

NEWMYER ASSOCIATES, INC., 1220 L STREET, N.W., SUITE 425, WASHINGTON, D.C. 20005

To Westinghouse Electric Corporation Date December 13, 1991

Mr. William MacLaurin (Stevens)+
cc: Mr. Briskman+ Ms. Darling+ Mr. Kerns+
Mr. Mahon+ Mr. Pitts+ Mr. Palmieri+
Mr. Rayburn Mr. Spodak Mr. Upchurch+
Mr. Wright Washington Office+

Re: Job Safety Enforcement -- Report of
Interest Group

In a public interest group's review of safety and health enforcement against 50 of the nation's largest manufacturing companies, Westinghouse was listed as having the second highest number of citations from the U.S. Occupational Safety and Health Administration from 1977-1990, with a rate of 99.5 per 10,000 employees. The report said that the company received 1,338 citations and paid \$143,799 in penalties of a total of \$248,200 that had been assessed against Westinghouse.

The report also said that OSHA recorded 19 fatalities and four injuries at company operations during the period.

Aggregated data for Federal and state OSHA citations was presented from 1982-90 and showed Westinghouse with 942 citations, 70.1 percent per 10,000 employees.

Workers at Risk, issued this week by a Ralph Nader sponsored organization, declared that the agency leveled penalties for only 32.4 percent of the citations filed against the 50 largest firms and collected only 53.1 percent of the penalties initially imposed. General Electric was cited as "by far the most frequent violator of workers safety and health regulations."

Essential Information, Inc., the Nader-founded unit that conducted the study (and sold it for \$10 a copy after holding a news conference here), said that it obtained the information from OSHA through a Freedom of Information Act request. James Donahue, who produced the work, noted that mergers and corporate restructuring made it difficult to trace subsidiaries to corporate parents.

The report makes no reference to OSHA's policy of reducing penalties in exchange for agreements by employers to (1) abate identified hazards without resorting to their right to appeal citations and (2) institute training and abatement practices throughout their facilities nationwide rather than only at the inspected operations.

Attached are copies of the report.

Newmyer Associates

Attachment+



MHB-0012813

Workers at Risk

*A Survey of OSHA's
Enforcement Record
Against the 50 Largest U.S.
Corporations*

By

James Donahue

Essential Information, Inc.

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METHODOLOGY OF THE SURVEY

Essential Information surveyed enforcement data obtained from the federal Occupational Safety and Health Administration (OSHA) for the 50 largest corporations listed in the 1990 *Fortune* 500. The data was obtained through the Freedom of Information Act from the Office of Management Data Systems of the federal OSHA in Washington, D.C. It includes inspection reports that list the name of the violator, the regulation violated, the OSHA citation date and case-closed date, the type of violation (i.e. serious, willful, repeat or other), the initial and final penalties issued for each violation, fatalities and injuries and whether the cited facility had a union or nonunion workforce. The enforcement data from the federal OSHA spans a 14-year period from 1977 through 1990.

In addition to the inspection reports of the federal OSHA, reports from 18 of the 21 states that conduct their own occupational safety and health enforcement were surveyed for the period from 1982 through 1990. Those states are Alaska, Arizona, Hawaii, Indiana, Iowa, Kentucky, Maryland, Minnesota, Nevada, New Mexico, North Carolina, Oregon, South Carolina, Tennessee, Utah, Vermont, Virginia and Wyoming. This data was provided by the federal OSHA. Data from state-controlled enforcement programs in California, Michigan and Washington was not available from OSHA and is not included in this study.

LIMITATIONS OF OSHA'S COMPUTER SEARCH SYSTEM

OSHA's computer system typically does not indicate the parent company name when citations are recorded for subsidiaries. Consequently, in order to obtain a complete picture of violations, the names of all subsidiaries, in addition to the parent company name, must be searched individually. It is not possible, for example, to search OSHA's computer system

solely by the name of the parent corporation and obtain violations of all subsidiaries. When OSHA conducts a computer search by parent company name only, as it did for this survey, enforcement data is provided only for the parent and those subsidiaries with names similar to that of the parent. For example, searches under the name of General Motors will provide enforcement data for both the parent as well as the GM subsidiary General Motors Acceptance Corporation. In contrast, Electronic Data Systems Corp., also a GM subsidiary, would not be provided, unless, by chance, an OSHA inspector recorded the parent name next to the subsidiary name on the inspection report.

Due to the costly and time-consuming task of identifying and searching literally hundreds of individual subsidiaries owned by the 50 surveyed corporations, this study is limited to an examination of enforcement against the parent corporation and significant subsidiaries identified by names similar to that of the parent.

MERGERS & CORPORATE RESTRUCTURING

Until the mid-1980s, Amoco was a subsidiary of Standard Oil of Indiana and Chevron was a subsidiary of Standard Oil of California. Although Amoco and Chevron are included in this survey, both Standard Oil companies are not. In addition, a few of the surveyed corporations were formed during the 1980s by a merger between two or more corporations. In this case, enforcement data from each company involved in the merger is included in this survey in addition to the post-merger corporation. Allied-Signal Corp. was established in the mid-1980s by the merger between Allied Chemical and the Signal Companies. Enforcement data from each of the two latter companies is included in this survey under Allied-Signal. RJR Nabisco was established in the late 1980s with the merger between R.J. Reynolds

Tobacco Co. and Nabisco Corp. Pre-merger data from RJR and Nabisco is included in this survey under RJR Nabisco. Unisys was established in the mid-1980s with the merger between Sperry Corp. and Burroughs Corp. Pre-merger data from Sperry and Burroughs is included under Unisys.

Manufacturing facilities were the primary focus of this study and consequently gasoline service stations and auto dealerships were not included in the survey.

CITATIONS & PENALTIES PER 10,000 EMPLOYEES

The number of citations and penalties per 10,000 employees is also included in this survey. The number of employees per company is based on an average over the entire 14-year period. The number of employees for the entire period, however, was not available for six of the corporations. Consequently, averages were calculated over a time span of less than 14 years: the average number of employees for Sara Lee and Chevron was calculated from 1985 through 1990; Amoco's average was calculated from 1986 through 1990; Shell's average was calculated from 1977 through 1985; Conagra's average was calculated from 1977 through 1988; and RJR Nabisco's average was calculated from 1977 through 1988. The average number of employees for corporations formed by a merger was calculated by averaging both the number of employees for all corporations involved in the merger and the number of employees after the merger.

