

CHRISTOPHER S. BOND, MISSOURI, CHAIRMAN
CONRAD R. BURNS, MONTANA
PAUL COVERDELL, GEORGIA
ROBERT F. BENNETT, UTAH
OLYMPIA J. SNOWE, MAINE
MICHAEL ENZI, WYOMING
PETER G. FITZGERALD, ILLINOIS
MIKE CRAPO, IDAHO
GEORGE V. VOINOVICH, OHIO
SPENCER ABRAHAM, MICHIGAN
JOHN F. KERRY, MASSACHUSETTS
CARL LEVIN, MICHIGAN
TOM HARKIN, IOWA
JOSEPH I. LIEBERMAN, CONNECTICUT
PAUL D. WELLSTONE, MINNESOTA
MAX CLELAND, GEORGIA
MARY LANDRIEU, LOUISIANA
JOHN EDWARDS, NORTH CAROLINA

EMILIA DISANTO, STAFF DIRECTOR
PATRICIA R. FORBES, DEMOCRATIC STAFF DIRECTOR

United States Senate

COMMITTEE ON SMALL BUSINESS
WASHINGTON, DC 20510-6350

March 2, 2000

OSHA Docket Office
Docket No. S-777
U.S. Department of Labor
200 Constitution Ave., N.W.
Room N-2625
Washington, DC 20210

**RE: Proposed Standard on Ergonomics, 64 Fed. Reg. 65767, November 23, 1999,
Docket No. S-777**

To the Docket:

With profound disappointment and frustration I submit these comments to the Occupational Safety and Health Administration (OSHA, agency) describing problems that I believe the proposed ergonomics regulation will create for small businesses and other employers throughout the country. Despite extensive contact with, and detailed suggestions and guidance from the regulated community through the Small Business Regulatory Enforcement Fairness Act (SBREFA) review process and other stakeholder meetings, OSHA is pursuing a regulation that will create confusion, extreme burdens, disruptions, distortions, and liability without any predictable success. This regulation is so fundamentally flawed that OSHA must withdraw this proposal.

Unfortunately, the agency has chosen an adversarial approach to the most complicated and difficult regulation ever pursued in the name of worker safety. Rather than waiting until medical science and research could establish defined parameters for exposure to workplace musculoskeletal hazards and reliable responses, OSHA has rushed forward to develop a regulation which has no thresholds and offers employers no specifics on when their employees are being overexposed or what should be done to prevent injuries. Furthermore, OSHA has steadfastly refused to wait for a methodologically sound, meta-review of the scientific literature now being conducted by the National Academy of Sciences and requested by Congress and the Administration. The urge to satisfy those who want this regulation has overtaken the necessity to promulgate a well supported and focused regulation. Instead of providing employers with useful, scientifically sound, and practical guidance, OSHA has chosen to impose a vague, open ended, regulatory trap that will serve only to increase the amount of revenue and litigation

generated from citations and penalties.

The OSHA proposed rule suffers from a wide variety of flaws. For more extensive analyses and discussions of these, please see the comments from the following sources: U.S. Chamber of Commerce; National Coalition on Ergonomics; National Association of Manufacturers; National Federation of Independent Business; Food Distributors International; and Center for Office Technology.

These comments will focus on the small business issues inherent in this proposal. Many of these issues were raised with great concern by the panel convened under the Small Business Regulatory Enforcement Fairness Act to review the draft proposed rule for its small business implications. That panel met during March 1999 and the report was issued April 30, 1999. The report indicated broad concern for many of the provisions in the draft and the approaches OSHA had taken towards developing this regulation. Unfortunately, OSHA has made very few changes in the proposal since the draft was released back in February 1999 for the SBREFA review. Indeed, Assistant Secretary Charles Jeffress used this point to resist granting an extension of the comment period from the originally ridiculously short deadline of February 1, 2000 (70 days from publication). He stated that since there had been few changes, interested parties had had almost a full year to review the proposal instead of just the time since it was formally proposed on November 23, 1999. (See Bureau of National Affairs, Daily Labor Report, *OSHA Will Not Extend Comment Period for Ergonomics Rule, OSHA Chief Says*, December 7, 1999, page A-5.) OSHA's resistance to heeding the advice of the SBREFA panel's recommended changes and respecting their concerns about the impact of this regulation, indicates an intransigent attitude regarding this regulation which undermines the basic notice and comment rulemaking process and shatters OSHA's credibility when they claim to have worked with employers and small businesses throughout the development of this regulation.

