



County Commissioners Association of Pennsylvania
Pennsylvania Municipal Authorities Association
Pennsylvania Municipal League
Pennsylvania School Boards Association
Pennsylvania State Association of Boroughs
Pennsylvania State Association of Township Commissioners
Pennsylvania State Association of Township Supervisors

**COMMENTS ON
HOUSE BILL 308
OSHA FOR PUBLIC EMPLOYEES**

Presented to the House Labor & Industry Committee

February 4, 2025

Thank you for the opportunity to provide comments on House Bill 308. While we fully support efforts to enhance workplace safety, we have serious concerns about the potential unintended consequences this legislation could have on local governments. This bill introduces significant regulatory and financial challenges that warrant careful consideration before implementation.

We extend our appreciation to the sponsors for their concerns about worker safety. However, while we agree that worker safety is an important issue, we do not believe that stringent regulatory requirements, new administrative overhead, and substantial fines will truly promote or improve worker safety at the local government level. Our group opposes any effort to enact a state Occupational Safety and Health Act (OSHA) that would mandate compliance by political subdivisions or require political subdivisions to come under the federal law.

HB 308 would impose substantial costs on local governments, requiring compliance with complex OSHA regulations, documentation mandates, and enforcement mechanisms. These additional expenses could divert funds away from essential services and even necessitate property tax or fee increases in some municipalities. The state itself would also bear significant costs in establishing and maintaining this regulatory structure, with no clear evidence that these expenditures would substantially enhance workplace safety.

Local governments already implement extensive risk management and worker safety programs, including workplace inspections, safety training, and participation in self-insured workers' compensation programs. Many municipalities and authorities belong to insurance pools that incentivize safety improvements. Additionally, existing state laws, such as the Pennsylvania Worker and Community Right to Know Act, provide oversight of workplace hazards.

OSHA regulations were primarily designed for the private sector and do not always align with the realities of public employment. Federal OSHA guidance recognizes that monetary penalties may not be the most effective compliance mechanism for public employers. HB 308, however, mandates blanket adoption of federal OSHA rules without considering necessary adjustments for the public sector.

The bill extends its definition of "public employer" to include nonprofits that receive government funding, such as emergency services, human services providers, and charitable organizations. This would create an additional compliance burden for these organizations, potentially jeopardizing their ability to deliver critical community services. Furthermore, the bill imposes recordkeeping requirements and random inspections that could overwhelm small entities with limited administrative capacity.

The bill establishes civil penalties of up to \$1,000 for minor violations and up to \$10,000 for repeated violations. These fines would ultimately be paid with taxpayer funds, creating a counterproductive cycle of diverting public resources from essential services. Additionally, the bill lacks clarity on who would be held accountable for violations—whether it would be the government entity, elected officials, or supervisory employees.

While worker safety is a top priority, we believe HB 308 is an overly broad, costly, and unnecessary mandate that would create significant financial and administrative burdens on local governments and nonprofit service providers. The existing framework of workers' compensation and risk management programs provides a more effective and practical approach to ensuring workplace safety. We urge the legislature to consider these concerns and explore alternative ways to promote worker safety without imposing excessive regulatory and financial strain on public employers.

We appreciate the opportunity to provide comments on this legislation and are happy to answer any questions or engage in further discussion on these important issues.

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