SUMMARY OF RESULTS

The results of this survey are conservative. The exclusion of subsidiaries and the lack of information from three state-wide OSHA programs that conduct enforcement separately

from the federal OSHA produces an under-reporting of violations. The results distinguish between enforcement conducted 1) from 1977 through 1990 by the federal OSHA exclusively and 2) from 1982 through 1990 by the federal *and* state OSHA programs combined.

Enforcement data was recorded by the date on which OSHA closed its case against the corporation, not the date on which the citations were issued. The totals for fatalities and injuries, however, were recorded by the date at which the case was first opened by OSHA.

FEDERAL OSHA

The federal OSHA issued citations in 3,611 inspections from 1977 through 1990. Citations and penalties are presented in Tables 1, 2 and 3. Table 1 shows that the federal OSHA issued 17,318 citations against 48 of the 50 surveyed corporations and imposed a penalty for only 32.4 percent of those citations. Table 2 shows that the federal OSHA imposed 5,605 penalties against the corporations. The vast majority of the penalties were imposed for serious violations; serious violations are issued when OSHA finds that a company should have known of a substantial probability of an accident resulting in death or serious injury. Penalties imposed for willful violations were least common of all; willful violations are committed with an intentional disregard of, or plain indifference to, occupational safety and health regulations.

Table 3 shows that OSHA imposed \$7.1 million in initial penalties against 48 of the 50 corporations and required final payment of \$3.8 million. The corporations collectively paid only 53.1 percent of the penalties initially imposed by OSHA.

Of the 3,611 total federal OSHA inspections, 79.2 percent involved facilities operated by union labor while 20.8 percent were non-union. Facilities operated by union labor were

also more frequently cited for safety violations than non-union facilities; Table 11 shows that the federal OSHA issued 14,185 citations against union facilities and 3,133 citations against non-union facilities. The agency imposed a penalty for 34.3 percent of the citations issued against union facilities and 23.8 percent of citations issued against non-union facilities. Table 14 shows that union facilities collectively were fined \$3.5 million by the federal OSHA and paid 52.6 percent of the initial penalties. The table also shows that non-union facilities were fined \$268,217 and paid 60.4 percent of the initial penalties.

STATE OSHA

Table 7 shows that 18 of the 21 state-operated occupational safety enforcement agencies issued 3,897 citations against 48 of the 50 surveyed corporations from 1982 through 1990. Penalties were imposed for only 1,031, or 26.4 percent, of those citations.

The data does not provide a reliable comparison of enforcement between states because each state does not contain the same number of facilities. Nevertheless, a comparison is made here to illustrate the extent of state enforcement against the 50 surveyed corporations. Oregon's enforcement program was the most aggressive. The state issued 1,298 citations and imposed \$101,515 in penalties against the corporations from 1982 through 1990. Kentucky ranked second but followed far behind Oregon with 392 citations and \$28,289 in penalties. Indiana, Minnesota and North Carolina immediately followed Kentucky and ranked third, fourth and fifth, respectively, in the number of citations issued. Ranking with the smallest number of citations were Arizona, Nevada, New Mexico, Alaska and Iowa.

FEDERAL & STATE COMBINED

The federal OSHA and state agencies collectively issued citations in 2,823 inspections

from 1982 through 1990. Tables 4, 5 and 6 rank the corporations by citations and penalties imposed by both the federal *and* state agencies in the nine-year period. Table 4 shows that both the federal OSHA and the state agencies collectively issued 13,116 citations against 48 of the 50 surveyed corporations and imposed a penalty for only 31.6 percent of those citations. Table 5 shows that the vast majority of penalties were imposed for serious violations while willful violations were the most infrequent. A total of \$5.6 million in penalties was initially imposed, while only \$3 million was actually paid. Final penalties represented 54.4 percent of initial penalties.

MOST FREQUENT VIOLATORS UNDER FEDERAL ENFORCEMENT

Table 1 shows that the federal OSHA typically imposes a penalty for about one-fourth to one-third of the citations issued, regardless of how frequently a corporation is cited. General Electric (GE) was by far the most frequent violator of worker safety and health regulations. From 1977 through 1990, GE violated federal worker safety and health regulations 2,017 times and paid a penalty for 27.3 percent of those violations. Among the 20 corporations most frequently cited by the federal OSHA, GE paid a penalty on the second smallest proportion of its total citations, despite its ranking as the most frequent violator. Westinghouse followed GE with 1,338 violations of federal safety and health regulations. The corporation paid a penalty for 31.2 percent of its total citations. Following GE and Westinghouse, and ranking in the top five cited companies, were General Dynamics, General Motors and International Paper, respectively.

Table 1 also shows that International Paper was the most frequent violator per 10,000 employees. The company received more than 237 citations per 10,000 employees, while

Georgia Pacific, Weyerhaeuser and General Dynamics followed with 221, 137 and 130 citations respectively.

MOST FREQUENT VIOLATORS UNDER FEDERAL & STATE ENFORCEMENT

Table 4 shows that under the federal *and* state enforcement programs, GE ranked number one in violating safety regulations from 1982 through 1990. GE violated such regulations on 1,498 occasions and was penalized for only 25.5 percent of the citations issued. Weyerhaeuser followed with 1,212 violations; it paid a penalty for only 34.2 percent of the citations issued. Following GE and Weyerhaeuser, and ranking in the top five, were Westinghouse, International Paper and General Dynamics, respectively.

Table 4 also shows that Weyerhaeuser was the most frequent violator per 10,000 employees. The company received more than 277 citations per 10,000 employees, while International Paper and Georgia Pacific followed with more than 201 and 197 citations respectively.

Occidental Petroleum and Pepsico were not issued a citation or penalty and did not appear at all in the federal or state enforcement data. In the United States, Occidental Petroleum is represented primarily by subsidiary names rather than the parent name. This may explain the lack of any violations in the OSHA data. In addition, unlike most oil companies, Occidental Petroleum does not have any U.S. oil refineries; such workplaces are frequently cited by OSHA for safety violations. In 1991, Occidental Petroleum was ranked by *Forbes* magazine as the eighth smallest employer of the 50 corporations surveyed.

