

HR Insights:

From OSHA to NOSHA: Are We Undoing Decades of Workplace Safety Progress?

 Watch the Key Highlights



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Introduction

The Occupational Safety and Health Administration, founded in 1970 by the Occupational Health and Safety Act, has been key in ensuring workplace safety for over 50 years. By setting national safety standards, OSHA has assisted in lowering workplace injuries, illnesses, and fatalities and has helped shape modern occupational health practices. It has also provided both employers and employees with a framework to prevent accidents and promote well-being while on the job.

The Nullify Occupational Safety and Health Administration (NOSHA) Act, a recent piece of proposed legislation sponsored by Arizona Representative Andy Biggs, has sparked debate regarding workplace safety's future. If approved, this law will destroy OSHA and give private companies and individual states more control over regulations. Proponents of the bill contend that it would enable more flexible, localized standards and reduce bureaucratic red tape. Opponents, however, voice worries about the impact on vulnerable work groups and the possible loss of decades of advancements in workplace safety.

For HR professionals, this discussion raises important questions:



- What would the absence of federal oversight mean for workplace safety?
- How would compliance requirements shift?
- Most importantly, how can organizations continue to protect workers while navigating a rapidly changing regulatory landscape?

In this whitepaper, we'll attempt to take a balanced analysis of these questions, examining OSHA's historical impact, the arguments surrounding NIOSH, and the potential impact on employers, HR teams, and workers. By focusing on practical strategies and solutions, HR leaders like yourself can remain proactive, ensuring that your workforce and workplaces remain compliant, efficient, and, most importantly, safe.

The Historical Impact of OSHA

Since being established in 1970, OSHA has significantly reduced workplace injuries and fatalities. According to the Bureau of Labor Statistics (BLS), there has been a 60% decline in workplace fatalities since OSHA's inception, despite a constantly growing workforce and evolving risks in multiple industries (Bureau of Labor Statistics, 2023). Additionally, injury and illness rates have decreased from 10.9 incidents per 100 workers in 1972 to just 2.7 per 100 workers in 2021 (Occupational Safety and Health Administration [OSHA], 2022).

In addition to these statistics, OSHA's influence has driven advancements in workplace safety culture. Programs such as the Voluntary Protection Programs (VPP) and Whistleblower Protection Program have encouraged employers to proactively implement safety measures and ensure that workers can report hazards without fear of retaliation (OSHA, 2021).





OSHA has also been instrumental in setting industry-specific standards. Regulations for chemicals, fall protection, and machine guarding have prevented countless injuries, saving lives in industries ranging from manufacturing to construction (National Safety Council, 2022). In addition to its enforcement role, OSHA provides extensive training to employers and employees. The OSHA Training Institute (OTI) and free compliance assistance programs have helped small businesses and nonprofits navigate complex safety regulations (Department of Labor, 2023).

As discussion of the NOSHA Act continues, understanding OSHA's historical impact is vital in evaluating what could be lost - or gained - if federal oversight is diminished.

The Arguments For and Against NOSHA

Supporters of the NOSHA Act argue that dismantling OSHA would eliminate a multitude of bureaucratic red tape and provide states with more autonomy over workplace safety regulations. Their key arguments include the following:

- **Reduced Regulatory Burden** - Proponents claim that OSHA's regulations often impose excessive costs and administrative burdens on businesses, particularly small and medium-sized enterprises. By eliminating federal oversight, states could tailor safety regulations to local economic conditions and industry needs.
- **State-Led Safety Programs** - Some states already have OSHA-approved safety programs that function independently. Proponents argue that shifting regulatory control to state agencies would encourage safety regulations that are more tailored to their region and industries.
- **Increased Business Competitiveness** - Advocates also suggest that removing federal regulations would lower compliance costs and promote economic growth by reducing business constraints.



The Arguments For and Against NOSHA

Critics of the NOSHA Act caution that abolishing OSHA could lead to significant setbacks in workplace safety. Key concerns include:

- **Loss of Uniform Standard** - Opponents of NOSHA believe that without federal oversight, workplace safety standards and compliance requirements could become inconsistent across states, creating unnecessary complications for companies operating in multiple marketplaces.
- **Increased Workplace Injuries and Fatalities** - Critics also highlight the historical role that OSHA has played in reducing workplace hazards and fear that dismantling the agency could reverse progress - leading to higher workplace injury and fatality rates, especially in high-risk industries such as construction and manufacturing.
- **Challenges for HR and Compliance Professionals** - HR professionals and their teams may face more difficulties in ensuring compliance with multiple state regulations, adding additional complexity to an already enormous task.