General Impact on Small Businesses

In general, any requirement that has an impact on a large business will have a more severe impact on small businesses.¹ Typically, small businesses compared to large businesses do not have the staff, funds, experience, or time to implement extensive compliance strategies such as those called for in OSHA's proposed ergonomics regulation. In many cases, the same person who handles safety compliance is the same person who handles the accounting, as well as sales, and may even have to drive the kids to soccer practice.

Small businesses are not just large businesses with fewer employees, they function in significantly different ways and are subject to pressures that do not affect large businesses. For instance, small businesses are often much more dependent on credit to maintain operating

¹ Small businesses are defined by the Small Business Administration for different industries and SIC codes. For the purpose of these comments, a small business can be assumed to have 50 employees or less.

capital. Thus a significant expense such as compliance with this ergonomics regulation will be much harder to absorb. Another difference is the higher rate of employee turnover often experienced by small businesses. This creates a multiplier effect with respect to any training requirements and also increases the possibility of new ergonomic injuries from employees who bring different medical histories and sensitivities than those who preceded them.

This regulation calls for extensive and technical analyses that are likely to be beyond the capacity of many if not most small business owners. Even the question of whether a business is covered by the regulation will require time by someone which is a cost directly attributable to the regulation. Every hour a small business owner spends wrestling with this regulation is an hour not spent on something that contributes to the success of the business. The SBREFA panel identified this cost issue and OSHA increased the estimate of costs to reflect this further indicating the burden this regulation will impose on small businesses. Responding to this regulation will absorb an extraordinary amount of time or cause the small business to spend considerable amounts on consultants, or both.

OSHA Estimates This to be the Most Expensive Safety Regulation Ever and It Has Underestimated the Total Costs

Not even OSHA is contesting that it will be the most expensive safety regulation ever. When OSHA released the draft for review by the SBREFA panel in February 1999, it projected a total cost of about \$3.5 billion for the total economy. When the proposed rule was released in November 1999, that estimate had been increased to \$4.2 billion, making this the most expensive OSHA regulation ever proposed.

Even OSHA's revised estimates have consistently underestimated the cost of this regulation, in many cases dramatically so. The Small Business Administration's Office of Advocacy did a review which concluded that OSHA originally underestimated the compliance costs by a factor of between two and 15 times. (See *Analysis of OSHA's Data Underlying the Proposed Ergonomics Standard and Possible Alternatives Discussed by the SBREFA Panel* prepared for the Small Business Administration, September 16, 1999, page 47.) Other studies have found the following higher levels of cost: total cost to the economy could be as high as \$80 billion for the entire economy (See *OSHA's Ergonomics Rule Proposal: Few Facts, Many Fallacies*, by Ron Bird, Employment Policy Foundation, February 2, 2000.); total cost for the food distribution industry could be \$26 billion (See *The Economics of Compliance with Proposed OSHA Ergonomics Program Standards; An Industry Analysis for Food Distributors International*, November 1999.); and total costs for the for the long term care (nursing homes) industry could be \$5.6 to \$6.5 billion with first year costs for a typical 100 bed facility projected to be just under \$60,000.

Furthermore, because OSHA's proposed rule has the potential for covering many businesses and workplaces that have not previously been concerned with OSHA regulations, such as offices, becoming compliant with the ergonomics regulation will be more complicated than simply adding another layer to an already existing safety program. This will likely be the

first exposure many business owners and other managers have to the arcane and obtuse nature of OSHA regulations, thus increasing the difficulty, complications, time involved, and ultimately the expense.

OSHA Has Twisted the Normal Approach to Employers' Responsibilities Under the Occupational Safety and Health Act

On its surface, OSHA's proposed rule appears to solve a difficult problem. However, upon closer examination, and seen through the view of an employer, the proposal quickly becomes unworkable. OSHA has taken the principle embodied in the Occupational Safety and Health Act (OSH Act), that employers are to protect employees from known workplace hazards, and twisted it to mean that employers are now obligated to protect employees from pain and discomfort regardless of the source or connection to the workplace. The only indicator that a problem exists may be an employee's reporting of pain. While pain is certainly real, it is not quantifiable or objectively verified making it a most inaccurate and imprecise indicator for workplace safety compared to being able to measure exposure to "toxic materials or harmful physical agents." Nor is the source or cause of such pain or discomfort, always apparent.