PENALTIES

General Motors (GM) paid the greatest amount in federal OSHA penalties as well as

federal *and* state OSHA penalties combined. Table 3 shows that from 1977 through 1990, GM paid \$654,499 in federal OSHA penalties; Table 6 shows that from 1982 through 1990 GM paid \$609,004 in federal *and* state OSHA penalties combined. Following GM in the top five ranking of *federal* OSHA penalties were Ford Motor Co., Chrysler, General Dynamics and Texaco. Following GM in the top five ranking of federal *and* state OSHA penalties were Ford Motor Co., Chrysler, General Dynamics and USX. Although GE was cited more frequently than any corporation, it ranked sixth in the amount of penalties imposed exclusively by the federal OSHA and by the federal *and* state OSHA combined.

ENFORCEMENT TREND

The 14-year trend of citations and penalties issued by the federal OSHA is shown by the graphs in Figures 1 and 2. Figure 1 depicts the late 1970s as the most aggressive enforcement period while the 1980s are characterized by declining federal enforcement. Throughout the entire period, however, the total number of citations was never fully matched by a similar number of penalties. Figure 2 shows that no penalty or penalties totalling \$1 - \$1,000 were imposed for the vast majority of inspections in which a citation was issued. Figure 2 also shows that penalties totalling \$10,000 or more were rarely, if ever, imposed by OSHA.

The nine-year trend of citations and penalties issued by the states is shown by the graphs in Figures 3 and 4. While the federal government was reducing the number of citations and penalties in the 1980s, Figure 3 shows that the state agencies were gradually increasing enforcement efforts. The increase, however, was not matched with stringent penalties. Figure 4 shows that no penalty or penalties totalling \$1 - \$1,000 were imposed for

the vast majority of inspections in which at least one citations was issued. Similar to the federal OSHA, state agencies rarely, if ever, imposed total penalties of \$10,000 or more.

Figure 5 depicts the dollar value of initial and final penalties imposed by the federal OSHA in each year from 1977 through 1990. The figure shows the late 1970s as a period of increasing penalties while the early and mid-1980s were a period of decline. A sudden increase in penalties occurred in 1988 and 1989; Figure 1 shows, however, that stronger penalties in 1988 and 1989 were not matched by a similarly strong increase in the *number* of citations and penalties. Although the *dollar* amount of penalties was significantly higher in 1988 and 1989 than at any other time, the *number* of citations and penalties was significantly higher during the late 1970s.

Figure 6 shows the dollar value of initial and final penalties imposed by the state OSHA programs in each year from 1982 through 1990. It shows that the states were generally increasing penalties except for periods of decline in 1984, 1988 and 1989.

FATALITIES AND INJURIES

Table 15 shows that the federal OSHA recorded 1,141 fatalities and injuries from 1977 through 1990 for 43 of the 50 corporations; 418 workers were killed and 723 injured. On average, 6.8 employees were killed or injured each month during the 14 year period. Phillips Petroleum topped the list with 122 fatalities and injuries, followed by Goodyear Tire & Rubber Co. with 96. No deaths or injuries were recorded for Bristol Myers, Eastman Kodak, Hewlett Packard, Occidental Petroleum, Pepsico, Philip Morris or Xerox.

TABLE 1. NUMBER OF FEDERAL OSHA CITATIONS
(1977 THROUGH 1990)

<u>CORPORATION</u>	<u>CITATIONS</u>	<u>CITATIONS PER 10,000 EMPLOYEES</u>	<u>PERCENTAGE OF CITATIONS WITH PENALTIES</u>
1 GENERAL ELECTRIC	2017	56.7	27.3
2 WESTINGHOUSE	1338	99.5	31.2
3 GENERAL DYNAMICS	1158	130.0	31.0
4 GENERAL MOTORS	1115	14.4	34.3
5 INTERNATIONAL PAPER	1046	237.7	34.9
6 GEORGIA PACIFIC	907	221.2	28.8
7 FORD MOTOR	896	21.8	39.2
8 GOODYEAR	820	61.1	27.2
9 CATERPILLAR	622	88.5	34.0
10 WEYERHAEUSER	601	137.5	29.3
11 ROCKWELL	516	46.2	30.0
12 CHRYSLER	502	39.1	41.8
13 TEXACO	417	69.1	55.1
14 NABISCO	396	32.4	30.3
15 ARCO	382	93.2	29.3
16 UNISYS	315	24.8	29.5
17 LOCKHEED	295	39.2	31.5
18 MOBIL	291	17.1	40.2
19 CONAGRA	284	99.6	35.9
20 ALLIED SIGNAL	272	23.4	35.7
21 BOEING	263	24.7	25.1
22 USX	240	21.2	55.0
23 SUN	232	66.5	31.9
24 ALCOA	226	49.3	33.6
25 ANHEUSER BUSCH	199	69.8	31.6
26 CHEVRON	195	36.2	35.4
27 EXXON	179	12.8	25.1
28 AMOCO	173	34.6	32.4
29 DUPONT	156	10.6	26.3
30 TENNECO	128	12.8	29.7
31 PHILLIPS	126	45.3	42.1
32 3M	124	14.5	19.3
33 PROCTER & GAMBLE	106	16.9	27.3
34 UNITED TECHNOLOGIES	101	5.6	28.7
35 SHELL	100	28.3	41.0
36 DIGITAL EQUIPMENT	95	13.4	15.8
37 DCW	92	16.7	32.6
38 XEROX	84	7.6	9.5
39 JOHNSON & JOHNSON	69	9.4	24.6
40 MOTOROLA	67	8.2	32.8
41 SARA LEE	44	4.8	40.9
42 MCDONNELL DOUGLAS	35	4.1	17.1
43 UNOCAL	36	19.7	36.1
44 HEWLETT PACKARD	26	4.0	11.5
45 EASTMAN KODAK	14	1.1	28.6
46 IBM	9	0.2	22.2
47 BRISTOL MYERS	7	2.0	57.1
48 PHILIP MORRIS	2	0.2	50.0
49 OCCIDENTAL PETROLEUM	0	-	-
50 PEPSICO	0	-	-
TOTAL	17318		32.4

