



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Labor and
Workforce Development

Office of the Commissioner

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March 16, 2017

Senator Lisa Murkowski
522 Hart Office Building
Washington, D.C. 20510

Dear Senator Murkowski,

I am writing to express my concerns with use of the Congressional Review Act (CRA) to overturn injury and illness recordkeeping regulations issued by the Occupational Safety and Health Administration (OSHA). OSHA requires employers to record information about certain injuries and illnesses occurring in their workplace, and to maintain accurate records for five years. The employers must make that information available to their employees, to OSHA, and to the Bureau of Labor Statistics. This information is used by employers, employees, the public health community, and the government to learn the causes of work-related injuries and illness and develop methods for their prevention. While employers are required to maintain accurate records for five years, overturning the injury record keeping regulations will reduce the time that OSHA can enforce a failure to record an illness or injury to only six months, virtually eliminating useful enforcement.

As you know, the state and Alaska employers have been working together for years to reduce on-the-job injury rates and associated workers' compensation costs. Lower injury rates equal lower costs for employers, and a better business environment in our state. Shortsighted legislation that repeals OSHA regulations could have the perverse impact of *increasing* our injury rates, and contribute to higher employer costs. Alaska businesses already pay much higher than average workers' compensation costs, because we have a greater proportion of high-hazard jobs than most states, and because of Alaska's soaring medical costs. I am proud of the progress that we have made reducing injury rates and workers' compensation costs, but remain concerned that shortsighted use of the Congressional Review Act could reverse that progress.

There is a second reason this proposed use of the Congressional Review Act could harm Alaska companies. As you know, many of our larger construction and oilfield companies set the industry standard for safe workplaces. Companies like Alyeska Pipeline keep highly detailed records, and maintain robust processes to prevent injuries. If Congress repealed injury record keeping requirements, quality companies like Alaska's major construction and oil companies would likely continue to keep good records; however, some fly-by-night companies would choose not to. This discrepancy in record keeping would disadvantage high-road Alaska employers relative to less scrupulous employers from Outside.

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Accurate injury and illness records are an important component of a state or national safety and health program. They help employers identify and correct hazards, help employees learn about the hazards in their workplaces, and allow the government to understand the nature of occupational injuries and illnesses when developing regulatory and enforcement policy. Congress understood this when they passed the OSH Act in 1970. Inaccurate illness and injury records will leave employers, employees, and State of Alaska ill informed, undermining our ability to lower accident rates.

I respectfully request that you vote against legislation to repeal recent OSHA injury record keeping regulations, since that legislation would be detrimental both to Alaska workers and to our longstanding partnership with business to reduce on-the-job injuries and associated workers' compensation costs. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Drygas". The signature is fluid and cursive, with a large initial "H" and a long, sweeping underline.

Heidi Drygas
Commissioner