

**Testimony of J. Dan McCausland**  
**American Meat Institute**  
**July 16, 2001**  
**Docket No. S-777A**

Good morning. My name is Dan McCausland and I am the Director of Worker Safety for the American Meat Institute (AMI). AMI appreciates this opportunity to testify regarding the issue of workplace ergonomics and future actions by the Occupational Safety and Health Administration (OSHA). AMI has participated as a stakeholder in OSHA's ergonomics efforts for many years, including those in the late 1980's that resulted in the "Ergonomics Program Management Guidelines for Meatpacking Plants." We will continue an active role in the process.

Three fundamental points summarize AMI's position on ergonomics.

1. AMI strongly supports the practice of ergonomics for safety and productivity improvement. Our members have been successfully using ergonomics principles to those ends for more than a decade.
2. The use of voluntary ergonomics guidelines has worked to reduce ergonomics-related injuries. Proof of this assertion lies in the substantially reduced occurrence of such incidents in the meat industry during the past 10 years.
3. AMI opposes the creation of an OSHA ergonomics standard at this time. The science of ergonomics does not provide adequate objective criteria to support an OSHA standard, and trying to force development of a rule will not achieve the desired result.

AMI's position comprises a balanced and appropriate approach to the use of ergonomics in American workplaces today. Although there is little doubt concerning the benefits of ergonomics, the science does not currently lend itself to a structured, regulatory approach. In order to improve occupational safety, therefore, the best course of action is one that facilitates taking full advantage of ergonomics principles without adding the compliance-related burden of a regulation. To this end, there is a practical alternative available through the broader use of voluntary guidelines. Fortunately, the issues that make a formal regulation problematic pose no such problems for the application of voluntary guidelines.

As prelude to further comments, permit me to frame an analogous situation. The current occupational noise exposure rule is generally considered a reasonable approach to protecting hearing in the work environment. If we can imagine for a moment that the relationship between exposure to noise levels exceeding 90dbA and hearing loss was unproven (and that there was, in fact, no decibel scale), we can begin to see the problems with an ergonomics rule. If all we knew – or suspected – was that "high noise levels", sustained over some duration of time, were potentially injurious to workers' hearing, but had no metric to define noise level or exposure duration, then a noise exposure rule would not be possible. We would undoubtedly develop some practical control measures, but an OSHA rule, complete with all of the compliance issues therein, would remain an elusive and futile goal until the metrics became available. We find ourselves in exactly that situation in the case of ergonomics; yet, somehow, many still expect OSHA to develop an ergonomics rule.

My testimony today will focus on two specific aspects of the current inquiry.

1. First, I will discuss voluntary ergonomics guidelines as a workable alternative to developing an ergonomics rule -- perhaps something like the "Ergonomics Program Management Guidelines for Meatpacking Plants."

2. Second, I would like to relate AMI members' experiences with ergonomics since 1990; specifically, the industry's experience with the application of voluntary guidelines to frame our ergonomics programs and develop practical solutions to ergonomics problems.

Application of the meatpacking guidelines over the past 11 years affords us a unique perspective to discuss these two areas, and we think this is pertinent to the current inquiry. In addition, we will provide formal written comments that will directly address the three questions presented in OSHA's June 12, 2001, listing in the *Federal Register*.

### **Voluntary Ergonomics Guidelines**

In August of 1990, the "green book" – OSHA's "Ergonomics Program Management Guidelines for Meatpacking Plants" – was published. The substantial body of work at both NIOSH and the University of Michigan provided primary source information for the guidelines. In addition, a selected bibliography of more than 20 other sources was used to develop this book. The publication was (and is) based on sound science and accepted principles, though the basic inputs are now more than 10 years old. These guidelines were directed specifically at meat industry applications. The principles included in the green book, however, are readily applicable to most general industry situations.

To date, meatpacking is the only industry for which OSHA has developed ergonomics guidelines and it is unclear why this is so. We think the application of these guidelines has worked, continues to work, and so does OSHA. In the prelude to the February 1999 ergonomics "draft" proposal, the agency stated: "Employer experience shows that ergonomics programs work." All of the experiences referenced in that statement have occurred on a voluntary basis – in our industry, by using the meatpacking ergonomics guidelines.

The meatpacking guidelines have a proven record of accomplishment. The meat industry experienced a 40 percent reduction in overall incidents over the past 10 years, and continues a downward trend in ergonomics-related incidents. These guidelines work. This fact is proven by the successful implementation of numerous ergonomics applications, and related incidence rate reductions, in both the meat and automobile industries. Voluntary use of guidelines, and ergonomics programs, is already widespread throughout industry. Publication of new guidelines – for general industry application – by the agency would have a further positive impact on the practice of ergonomics, and on workplace safety.

