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BASIC FACTS ABOUT THREE FEDERAL OCCUPATIONAL  
HEALTH AND SAFETY LAWS

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## BASIC FACTS ABOUT THREE FEDERAL OCCUPATIONAL HEALTH AND SAFETY LAWS

The three basic occupational health and safety laws governing the work-related health and safety of most of the nation's non-governmental workers are:

- 1) The Federal Metal and Nonmetallic Mine Safety Act (P.L. 89-577) which establishes procedures for the Secretary of the Interior to promulgate and enforce Federal standards for health and safety in all metal mines and other types of mining operations except (a) coal and lignite mines and (b) natural gas and minerals extracted in liquid form (such as oil), unless the extraction requires the use of underground workers (in which case the mining operation would not be exempt). Examples of the minerals whose extraction is covered by the Act include copper, iron, salt, sulfur, sand and gravel, granite, limestone, and marble.
- 2) The Federal Coal Mine Health and Safety Act of 1969 (P.L. 91-173) which establishes procedures for the Secretary of the Interior to promulgate and enforce Federal standards for health and safety in all coal mining operations affecting interstate commerce.
- 3) The Occupational Safety and Health Act of 1970 (P.L. 91-596) which establishes procedures for the Secretary of Labor to promulgate and enforce Federal standards for health and safety in any business affecting interstate commerce except for (a) an employer over whom a Federal agency other than the Labor Department exercises statutory authority to prescribe standards affecting occupational safety or health, (b) an employer over whom a State agency exercises such statutory authority under the Atomic Energy Act of 1954, and (c) the United States, a State, or political subdivision.

The following are some comparative facts about key elements of these three laws.

I. Coverage

A. <u>Establishments:</u> Metal--Nonmetallic <u>1/</u> <u>P.L. 89-577 (1971)</u>		Coal <u>1/</u> <u>P.L. 91-173 (1972)</u>		OSHA <u>2/</u> <u>P.L. 91-596 (1972)</u>
<u>Type</u>	<u>Number</u>	<u>Type</u>	<u>Number</u>	
Underground	1,266	Underground	1,663	
Surface	<u>17,203</u>	Surface	<u>1,915</u>	
Total	18,469	Total	3,578	Total 3.4 million
B. <u>Employees</u> Metal--Nonmetallic <u>P.L. 89-577 (1971)</u>		Coal <u>P.L. 91-173 (1971)</u>		OSHA <u>P.L. 91-596</u>
<u>Type</u>	<u>Number</u>	<u>Type</u>	<u>Number</u>	
Metal	65,400	Underground	100,900	
Nonmetal	38,400	Surface	31,300	
Sand & Gravel	50,500	Mills	<u>10,200</u>	
Stone Quarries	<u>82,800</u>			
Total	237,100	Total	142,400	Total 56.8 million

1/ Unless otherwise indicated, the source for all mining statistics is the U.S. Bureau of Mines and the source for all OSHA figures is the U.S. Department of Labor.

2/ Industry breakdown of OSHA's establishment and employee coverage is unavailable.

II. Enforcement

A. Approximate Number of Compliance Officers				
	Metal--Nonmetallic	Coal	OSHA	
	<u>P.L. 89-577</u>	<u>P.L. 91-173</u>	<u>P.L. 91-596</u>	
	140	1,300	500	
B. Compliance Activity				
	Metal--Nonmetallic			
	<u>P.L. 89-577</u>			
		CY 71	CY 72	
	Inspections	8,547	13,021	
	Notices (Violations)	45,562	54,812	
	Withdrawal Orders	56	208	
	Coal			
	<u>P.L. 91-173</u>			
		CY 71	CY 72	
	Inspections	26,566	59,481	
	Notices (Violations)	64,762	76,001	
	Withdrawal Orders	2,658	2,804	
	Proposed Penalties	\$12.5 million	\$15.6 million	
	OSHA			
	<u>P.L. 91-596</u> <sup>3/</sup>			
		1st half	2nd half	1st half
		FY 72	FY 72	FY 73
	Inspections	13,317	19,384	16,756
	Citations	9,179	14,052	9,875
	Violations	34,960	67,901	57,527
	Proposed Penalties	\$752,169	\$1,565,978	\$1,479,047

<sup>3/</sup> The first and third columns are taken directly from Labor Department releases. The second column was computed by taking the Labor Department figure for all of FY 72 and subtracting the figures for the first half of that fiscal year. The statistical system was changed somewhat during the course of FY 72 but the impact of these changes is not known.

