



M E M O R A N D U M

FROM: Dr. H. L. Skalsky - Toxicologist, GOB-LL

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SUBJ: OSHA SEMINAR ENTITLED: "LOST IN THE WORKPLACE"

DATE: 1979 September 18

On September 13 and 14 I attended an OSHA seminar for the news media entitled, "Lost in the Workplace." There were approximately two to three hundred in attendance, of which one-fourth was made up of the working press. Of the remainder, labor and industry were about equally divided with OSHA and Government having the largest representation at the conference.

Dr. Eula Bingham welcomed the guest and discussed what OSHA had accomplished with asbestos and vinyl chloride. She stressed that lead, arsenic, and carcinogens were next on the list. Secretary of Labor Ray Marshall set the "political" tempo for the meeting with his remarks (copy enclosed), by using statements such as, "5.5 million workers were injured on the job" and "untold thousands were struck-down by debilitating toxic substances."

The American Industrial Health Council (AIHC) had made a last minute attempt to balance out OSHA's program. They had gathered a group of scientists to provide Industry's point of view. The industrial speakers were clearly in a hostile environment and, though their prepared talks came across rather well, problems arose when the speakers responded to questions from the press. In my opinion industry made a rather poor showing in the eyes of the press.

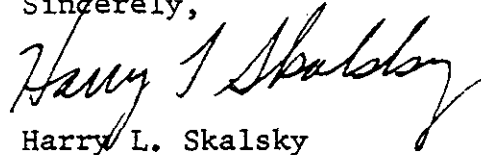
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OSHA spent a considerable number of tax dollars to "inform the press." Their success in this matter is difficult to measure, but I understand that in the Chicago Tribune there were rather large articles concerning worker health on September 15, 16, and 17. I did come away from the meeting with one clear theme that was voiced repeatedly; that is, that workers have the right to know the nature of the substance and hazards in their workplace and to know how effectively their employers and the government are protecting them against those hazards.

It might be wise for REYNOLDS to begin to consider the benefits of a general training or information program for their employees and, in addition, to consider an in-house program for their executives so they can better interact with the press. If you require any further information, please feel free to contact me.

Sincerely,



Harry L. Skalsky

HLS/mhh

Enc.

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News

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FOR RELEASE: 10:00 a.m. (C.D.T.)
Thursday, September 13, 1979

REMARKS PREPARED FOR DELIVERY BY
SECRETARY OF LABOR RAY MARSHALL
BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH MEDIA SEMINAR
ON OCCUPATIONAL DISEASE
CHICAGO, ILLINOIS
SEPTEMBER 13, 1979

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I WANT TO THANK DR. BINGHAM FOR THE OPPORTUNITY TO JOIN IN THIS HISTORIC MEDIA SEMINAR. SOMEONE REMARKED TO ME THE OTHER DAY THAT THIS TYPE OF DISCUSSION SHOULD HAVE TAKEN PLACE YEARS AGO. IF IT HAD, MAYBE THE NATION COULD HAVE BEEN SPARED THE RIDICULE AND JOKES ABOUT OSHA THAT DISTRACTED ATTENTION FROM THE SERIOUS THREATS TO WORKER HEALTH AND SAFETY.

THE MISSION OF THE DEPARTMENT OF LABOR IS TO PROTECT AND PROMOTE THE INTEREST OF AMERICAN WORKERS.

THERE IS NO MORE IMPORTANT PROTECTIVE EFFORT THAN THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION. IT IS OUR TASK TO WORK WITH LABOR AND MANAGEMENT TO PREVENT INJURY AND DISEASE.

I AM GLAD TO SAY THAT WITH YOUR HELP THIS ADMINISTRATION HAS TURNED OSHA AROUND. LET ME ALSO SAY THAT THIS WAS ONE OF PRESIDENT CARTER'S EARLIEST CONCERNS -- HE INSTRUCTED ME TO DO EVERYTHING POSSIBLE TO STRENGTHEN THE ADMINISTRATION OF OSHA AND TO SELECT A GOOD ADMINISTRATOR WHO COULD CARRY OUT THE PURPOSES OF THE ACT, BUT GET RID OF THE SILLY, NITPICKING MISMANAGEMENT THAT WAS UNDERMINING PUBLIC SUPPORT.

