



UNITED SUPPORT & MEMORIAL FOR WORKPLACE FATALITIES

2837 Yellowstone PKWY Lexington, KY 40517
Phone: (859) 266-5646 Fax (859) 266-5646 Email: tammy@usmwf.org

BECAUSE GOING TO WORK SHOULDN'T BE A GRAVE MISTAKE

August 30, 2010

The Honorable George Miller
Chairman
House Education and Labor Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Miller:

We are writing to express our sincere appreciation for the attention you have given to worker health and safety issues. The Robert C. Byrd Miner Safety and Health Act of 2010 (H.R. 5663) is a step in the right direction. It addresses some of the most glaring deficiencies in the OSH Act of 1970, by modernizing protections for safety whistleblowers, requiring abatement of hazards during the contest period, and expanding oversight and remedies of deficient OSHA State Plans. We are especially pleased with the provisions to extend rights to family-member victims of fatal workplace hazards. We hope these changes will put an end to situations in which family members being left in the dark while government and company officials negotiate away citations and penalties.

Although we support H.R. 5663 and hope that the House leadership has scheduled a floor vote on the bill, we would be remiss if we did not recommend additional ways to strengthen our nation's worker safety laws. This includes:

- 1) Extending OSH Act coverage to public sector employees;
- 2) Requiring employers to report to OSHA within 15 minutes any incident that is likely to result in death or multiple hospitalizations; and

3) Prohibiting the Secretary of Labor from designating an OSHA violation as unclassified.

As families who have lost loved ones because of uncorrected workplace hazards, employer negligence and a failed regulatory and enforcement system, we are grateful for your efforts to improve our nation's workplace safety laws.

Sincerely,



Tammy Miser
Sister of Shawn Boone, 33
Koehler, 26
Killed at work October 2003
2007



Deb Koehler-Fergen
Mother of Travis

Killed at work February