Navigating the Future of Workplace Safety: Alternative Approaches and Recommendations

With the NIOSH Act sparking discussions about the role of federal oversight in workplace safety, HR professionals and business leaders must prepare for potential changes. Regardless of the legislative outcome, HR teams like yours can take proactive steps to maintain high safety standards while adapting to evolving regulations.

- **Strengthen State-Led Safety Programs** - If OSHA is dismantled, individual states will bear greater responsibility for workplace safety. While some states already operate OSHA-approved safety plans, others may need to establish new frameworks or update their existing plans. Some things that businesses need to consider are:
 - **Understanding State Regulations** - Employers and HR teams should stay informed about their state's workplace safety program and any new compliance requirements that emerge.
 - **Advocating for Comprehensive Standards** - HR professionals and industry leaders can work with state agencies to ensure strong, clear, and enforceable safety regulations.
 - **Leveraging Regional Safety Standards** - Businesses can collaborate with state safety organizations and industry groups to share best practices and training resources.

- **Expanding Employer-Driven Safety Initiatives** - Without a centralized federal agency overseeing safety compliance, organizations will need to take a more active role in developing and enforcing their own safety policies. This includes:

- **Implementing Voluntary Safety Standards** - Companies can adopt best-in-class safety standards, even if some elements are not mandated at a state level.



- **Creating a Strong Safety Culture** - HR teams and management can encourage their employees to get involved in workplace safety efforts, from reporting hazards to participating in safety committees, thereby helping to reduce workplace incidents.

- **Leveraging Third-Party Certifications** - Encourage your organization to participate in programs like ISO 45001, or other industry-specific accreditations that provide frameworks for maintaining high safety standards.

- **Investing in Compliance Technology** - HR teams can benefit from adopting digital tools to track compliance, streamline reporting, and enhance workplace safety. Key technologies include:
 - **Automated Compliance Management Systems** - Implementing a platform that connects with HR and payroll systems can simplify record-keeping and ensure that organizations stay compliant with evolving regulations.
 - **Wearable Safety Technology** - Devices that monitor employee health and workplace environmental conditions can help prevent injuries in high-risk industries.
 - **AI-Powered Risk Assessments** - Use advanced analytics to help your team identify safety trends and predict potential hazards before they become major risks.



- **Collaborating with Industry Associations and Advocacy Groups** - In the absence of OSHA, industry groups will play a critical role in setting safety benchmarks. Organizations should:
 - **Engage in Industry-Specific Safety Programs** - Many trade associations offer guidelines and training to help businesses maintain workplace safety.
 - **Participate in Policy Discussions** - HR professionals and safety leaders can advocate for balanced regulations that protect workers while also considering the realities of business operations.
 - **Stay Informed on Legislative Changes** - Your team should monitor policy updates at both the state and federal levels to ensure that your organization can adapt quickly to new requirements.



- **Prioritize Worker Training and Education** - Even with changing regulations, ongoing training remains essential to maintaining a safe work environment. In order to ensure your workers are compliant you can:
 - **Implement Regular Safety Training Programs** - Employees should receive up-to-date safety training as it becomes available, either by in-person workshops or online modules.
 - **Encourage Peer-Led Safety Initiatives** - Empower your employees to take ownership of safety efforts to foster a proactive culture of workplace safety.
 - **Utilize Government and Non-Profit Resources** - Make use of free or low-cost training materials which may be available from your state labor department or industry groups.



How BlueHive Can Help Employers Maintain Compliance

Even if OSHA is dismantled, organizations will need to maintain workplace safety standards and track employee compliance to ensure all requirements are met at a state level. BlueHive offers a streamlined, centralized solution to help your team navigate compliance challenges efficiently.

