

**Testimony of Jake Parson
President, Northeast Division, CRH Americas Materials, Testifying on
Behalf of the National Association of Manufacturers**

**U.S. House of Representatives
Subcommittee on Workforce Protections**

**“Reclaiming OSHA’s Mission: Ensuring Safety Without Overreach”
May 15, 2025**

Chairman Mackenzie, Ranking Member Omar, and members of the Subcommittee, my name is Jake Parson, and I am proud to serve as President of the Northeast Division of CRH Americas Materials, overseeing operations across 10 states from Maine to Maryland. In 1952, my great grandfather founded Jack B. Parson Companies with a simple but powerful ambition: to build and to make a difference. That spirit of hard work, responsibility, and contribution to society has guided four generations of our family in the construction materials industry. Today, I carry that same ambition in my role at CRH, leading thousands of employees who build and maintain the roads, bridges, and infrastructure our communities rely on every day.

CRH is the largest building materials company—crushed stone, cement, ready-mix concrete, hot mix asphalt, pipe and precast, as well as products you know and use in your backyard—and while you may not know us as CRH, you very likely know us as Michigan Paving & Materials and Cadillac Asphalt in Michigan, Hinkle Contracting in Kentucky, Texas Materials in Texas, and Mulzer Crushed Stone in Indiana. Our 50,000 employees across 48 states and over 3,000 operating locations help build the roads and bridges you drive on, deliver the water you drink, and craft the backyards you enjoy. CRH takes great pride in our local communities and takes very seriously our responsibility to ensure the safety of our employees and subcontractors.

Manufacturers like CRH are committed to creating safe work environments for the 13 million people who make things in America—with 99% of manufacturing leaders agreeing that safety is

important to company culture, according to a recent survey¹—all while providing stable jobs, competitive pay, and contributing \$2.93 trillion to the U.S. economy.² Cooperation between manufacturers and employees on safety is key to lower incidents of injury and illness and to maintaining high rates of job satisfaction throughout the industry.^{3,4} This is certainly true at CRH, where we take safety seriously from an employee's first day on the job.

Commonsense labor policies are critical to supporting manufacturing operations and empowering the American worker, sustaining the industries and workers that underpin our nation's prosperity. But regulatory actions by the Department of Labor threaten to impose unrealistic—and in one case unconstitutional—requirements that do little to improve safety, instead adding to the more than \$350 billion in annual compliance costs that manufacturers face as a result of federal regulations.⁵ If we want to grow manufacturing here in the U.S., we need to rebalance regulations that harm the ability of companies like CRH to compete and manufacturing workers' ability to thrive.

OSHA Heat Standard

A problematic rulemaking for manufacturers is the proposed regulation from the Occupational Safety and Health Administration establishing a standard for employers to measure, record, and control for heat in their workplaces. As the National Association of Manufacturers wrote in its comments on the proposed rule, manufacturers in the U.S. already dedicate significant

¹ Chad Moutray and Anjana Radhakrishnan. *The Manufacturing Experience: The Role of Culture and Employee Engagement in Workforce Attraction and Retention* (Manufacturing Institute, September 2023). Available at <https://www.themanufacturinginstitute.org/wp-content/uploads/2023/09/COLONI1.pdf>

² National Association of Manufacturers, <https://nam.org/mfgdata/>

³ *Manufacturers are looking to improve the frontline employee experience. Here's how.* (PricewaterhouseCoopers, November 2023). Available at <https://themanufacturinginstitute.org/research/frontline-employee-experience/#access-the-report>

⁴ *Manufacturing Engagement and Retention Study.* (Manufacturing Institute and American Psychological Association, 2021). Available at <https://themanufacturinginstitute.org/research/manufacturing-engagement-and-retention-study/>

⁵ Nicole V. Crain and W. Mark Crain. *The Cost of Federal Regulation to the U.S. Economy, Manufacturing and Small Business.* (National Association of Manufacturers, October 2023). Available at <https://nam.org/issues/regulatory-and-legal-reform/cost-of-regulations/#crains>

resources to protect their employees from hazardous heat, using tailored approaches with various measurements and controls to mitigate the effects of heat exposure while sustaining productivity.⁶ These protections are required by law under the general duty clause of the Occupational Safety and Health Act and are also the right thing to do for the health and safety of manufacturing workers.⁷

The proposed heat rule misses the mark, however. It mandates one-size-fits-all requirements for manufacturers, despite the fact that companies across our industry have unique production processes and operate in different parts of the country. When it comes to heat, what makes sense for Maine will not make sense for Texas.⁸ The proposed rule fails to account for these important geographic and climate differences. Instead, it establishes uniform heat triggers and controls, based on insufficient evidence. This runs counter to OSHA's practice of recognizing location-specific workplace hazards and is impractical for manufacturers in certain regions and particular industries.⁹ This would put manufacturers in the position of having to reorient or remove all together certain production processes, resulting in harmful impacts on operations. During my time leading an asphalt production and paving business in Texas, I saw firsthand how extreme heat impacts our teams and how local expertise and adaptive safety measures are critical. Now, overseeing similar operations in the Northeast, I face a completely different climate and a different set of challenges. A one-size-fits-all standard simply does not reflect the realities of our industry or the diverse environments in which we operate. Our people are the foundation