I FOUND THE VERY BEST ADMINISTRATOR I COULD IN DR. EULA BINGHAM AND THE PRESIDENT REPEATED HIS CONCERNS TO EULA BEFORE SHE WAS EVER SWORN IN. IN THE LAST 2 YEARS, THE AGENCY HAS PRODUCED MORE HEALTH STANDARDS THAN IT DID IN THE FIRST 6

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YEARS OF ITS EXISTENCE. UNDER EULA BINGHAM, WE HAVE CUT AWAY UNNECESSARY REGULATIONS THAT HAD NOTHING TO DO WITH WORKER HEALTH AND SAFETY SO WE COULD CONCENTRATE OUR EFFORTS ON THE REALLY SERIOUS HAZARDS THREATENING WORKERS. WE ARE TARGETING OUR RESOURCES TO THE WORKSITES WHERE WORKERS EACH DAY FACE IRREVERSIBLE INJURY AND DISEASE. WE'VE TAKEN THE FIRST STEPS TOWARD GETTING CARCINOGENS OUT OF THE WORKPLACE AND PREVENTING OCCUPATIONAL CANCER.

LAST YEAR, 5.5 MILLION WORKERS WERE INJURED ON THE JOB. UNTOLD THOUSANDS WERE STRUCK DOWN BY DEADLY AND DEBILITATING TOXIC SUBSTANCES. ACCORDING TO THE NATIONAL SAFETY COUNCIL, WORKPLACE INJURIES DEVOUR CLOSE TO ONE PERCENT OF GNP EACH YEAR. IT IS ESTIMATED THAT THERE WAS \$23 BILLION IN LOST WAGES, MEDICAL EXPENSES, INSURANCE CLAIMS, AND PRODUCTIVITY DELAYS AS A RESULT OF ACCIDENTS IN 1978. AND THAT DOESN'T EVEN TAKE INTO ACCOUNT THE TREMENDOUS TOLL OF OCCUPATIONAL DISEASE. THE NATIONAL SAFETY COUNCIL ESTIMATES THAT THE COST OF OCCUPATIONAL ILLNESS IS AT LEAST \$15 BILLION FOR 1978.

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THIS IS AN ANNUAL TOLL THAT IS CLEARLY LARGER THAN THE TOLL OF AMERICANS KILLED AND INJURED IN THE VIETNAM CONFLICT. YET THIS TRAGEDY DOES NOT ELICIT THE PUBLIC ANGUISH AND CONCERN COMMENSURATE WITH THE MAGNITUDE OF THE PROBLEM. PERHAPS BECAUSE WORKPLACE DEATHS ARE DIFFUSED THROUGHOUT OUR SOCIETY AND BECAUSE THE INDIVIDUAL VICTIMS OFTEN DIE QUIETLY MANY YEARS AFTER THEIR WORKPLACE EXPOSURE, THERE ARE NOT MARCHES IN THE STREETS OR MASS RALLIES CALLING FOR AN END TO ON-THE-JOB DISEASE. THERE IS ONLY THE VOICE OF INDIVIDUALS -- GOVERNMENT OFFICIALS, ENVIRONMENTALISTS, TRADE UNIONISTS, AND SOME JOURNALISTS POINTING TO THIS PROBLEM, SEEKING TO BRING IT TO THE ATTENTION OF THE AMERICAN PEOPLE.

