Statement for the Record

The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW)

for the

U.S. House Committee on Education & Workforce's Subcommittee on Workforce Protections

hearing on

"Safe Workplaces, Stronger Partnerships: The Future of OSHA Compliance Assistance"

July 16, 2025

Chair Mackenzie, Ranking Member Omar, and members of the U.S. House Committee on Education & Workforce's Subcommittee on Workforce Protections, on behalf of our 850,000 members, we want to thank you for holding this hearing on "Safe Workplaces, Stronger Partnerships: The Future of OSHA Compliance Assistance."

As the largest industrial union in North America, we understand all too well the dangers that our members face every day when they go to work. Many of our industries have inherently dangerous inputs and processes, which is why workplace health and safety is one of our union's top priorities. In fact, dating all the way back to our union's founding in 1942, one of our eight founding principles was "to secure by legislative enactment, laws protecting the limbs, lives, and health of our members." Since then, USW has been a leader in the advancement of policies supporting that value.

It is from this standpoint that we feel the need to weigh in on today's hearing. In particular, we wish to offer our opinion — based on firsthand experience across multiple sectors — of the Voluntary Protection Program (VPP) at the Occupational Safety and Health Administration (OSHA). USW has several local unions and employers who participate in VPP in sectors including — but not limited to — chemical, petroleum refining, paper, metals, and rubber manufacturing plants. In the remainder of our statement, we plan to acknowledge the laudable stated goals of VPP, while also highlighting the numerous ways in which the program falls short of those goals.

Background on Voluntary Protection Program

Before jumping into the ways in which VPP falls short, it is only fair to take a moment to discuss the original goals of the program. Back in 1982, the Reagan administration established VPP as a means of recognizing companies that had a demonstrated commitment to safety and health. The idea was to streamline OSHA's duties by helping the agency pay less attention to the "good employers," and thus focus more of their energy on the worst actors.

However, from the beginning, this Reagan-era program has been plagued by the original inclusion of an inspection exemption. Essentially, the core of VPP is for employers to become exempt from OSHA inspections in exchange for meeting the programs criteria and passing recertifications every three to five years. As of 2024, there were 1,883 participants in VPP, down from a high-water mark of 2,436 in 2010.[1]

The Program Currently Fails to Achieve Its Stated Goals

Like many other unions, our members have had mixed experiences with VPP. Some USW Locals like the program, crediting it with incentivizing their employers to

[1] U.S. Occupational Safety and Health Administration, "Participant Information – VPP Statistics PPTX", Accessed July 15, 2025.

take health and safety more seriously. Others have found that achieving VPP status seems to have had little impact on the company's approach to workplace safety. Still others, most concerningly, have found that their employers actually use VPP as an opportunity to actively ignore their workers' concerns and to neglect hazard mitigation altogether.

This range of experiences underscores one of the fundamental flaws of VPP: when the criteria are so broad and the timelines for recertification are as long as they are (i.e., between three and five years), there is a lot of room for employer abuse of the program. We highlight this issue in the following examples:

- While conducting a safety investigation at a VPP Star facility, USW found "Lockout/Tagout Procedures" were missing the magnitude of the energy that a machine utilizes. When the USW's health and safety representative pointed out this missing information to management, the manager argued that the company did not need to change anything in the procedure because they are a VPP Star site.

- We represented an employer that was on OSHA's VPP list, but is now on OSHA's Severe Violator Enforcement Program (SVEP). The SVEP program is a list of employers where OSHA concentrates their resources on inspecting those that have demonstrated indifference to OSH Act obligations by committing willful, repeated, or failure-to-abate violations. The fact that an employer can be on OSHA's VPP list at one point, and then on the SVEP list the next shows that there is no such thing as an always "good" employer. Ownership and workplace culture can change, making the three to five year range for inspection exemption status dangerous.