III. Injury and Fatality Experience by Industry

	Injury Frequency Rate (per million man hours)	Percent of Disabling injuries resulting in death <sup>4/</sup>
Metal and Nonmetallic (P.L. 89-577)		
Metal and Nonmetal (1971)	23.50	1.3
Metal	24.88	1.4
Nonmetal and Milling	27.39	1.0
Sand and Gravel	22.49	1.2
Stone Quarries and Milling	21.09	1.4
Coal (P.L. 91-173)		
Coal (1971)	45.14	1.6
OSHA (P.L. 91-596)		
Manufacturing (1970)	15.2	.2
Nonmanufacturing (1970)		
Contract Construction	28.0	.7
Wholesale and Retail Trade	11.3	.2
Federal Government	6.6	.6
Target Industries (1970)		
Longshoring	69.1	.5
Meat Products	43.1	.1
Roofing and Sheet Metal	43.0	.3
Lumber and Wood Products	34.1	.5
Miscellaneous Transportation Equipment	33.3	.2

<sup>4/</sup> The fatality percentages for mining were computed from U.S. Bureau of Mines' figures for total disabling injuries and total deaths in each cited category.

IV. Program Financing (in thousands of dollars) 5/

A. Mine Safety and Health	<u>1972</u> actual	<u>1973</u> est.	<u>1974</u> est.
Coal Mine Inspections	29,793	31,734	31,734
Metal and Nonmetal Mine Inspections	5,570	6,074	7,574
Education and Training	5,343	18,121	5,321
Technical Support	6,503	6,894	7,194
Research	<u>28,526</u>	<u>31,185</u>	<u>28,317</u>
Totals	75,735	94,008	80,140
B. Occupational Safety and Health Administration			
	<u>1972</u> <u>6/</u> comp.	<u>1973</u> <u>6/</u> est.	<u>1974</u> est.
Safety and Health Standards	2,220	2,932	2,955
Enforcement	16,220	24,249	24,939
Training, Education and Information	2,294	3,459	3,491
State Programs	7,781	30,065	30,080
Safety and Health Statistics	3,345	4,796	4,841
Executive Direction and Administration	<u>4,024</u>	<u>3,706</u>	<u>3,530</u>
Totals	35,884	69,207	69,836
C. Occupational Safety and Health Review Commission			
	<u>1972</u> actual	<u>1973</u> <u>7/</u> est.	<u>1974</u> est.
	1,592	5,979	4,890

5/ Source: Appendix to the U.S. Budget for Fiscal Year 1974.

6/ Source: Senate Report No. 92-894. Departments of Labor, and Health, Education and Welfare, and Related Agencies Appropriation Bill, 1973.

7/ Excludes Administration's Budget Amendment of - \$1,626,000 which would leave request of \$4,353,000.

Source: Appendix to the U.S. Budget for Fiscal Year 1974.

## D. Federal Metal and Nonmetallic Mine Safety Board of Review

<u>1972</u> actual	<u>1973</u> est.	<u>1974</u> est.
167	160	160

## E. National Institute of Occupational Safety and Health

<u>1972</u> actual	<u>1973</u> <sup>8/</sup> est.	<u>1974</u> est.
17,798	28,842	25,600

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<sup>8/</sup> Excludes Administration's Proposed Budget Amendment of - \$4,442,000 which would leave request of \$24,400,000.

Source: Appendix to the U.S. Budget for Fiscal Year 1974.