THERE IS A VERY LONG AND ILLUSTRIOUS HISTORY OF WRITERS AND JOURNALISTS EXPOSING UNHEALTHY CONDITIONS OF WORK. AGRICOLA, A 16TH CENTURY SCHOLAR, PUBLISHED DE RE METALLICA, THE AUTHORITATIVE SCIENTIFIC SOURCE ON MINING AND METALLURGY. HE POINTED OUT THE DANGERS OF MINING AND SAID THAT MINE SAFETY WAS ESSENTIALLY THE RESPONSIBILITY OF THE MINE OPERATOR -- A VIEWPOINT THAT UNDERLIES MODERN DAY SAFETY AND HEALTH LEGISLATION IN THIS NATION.--

UPTON SINCLAIR'S CLASSIC THE JUNGLE IS BEST KNOWN FOR ITS DESCRIPTIONS OF IMPURE FOOD BUT SINCLAIR LATER WROTE THAT HE WAS NOT THINKING PRIMARILY OF THAT ISSUE WHEN HE WROTE THE BOOK. SINCLAIR SAID, "I WISH TO FRIGHTEN A COUNTRY BY A PICTURE OF

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WHAT ITS INDUSTRIAL MASTERS WERE DOING TO THEIR VICTIMS; AND ENTIRELY BY CHANCE I STUMBLED ON ANOTHER DISCOVERY -- WHAT THEY WERE DOING TO THE MEAT SUPPLY OF THE CIVILIZED WORLD."

A FRONT-PAGE STORY IN THE WASHINGTON POST IN 1962 BY MORTON MINTZ CALLED ATTENTION TO A STUDY OF THALIDOMIDE'S ROLE IN CAUSING BIRTH DEFECTS. THAT ARTICLE SET IN MOTION A CHAIN OF EVENTS THAT LED CONGRESS TO THE PROTECTION OF AMERICAN PEOPLE FROM UNSAFE DRUGS.

SINCE OSHA WAS ESTABLISHED IN 1970, THERE HAVE BEEN OTHER NOTABLE EXAMPLES OF INVESTIGATIVE JOURNALISM FOCUSED ON THE WORKPLACE ENVIRONMENT:

- THE NEW YORKER SERIES BY PAUL BRODEUR DEALING WITH ASBESTOS EXPOSURE IN TEXAS

- THE PHILADELPHIA INQUIRER SERIES ON CANCER-CAUSING HAZARDS IN PHILADELPHIA CHEMICAL PLANTS

- THE WASHINGTON POST ARTICLES ON KEPONE, WHICH FIRST BROUGHT THIS TRAGEDY TO PUBLIC ATTENTION

- THE BALTIMORE SUN SERIES ON LUNG CANCER INCIDENCE AT SPARROWS POINT STEEL MILLS IN BALTIMORE

- THE FINE WORK DONE BY THE CHICAGO SUN TIMES IN ITS SERIES ON "THE WALKING WOUNDED."

- AND, MOST RECENTLY, THE DES MOINES TRIBUNE ARTICLES ON HEALTH HAZARDS TO IOWA WORKERS.

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IT IS NO EXAGGERATION TO SAY THAT VIRTUALLY EVERY PIECE OF SAFETY AND HEALTH OR WORKERS' COMPENSATION LEGISLATION ENACTED IN THIS NATION WAS ENACTED AFTER A MAJOR DISASTER. IT IS USUALLY OUR WRITERS AND JOURNALISTS WHO HAVE ALERTED THE AMERICAN PUBLIC TO THESE TRAGEDIES AND HELPED TO CREATE THE MORAL AND POLITICAL CLIMATE THAT LED TO LEGISLATIVE ACTION.