TABLE 2. NUMBER OF FEDERAL OSHA PENALTIES
(1977 THROUGH 1990)

CORPORATION	PENALTIES PER 10,000					
	PENALTIES	EMPLOYEES	SERIOUS	WILLFUL	REPEAT	OTHER
1 GENERAL ELECTRIC	550	15.5	468	13	33	36
2 WESTINGHOUSE	418	31.1	359	3	30	25
3 GENERAL MOTORS	383	4.9	326	21	29	7
4 INTERNATIONAL PAPER	365	82.9	329	9	12	15
5 GENERAL DYNAMICS	359	40.3	198	14	55	92
6 FORD MOTOR	351	8.5	284	16	33	18
7 GEORGIA PACIFIC	261	63.6	220	8	24	9
8 TEXACO	230	38.1	192	11	20	7
9 GOODYEAR	223	16.6	209	0	9	5
10 CATERPILLAR	211	30.0	137	6	60	8
11 CHRYSLER	210	16.4	128	22	35	25
12 WEYERHAEUSER	176	40.3	164	2	6	4
13 ROCKWELL	155	13.9	142	0	5	8
14 USX	132	11.6	101	15	12	4
15 NABISCO	120	9.8	109	1	9	1
16 MOBIL	117	6.9	95	0	4	18
17 ARCO	112	27.3	95	1	6	10
18 CONAGRA	102	35.8	87	0	6	9
19 ALLIED SIGNAL	97	8.3	67	1	12	17
20 LOCKHEED	93	12.4	80	0	12	1
21 UNISYS	93	7.3	76	3	8	6
22 ALCOA	76	16.6	51	0	20	5
23 SUN	74	21.2	58	3	0	13
24 CHEVRON	69	12.8	59	3	4	3
25 BOEING	66	6.2	56	3	5	2
26 ANHEUSER BUSCH	63	22.1	58	1	4	0
27 AMOCO	56	11.2	54	2	0	0
28 PHILLIPS	53	19.1	42	5	0	6
29 EXXON	45	3.2	39	2	0	4
30 DUPONT	41	2.8	37	3	0	1
31 SHELL	41	11.6	38	3	0	0
32 TENNECO	38	3.8	32	0	5	1
33 DOW	30	5.4	18	0	12	0
34 PROCTER & GAMBLE	29	4.6	27	0	0	2
35 UNITED TECHNOLOGIES	29	1.6	24	0	1	4
36 3M	24	2.8	24	0	0	0
37 MOTOROLA	22	2.7	21	0	0	1
38 SARA LEE	18	2.0	18	0	0	0
39 JOHNSON & JOHNSON	17	2.3	16	0	0	1
40 DIGITAL EQUIPMENT	15	2.1	14	0	0	1
41 UNOCAL	13	7.1	13	0	0	0
42 XEROX	8	0.7	7	0	0	1
43 MCDONNELL DOUGLAS	6	0.7	5	0	1	0
44 BRISTOL MYERS	4	1.1	4	0	0	0
45 EASTMAN KODAK	4	0.3	3	1	0	0
46 HEWLETT PACKARD	3	0.5	3	0	0	0
47 IBM	2	0.0	2	0	0	0
48 PHILIP MORRIS	1	0.1	1	0	0	0
49 OCCIDENTAL PETROLEUM	0	-	0	0	0	0
50 PEPSICO	0	-	0	0	0	0
TOTAL	5605		4590	172	472	371

TABLE 3. FEDERAL OSHA PENALTIES
(1977 THROUGH 1990)

CORPORATION	FINAL PENALTY	INITIAL PENALTY	PERCENTAGE OF INITIAL PENALTIES PAID
1 GENERAL MOTORS	\$654,499	\$912,900	71.7
2 FORD MOTOR	462,085	781,735	59.1
3 CHRYSLER	370,808	1,068,642	34.7
4 GENERAL DYNAMICS	274,685	656,610	41.8
5 TEXACO	229,773	416,631	55.2
6 GENERAL ELECTRIC	199,322	324,803	61.4
7 INTERNATIONAL PAPER	156,418	210,630	74.3
8 USX	151,855	284,500	53.4
9 WESTINGHOUSE	143,799	248,200	57.9
10 SHELL	130,935	273,780	47.8
11 GEORGIA PACIFIC	114,950	150,201	76.5
12 CATERPILLAR	101,652	446,100	22.8
13 GOODYEAR	67,770	95,320	71.1
14 WEYERHAEUSER	53,830	71,841	74.9
15 CHEVRON	43,330	52,680	82.3
16 ROCKWELL	42,106	59,370	70.9
17 NABISCO	41,005	59,280	69.2
18 ARCO	38,803	143,248	27.1
19 ALLIED SIGNAL	37,425	43,025	87.0
20 BOEING	36,685	44,000	83.4
21 LOCKHEED	34,356	39,480	87.0
22 AMOCO	34,305	47,220	72.6
23 UNISYS	34,290	48,625	70.5
24 CONAGRA	34,047	41,690	81.7
25 SUN	33,055	51,580	64.1
26 MOBIL	32,805	70,430	46.6
27 PHILLIPS	31,220	74,480	41.9
28 DUPONT	28,910	90,340	32.0
29 ALCOA	28,651	46,975	61.0
30 ANHEUSER BUSCH	28,120	35,065	80.2
31 EXXON	20,145	46,740	43.1
32 TENNECO	15,120	22,395	67.5
33 PROCTER & GAMBLE	11,730	14,370	81.6
34 MOTOROLA	8,240	12,210	67.5
35 3M	6,800	8,460	80.4
36 DIGITAL EQUIPMENT	6,750	6,750	100.0
37 UNOCAL	6,710	8,780	76.4
38 UNITED TECHNOLOGIES	6,445	15,040	42.9
39 JOHNSON & JOHNSON	6,290	7,780	80.8
40 DCW	6,050	49,000	12.3
41 SARA LEE	3,675	4,530	81.1
42 XEROX	3,350	3,350	100.0
43 EASTMAN KODAK	3,150	5,340	59.0
44 BRISTOL MYERS	1,440	1,860	77.4
45 MCDONNELL DOUGLAS	1,295	2,890	44.8
46 IBM	1,157	25,360	4.6
47 HEWLETT PACKARD	780	780	100.0
48 PHILIP MORRIS	560	560	100.0
49 OCCIDENTAL PETROLEUM	0	0	-
50 PEPSICO	0	0	-
TOTAL	\$3,781,181	\$7,125,576	53.1

