



National Safety Council

Position/Policy Statement

POSITION ON THE PROPOSED REVISION, SAFETY AND HEALTH STANDARDS, WALSH-HEALEY PUBLIC CONTRACTS ACT

The following was developed at the meeting of the Board Governmental Relations Committee on October 29, 1968, and approved by the Board of Directors on October 29, 1968:

1. That a permanent, multi-interest Advisory Committee, representative of all interested parties, be appointed within 90 days by the Secretary of Labor, without regard to civil service laws, to consult with and make recommendations to the Secretary of Labor related to the implementation of the safety provision of the Act.
2. That the adoption of national consensus standards developed by nationally recognized standards producing organizations (USASI and NFPA) for implementing the safety provision of the Act be commended and endorsed.
3. That, insofar as possible, safe performance requirements are the preferred method of writing safety standards. Where it is not practicable to define performance, detailed specifications are to be used.
4. That the Secretary of Labor submit to the Advisory Committee for its review and recommendation any and all standards (except those national consensus standard adopted by nationally recognized standards producing organizations such as USASI and NFPA) that he proposes to adopt for the purpose of carrying out the safety provision of the Act. The Secretary should appoint, where necessary, ad hoc groups of consultants and representatives to advise him and the Advisory Committee on specialized problems and with problems of particular industries.
5. That when a situation exists that is not covered by any national consensus standard and if a standard is deemed necessary, the Secretary should make it known and request the appropriate national standard producing organization to develop a national consensus standard. The Secretary may set a reasonable time limit for the development of the standard. If the

- time limit set by the Secretary is not met, the Secretary should, in consultation with the Advisory Committee, appoint a representative, technically competent ad hoc group to develop a national consensus standard.
6. That public hearings be held on any revision of any safety and health standard except those national consensus standards developed by nationally recognized standards producing organizations (USASI and NFPA).
 7. That as to the proposed regulations in the Department of Labor's notice of hearing of September 20, 1968:
 - a. The standards of the USASI and NFPA should be promulgated as safety and health standards forthwith for the purpose of carrying out the safety provision of the Act.
 - b. That the standards, specifications and codes of other federal agencies which are incorporated in the safety and health standards by reference, be specifically designated by name of standard and the agency promulgating same and processed through the procedure described in recommendation 4 and 6.
 - c. That all other standards proposed as safety and health standards for the purpose of carrying out the safety provision of the Act, should be processed through the appropriate procedures described in recommendations 4, 5, and 6.
 - d. That within 30 days after this appointment of the Advisory Committee, the Secretary should submit to the Advisory Committee, the standards or guidelines of the American Society for Testing and Material, American Society of Mechanical Engineers, Compressed Gas Association, American Welding Society, the National Committee on Uniform Traffic Laws and Ordinances, and the Threshold Limit Value guidelines of the American Conference of Governmental Industrial Hygienists, to determine if there is an urgent need for such standards to be adopted immediately, and if so, that the Advisory Committee submit its recommendation as to which of such standards are now urgently needed to carry out the safety provision of the Act.

This position statement reflects the opinions of the National Safety Council but not necessarily those of each member organization.

Approved by the Board of Directors, October 29, 1968