### **Improving Whistleblower Protections under the OSH Act**

- Codifies regulations that give workers the right to refuse to do hazardous work.
- Clarifies that employees cannot be discriminated against for reporting unsafe conditions and brings the procedures for investigating and adjudicating discrimination complaints into line with other safety and health and whistleblower laws.

### **Giving new Rights to Workplace injury Victims and their Families**

- Gives injured workers, their families and families of workers who died in work-related incidents the right to meet with investigators, receive copies of citations, and to have an opportunity to make a statement before any settlement negotiations.
- Creates a new “Family Liaisons” program at each area OSHA office to keep family members of victims informed.

### **Requiring that Employers Abate Serious Hazards pending contest of Violations**

- Employers that contest serious, willful, and repeat violations would no longer be allowed to leave them uncorrected while these citations are being contested and considered by the OSHA Review Commission.

### ***HR 5663 would also improve safeguards for America’s miners by:***

- Giving MSHA the authority to revoke an employer's mining engineering plan if it is inaccurate and creates a serious safety hazard.
- Assessing monetary penalties for violations that are part of a pattern of serious violations
- Extending criminal liability to mining officials who knowingly violate federal safety regulations
- Protecting miners from loss of pay when their mine is shut down to correct serious safety problems