In all other OSHA safety regulations, there is a threshold of exposure to a hazard beyond which an employer is not allowed to expose an employee without providing protection or taking specific measures to reduce the exposure. It is this threshold which triggers the employer's responsibilities. Under OSHA's proposed ergonomics regulation, an employer must take action if an employee reports a "recordable" musculoskeletal disorder (MSD) which means an ergonomic related injury in which workplace exposures "caused or contributed to the MSD or aggravated a pre-existing MSD." (See, 64 Fed. Reg. 66077, proposed § 910.945 (sic), definition of OSHA recordable MSD).² This could be the product of activities or conditions wholly unrelated to the workplace and merely aggravated by workplace activities. Furthermore, many non-work related factors can contribute to whether a person will be susceptible to suffering MSD symptoms. These factors include age, weight, physical condition, diet, family history, and even gender.

OSHA further claims that it is merely regulating ergonomic hazards as it has regulated exposure to other workplace hazards, but under no other OSHA regulation is an employer obligated to take any measures based on an employee's activities outside the workplace. In other words, under no other OSHA regulation would compliance be triggered if an employee brought the symptoms of overexposure to the workplace.

OSHA's Definition of "Recordable MSD" is Unfair and Contrary to OSHA Recordkeeping Regulations

OSHA's definition of an "OSHA recordable MSD" is one where "exposure at work caused or contributed to the MSD or aggravated a pre-existing MSD." (See 64 Fed. Reg. 66077,

² OSHA does not seem to be saying that this injury must be recorded, merely that it has to be "recordable." This distinction is an example of OSHA's imprecision in its terminology.

proposed § 910.945 (sic), definition of OSHA recordable MSD, emphasis added.) This same terminology is also repeated throughout other provisions as well. Thus, an employee could engage in a purely recreational, non-work related activity on a weekend such as running, bowling or extensive computer use, sustain an MSD injury, and come to work where the normal activities of that employee's job would "contribute to...or aggravate the pre-existing MSD." This would trigger the employer being forced to implement various requirements of OSHA's proposed ergonomics regulation.

Not only is OSHA's expansive definition of a "recordable MSD" against simple fairness and notions of employer responsibility, it is also contrary to OSHA's own regulations defining what injuries must be recorded. An earlier part of the definition for an OSHA recordable MSD states that it is: "an MSD that meets the occupational injury and illness recording requirements of 29 CFR Part 1904. Under Part 1904, an MSD is recordable when..." (See 64 Fed. Reg. 66067, proposed § 910.945 (sic), definition of OSHA recordable MSD.) Part 1904 is the recordkeeping standard which includes the descriptions of which injuries must be recorded. Section 1904.12 (c) is the definition for recordable occupational injuries or illnesses which reads:

(c) *Recordable occupational injuries or illnesses are any occupational injuries or illnesses which result in:*

- (c)(1) Fatalities, regardless of the time between the injury and death, or the length of the illness; or
- (c)(2) Lost workday cases, other than fatalities, that result in lost workdays; or
- (c)(3) Nonfatal cases without lost workdays which result in transfer to another job or termination of employment, or require medical treatment (other than first aid) or involve: loss of consciousness or restriction of work or motion. This category also includes any diagnosed occupational illnesses which are reported to the employer but are not classified as fatalities or lost workday cases.

OSHA is thus expanding the definition of what qualifies as a "recordable injury" and claiming that this is supported by the Recordkeeping Standard when it clearly is not. Section 1904 is silent on whether an injury must be recorded when workplace exposures merely "contribute to" or "aggravate" a pre-existing injury.

Apparently OSHA is basing this expansive interpretation on the proposed revisions to the recordkeeping standard that were published February 2, 1996 but have not yet been issued as final rule. The definition of "work related" reads in part as follows: "An injury or illness is work-related if an event or *exposure in the work environment either caused or contributed to the resulting condition, or aggravated a pre-existing condition.*" (See 61 Fed. Reg. 4059, proposed § 1904.3 definition of "Work related," emphasis added.) OSHA's anticipatory use of a merely proposed rule is a violation of the rulemaking process and fundamental notions of fairness. This expansive definition must be rewritten if this regulation is to go into effect.