TODAY YOU AND I ARE FACED WITH A NEW KIND OF THREAT TO THE LIVES OF AMERICAN WORKERS. IN ADDITION TO REPORTING ABOUT CONSTRUCTION ACCIDENTS OR GRAIN ELEVATOR EXPLOSIONS YOU HAVE BEGUN TO TACKLE THE INFINITELY MORE COMPLEX AND SUBTLE FIELD OF OCCUPATIONAL HEALTH. TO ACCURATELY DESCRIBE THE DANGERS FROM TOXIC CHEMICALS YOU MUST DEAL WITH CONCEPTS AND TERMS LIKE DOSE-RESPONSE RELATIONSHIP, BIOSAY TEST, THRESHOLD LIMIT VALUES AND MANY OTHERS WHICH HAVE PREVIOUSLY BEEN RELEGATED TO THE LABORATORIES OF CHEMISTS AND ENVIRONMENTAL HEALTH PHYSICIANS. THESE ARE NOT EASY CONCEPTS FOR THE AMERICAN PUBLIC TO UNDERSTAND WHICH MAKES IT IMPERATIVE THAT YOU LABOR TO CLEARLY EXPLAIN THESE TERMS.

THERE IS A GREAT DIFFERENCE BETWEEN THE KIND OF SAFETY LEGISLATION PREVIOUSLY ENACTED AND THE ENVIRONMENTAL LEGISLATION ENACTED IN THE LAST DECADE, OF WHICH OSHA IS A PRODUCT. TO ILLUSTRATE THE DIFFERENCE LET US CONSIDER THE VERY FIRST REGULATORY PROGRAM IN AMERICA WHICH INVOLVED BOILERS ON STEAM-BOATS. THIS PROGRAM HAD UNIVERSAL SUPPORT BECAUSE THE PROBLEM

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IT ADDRESSED WAS BOTH VISIBLE AND IMMEDIATE. IF A STEAMBOAT BOILER EXPLODED THE CREW AND PASSENGERS WERE QUICKLY THROWN INTO THE MISSISSIPPI RIVER -- IF THEY WERE LUCKY. THERE WAS A VERY CLEAR CAUSE AND EFFECT RELATIONSHIP BETWEEN THE HAZARD AND ITS IMPACT ON HUMAN HEALTH.

WE HAD NO ECONOMISTS DEMANDING COST-BENEFIT ANALYSIS OF LIVES SAVED ON STEAMBOATS, THERE WERE NO CONGRESSMEN DEMANDING A ONE-HOUSE VETO OF STEAMBOAT REGULATIONS, AND NO SCIENTISTS QUESTIONED THE VALIDITY OF TESTS ON ANIMALS TO DETERMINE THE DANGERS FROM BOILERS.

UNFORTUNATELY, FOR MODERN DAY REGULATORY PROGRAMS, OUR SOCIETY IS MUCH MORE COMPLEX AND IT IS DIFFICULT TODAY TO GAIN A CONSENSUS ON ANY ISSUE, MUCH LESS A TOPIC AS INVOLVED AS OCCUPATIONAL HEALTH. IT IS MUCH EASIER, WHEN DEALING WITH ENVIRONMENTAL AND OCCUPATIONAL HEALTH, TO FALL BACK UPON DEMAGOGY AS WHEN A MEMBER OF CONGRESS PROPOSED TO INTRODUCE A BILL REQUIRING LABELS THAT READ, "WARNING, THIS SUBSTANCE MAY BE DANGEROUS TO YOUR RAT'S HEALTH." I TRUST THAT YOU WILL APPROACH THOSE WHO SEEK TO WEAKEN OR DAMAGE PUBLIC HEALTH REGULATORY EFFORTS WITH THE SAME CRITICAL EYE AND HEALTHY SKEPTICISM THAT YOU BRING TO BEAR UPON GOVERNMENTAL PROGRAMS WHEN THEY FAIL TO SERVE THE PUBLIC.

