



COMMITTEE STATEMENT

**Statement on the Republican Substitute to H.R. 1195
Rep. Tim Walberg (R-MI)
Committee on Education and Labor
Markup of H.R. 7, H.R. 1065, and H.R. 1195
March 24, 2021**

(As prepared for delivery)

“Thank you, Mr. Chairman. Health care and social service workers face real risks of workplace violence.

The numbers show that these workers are at the highest risk for occupational injuries from workplace violence of any industry, and this issue demands our attention and thoughtful consideration.

Unfortunately, H.R. 1195, the Democrats’ proposed solution, is excessively prescriptive and heavy-handed. It takes the wrong approach, prejudging and imposing a rushed regulation without allowing for necessary stakeholder input. That is why I am proud to offer the Republican substitute amendment.

My amendment ensures that in issuing a workplace violence standard, OSHA will still follow proper rulemaking procedures and be responsive to the public comments received during the rulemaking process.

It also calls on OSHA to convene the already planned *Small Business Regulatory Enforcement Fairness Act* panel before proceeding with the rulemaking process to allow small businesses the opportunity to comment on regulatory text. Incorporating the insights and experiences of all stakeholders will allow OSHA to craft a rule that meets the needs of all workers and is informed by appropriate feedback and analysis.

This amendment would also require OSHA to conduct an educational campaign on workplace violence prevention in health care and social service industries. This initiative would target the regulated community and raise awareness of the issue while also increasing compliance with the eventual final rule.

Further, this amendment recognizes the reality that the health care industry is in the midst of responding to a major public health crisis and has rightly prioritized significant resources for responding to the COVID-19 pandemic.

As such, my amendment removes the problematic requirement that OSHA issue an interim final standard on workplace violence within one year, which is ill-timed considering the expected imposition of additional COVID-19 regulatory mandates from the Biden OSHA in the near future.

This commonsense amendment acknowledges and supports the work already underway at OSHA so that the agency can implement an effective solution to address workplace violence.

As it stands now, H.R. 1195 is the wrong approach to address this critical problem and will lead to a poorly conceived and rushed regulation that is lacking invaluable public comment and careful analysis.

I hope we can all seriously consider this substitute proposal, which is a sensible solution and affirms our bipartisan desire to see OSHA continue with this important rulemaking, while also removing damaging provisions in H.R. 1195.

Preventing workplace violence in health care and social service settings is crucial, and we should allow OSHA to develop a standard that results from the rigorous and proven rulemaking process, ensuring that experts and stakeholders have a seat at the table.

I ask my colleagues to support this substitute amendment so we can take real, meaningful steps toward addressing the critical issue of workplace violence in the health care and social service industries.”

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