



**Opening Statement of Rep. Kevin Kiley (R-CA), Chairman
Subcommittee on Workforce Protections**

**Hearing: “Safeguarding Workers and Employers from OSHA Overreach and
Skewed Priorities”**

July 24, 2024

(As prepared for delivery)

During the current administration, OSHA quickly established a reputation for pushing a regulatory agenda that is at odds with the interests of small businesses, workers, and the overall health of the American economy. For instance, as the nation and the private sector were healing from the COVID-19 pandemic, OSHA proposed a vast, sweeping, and illegal COVID-19 vaccine mandate. Despite a stern rebuke from the Supreme Court, OSHA has refused to change its ways. The purpose of today’s hearing is to encourage a more thoughtful and balanced approach to rulemaking, one marked by factfinding, evidence, and humility rather than overreach and ideology.

On the one hand, we see a problem with overreach, like the walk around rule and the emergency response proposed standard. While the country faces a shortage of firefighters and EMS workers, this one-size-fits-all proposed rule mandates massive administrative burdens and costs that will worsen existing challenges in recruiting and retaining emergency responders. OSHA’s walkaround rule allows third parties to accompany OSHA inspectors on workplace safety inspection tours. Workplace safety inspections should never become a pretext for some other agenda—regardless of whether you support or oppose that agenda. The proposed rule cheapens the protections that exist in current law, and American workers will suffer as a result.

Yet even as OSHA produces many regulations that go beyond its mandate and do more harm than good, it has failed to actually carry out its mission and produce rules where needed. For instance, we see an absence of rulemaking when it comes to the tree care industry, despite the industry long asking for a standard. The tree care

industry remains one of the most hazardous industries in the nation as a result of this negligence. OSHA must act to protect tree care workers and provide regulatory consistency.

This is all happening under the longest serving Acting Secretary of Labor in U.S. history. Despite failing to garner the votes needed to be confirmed to the Secretary of Labor position, Julie Su continues to unlawfully serve in the role. Su has been serving in her position unconfirmed for an astounding 499 days, far surpassing any other unconfirmed Secretary. Americans deserve a confirmed Secretary, not one who the United States Senate has rejected on a bipartisan basis.

OSHA should acknowledge and implement feedback from workers and job creators when writing its regulations to ensure its policies are workable in the real world. Any regulation handed down from a federal agency should be narrowly focused and compliance should be realistic. Overburdensome regulations hurt the workers they're meant to protect. Today we'll hear from industry experts who will be able to speak about some of OSHA's other regulations and how they are affecting them.