⁶ *Comment Letter on Notice of Proposed Rulemaking for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings* (National Association of Manufacturers, January 14, 2025), <https://www.regulations.gov/comment/OSHA-2021-0009-25315>

⁷ Occupational Safety and Health Administration, <https://www.osha.gov/laws-regs/oshact/section5-duties>

⁸ *Secretary of Labor v. United States Postal Service*, Nos. 16-1713, 16-1872, 17-0023, 17-0279 (OSHC. Feb. 17, 2023). Available at: https://www.oshrc.gov/assets/1/18/U.S.P.S.%5E16-1713%5E16-1872%5E17-0023%5E17-0279%5ECommission_Decision_and_ALJ_Decisions.pdf?12255

⁹ Occupational Safety and Health Administration, <https://www.osha.gov/enforcement/directives/lep>

of everything we do. It is our duty to protect them not with rigid mandates, but with practical, localized solutions that truly keep them safe.

The rule also imposes significant compliance burdens on manufacturers, which depend on a responsive workforce to maintain operations and increase production when necessary to meet demand. These include mandates related to rest breaks, acclimatization, and monitoring. For example, certain manufacturing processes are continuous, necessitating employees to always monitor a line. However, the proposed rest breaks above the initial high heat trigger would require these employees to step away multiple times during a shift and for another employee to take their place. Any rulemaking must account for such cost increases. Failing to do so will result in lower productivity and a decrease in American manufacturing competitiveness.

Were OSHA to continue to pursue a rule establishing a heat standard, manufacturers would need to provide further input to communicate best practices already in place to protect employees and point out potential implementation issues. At the very least, any final rule should:

- Adopt a performance-oriented approach that allows employers to tailor controls according to their respective workplaces;
- Conduct a rigorous review to determine regional variations in incidents of heat-related illness;
- Account for the implications of any final rule on employers' operations—in particular, by thoroughly determining the economic and technological feasibility of any proposed controls;
- Consider workforce availability and labor costs associated with hiring additional employees in any economic feasibility analysis;
- Assess the impact of any final rule on the movement of freight; and

- Preclude any references to employee representatives.

OSHA Walkaround

The recent rule from OSHA making changes to the walkaround representative designation process is another example of regulatory overreach. As the NAM wrote in its comments on the proposed rulemaking, the walkaround rule infringes on the constitutional rights of employers and conflicts with our nation's foundational labor laws.¹⁰ While the OSH Act and agency precedent allowed experts and consultants to accompany inspections as reasonably necessary, the walkaround rule opens this right to nonemployee representatives based on tangential qualifications. It exposes employers' facilities to antagonistic third parties and puts OSHA inspectors in the untenable position of adjudicating collective bargaining disputes, undermining the agency's focus on safety. Manufacturers are working to block this unconstitutional and overreaching rule.

Lockout/Tagout Standard

As stated, manufacturers are committed to protecting our employees from workplace hazards. A cooperative approach to safety—rather than punitive enforcement¹¹—promises to yield long-term improvements based on best practices. One area for potential cooperation is in improvements to the control of hazardous energy. The NAM and members of the Council of Manufacturing Associations engaged with OSHA as part of a 2019 request for information on modernization of the lockout/tagout standard.¹² In those comments, manufacturers expressed

¹⁰ *Comment Letter on Notice of Proposed Rulemaking for Worker Walkaround Representative Designation Process* (National Association of Manufacturers, November 13, 2023), <https://www.regulations.gov/comment/OSHA-2023-0008-1953>

¹¹ Occupational Safety and Health Administration, <https://www.osha.gov/memos/2023-01-26/application-of-instance-by-instance-penalty-adjustments>

¹² *Comments on OSHA's Request for Information on the Control of Hazardous Energy (Lockout/Tagout)* (National Association of Manufacturers, Council of Manufacturing Associations, August 19, 2023). <https://documents.nam.org/ERP/NAMCMA LOTO RFI Comments 8.19.19.pdf>

willingness to collaborate with the agency and share best practices on ways to account for technological advances in equipment and the impact of those advances on the lockout/tagout standard, including through permitting the use of control circuit type devices. Real world experiences from the shop floor are the best way to understand the impact of regulation on manufacturing operations.

I am proud to come from a long line of manufacturers and to continue that tradition leading thousands of American manufacturing workers at CRH. Manufacturers in America provide safe, well-paying jobs that strengthen our communities. We will continue to support OSHA in its mission of safety and provide members of this committee with information to legislate and perform effective oversight of our nation's labor laws. Through collaboration, we can enhance our nation's economic competitiveness and empower the American worker.

Thank you for inviting me to testify today and share our story. I look forward to your questions.