OSHA's Worker Restriction Protection (WRP) Provision Conflicts with States' Workers' Compensation Laws and Thus OSHA's Statutory Mandate

OSHA has included a requirement that employees who are forced to take leave or lighter duty to recover from a "covered MSD" are to receive 90% and 100% of their after tax income respectively, as well as 100% of their benefits³. This must be provided from the point when an employee is placed on the work restrictions until the employee is able to resume his/her previous duties, up to six months. (See 64 Fed. Reg. 66078, proposed § 910.945 (sic), definition of Work restriction program.)

This provision would create a tremendous financial burden on small employers and businesses in general. Although employers are permitted to balance this requirement against what an employee would receive under the available workers' compensation benefits, workers' compensation typically only provides two thirds of an employee's salary up to a specified maximum amount. Furthermore, there is usually a waiting period of at least one week before an employee can qualify to receive workers' compensation benefits. Under OSHA's WRP provision, the employee is eligible as soon as they are placed on worker restriction. Thus, employers will still have to provide substantial payments even if an employee qualifies for workers' compensation. In addition, in many cases, the employer may also have to hire replacement help to fill the role vacated by the injured employee, adding to the overall cost of this provision.

The WRP provision singles out MSD injuries for benefits that no other injury would receive. Even such a debilitating injury as a broken bone would only qualify an employee for the standard workers' compensation benefits, yet if an employee developed an MSD through activities outside of the workplace which was aggravated by his or her workplace activities, they could qualify to take leave and still receive 90% of their take home pay. This provision thus creates an enormous potential and indeed, an incentive for fraud. It also makes this provision inherently unfair to other employees who may suffer more traditional, less lucrative injuries.

Most importantly, the WRP provision directly conflicts with state workers' compensation programs by changing the benefits employees are eligible to receive.⁴ As a result, this provision directly contradicts OSHA's legislative mandate. Section 4(b)(4) of the Occupational Safety and Health Act of 1970 explicitly prohibits OSHA from interfering with workers' compensation programs:

Nothing in this Act shall be construed to supersede or in any manner affect any

³ In the February 1999 draft, this provision required employees on leave to receive a full 100% of take home pay. Reducing this to 90% is one of the changes OSHA made which it claims makes the proposal more acceptable to small businesses.

⁴ The standard may also conflict with the definition of work-relatedness required for a compensable injury, but this must be determined on a state-by-state basis.

workmen's compensation law or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under any law with respect to injuries, diseases, or death of employees arising out of, or in the course of, employment. Occupational Safety and Health Act of 1970, 29 U.S.C. § 653(b)(4), emphasis added.

OSHA is therefore exceeding its legislative authority by imposing the WRP provision which interferes directly with states' worker compensation programs.

The MSD Management Provision Interferes with an Employer's Ability to Determine Whether it is Responsible for MSD Symptoms

The proposed standard requires employers who have employees with MSD symptoms to provide "MSD management." This includes making sure that the employee has access to a health care provider (HCP) at no charge to the employee, and that the employee is placed on WRP if necessary. When an employee visits an HCP, the employer must provide specific information about the employee's job and "the MSD hazards in it."

The employer must also instruct the HCP about what the HCP's report must and must not contain:

(a)The HCP's opinion about the employee's medical conditions related to the MSD hazard in the employee's job.

(1)You must instruct the HCP that any findings, diagnoses or information not related to workplace exposure to MSD hazards must remain confidential and must not be put in the written opinion or communicated to you....

(d)A statement that the HCP informed the employee about other physical activities that could aggravate the covered MSD during the recovery period. (See 64 Fed. Reg. 66073, proposed § 1910.932, emphasis added.)

Thus the MSD management provisions interfere with an employer's ability to determine what role workplace activities played in the employee's injury. In the name of employee privacy, OSHA is interfering with an employer's ability to determine whether it is responsible for the injury and thus what would be the most appropriate response. A HCP could legitimately find that workplace exposures are not involved in creating the employee's injury, but under this provision, the employer would be prevented from finding this out. This could lead to an employer unjustifiably being forced to implement this standard, or the employee illegitimately qualifying for WRP benefits. Both of these outcomes are unacceptable and are sufficient reasons for this provision of the MSD management section to be removed.

