

**Testimony from Wendell Young IV, President, UFCW Local 1776
Intergovernmental Operations Committee Hearing – Public Sector OSHA
September 18th, 2023**

Senate Intergovernmental Operations Committee:

Thank you for the opportunity to submit testimony on this important measure. My name is Wendell Young, IV. I am the President of UFCW Local 1776, and today I submit testimony in support of passing a state-approved public sector OSHA plan. Here at UFCW Local 1776 we represent over 30,000 members across the Commonwealth. We represent industries from meatpacking and food processing to nursing homes, and everything in between. At UFCW, we believe that every worker is entitled to basic workplace protections. Unfortunately, nearly 4,000 of our members are not afforded the same protections as their fellow private sector workers are.

Fortunate for some workers, the presence of a labor union can help alleviate the risks associated with the absence of public-sector OSHA. Worker safety continues to be a top priority of UFCW Local 1776, and our collective bargaining agreements present as such. In addition to safety measures negotiated into contracts, the establishment of joint labor-management committees help to identify and discuss workplace hazards and make improvements where the employer finds it feasible. However, without mandates, certain improvements to safety will not be willingly made.

In an effort to better understand the hazards associated with their jobs, UFCW Local 1776 commissioned an internal survey to identify workplace safety and hazard concerns amongst our public-sector workforces. Consistent amongst all workforces was the complaint of preventable hazards such as lack of protective equipment and training to use such, cluttered

and hazardous facilities, and frequent pain associated with repetitive motions. To better illustrate the importance of this issue, I'd like to provide some examples of the conditions public-sector workers are forced to work in.

UFCW Local 1776 represents members at various Department of Public Works. Through the internal survey, many members expressed grave concern about the safety conditions of their positions. Many members have previously worked in private sector positions. When asked, they contrasted their current experience with former positions noting the municipality often refused to provide any sort of protection often citing costs. Another worker who had previously worked with a private firm noted how many of the protections in place at the private firms were absent from the water municipality. The most concerning of hazards without protection was the lack of shoring protection. Federal OSHA standards require private employers to install aluminum hydraulic or other types of supports to prevent soil movement in trenches five feet deep (1.5 meters) or greater. One worker cited having experienced three cave-ins that fortunately did not cause them serious injury. This is a striking example of the same job, the same hazards, and no protection.

More examples of the disproportionate hazards public sector worker's face can be found in our public sector nursing homes. In the same survey conducted amongst DPW members, nursing home members vocalized significant concerns with staffing and the ability to evacuate members in case of emergency, an inability to adequately use equipment, and frequent pain often associated with repetitive motions required by the job. Sixty-five percent of members experience neck pain associated with frequent repetitive motions, 48% experienced shoulder pain, 67% experience upper and lower back pain, and 33% experience wrist pain.

While the state has taken action to ensure higher staffing ratios to address some concerns, a necessary adjustment, OSHA protections require higher standards for private sector workers to address ergonomic pain, emergency evacuation plans, and more.

Lastly, by way of example, we represent over 3,000 public-sector retail workers. When surveyed, our public-sector retail workers responded affirmatively to having pain associated with their lower backs (69%) and wrists/hands (54%). In addition to this, nearly 50% of respondents indicated having pain in their necks, shoulders, and knees. While aches and pains are commonly associated with physically demanding jobs, workers in the private sector have more opportunity to report hazards, and access to more information regarding ergonomic safety.

It is clear based on these hazards public sector workers are suffering due to a lack of inaction. Much of the opposition public sector OSHA has received has been around a lack of reporting standards, and a cost of implementation. We recognize the importance of and have previously supported a reporting standard bill in the past. We recognize the importance of collecting data to quantify risks so that improvements can be made. However, we also recognize that a compromise to collect data at this point could lead to several more years without passing an OSHA plan. Although not quantitative, we already have all the data needed to support passing a state-approved OSHA plan. You may be thinking, how is this possible without reporting standards? **The answer is simple: Jake Schwab, Christopher Trakimas, Tom Vitale, and every other public sector worker that has been injured or killed on the job in a preventable accident.** Prolonging this process to collect data prolongs protections and will

undoubtedly lead to further death and injury. How many workers must die to justify implementing workplace protections?

As you are aware, twenty-two states have adopted full state-approved public sector OSHA plans that receive 50% funding from the federal government. Another seven states have adopted separate state plans. Sadly, we are not at the forefront of this issue. To argue that such plans would be detrimental based on cost is inconsistent with the 29 other states who have already adopted plans, seven of which fund it entirely through state funds. It is hard to quantify the cost of a program when it is impossible to know what improvements would need to be made at worksites. To create a theoretical number that assumes all worksites would need 100% of the improvements required is a disservice to the legislators who are asked to create and fund such a program.

All workers deserve equal protection. On behalf of our over 4,000 public sector workers, the many others who undoubtedly have friends and family who are public sector workers, and alongside my labor brothers and sisters, I call on the legislature to act and prevent senseless, preventable death and injury in the workplace. Thank you.