- **Automated Compliance Tracking** - BlueHive's platform ensures that compliance requirements and deadlines are met by offering automated compliance tracking and notifications for when certifications are going to expire.
- **Integrated Health and Safety Solutions** - With access to a network of over 18,000 providers, BlueHive can help your team ensure that all new and existing employees have quick and easy access to necessary services.
- **Customizable Reporting Tools** - Thanks to BlueHive's centralized system, you'll have ready access to analytical data and can generate real-time reports to assist you in ensuring your workforce is compliant with all federal and state regulations.
- **Seamless Integration with HR Systems** - BlueHive offers the ability to integrate with your existing HR software, helping reduce administrative burden for your team.





Conclusion

While the future of OSHA remains uncertain, HR Professionals and business leaders must take proactive steps to maintain workplace safety. Whether through state-led initiatives, employer-driven policies, or technological advancements, organizations can uphold high safety standards while navigating regulatory changes. By staying informed, you and your team can advocate for effective policies and innovative solutions. In doing so, your organizations can protect their workforce and long-term business success.

The chances of NOSHA passing are very slim, but follow us if you'd like to kept up to date!



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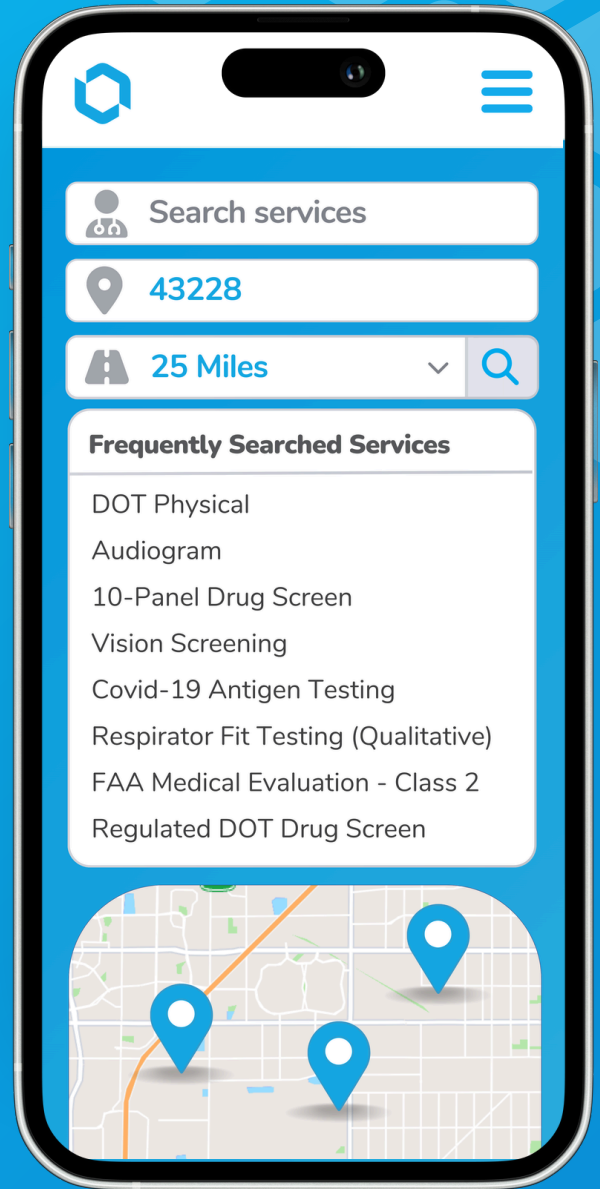
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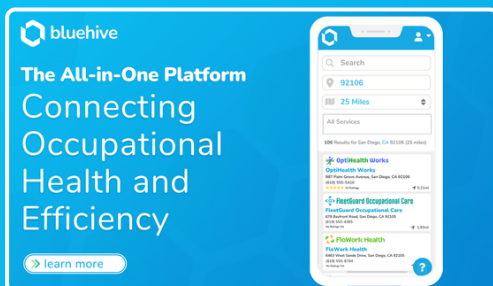


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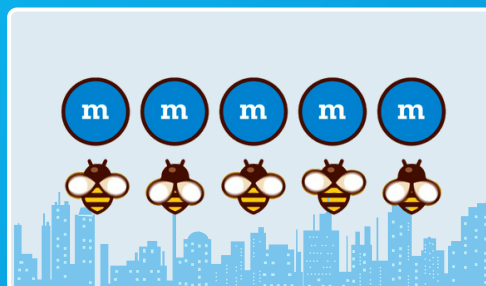
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What HR Leaders
Need to Know About
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2025 OSHA Compliance Checklist

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