Additionally, development of a formal regulation is inappropriate, if not impossible, due to the absence of valid objective criteria. The absence of objective criteria is a primary reason for the lack of consensus surrounding an OSHA ergonomics rule, and one of the fundamental issues that led to the November 2000 final rule being rescinded by Congress. Specific cause and effect variables, dose/response relationships, and correlation to work relatedness simply do not exist where ergonomics is concerned. These problems represent serious obstacles to the viability of a standard. This problem is further complicated by the fact that the onset of ergonomics-related injuries is often related to specific worker physical condition(s) every bit as much as to specific work requirements. A regulatory approach cannot deal with this paradox. Although these concerns make a standard problematic, application of guidelines is not similarly affected. Because guidelines are advisory in nature, OSHA could develop and issue guidelines with a far less demanding protocol than that required for rulemaking.

Lastly, adoption of voluntary guidelines does not preclude enforcement activity by OSHA. The General Duty Clause still provides OSHA with an enforcement option against those who would ignore the need to address ergonomic-related incidents. Although not favored by the agency, this approach affords an enforcement opportunity in those cases where enforcement is necessary to resolve unsafe conditions.

Significant time and money has been devoted to ergonomic improvements with noteworthy success through the application of voluntary guidelines to facilitate and complement this progress. Moreover, a benefit of this approach is that there are no issues with scientific validity (of ergonomics) and there is no need to focus on compliance issues. Use of voluntary guidelines facilitates a single purpose, focused strictly on the practice of ergonomics.

### **Meat Industry Experience Since 1990**

The meatpacking guidelines were structured to combine elements of a basic safety and health program with specific ergonomics principles. In fact, the format developed for the guidelines has continued to be used by OSHA in developing other standards. The guidelines have provided a sound framework for the efforts of many companies in our industry to establish practical ergonomics programs and targeted ergonomics solutions to workplace problems.

Specifically, the meatpacking guidelines were designed to:

1. foster a creative, problem solving approach;
2. be flexible to meet the needs of varied and situation-specific applications;
3. promote a range of possible improvements; and
4. provide a framework for development of local ergonomics programs for companies/facilities of all sizes.

Beginning in August of 1990, the meat industry put the ergonomics guidelines to work. So, what are some of the specific things that have happened in the 10+ years since the meatpacking guidelines were issued? Our industry has seen:

1. significantly reduced levels of injuries and incidents;
2. efforts to eliminate ergonomic risks and hazards in a wide-ranging number of applications;
3. programs tailored to individual plant situations; and
4. development of an impressive array of new tools, equipment, methods, and production processes.

Some of these new tools and processes include things such as:

1. adjustable work stations to accommodate height, reach, *etc.*, which have been exceptionally successful where multiple employees use the same workstations on different shifts;
2. lift-assist devices utilizing air, hydraulics, or electricity and many lifting jobs have been radically redesigned to reduce exposure to low back problems;
3. ergonomically improved tools of all kinds, including:
  - o powered shears and knives; various other power assisted devices;
  - o vibration dampening of power tools; air powered, instead of electric;
  - o ergonomically correct tool handles;

- tilt/lift tables, with casters to ease movement of heavy materials;
  - product specific packing stands; adjustable for different size boxes; and ergonomic chairs and keyboards.
4. job enlargement and job rotation techniques that combine numerous innovative methods for relieving ergonomics risk exposures.

All of these things have become commonplace in meatpacking operations and many of them are now virtually industry standards. This was not the case in 1990. In addition, industry suppliers now routinely add ergonomics enhancements to tools and equipment marketed to and used in the industry. This also was not the case in 1990 and all of these changes have occurred in the absence of a specific OSHA ergonomics regulation.

### **Conclusion**

In conclusion, AMI strongly supports the practice of ergonomics. Our members have employed ergonomics techniques to improve safety and productivity in the meatpacking industry for well over 10 years, and the industry has experienced benefits in numerous applications. All of this has been, and continues to be, done through the use of voluntarily applied ergonomics guidelines. We expect that AMI members will continue to use the meatpacking guidelines to improve jobs in our workplaces and we expect continued success in these efforts.

If OSHA's goal is to effect a substantive improvement in safety, voluntary ergonomics guidelines offer a proven record of success and a means that will avoid the many problems identified with implementing a formal rulemaking process. Furthermore, guidelines can be issued relatively quickly, as opposed to the time requirements inherent to the formal rulemaking process.

It is time for practical solutions to the safety issues subsumed by workplace ergonomics. Voluntary guidelines afford an appropriate response by OSHA, and would clearly provide a positive impact on workplace safety.

AMI appreciates the opportunity to voice meat industry concerns in this forum and requests that this testimony be included in the official comment record.

Thank you for the opportunity to speak with you this morning.