Critical Terms of OSHA's Proposed Regulation are So Vague as to Leave Employers in Doubt and Too Much Discretion to Compliance Officers

As part of OSHA's public relations campaign accompanying this proposal, the agency has promoted this proposal as being flexible suggesting that "one size does not fit all." However,

what OSHA calls "flexible" is really a level of vagueness that makes the standard unworkable for employers and will leave them not knowing whether they have satisfied the standard until an enforcement officer approves their efforts or issues a citation. Furthermore, whether they have met the standard's requirements will largely depend on the enforcement officer's interpretations of its requirements.

Many of the critical terms that describe an employer's responsibilities or under what circumstances and conditions an employer must act are vague and extremely subjective. Indeed, there is not a single measurement or threshold included in the entire standard. Throughout the standard, employers are directed to implement provisions and establish program elements "promptly". (See 64 Fed. Reg. 66070, 66073, proposed §§ 1910.913, .916, .929, .930.) In analyzing a "problem job", employers are instructed to look for employees "exerting *considerable* physical effort to complete a motion." (See 64 Fed. Reg. 66070, proposed § 1910.918 (c)(1), emphasis added.) Engineering controls are to be used "where feasible." (See 64 Fed. Reg. 66071, proposed § 1910.920 (a).) When implementing the "incremental abatement" provisions, employers are to "implement controls that reduce MSD hazards *to the extent feasible*." (See 64 Fed. Reg. 66071, proposed § 1910.921 (b), emphasis added.) For an employer to evaluate its ergonomics program, it is to "*evaluate* the elements of [its] program to ensure they are functioning properly; and *evaluate* the program to ensure it is eliminating or materially reducing MSD hazards." (See 64 Fed. Reg. 66073, proposed § 1910.937 (b), (c), emphasis added.) Ergonomic risk factors are defined as: "(i) force (i.e., forceful exertions, including dynamic motions); (ii) repetition; (iii) awkward postures; (iv) static postures; (v) contact stress; (vi) vibration; and (vii) cold temperatures." (See 64 Fed. Reg. 66075, proposed § 910.945 (sic), definition of "Ergonomic risk factors".)

The use of these terms, and others, throughout the proposed standard means that employers will be left to their own instinct and resources to decide whether they have met the obligations and gone far enough. In all other OSHA regulations, there is some measurable threshold that establishes the point at which an employer must protect the employee or implement corrective measures. With this proposed standard, the only real way to find out whether an employer is in compliance will be through a compliance inspection when the enforcement officer will impose his or her judgement on whether the employer has met the burden of the standard. Because these terms are so subjective and vague, consistency between enforcement officers and different area offices will be impossible. This will result in widespread variances in how this regulation is put into effect, undermining OSHA's central mission of establishing a uniform national standard for this problem.

It is also worth noting that this proposed standard represents a departure in format from other OSHA regulations. This proposal is written in a question and answer format intended to make it easier to read and understand. Whatever improvements in readability have been achieved have come at the expense of clarity and precision. Employers will not benefit from colloquially written regulatory standards if they are vague and unworkable. Merely because this has been written in a different and less formal style does not make it better or more

understandable. Indeed, in this example, the opposite is true.

OSHA's Attempts to Improve the Proposal Through "Quick Fix" and Grandfather Clauses Offer No Relief

Two of the changes that OSHA has made in the proposal since it was first released in February 1999, are the addition of a "Quick Fix" option and a "grandfather" clause. The "Quick Fix" option is intended to give employers a streamlined approach to fixing MSD hazards that OSHA claims allows them to avoid much of the complications of implementing the full ergonomics program. The "grandfather" clause supposedly allows employers who already have an ergonomics program in place to maintain that and thus not worry about the requirements of this proposal. In both cases, OSHA is disingenuously claiming that these provisions relieve employers from more involved or complicated levels of compliance.

Under the Quick Fix provision, employers must do the following:

- (a) Promptly make available the MSD management this standard requires;
- (b) Consult with employee(s) in the problem job about the physical work activities or conditions of the job they associate with the difficulties, observe the employee(s) performing the job to identify whether any risk factors are present, and ask employee(s) for recommendations for eliminating the MSD hazard;
- (c) Put in Quick Fix controls within 90 days after the covered MSD is identified, and check the job within the next 30 days to determine whether the controls have eliminated the hazard;
- (d) Keep a record of the Quick Fix controls; and
- (e) Provide the hazard information this standard requires to employee(s) in the problem job within the 90-day period. (See 64 Fed. Reg. 66069, proposed § 1910.909.)

