

S 2066

Occupational Safety Fairness Act

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Nov 18, 2005

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S13374-13375) (Nov 18, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/2066>

Sponsor

**Name:** Sen. Enzi, Michael B. [R-WY]

**Party:** Republican • **State:** WY • **Chamber:** Senate

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Burr, Richard [R-NC]	R · NC		Nov 18, 2005
Sen. Craig, Larry E. [R-ID]	R · ID		Nov 18, 2005
Sen. DeMint, Jim [R-SC]	R · SC		Nov 18, 2005
Sen. Gregg, Judd [R-NH]	R · NH		Nov 18, 2005
Sen. Isakson, Johnny [R-GA]	R · GA		Nov 18, 2005
Sen. Roberts, Pat [R-KS]	R · KS		Nov 18, 2005
Sen. Sessions, Jeff [R-AL]	R · AL		Nov 18, 2005
Sen. Warner, John [R-VA]	R · VA		Nov 18, 2005
Sen. Cornyn, John [R-TX]	R · TX		Jul 13, 2006

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Nov 18, 2005

Subjects & Policy Tags

**Policy Area:**

Labor and Employment

Related Bills

No related bills are listed.

Occupational Safety Fairness Act - 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.

Permits alternative compliance methods by employers.

Authorizes the Secretary of Labor or the Secretary's representative to: (1) provide technical or compliance assistance to an employer in correcting a violation; (2) issue a warning instead of a citation for violations that have no significant relationship to employee safety or health, and in cases where an employer in good faith acts promptly to abate a violation that is not willful or repeated; (3) attempt to contact an employer by telephone, facsimile, or other methods, in investigating an alleged danger or violation, to determine if corrective action has been taken or if there are reasonable grounds to believe a hazard exists; and (4) not conduct an inspection if the Secretary believes either that the request for the inspection was made for reasons other than employee health and safety or that the employees are not at risk.

Increases the Occupational Safety and Health Review Commission (OSHRC) membership from three to five, and sets forth a legal training requirement.

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) \$7,000,000 net worth.

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

Prescribes requirements relating to contesting citations, correcting conditions, written statements following inspections, time periods for issuing or contesting citations, penalties for other than serious citations, unanticipated conduct, adoption of nongovernmental standards, and employee responsibility.

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## **Actions Timeline**

- **Nov 18, 2005:** Introduced in Senate
- **Nov 18, 2005:** Sponsor introductory remarks on measure. (CR S13370-13371)
- **Nov 18, 2005:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S13374-13375)