Congress on the impact and funding of state-operated programs for occupational safety and health. State Plan Programs are highly successful, but have experienced significant funding deficiencies for the past seven years.

- **Occupational Safety and Health Administration (OSHA)**: In establishing OSHA, Congress specifically encouraged states to develop their own safety and health plans, which would provide oversight, audit, and states to administer a state program for occupational safety and health, provided the states are “at least as effective as the Federal OSHA.”

  - Congress envisioned a comprehensive national program that would provide safety and health protection in all U.S. states and territories. Prior to the creation of OSHA, many states were already operating programs to protect their workers. Today there are 26 states and territories that operate a State Plan Program for workplace safety and health, and work together through the Occupational Safety and Health State Plan Association (OSHSPA).

  - Federal OSHA has long recognized State Plan Programs for their effectiveness in reducing workplace injuries and illnesses. Since federal OSHA was enacted in 1970, workplace fatalities for the first seven years, federal funding has increased more than 50 percent. The net resources to address workplace hazards have decreased due to inflation and unfunded mandates, and the number of employers and employees continue to increase. Although the number of employers and employees continue to increase in many states, the net resources to address workplace hazards in state plans have declined due to inflation and unfunded mandates from OSHA. The potential impact of these trends continues to reduce enforcement and outreach capabilities and smaller reductions in real dollars available to states have significantly decreased when compared to the federal OSHA financial resources.

  - Federal OSHA is able to fund states at a level up to 15 percent of the program costs. Because the amount that states have not been provided the necessary federal OSHA financial resources.

  - Federal OSHA and the states jointly developed a formula to determine the amount that states should be provided funding that has decreased by 60 percent and injury/illness rates are down 40 percent. Working together with federal OSHA, State Plan Programs have decreased to 0.3 cases per 100 full-time workers. In 2006, state plans conducted nearly 60,000 inspections, identified over 120,000 hazards and assessed over $70 million in penalties. (Charts 5 and 6)

**Impact of State Plan Programs**

State Plan Programs cover approximately 40 percent of private-sector workers nationally. In addition, they extend coverage to more than 10 million workers in the public sector, which includes state and local governments, municipalities, colleges and universities. In all, it’s estimated that the OSHA/State Plan Program states and territories that operate a State Plan Program for workplace safety and health, and work together through the Occupational Safety and Health State Plan Association (OSHSPA).

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**Proposed Funding Solution**

A process must be established to accurately and fairly address the budgetary requirements of State Plan Programs. Funding for state plans is a separate line in the OSHA budget and must be specifically addressed. An increase in the OSHA budget does not increase the portion provided to state-operated programs.

Federal OSHA does not have the state plans in its budgetary process, or address declining state funding as a budget priority. Therefore, OSHA must evaluate Congress on the importance of this issue.

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State Plan Programs
Covering Private and Public Sectors

States Covered by Federal OSHA
Private Sector Only
Army
Montana
Arkansas
Nebraska
Colorado
New Hampshire
Connecticut
New Jersey
Delaware
North Dakota
Florida
Ohio
Georgia
Oklahoma
Idaho
Pennsylvania
Illinois
Rhode Island
Kansas
South Dakota
Louisiana
Texas
Maine
Virgin Islands
Massachusetts
West Virginia
Mississippi
Wisconsin

State Plan Programs
Covering Private Sector Only

Connecticut
New York
Virginia

State Plan Programs
Covering Public Sector Only

Alaska
New Mexico
Arizona
North Carolina
California
Oregon
Hawaii
Puerto Rico
Indiana
South Carolina
Iowa
Tennessee
Kentucky
North Carolina
Maryland
Virginia
Minnesota
Washington
Missouri
Wyoming

State Plan Programs
Covering Public Sector Only

Covering Private and Public Sectors

26 states and one territory have plans covering the private and public sectors. Three states and one territory have plans covering the public sector only. OSHSPA links the 26 state-plan jurisdictions, federal OSHA jurisdictions and Congress.

State Plan Programs have historically led efforts to create multidisciplinary approaches for workplace safety and health. In addition to compliance activity, most states devote significant resources for outreach, including consultative services and training resources to employers and workers.

The OSHA/SHA state has established a strategic planning process that measures program outcomes based on each state’s unique knowledge of local work activity and hazards. This approach is consistent with the requirements of the Government Performance and Results Act (GPRA). Each state’s strategic plan provides objective information for determining budget levels, and enhances public confidence by showing program activities and results.

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