

HR 1583

Occupational Safety and Health-Fairness Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Apr 3, 2003

Current Status: Subcommittee Hearings Held.

Latest Action: Subcommittee Hearings Held. (Jun 17, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/1583>

Sponsor

Name: Rep. Norwood, Charles W. [R-GA-9]

Party: Republican • State: GA • Chamber: House

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ballenger, Cass [R-NC-10]	R · NC		Apr 3, 2003
Rep. Biggert, Judy [R-IL-13]	R · IL		Apr 3, 2003
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Apr 3, 2003
Rep. Boehner, John A. [R-OH-8]	R · OH		Apr 3, 2003
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Apr 3, 2003
Rep. Isakson, Johnny [R-GA-6]	R · GA		Apr 3, 2003
Rep. Keller, Ric [R-FL-8]	R · FL		Apr 3, 2003
Rep. Kline, John [R-MN-2]	R · MN		Apr 3, 2003

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Hearings By (subcommittee)	Jun 17, 2003

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

No related bills are listed.

Occupational Safety and Health Fairness Act of 2003 - Amends the Occupational Safety and Health Act of 1970 (OSHA) to revise requirements relating to enforcing, contesting, reviewing, and adjudicating citations, failures to correct violations, and assessments of penalties.

Exempts employers from a 15-day deadline for notifying the Secretary of Labor of their intent to contest OSHA citations, notices of uncorrected violations, and proposed penalties, if their failure to meet such deadline results from mistake, inadvertence, surprise, or excusable neglect.

Limits what may be considered willful violations under OSHA.

Requires the Occupational Safety and Health Review Commission (OSHRC) to give de novo consideration to evidence of the penalty's appropriateness with respect to these factors: (1) size and financial condition of the business of the employer; (2) gravity of the violation, considering probability of harm, nature and extent of the harm, number of affected employees, and other relevant factors; (3) employer's good faith, including efforts to comply or abate; (4) history and recentness of substantially similar previous violations of the cited employer at the same nonconstruction worksite and construction worksites in the same State; and (5) the employer's, employees', or other persons' degree of responsibility or culpability for the violation.

Increases OSHRC membership from three to five.

Awards attorney's fees and costs to a prevailing employer in an administrative adversary adjudication, or a judicial review of an action, instituted under OSHA, if at the time such adjudication was initiated or such action filed the employer had not more than: (1) 100 employees; and (2) \$1,500,000 net worth.

Revises judicial review provisions to require deference to be given to reasonable OSHRC conclusions with respect to all questions of law.

Actions Timeline

- **Jun 17, 2003:** Subcommittee Hearings Held.
- **May 2, 2003:** Referred to the Subcommittee on Workforce Protections.
- **Apr 3, 2003:** Introduced in House
- **Apr 3, 2003:** Introduced in House
- **Apr 3, 2003:** Referred to the House Committee on Education and the Workforce.