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DOLE AMENDMENT REQUIRING CONSULTATION PRIOR TO OSHA PENALTIES, PASSES SENATE

WASHINGTON, D.C. -- The Senate last night passed Senator Bob Dole's amendment, by a vote of 61 to 27, to require that before penalties are imposed for any first instance violation, OSHA must consult with the employer on possible methods to bring the plant into compliance.

"The increased consultation will provide businesses a better opportunity to comply, and will actually encourage compliance," Dole said. "The major compliance problem for most businessmen is not an unwillingness to follow OSHA regulations, but an inability to know when a work place is not in compliance. OSHA regulations are not written to make compliance easy for the average employer. "

Dole also pointed out that the knowledge that an employer could avoid a fine by complying voluntarily within a reasonable time could remove the incentive to take OSHA to court. Numerous cases are currently pending concerning the right of OSHA inspectors to inspect a business without a warrant.

"My amendment also fits in with President Carter's position on the proper role of OSHA," Dole said, " and will place more emphasis on consultation, education, information and voluntary compliance rather than the past heavy-handed attitude toward small and insignificant problems."