The MSD management requirement, however encompasses many of the more burdensome aspects of the full program including providing access to a health care provider at no cost to the employee, providing for follow-up during recovery, and providing the worker restriction protection. Finally, if the Quick Fix measures do not prevent another MSD from occurring within three years, a full program must be implemented. To require a three year window of observation negates whatever quickness this provision may have offered.

The "grandfather" clause states:

If you already ha[s] an ergonomics program for the jobs this standard covers, you may continue that program, even if it differs from the one this standard requires, provided you show that:

- (a) Your program satisfies the basic obligation section of each program element in this standard, and you are in compliance with the recordkeeping requirements of this standard (§§1910.939 and 1910.940);
- (b) You have implemented and evaluated your program and controls before [the

effective date]; and

(c)The evaluation indicates that the program elements are functioning properly and that you are in compliance with the control requirements in §1910.921 [incremental abatement].⁵ (See 64 Fed. Reg. 66069, proposed § 1910.908.)

What this really means is that if an employer has satisfied this standard before this goes into effect, then they don't have to worry about doing anything more.

The typical use of a "grandfather" clause is to grant credit to those programs that are in effect before a new requirement takes effect, and would not be given credit under the new requirement. In this case OSHA explicitly states that a program already in place must satisfy the "basic obligation section" of each element. The "basic obligation sections" are the overviews of each section and its requirement. They contain the same requirements for each section, only in a more superficial, vague way than the more detailed paragraphs that follow them.

This grandfather clause will not provide any relief to employers who think they have implemented an adequate ergonomics program. If they do not first review this standard and insure that they have arguably met each of its requirements they will still be out of compliance no matter how much before the effective date of this standard they implemented their program. Not only is this provision misleading in suggesting that employers will be given relief, but it eliminates any incentive for employers to act on their own before this regulation goes into effect. Since they will still have to meet all the requirements of this regulation, there is no benefit to developing their own program prior to the regulation taking effect.

OSHA's criticism of Safety Incentive Programs is Unjustified and Based on a Cynical View of Employers

OSHA has also suggested that employers abandon their use of safety incentive and award programs for fear that these may discourage employees from coming forward with "recordable injuries." These programs typically provide rewards or points toward rewards for superior safety records on the job. They are widely believed to be an effective motivation to help employees focus on working safely just as sales incentive programs encourage employees to work harder on sales. However, OSHA believes that the use of "incentive or award programs that focus on achieving low numbers or rates of reported MSDs may discourage early reporting. Such programs, although sometimes intended to improve employee safety and health, may inadvertently lead to the underreporting of MSD cases and thus actually increase unsafe working conditions." (See 64 Fed. Reg. 65798.) OSHA's disdain for these programs exposes a lack of trust of both employers and employees who OSHA believes will disregard any overarching concern for safety in the name of receiving whatever bonus is available. OSHA's expansive view of its role in employer/employee relations indicates a cynical view of employees' abilities

⁵ One of the changes in writing style is to use "you" instead of "employer." It's hard to see how this makes the standard easier to understand.

to determine what is in their best interest.

Conclusion

OSHA has proposed a devastatingly broad and intrusive regulation which lacks sufficient science to make it useful to employers of all sizes, and most particularly small businesses. The proposed rule is riddled with vague terms which will leave employers in doubt as to whether they have complied and will leave far too much of the determination up to the discretion of compliance officers. Without specific guidance and recommendations, this regulation is unworkable and will not provide small businesses and other employers with the assistance they need to protect their employees.

For all of the above reasons, this proposal must be withdrawn. If OSHA feels compelled to promulgate a regulation on this subject, the agency must establish that it can offer employers scientifically sound guidance and support before proceeding with a regulation.

Sincerely,



Christopher S. "Kit" Bond

cc: The Honorable William Daley, Secretary of Commerce
Small Business Administration Chief Counsel for Advocacy, Jere Glover

Attachments: Analysis of OSHA's Data Underlying the Proposed Ergonomics Standard and Possible Alternatives Discussed by the SBREFA Panel, prepared for the Small Business Administration
OSHA's Ergonomics Rule Proposal: Few Facts, Many Fallacies, Employment Policy Foundation
The Economics of Compliance with Proposed OSHA Ergonomics Program Standards; An Industry Analysis for Food Distributors International
Overstressing Business: OSHA and Ergonomics, Regulatory Studies Program, Mercatus Center, George Mason University