TABLE 4. NUMBER OF FEDERAL & STATE OSHA CITATIONS
(1982 THROUGH 1990)

CORPORATION	CITATIONS	CITATIONS PER 10,000 EMPLOYEES	PERCENTAGE OF CITATIONS WITH PENALTY
1 GENERAL ELECTRIC	1498	42.1	25.5
2 WEYERHAEUSER	1212	277.3	34.2
3 WESTINGHOUSE	942	70.1	30.7
4 INTERNATIONAL PAPER	885	201.1	40.1
5 GENERAL DYNAMICS	818	91.8	33.1
6 GEORGIA PACIFIC	810	197.6	31.0
7 GENERAL MOTORS	745	9.6	35.2
8 GOODYEAR	733	54.6	23.6
9 FORD MOTOR	544	13.2	44.5
10 CATERPILLAR	390	55.5	30.0
11 ROCKWELL	338	30.3	29.0
12 CHRYSLER	337	26.3	46.6
13 NABISCO	308	25.2	27.9
14 ARCO	289	70.5	29.8
15 BOEING	236	22.2	22.9
16 USX	233	20.6	53.6
17 LOCKHEED	212	28.2	28.3
18 AMOCO	201	40.2	20.9
19 UNITED TECHNOLOGIES	196	10.8	23.5
20 MOBIL	176	10.3	44.3
21 CONAGRA	171	60.0	36.3
22 ALLIED SIGNAL	156	13.4	37.8
23 CHEVRON	155	28.8	17.4
24 EXXON	150	10.7	22.7
25 UNISYS	149	11.7	22.1
26 3M	147	17.3	21.1
27 ALCOA	134	29.3	29.1
28 TEXACO	107	17.7	34.6
29 ANHEUSER BUSCH	88	30.9	28.4
30 DUPONT	87	5.9	21.8
31 PHILLIPS PETROLEUM	79	28.4	31.6
32 PROCTER & GAMBLE	65	10.4	27.7
33 SARA LEE	64	7.0	34.4
34 SUN	56	16.0	35.7
35 DOW	49	8.9	42.9
36 SHELL	48	13.6	47.9
37 UNOCAL	44	24.0	29.5
38 DIGITAL EQUIPMENT	44	6.2	29.5
39 XEROX	38	3.4	10.5
40 MOTOROLA	35	4.3	28.6
41 MCDONNELL DOUGLAS	33	3.8	18.2
42 JOHNSON & JOHNSON	30	4.1	23.3
43 PHILIP MORRIS	24	2.9	12.5
44 IBM	15	0.4	6.7
45 HEWLETT PACKARD	14	2.1	0.0
46 EASTMAN KODAK	12	0.9	16.7
47 TENNECO	10	1.0	20.0
48 BRISTOL MYERS	9	2.5	22.2
49 OCCIDENTAL PETROLEUM	0	-	-
50 PEPSICO	0	-	-
TOTAL	13116		31.6

TABLE 5. NUMBER OF FEDERAL & STATE OSHA PENALTIES
(1982 THROUGH 1990)

CORPORATION	TOTAL PENALTIES	PENALTIES PER 10,000 EMPLOYEES	SERIOUS	WILLFUL	REPEAT	OTHER
1 WEYERHAEUSER	415	95.0	297	0	66	52
2 GENERAL ELECTRIC	382	10.7	342	10	17	13
3 INTERNATIONAL PAPER	355	80.7	312	9	27	7
4 WESTINGHOUSE	289	21.5	258	2	17	12
5 GENERAL DYNAMICS	271	30.4	157	7	36	71
6 GENERAL MOTORS	262	3.4	219	19	21	3
7 GEORGIA PACIFIC	251	61.2	206	7	13	25
8 FORD MOTOR	242	5.9	205	16	7	14
9 GOODYEAR	173	12.9	163	0	8	2
10 CHRYSLER	157	12.2	119	19	15	4
11 USX	125	11.0	92	15	16	2
12 CATERPILLAR	117	16.6	87	4	21	5
13 ROCKWELL	98	8.8	94	0	3	1
14 NABISCO	86	7.0	80	0	6	0
15 ARCO	86	21.0	75	0	5	6
16 MOBIL	78	4.6	60	0	2	16
17 CCNAGRA	62	21.8	56	0	3	3
18 LOCKHEED	60	8.0	55	0	3	2
19 ALLIED SIGNAL	59	5.1	46	0	3	10
20 BOEING	54	5.1	43	2	2	7
21 UNITED TECHNOLOGIES	46	2.5	37	0	5	4
22 AMOCO	42	8.4	41	0	0	1
23 ALCOA	39	8.5	32	0	4	3
24 TEXACO	37	6.1	35	0	0	2
25 EXXON	34	2.4	28	2	0	4
26 UNISYS	33	2.6	32	0	1	0
27 3M	31	3.6	25	0	4	2
28 CHEVRON	27	5.0	23	1	1	2
29 PHILLIPS PETROLEUM	25	9.0	23	2	0	0
30 ANHEUSER BUSCH	25	8.8	24	1	0	0
31 SHELL	23	6.5	21	2	0	0
32 SARA LEE	22	2.4	22	0	0	0
33 DCW	21	3.8	13	0	8	0
34 SUN	20	5.7	18	2	0	0
35 DUPONT	19	1.3	15	3	0	1
36 PROCTER & GAMBLE	18	2.9	17	0	0	1
37 UNOCAL	13	7.1	13	0	0	0
38 DIGITAL EQUIPMENT	13	1.8	13	0	0	0
39 MOTOROLA	10	1.2	9	0	0	1
40 JOHNSON & JOHNSON	7	.9	6	0	0	1
41 MCDONNELL DOUGLAS	6	.7	5	0	1	0
42 XEROX	4	.4	3	0	0	1
43 PHILIP MORRIS	3	.4	3	0	0	0
44 TENNECO	2	.2	2	0	0	0
45 EASTMAN KODAK	2	.2	2	0	0	0
46 BRISTOL MYERS	2	.6	2	0	0	0
47 IBM	1	.0	1	0	0	0
48 HEWLETT PACKARD	0	0.0	0	0	0	0
49 OCCIDENTAL PETROLEUM	0	-	0	0	0	0
50 PEPSICO	0	-	0	0	0	0
TOTAL	4147		3431	123	315	278

