

Government Finance Officers Association (GFOA)
International Municipal Lawyers Association (IMLA)
International Public Management Association for Human Resources (IPMA-HR)
National Association of Counties (NACo)
National League of Cities (NLC)
National Public Employer Labor Relations Association (NPELRA)

May 12, 2009

The Honorable George Miller
Chairman, House Education and Labor Committee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Howard "Buck" McKeon
Ranking Member, House Education and Labor Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Miller and Ranking Member McKeon:

On April 28, 2009 the House Committee on Education and Labor held a hearing on the bill, H.R. 2067, the "Protecting America's Workers Act." Our associations would like to express our strong opposition to this legislation.

H.R. 2067 would mandate OSHA coverage for all public employees, including those currently working in non-covered states. As you know, OSHA currently excludes state and local governments from the definition of employers. Twenty-four states and two territories have voluntarily adopted the federal OSHA standards. (Three of those states and one territory cover public sector employees only.) The remaining states have set their own occupational health and safety standards tailored to the needs of their jurisdiction.

A bill that mandates federal OSHA standards on state and local governments would violate the spirit of the 10th amendment and constitute an unfunded mandate on states and localities, in direct conflict with the Unfunded Mandates Reform Act of 1995. Moreover, state OSHA protections render the bill largely unnecessary. Finally, the increasing strain on the budgets and resources of state and local governments as a result of the economic downturn makes this a particularly inopportune time to impose unnecessary federal standards.

We would be happy to meet with either of you or a member of your staff to further discuss our significant concerns with this legislation. Please feel free to contact any of our groups below.

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