

NOTE TO MEDIA: Veteran labor and employment attorney Joseph P. Paranac, Jr. is available as resource for your articles on OSHA, NLRB and other administrative agency-related matters.

For: LeClairRyan, Newark, N.J.

From: Parness & Associates, Aberdeen, N.J

FOR IMMEDIATE RELEASE

Report That Trump Will Gut OSHA Rules May Be Premature, Says LeClairRyan Attorney

Don't expect a free ride on regulatory issues, veteran OSHA defense attorney

Joseph P. Paranac, Jr. cautions in business publication blogpost

NEWARK, N.J. (6/29/17)— A recent *New York Times* article, "[Under Trump, Worker Protections Are Viewed With New Skepticism](#)," suggests that the Trump administration will significantly relax the government's approach to occupational safety. But chemical, manufacturing, construction, and other industry executives and advisors should not assume that they'll soon get a free ride on regulatory issues, warns veteran labor and employment attorney Joseph P. Paranac, Jr. in a just-published blogpost in the online edition of business publication *Occupational Health & Safety*.

He notes that the *Times* article painted a bleak future for regulations, implying that Trump will reverse or eliminate a variety of Obama-era industry standards that reduced workplace exposure to lung disease- and cancer-linked minerals like beryllium and silica, while delaying a rule requiring electronic reporting and public posting of workplace injuries. Other issues raised by experts quoted in the article center on proposed budget cuts that could supposedly cloud the future of the Chemical Safety Board—which investigates chemical plant accidents—as well as the Susan Harwood Training Grant Program, an initiative that provides training to workers in industries with high injuries and fatalities. But there are significant roadblocks to sweeping changes like these, according to Paranac.

First, Obama's beryllium rule is already established as a "final standard," so OSHA would have to publish any new proposals in the Federal Register, and cite a basis for any changes, he writes in the blogpost, [Don't Be Too Quick to Assume That Trump Will Gut OSHA Standards](#). Even then, the agency would likely have to fend off legal challenges from labor groups and others.

Concerns about the silica standard are also likely overblown, Paranac counsels. While OSHA did announce a delay in implementing Obama's standards—noting that "additional guidance is necessary due to the unique nature of the requirements in the construction standard"—the agency also said that employers in the construction industry are still expected to continue to take steps to either come into compliance with the new rules, or implement specific dust controls for certain operations, he notes.

While the Trump administration did impose a delay on an Obama-era OSHA requirement forcing certain employers to electronically submit job-related injury and illness data, Paranac points out that such action is moot because OSHA had yet to launch the new website specifically designed for uploading the reports. Also, since Trump's delay is not a formal rollback, it may be too early to speculate about the rule's future, Paranac reports.

Finally, the article's alarm about Trump's move to defund the Chemical Safety Board and the Susan Harwood Training Grant Program may also be overblown, since Congress may have something to say about both proposals, says Paranac. "So, the CSB is not dead in the water just yet, and while some advocates may be worried about the grant program, it's too early to mourn the initiative's demise," he writes.

"Manufacturers, construction businesses, and other companies should refrain from overreacting to reports about these and other matters," he counsels. "Instead, organizations may wish to continue to keep track of developments and consult with their legal or other advisors before committing financial or other resources to a course of action."

The full blogpost is available at: <https://ohsonline.com/blogs/the-ohs-wire/2017/06/trump-and-osha-standards.aspx>.

About LeClairRyan

As a trusted advisor, LeClairRyan provides business counsel and client representation in corporate law and litigation. In this role, the firm applies its knowledge, insight and skill to help clients achieve their business objectives while managing and minimizing their legal risks, difficulties and expenses. With offices from coast to coast, the firm represents a wide variety of clients nationwide. For more information about LeClairRyan, visit www.leclairryan.com.

###

Press Contacts: At Parness & Associates Public Relations, Bill Parness, (732) 290-0121, bparness@parnesspr.com or Lisa Kreda, lkreda@parnesspr.com