

OSHA's Proposed Database Draws Fire

News

1.27.14

Ed Foulke was quoted in *The National Law Journal* on January 27, 2014.

A federal government proposal to make workplace illness and injury records public amounts to regulation by shaming said employers who have tapped top lawyers to derail the controversial initiative by the Occupational Safety and Health Administration.

The agency extended the public comment period for the rule from February 6 to March 8, and momentum is building among business advocates determined to fight it.

The regulation calls for employers to take data they already collect about workplace incidents and submit it electronically to OSHA rather than keeping a log on paper.

For OSHA, one way to inflict pain is by tarnishing a company's public image, according to the article. Some lawyers argue that injury and illness statistics in isolation don't indicate the quality of a company's safety program, and that reporting the numbers may actually be counterproductive.

"I'm concerned OSHA is trying to paint a scarlet letter on companies," said Ed. "The data does not tell you how good a safety program is, it doesn't tell you anything."

"Is this going to help improve workplace safety? That's the bottom line," he said. "I don't see how it does."

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