
Employers must pay cost of safety gear

Advocates say Labor Department ruling will prevent thousands of injuries

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WASHINGTON - Employers will have to pay the full cost for almost all personal safety equipment used by their workers, the Labor Department said Wednesday, a move advocates say will prevent thousands of on-the-job injuries.

The Occupational Safety and Health Administration rule, proposed in 1999 but never adopted in final form until now, would require employers to pay for personal protective equipment, or PPE, like protective clothing and other gear. The rule takes effect in six months.

"When employers pay for PPE, they are more likely to select the right PPE for the hazards present in their workplaces," said Edwin G. Foulke Jr., assistant labor secretary for occupational safety and health. "When employers pay for PPE, we have found that they also make sure that the equipment is maintained and replaced as necessary, and generally take more responsibility for PPE selection and use."

Employers already pay for approximately 95 percent of the cost of personal protective equipment, Foulke said. Paying the rest will cost \$85 million, he said.

OSHA estimated that the rule will result in at least 21,000 fewer occupational injuries per year, he said. It will also save more than \$200 million per year in costs including medical and insurance bills, he said.

Employers will not have to pay for ordinary safety-toed footwear, ordinary prescription safety eyewear, logging boots, and ordinary clothing and weather-related gear that can be worn off the job, the agency said.

The AFL-CIO and the United Food and Commercial Workers sued in January to force OSHA to adopt the rule, claiming the Bush administration's failure to act on the OSHA proposal was endangering workers.

The litigation set a Nov. 30 deadline for final action by OSHA.

The labor groups' lawsuit said workers in some of the country's industries such as meatpacking, poultry and construction are vulnerable to being forced by their employers to pay for their own safety gear. "It should have never taken the threat of a lawsuit and legislation to get the Department of Labor to take these simple steps to protect workers from everyday jobsite hazards and prevent thousands of workplace injuries each year," said Rep. George Miller, D-Calif., the chairman of the House Education and Labor Committee.

The Bureau of Labor Statistics reported more than 4 million worker injuries and more than 5,700 deaths in the private sector in 2006. "America's working men and women deserve the proper equipment to keep them safe on the job, each and every day, and we will thoroughly review this rule to make sure it protects them," AFL-CIO President John Sweeney said.

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