TABLE 6. FEDERAL & STATE OSHA PENALTIES
(1982 THROUGH 1990)

CORPORATION	FINAL PENALTY	INITIAL PENALTY	PERCENTAGE OF INITIAL PENALTIES PAID
1 GENERAL MOTORS	\$609,004	\$796,480	76.5
2 FORD MOTOR	428,784	716,657	59.8
3 CHRYSLER	388,657	1,073,842	36.2
4 GENERAL DYNAMICS	229,840	375,945	61.1
5 USX	155,540	290,080	53.6
6 GENERAL ELECTRIC	151,003	253,344	59.6
7 INTERNATIONAL PAPER	138,887	182,795	76.0
8 SHELL	114,365	256,790	44.5
9 WESTINGHOUSE	104,727	197,078	53.1
10 GEORGIA PACIFIC	103,221	132,986	77.6
11 WEYERHAEUSER	98,329	119,878	82.0
12 GOODYEAR	55,615	71,315	78.0
13 CATERPILLAR	52,762	372,665	14.2
14 ARCO	28,820	53,615	53.8
15 NABISCO	27,070	37,015	73.1
16 ROCKWELL	26,390	44,880	58.8
17 BOEING	24,490	31,505	77.7
18 TEXACO	23,773	32,651	72.8
19 MOBIL	21,377	57,135	37.4
20 ALLIED SIGNAL	20,990	25,150	83.5
21 DUPONT	19,120	77,580	24.6
22 ANHEUSER BUSCH	18,960	21,700	87.4
23 LOCKHEED	18,150	23,580	77.0
24 EXXON	17,230	39,630	43.5
25 ALCOA	16,471	28,620	57.6
26 CONAGRA	15,247	28,005	54.4
27 AMOCO	14,690	22,930	64.1
28 PHILLIPS PETROLEUM	13,780	34,230	40.3
29 SUN	11,420	25,320	45.1
30 CHEVRON	10,990	16,950	64.8
31 UNITED TECHNOLOGIES	10,355	20,880	49.6
32 3M	8,752	12,092	72.4
33 PROCTER & GAMBLE	7,070	9,470	74.7
34 UNOCAL	6,710	8,780	76.4
35 UNISYS	5,997	9,372	64.0
36 DIGITAL EQUIPMENT	5,990	5,990	100.0
37 SARA LEE	4,915	6,530	75.3
38 DOW	4,290	5,060	84.8
39 MOTOROLA	4,270	8,240	51.8
40 JOHNSON & JOHNSON	2,220	3,710	59.8
41 PHILIP MORRIS	1,700	2,280	74.6
42 MCDONNELL DOUGLAS	1,295	2,890	44.8
43 XEROX	1,180	1,180	100.0
44 EASTMAN KODAK	670	540	124.1
45 TENNECO	560	160	350.0
46 IBM	437	24,640	1.8
47 BRISTOL MYERS	420	840	50.0
48 HEWLETT PACKARD	0	0	0.0
49 OCCIDENTAL PETROLEUM	0	0	-
50 PEPSICO	0	0	-
TOTAL	\$3,026,533	\$5,563,005	54.4

TABLE 7. STATE OSHA CITATIONS & PENALTIES
(1982 THROUGH 1990)

STATE	CITATIONS	PENALTIES	SERIOUS	WILLFUL	REPEAT	OTHER
1 OREGON	1298	490	326	0	83	81
2 KENTUCKY	392	80	76	0	3	1
3 INDIANA	346	128	117	0	10	1
4 MINNESOTA	245	53	36	0	0	17
5 NORTH CAROLINA	239	39	34	0	2	3
6 VIRGINIA	215	46	44	0	2	0
7 SOUTH CAROLINA	211	65	58	0	6	1
8 HAWAII	148	5	5	0	0	0
9 UTAH	148	1	1	0	0	0
10 VERMONT	147	10	8	0	1	1
11 TENNESSEE	133	31	30	0	1	0
12 WYOMING	116	8	7	0	0	1
13 MARYLAND	105	31	24	0	3	4
14 IOWA	100	30	28	0	2	0
15 ALASKA	23	8	5	0	1	2
16 NEW MEXICO	15	4	4	0	0	0
17 NEVADA	11	1	1	0	0	0
18 ARIZONA	5	1	1	0	0	0
TOTAL	3897	1031	805	0	114	112

TABLE 8. STATE OSHA PENALTIES
(1982 THROUGH 1990)

STATE	FINAL PENALTY	INITIAL PENALTY
1 OREGON	\$101,515	\$107,520
2 INDIANA	84,325	105,070
3 KENTUCKY	28,289	32,810
4 SOUTH CAROLINA	24,932	32,170
5 VIRGINIA	21,525	31,960
6 NORTH CAROLINA	15,290	15,649
7 IOWA	13,042	17,830
8 TENNESSEE	12,045	12,485
9 MARYLAND	11,165	18,610
10 MINNESOTA	8,751	9,039
11 WYOMING	2,360	3,420
12 ALASKA	2,290	2,880
13 VERMONT	2,010	3,210
14 NEW MEXICO	1,320	1,320
15 HAWAII	1,130	1,130
16 UTAH	360	360
17 NEVADA	210	210
18 ARIZONA	100	150
TOTAL	\$330,659	\$395,823

TABLE 9. NUMBER OF FEDERAL & STATE OSHA CITATIONS & PENALTIES ISSUED AGAINST UNION & NON-UNION FACILITIES (1982 THROUGH 1990)