OSHA, IN ITS FORMATIVE YEARS, PROVIDED A GREAT AMOUNT OF MATERIAL FOR THOSE JOURNALISTS INCLINED TOWARD SATIRE. WITH ITS UNDUE ATTENTION TO TRIVIAL VIOLATIONS OF REGULATIONS AND

AN ALMOST COMPLETE NEGLECT OF OCCUPATIONAL HEALTH, OSHA BECAME THE BUTT OF RIDICULE IN THE MEDIA. IT WAS SAID THAT OSHA'S INFAMOUS STANDARD REQUIRING OPEN-ENDED TOILET SEATS IN WORKERS' RESTROOMS WAS WRITTEN IN ORDER THAT THE AGENCY'S OFFICIALS WOULD NOT GET A BROKEN NECK WHEN THEY TOOK A DRINK OF WATER. THIS REGULATION AND MORE THAN 900 OTHERS HAVE BEEN REVOKED; OSHA HAS CONCENTRATED VIRTUALLY ALL OF ITS ATTENTION ON THOSE WORKPLACES WITH SERIOUS HAZARDS, AND HAS ELIMINATED A GREAT AMOUNT OF PAPERWORK AND FORMS REQUIRED OF SMALL BUSINESS EMPLOYERS.

OPPOSITION TO THIS AGENCY'S POLICIES IS NO LONGER GROUNDED IN RIDICULE. OSHA CAN BACK ITS REGULATORY DECISIONS WITH THE VERY BEST SCIENTIFIC AND TECHNICAL EXPERTISE.

I BELIEVE THERE IS ONE GUIDING PRINCIPAL IN THE OCCUPATIONAL HEALTH FIELD. EVERY WORKER HAS A FUNDAMENTAL HUMAN RIGHT TO A SAFE AND HEALTHFUL WORKPLACE. A WORKER SHOULD NOT HAVE TO LAY HIS OR HER LIFE ON THE LINE JUST TO KEEP A JOB. NO WORKER SHOULD HAVE TO CHOOSE BETWEEN HIS OR HER HEALTH AND A PAY CHECK. WE ARE COMMITTED TO THE PROPOSITION THAT THE SAFETY AND HEALTH OF WORKERS SHOULD NOT BE AN ELEMENT IN ECONOMIC COMPETITION. WORKERS AND OUR SOCIETY SHOULD NOT HAVE TO PAY THE PRICE FOR DISEASE AND INJURY THAT CAN BE PREVENTED.

I BELIEVE WORKERS ALSO HAVE A RIGHT TO KNOW THE NATURE OF THE SUBSTANCES AND HAZARDS IN THEIR WORKPLACE ENVIRONMENT AND TO KNOW HOW EFFECTIVELY THEIR EMPLOYERS AND THE GOVERNMENT

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ARE PROTECTING THEM AGAINST THOSE HAZARDS.

THAT'S WHERE EACH OF YOU HAS A SPECIAL ROLE TO PLAY.

THE MEN AND WOMEN YOU WILL HEAR TODAY AND TOMORROW CAME TO THE FIELD OF OCCUPATIONAL HEALTH FROM VARIED BACKGROUNDS. SOME WERE SCIENTISTS OR PHYSICIANS CONCERNED ABOUT OCCUPATIONAL DISEASE WHEN SUCH CONCERN WAS CONSIDERED ECCENTRIC IN SCIENTIFIC CIRCLES. OTHERS WERE UNIONISTS OR INDUSTRY OFFICIAL OR ENVIRONMENTALISTS LONG CONCERNED WITH THIS PROBLEM. SOME OF OUR SPEAKERS ARE REPORTERS OR WRITERS WHO BECAME INTERESTED IN THIS FIELD. BUT EACH OF THESE PEOPLE SHARES A COMMON BELIEF THAT WORKPLACE DISEASE DOES NOT JUST HAPPEN -- THAT THERE IS A CAUSE AND THIS CAUSE CAN BE ELIMINATED OR CONTROLLED.

I HAVE BEEN INSPIRED BY THE WORK OF THESE MEN AND WOMEN AND HOPE THAT WE CAN LEARN FROM EACH OTHER. OCCUPATIONAL HEALTH IS A DYNAMIC FIELD WITH AN ALMOST LIMITLESS OPPORTUNITY FOR EXPLORATION. I HOPE THAT THIS CONFERENCE WILL HELP YOU UNDERSTAND ITS CONCEPTS, ITS TOOL AND ITS PROBLEMS.

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