



Mass**COSH**

**Governor Deval Patrick Executive Order:  
Establishing the Massachusetts Employee Safety and Health  
Advisory Committee**

**Fact Sheet**

**Background:** When the U.S. Occupational Safety and Health Act (OSH Act) was passed in 1970, the law made it an **option** for states to provide OSHA protections to their **public employees**. Massachusetts did not exercise that option. For years, Massachusetts safety advocates and public sector unions had urged past Governors and the legislature to extend safety protections to public employees.

On April 28, 2009, Workers Memorial Day, Governor Patrick issued an executive order putting in place several steps toward providing safety protections for state employees. This new executive order is an important first step in evaluating and improving the status of worker protections for state employees.

**Executive order's purpose:** The Executive Order (EO) creates structures and procedures in order to determine the measures needed to protect the safety and health of state employees.

These include:

- A **Safety and Health Coordinator** within each secretariat to implement the EO
- **Labor/management health and safety committees** to assess hazards, measures currently in place, and those needed to ensure safety and health
- **Record-keeping of injuries, illnesses and fatalities**, as is required under the OSH Act.
- **An advisory committee**, comprising officials and union representatives, to gather the information from the committees, review injury/illness/fatality data and determine additional measures needed to ensure the safety and health of state employees

**Who does it cover:** All state agencies in the Executive Branch, including all “executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices.”

**Timeline and details:**

**On or before August 1, 2009:**

1. Each secretariat will select a **Safety and Health Coordinator**. The Safety and Health Coordinator will be responsible for implementing the Executive Order and serve as the secretariat's point of contact for training and other safety and health activities conducted by the Human Resources Division (HRD) and/or the Division of Occupational Safety (DOS).
2. DOS will conduct training for and assist the Coordinators.

3. All state agencies will keep records of occupational injuries, illnesses, and deaths in compliance with regulations under the OSH Act.
4. HRD along with DOS and the Massachusetts Department of Public Health Occupational Health Surveillance Program (DPH OHSP) will establish a process for collecting data. The DOS will provide training to state agencies to facilitate their record-keeping and reporting.
5. HRD will make data available to the DOS and the DPH OHSP, and to new Massachusetts Employee Safety and Health Advisory Committee (see below).
6. **A Massachusetts Employee Safety and Health Advisory Committee** will be established to:
  - evaluate injury and illness data,
  - recommend training and implementation of safety and health measures,
  - monitor the effectiveness of safety and health programs, and
  - determine additional resources needed to protect the safety and health of the Commonwealth's employees.

The 13 advisory committee will include:

- Co-chairs: the Director of Labor or designee and the Chief Human Resources Officer, or designee,
- the DOS Commissioner;
- the Secretary of Administration and Finance, or designee,
- the Director of the Office of Employee Relations, or designee,
- the Commissioner of the DPH, or designee,
- the Commissioner of the Department of Industrial Accidents, or designee,
- four representatives from unions representing state employees,
- one representative from a health and safety advocacy organization, and
- one member of the faculty of the Department of Work Environment at the UMass. Lowell.

**By November 1, 2009:**

Each secretariat and, where appropriate, each department, agency, and/or division, in conjunction with the collective bargaining representatives, will establish joint labor-management health and safety committees.

The committees, in conjunction with the safety and health coordinators will:

- Review measures that are currently in place to protect employees from the most serious workplace hazards and compare this against the consensus standard for that hazard. (The consensus standard are standards developed by safety experts from a wide range of backgrounds)

**On or before October 1, 2010**

- Each secretariat shall forward committee survey results and recommendations to the Massachusetts Employees Safety and Health Advisory Committee and then will report annually to the Advisory Committee on its progress toward enhancing the safety and health of its employees.