



OSHA Deregulation Proposals 2025

**CHANGES WEAKEN WORKER SAFETY PROTECTIONS
AND TAKE AWAY WORKER POWER** AFL-CIO



Deregulation Proposals

OSHA's:

- General Duty Clause
- Respiratory Protection Program
- Chemical Safety Respiratory Protection Details
- Recordkeeping Requirements COVID-19
- Construction Illumination
- Safety Color Code Standards



General Duty Clause/GDC

Section 5(a)(1)

Occupational Safety and Health Act of 1970

**Requires employers to
provide a workplace
free from recognized hazards
that could cause death or
serious physical harm.**



Proposed General Duty Clause Changes

Section 5(a)(1)

"The General Duty Clause does not require employers to remove hazards arising from inherently risky employment activities, where:

- (1) the activity is integral to the essential function of a professional or performance-based occupation; and**
- 2. the hazard cannot be eliminated without fundamentally altering or prohibiting the activity."**



Proposed GDC Losses

Strips OSHA coverage from workers exposed to:

- “*Inherently risky employment activities*” that are
- “*Intrinsic to work being performed*”
- Potentially weakens employer responsibility to protect workers from hazards without an OSHA standard, such as:
 - **Workplace violence (human or animal)**
 - **Heat illness**
 - **Musculoskeletal hazard**
 - **Infectious or biological agents**





Potential GDC Impacts

Loss of GDC protection may impact:

- Zoo, aquarium, parks employees and animal care technicians.
- First-aid trainers and safety inspectors.
- Recreational therapists in social services, geriatric, disability, mental health and substance abuse care.
- Physical, and occupational therapists.



Proposed Respiratory Protection Program/ RPP Changes

OSHA 29 CFR 1910.134

- Removes requirements for medical clearance evaluations for specific types of respirators
 - Filtering Facepiece Respirators (FFRs)
 - Loose-fitting Powered Air-Purifying Respirators (PAPRs).



FFRs



3M loose-fitting PAPR





Potential RPP Losses

- **Right-to-know and work safely:** Are these respirators safe for me to use, given my health history?
- **Right to refuse:** If I fail a medical clearance evaluation, the *Licensed Physician or Health Care Professional (LPHCP)* can opt-me-out of wearing that kind of respirator – because it’s not safe for ME.
- **Right to receive more protective respirator:** The original OSHA RPP guarantees that if I cannot get comfortable wearing an FFR, I can ask for a PAPR and must receive it free of charge.

Proposed Chemical Safety Changes to Respiratory Protection

Chemical Name	Broadens Employer Discretion	Removes Training Requirements	Removes HEPA/Filter Requirements	Allows Respirators with Less Protection	Removes Medical Evaluation Requirement
<u>1,2 Dibromo-3-Chloropropane (DBCP)</u>	✓	✓	✓	✓	
<u>1,3 Butadiene</u>	✓	✓		✓	
<u>13 Carcinogens (4-Nitrobiphenyl, etc.)</u>				✓	
<u>Acrylonitrile</u>	✓	✓			
<u>Asbestos</u>	✓	✓	✓	✓	
<u>Benzene</u>	✓			✓	
<u>Cadmium</u>	✓	✓	✓		
<u>Coke Oven Emission</u>	✓	✓			
<u>Cotton Dust</u>	✓			✓	
<u>Ethylene Oxide (EtO)</u>	✓			✓	
<u>Formaldehyde</u>	✓				
<u>Inorganic Arsenic</u>	✓		✓		
<u>Lead</u>	✓	✓	✓		
<u>Methylene Chloride</u>	✓			✓	✓
<u>Methylenedianiline</u>	✓		✓		
<u>Vinyl Chloride</u>		✓			



Multiple Proposed Chemical Safety Changes to Respiratory Protection

Employers receive *discretion and flexibility* to:

- Reduce safety training - PPE and respirators.
- Weaken medical evaluation requirements.
- Determine when workers need respirators *and when they don't*.
- Choose type of respirator and even filter types to provide protection against carcinogens
 - *Proposals remove explicit requirements for HEPA filters or mandatory filter end-of-service-life indicators, for example*





Proposed COVID-19 ETS* Changes, OSHA 29 CFR 1910.502

OSHA stopped enforcing the ETS by end of 2021.

COVID recordkeeping responsibilities remained.

Removes employer obligations to:

- Maintain logs tracking when employees bring COVID-19 into workplace
- Make tracking logs available to all employees
- Report workplace covid infections to OSHA
- Report covid hospitalizations that occur **more than 30 days** after workplace exposure

*** ETS: Emergency Temporary Standard**



Proposed ETS Recordkeeping Change Impacts

- Workers lose ability to connect covid illness to workplace exposure
- Workers lose ability to document that long covid is connected to workplace exposure
- Weakens ability to get Workers Compensation
- Weakens pressure on employer to **improve infection control program**



Other OSHA Deregulation Proposals

CONSTRUCTION ILLUMINATION

- Removes explicit requirements that employers provide “adequate lighting” in all areas of construction, including for storage and **EXIT**.



SAFETY COLOR CODES

- Removes requirements to use **specific color schemes** to mark physical hazard:

– **Red for DANGER and STOP**

– **Yellow for CAUTION**



Potential Member Impact

Which OSHA
deregulation
proposals
would impact
your members
the most?

General Duty Clause

Respiratory Protection Program

**Chemical Safety Respiratory
Protection Details**

**Recordkeeping Requirements
COVID-19**

Construction Illumination

Safety Color Code Standards



Questions?