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## **NEWS** from **U.S. Senator Bob Dole**

(R.—Kans.)

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### DOLE SUPPORTS OSHA MODIFICATIONS

WASHINGTON, D. C. -- Describing the present law as "extremely unpopular in the State of Kansas," Senator Bob Dole late yesterday called for substantial changes in the Occupational Safety and Health Act (OSHA) of 1970.

Speaking on the floor of the Senate as a cosponsor of an amendment designed to accomplish such modifications, the Senator stated that he had "...received hundreds of complaints from employers -- particularly those with small firms -- in Kansas during the period since enactment of OSHA, most of them advocating outright repeal of the law." Because that type of action did not appear feasible, however, Dole favored changes which would make the law "more reasonable and effective for all concerned."

"Perhaps the most objectionable of the present OSHA provisions is the mandatory assessment of penalties for first-instance, non-serious violations of the Act. Besides the obvious 'due process' Constitutional question which this raises, it tends to defeat the whole spirit of fairness with which the enforcement proceedings of any Government program have traditionally been conducted."

"I think that this amendment -- by making such penalties discretionary, in addition to rescinding authority to issue citations for violations found on employer-requested visits to smaller (fewer than 100 employees) businesses -- will go far towards fostering an attitude of acceptance among those endeavoring to comply 'in good faith' with established regulations."

Certainly, no employer is opposed to taking every reasonable step possible to insure safe and healthy working conditions for those under his supervision. But at the same time, he cannot afford to become so preoccupied with forecasting potential hazards (to avoid being fined) that the economic viability of his business is jeopardized."

Dole suggested that the goals of OSHA could best be reached by seeking cooperation between employers and inspectors, rather than by continuing the current practice of punitive harassment. In order for the plan to work successfully, OSHA representatives should offer encouragement and assistance in the form of technical advice and constructive recommendations in advance of any sanctions or adverse actions, he added. "There should be a 'grace period' philosophy in effect -- similar to that employed quite adequately by both municipal building and fire inspectors, as well as by vehicle safety officials."

The amendment, which would have instituted the above changes in the implementation of occupational safety and health standards, was defeated in the Senate by a vote of 47-40.