UNION

CITATIONS: 10,514
PENALTIES: 3,550
PERCENTAGE OF CITATIONS WITH PENALTY: 33.8 PERCENT

NON-UNION

CITATIONS: 2,602
PENALTIES: 597
PERCENTAGE OF CITATIONS WITH PENALTY: 22.9 PERCENT

TABLE 10. NUMBER OF FEDERAL OSHA CITATIONS & PENALTIES ISSUED AGAINST UNION & NON-UNION FACILITIES (1982 THROUGH 1990)

UNION

CITATIONS: 7,667
PENALTIES: 2,724
PERCENTAGE OF CITATIONS WITH PENALTY: 35.5 PERCENT

NON-UNION

CITATIONS: 1,552
PENALTIES: 392
PERCENTAGE OF CITATIONS WITH PENALTY: 25.2 PERCENT

TABLE 11. NUMBER OF FEDERAL OSHA CITATIONS & PENALTIES ISSUED AGAINST UNION & NON-UNION FACILITIES (1977 THROUGH 1990)

UNION

CITATIONS: 14,185
PENALTIES: 4,860
PERCENTAGE OF CITATIONS WITH PENALTY: 34.3 PERCENT

NON-UNION

CITATIONS: 3,133
PENALTIES: 745
PERCENTAGE OF CITATIONS WITH PENALTY: 23.8 PERCENT

TABLE 12. INITIAL & FINAL PENALTIES ISSUED BY FEDERAL & STATE OSHA AGAINST UNION & NON-UNION FACILITIES (1982 THROUGH 1990)

UNION

FINAL PENALTY: \$2,829,112
INITIAL PENALTY: \$5,266,507
PERCENTAGE OF INITIAL PENALTY PAID: 53.7 PERCENT

NON-UNION

FINAL PENALTY: \$197,421
INITIAL PENALTY: \$296,498
PERCENTAGE OF INITIAL PENALTY PAID: 66.6 PERCENT

TABLE 13. INITIAL & FINAL PENALTIES ISSUED BY FEDERAL OSHA AGAINST UNION & NON-UNION FACILITIES (1982 THROUGH 1990)

UNION

FINAL PENALTY: \$2,556,734
INITIAL PENALTY: \$4,944,531
PERCENTAGE OF INITIAL PENALTY PAID: 51.7

NON-UNION

FINAL PENALTY: \$139,140
INITIAL PENALTY: \$222,651
PERCENTAGE OF INITIAL PENALTY PAID: 62.5

TABLE 14. INITIAL & FINAL PENALTIES ISSUED BY FEDERAL OSHA AGAINST UNION & NON-UNION FACILITIES (1977 THROUGH 1990)

UNION

FINAL PENALTY: \$3,512,964
INITIAL PENALTY: \$6,681,265
PERCENTAGE OF INITIAL PENALTY PAID: 52.6 PERCENT

NON-UNION

FINAL PENALTY: \$268,217
INITIAL PENALTY: \$444,311
PERCENTAGE OF INITIAL PENALTY PAID: 60.4 PERCENT

TABLE 15. NUMBER OF FATALITIES & INJURIES
RECORDED BY FEDERAL OSHA
(1977 THROUGH 1990)

<u>CORPORATION</u>	<u>FATALITIES PLUS INJURIES</u>	<u>FATALITIES</u>	<u>INJURIES</u>
1 PHILLIPS PETROLEUM	122	16	106
2 GOODYEAR	96	18	78
3 TEXACO	80	31	49
4 MOTOROLA	70	1	69
5 INTERNATIONAL PAPER	54	29	25
6 SHELL	54	18	36
7 CATERPILLAR	49	4	45
8 GEORGIA PACIFIC	48	24	24
9 GENERAL MOTORS	43	19	24
10 ALLIED SIGNAL	43	10	33
11 FORD	42	19	23
12 AMOCO	40	20	20
13 WEYERHAEUSER	40	11	29
14 SUN	33	10	23
15 GENERAL ELECTRIC	31	24	7
16 DUPONT	28	10	18
17 MOBIL	25	16	9
18 WESTINGHOUSE	23	19	4
19 GENERAL DYNAMICS	21	10	11
20 TENNECO	19	4	15
21 DOW	18	10	8
22 EXXON	15	9	6
23 ARCO	15	9	6
24 ALCOA	14	6	8
25 LOCKHEED	13	8	5
26 UNISYS	13	2	11
27 CHEVRON	12	11	1
28 ROCKWELL	11	8	3
29 NABISCO	11	6	5
30 ANHEUSER BUSCH	11	3	8
31 USX	9	9	0
32 CHRYSLER	8	8	0
33 PROCTER & GAMBLE	7	5	2
34 JOHNSON & JOHNSON	7	3	4
35 UNOCAL	5	1	4
36 IBM	2	2	0
37 BOEING	2	2	0
38 3M	2	0	2
39 MCDONNELL DOUGLAS	1	1	0
40 DIGITAL EQUIPMENT	1	1	0
41 CONAGRA	1	1	0
42 UNITED TECHNOLOGIES	1	0	1
43 SARA LEE	1	0	1
44 BRISTOL MYERS	0	0	0
45 EASTMAN KODAK	0	0	0
46 HEWLETT PACKARD	0	0	0
47 OCCIDENTAL PETROLEUM	0	0	0
48 PEPSICO	0	0	0
49 PHILIP MORRIS	0	0	0
50 XEROX	0	0	0
TOTAL	1141	418	723

Figure 1. Federal OSHA Citations & Penalties
(Top 50 Corporations)

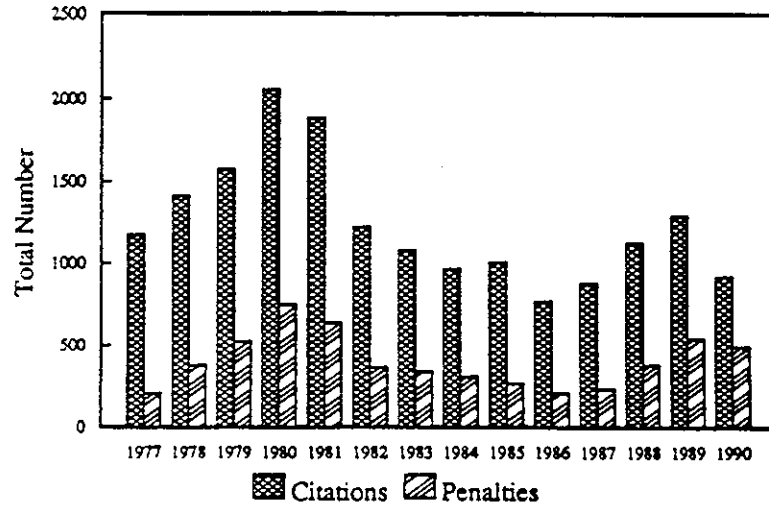


Figure 2. Federal OSHA Penalty Ranges
(Top 50 Corporations)

