
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 338 Session of
2022

INTRODUCED BY TARTAGLIONE, BARTOLOTTA, KANE, FONTANA, HUGHES,
COLLETT, COMMITTA, COSTA, DILLON, CAPPELLETTI, STREET AND
MUTH, SEPTEMBER 19, 2022

REFERRED TO LABOR AND INDUSTRY, SEPTEMBER 19, 2022

A RESOLUTION

1 Directing the Joint State Government Commission to conduct an
2 evaluation of the implementation of a public sector
3 Occupational Safety and Health Administration law.

4 WHEREAS, It is a basic right of all employees to work in an
5 environment that is free from hazards and risks to their safety;
6 and

7 WHEREAS, A significant percentage of employees in this
8 Commonwealth are employed by the Commonwealth or by one of its
9 political subdivisions; and

10 WHEREAS, Many of these public employees perform job functions
11 comparable to those performed by workers in the private sector
12 who are protected by the Occupational Safety and Health Act of
13 1970; and

14 WHEREAS, Because these public sector employees are not
15 protected by the Occupational Safety and Health Act of 1970,
16 available workplace injury statistics are limited and
17 inconclusive; and

18 WHEREAS, Without accurate and relevant data, proper

1 government intervention to improve public sector workplaces is
2 difficult to determine and implement; and

3 WHEREAS, The Senate wishes to get a better understanding of
4 baseline workplace injury statistics in public sector
5 workplaces; therefore be it

6 RESOLVED, That the Senate direct the Joint State Government
7 Commission to conduct an evaluation of the implementation of a
8 public sector Occupational Safety and Health Administration law;
9 and be it further

10 RESOLVED, That the Senate explore the implementation of a
11 public sector Occupational Safety and Health Administration
12 (OSHA) law and obtain data on workplace injuries and fatalities
13 from public sector employers; and be it further

14 RESOLVED, That the Joint State Government Commission include
15 the following elements in its evaluation of the implementation
16 of a public sector OSHA law:

17 (1) An analysis of the Federal and State safety
18 standards and regulations that currently cover county
19 government, municipal government and school district workers.
20 If deemed necessary by the Joint State Government Commission,
21 this may include surveys or interviews with the Department of
22 Education or the Department of Labor and Industry.

23 (2) A survey of county governments, municipal
24 governments and school districts concerning the following:

25 (i) The number of employees that would be covered
26 under public sector OSHA standards.

27 (ii) Current workplace injury statistics.

28 (iii) The estimated cost of infrastructure
29 restoration or remediation needed to comply with public
30 sector OSHA standards, including, but not limited to, the

1 number of buildings impacted, the type of building, the
2 type of work and the scale of the work.

3 (iv) Estimated personnel costs of implementing
4 public sector OSHA standards, including, but not limited
5 to, annual training costs, new personnel costs and new
6 administrative costs.

7 (v) An analysis of the impacts of working conditions
8 on workers and public employers, in terms of medical or
9 health impacts, costs and savings, including insurance
10 costs and savings.

11 (vi) Current risk-management programs used.

12 (vii) Any other relevant information needed by the
13 Joint State Government Commission to provide a
14 comprehensive analysis of the impact to county
15 governments, municipal governments and school districts.

16 (3) A comparison of workplace injury data between public
17 and private sector workplaces when there is sufficient data
18 available and there are similarities between the workplaces;
19 and be it further

20 RESOLVED, That the Joint State Government Commission
21 establish an advisory committee to facilitate data collection
22 and stakeholder participation, which would include the following
23 entities:

24 (1) Two members of the majority party of the Senate or
25 the members' designees.

26 (2) Two members of the minority party of the Senate or
27 the members' designees.

28 (3) The Secretary of Labor and Industry or the
29 secretary's designee.

30 (4) A representative of the Office of Administration.

1 (5) A representative of the American Federation of Labor
2 and Congress of Industrial Organizations.

3 (6) A representative of the American Federation of
4 State, County and Municipal Employees.

5 (7) A representative of the American Federation of
6 Teachers.

7 (8) A representative of the County Commissioners
8 Association of Pennsylvania.

9 (9) A representative of the Laborers' International
10 Union of North America.

11 (10) A representative of the Philadelphia Area Project
12 on Occupational Safety and Health.

13 (11) A representative of the Pennsylvania Municipal
14 League.

15 (12) A representative of the Pennsylvania State
16 Association of Boroughs.

17 (13) A representative of the Pennsylvania State
18 Association of Township Commissioners.

19 (14) A representative of the Pennsylvania State
20 Association of Township Supervisors.

21 (15) A representative of the Pennsylvania School Boards
22 Association.

23 (16) A representative of the Pennsylvania State
24 Education Association.

25 (17) A representative of United Food and Commercial
26 Workers.

27 (18) A representative of the Pennsylvania Association of
28 School Business Officials.

29 (19) A representative of the Indiana University of
30 Pennsylvania Safety Sciences Program;

1 and be it further

2 RESOLVED, That, within one year of the establishment of the
3 advisory committee, the Joint State Government Commission issue
4 a report to the General Assembly that includes the results from
5 the analysis and any surveys conducted.