- Finally, and most tragically, our union has experienced fatalities at VPP workplaces where employers did not provide the protections needed to save the lives of their workers. At one workplace, a young apprentice electrician was electrocuted while servicing a large air conditioner where the employer failed to have the proper procedures and training in place. We've also had a member die after he was engulfed in a flash fire involving combustible dust. Although OSHA correctly terminated VPP at this latter workplace, we believe that had these workplaces been involved in OSHA's programmed inspections, including its National Emphasis Program inspections, these fatalities could have been prevented.

Clearly, VPP employers' approaches to workplace health and safety (and thus, our union's experiences with the program) are wide-ranging. It is also worth pointing out that only 23 percent of VPP sites are unionized, with the other 77 percent being non-union.[2] Given that research shows union workplaces are much more likely to publicly raise workplace safety concerns than their non-union peers[3], it seems more than plausible that these negative experiences USW has had at our union facilities are just the tip of the iceberg in terms of the experiences of non-union workers at VPP sites.

A Path Forward

Despite these shortcomings, our union has long been willing to engage in conversations of how to improve our existing health and safety enforcement mechanisms. Rather than list all of our discrete programmatic reforms for VPP, we will instead highlight two thematic priorities. First, VPP must get rid of the programmed inspection exemption, and second, the program must ensure full worker participation, including their representatives. These two priorities must be the beginning, but not the end, of a conversation on how to improve VPP.

However, regardless of the future of VPP, it is worth saying that one cannot have a serious discussion about a future with "safer workplaces" without addressing the underfunding and understaffing at OSHA. According to the AFL-CIO's latest *Death on the Job* report, OSHA's 2025 budget was $623 million, which was only 13 percent above its 2010 level.[4] For context, inflation increased 48 percent over that same period[5], meaning OSHA's budget actually lost ground during that time. OSHA also lost roughly 9 percent of its inspectors during those 15 years. Given its current workforce, it is estimated that it would take OSHA 185 years to inspect every workplace once.[6] Making matters worse, the President's most-recent budget proposal called for an 8 percent cut in OSHA funding (down to $582 million) and an additional 12 percent cut in the agency's workforce.[7] Such cuts would only amplify the challenges OSHA faces in enforcing workplace safety laws.

Obviously, this underfunding and understaffing at OSHA is preventing the agency from doing its job. While voluntary compliance programs like VPP might seem to be easy-fix solutions to this crisis, hopefully our comment here has shown how that is not the case. VPP is not making OSHA more efficient; it's just rubber-stamping a system where OSHA can choose to ignore certain employers with mixed health and safety records. The only true way to ensure workers and workplaces are safe is to robustly fund OSHA and to provide the agency with an adequate number of staff. USW has long supported these goals, and will continue to do so in future appropriations cycles.

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[2] Ibid.
[3] GW School of Public Health, "Unionized Nursing Homes 78% More Likely to Report Workplace Injury and Illness Data to OSHA", September 5, 2023.
[4] AFL-CIO, "Death on the Job – The Toll of Neglect – 34th Edition", April 2025.
[5] Federal Reserve Bank of Minneapolis, "About Us – Monetary Policy – Inflation Calculator", Accessed July 15, 2025.
[6] AFL-CIO, "Death on the Job – The Toll of Neglect – 34th Edition", April 2025.
[7] Confined Space, "Trump Budget to Workers: Drop Dead", June 2, 2025.

Conclusion

In closing, VPP has its roots in an understandable idea, but has failed to achieve that idea in practice. In our ever-changing economy, where workers are constantly being exposed to new hazards, it is essential that employers, workers, and government come together to design a system that upholds the highest level of workplace health and safety standards. With too few requirements, too little oversight, and too broad of experiences, VPP is merely a bandage on a much bigger problem. We applaud the Committee for holding this important hearing, and we look forward to working together on a viable path forward: appropriately funding and staffing OSHA, which would actually result in safer workplaces and stronger partnerships between employers and their workers.