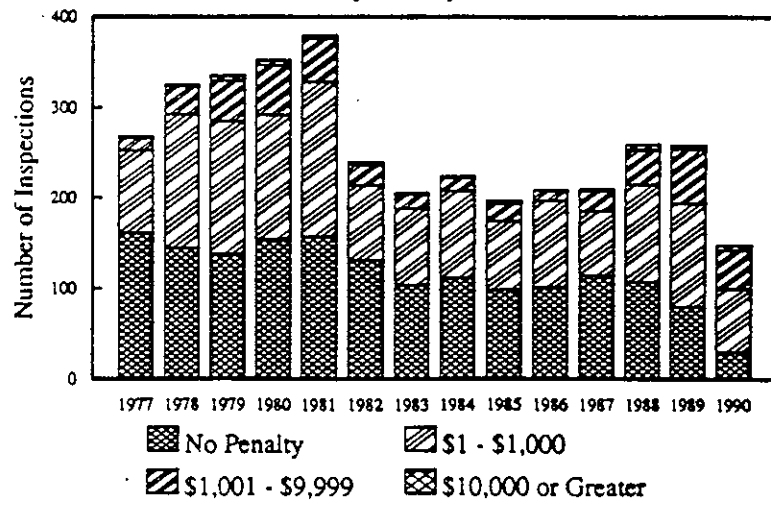


Figure 3. State OSHA Citations & Penalties
(Top 50 Corporations)

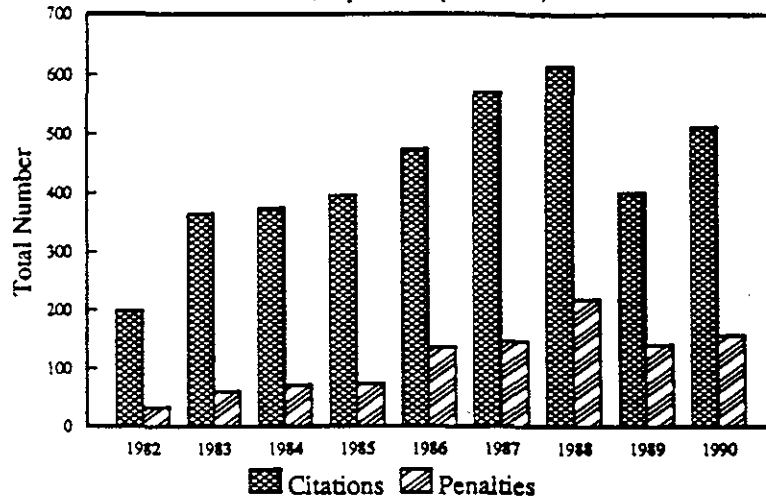


Figure 4. State OSHA Penalty Ranges
(Top 50 Corporations)

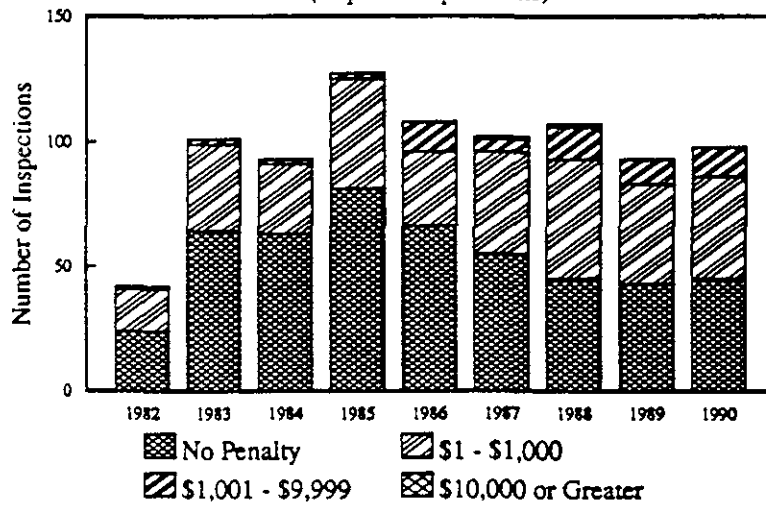


Figure 5. Federal OSHA Penalties
(Top 50 Corporations)

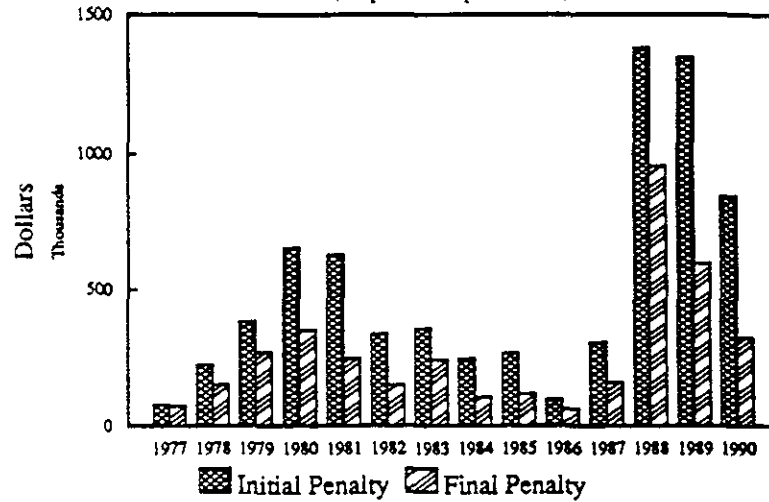


Figure 6. State OSHA Penalties
(Top 50 Corporations)

