

## **Section 1098 E: Codifying the Maritime Occupational Safety & Health Advisory Committee**

### **Background:**

The Maritime Advisory Committee for Occupational Safety and Health (MACOSH) is a 15-member committee which was established by the Department of Labor in 1995. MACOSH has four employer representatives, four employee representatives, four government representatives, and three occupational safety professionals. It advises OSHA on standards and policies affecting the maritime industry (shipbuilding/repair, longshoring and maritime terminals)--an industry which is extremely complex and high-risk. The MACOSH Longshoring and Shipyard Workgroups have held over 30 conference calls and worked together in four face-to-face meetings over the past two years. According to OSHA, "the insight OSHA receives from the Committee is invaluable in reducing the amount of work-related injuries and illnesses." MACOSH is a "discretionary" committee, and must be re-chartered every two years pursuant to the Federal Advisory Committee Act (FACA). Charters may not last longer than two years; to continue operations the General Services Administration must approve an agency's justification to recharter a committee.

### **The Problem:**

MACOSH's work is repeatedly interrupted because charters have not been renewed in a timely manner. Over the past 13 years, there were six MACOSH charters issued, but there were five lapses in operation. Most of these lapses lasted over three months and the longest lasted for 14 months-- due to a cumbersome multi-agency renewal process. By contrast, statutory advisory committees can renew their charters through a streamlined renewal process. For example, OSHA currently has three non-discretionary committees (ACOSH, NACOSH and FACOSH); these have not had lapses in operation due to the non-renewal of charters. In addition to the five delays in rechartering, MACOSH also encountered a 9-month delay awaiting approval of a package of new appointees.

### **Legislation:**

Section 1098E of the National Defense Authorization Act for FY 2017 (H.R. 4909) would amend the Occupational Safety and Health Act (OSHAct) to establish MACOSH as a continuing statutory advisory committee—instead of a discretionary committee. Its scope and size would remain unchanged, consistent with the criteria set forth under Section 7(b) of the OSHAct for advisory committees. The bill would authorize committee members who are otherwise qualified to continue to serve until a successor is appointed. MACOSH costs approximately \$217,000 per year for direct and indirect operations. This legislation would not change its costs.

### **Supporting Organizations:**

Shipbuilders Council of America  
National Association of Waterfront Employers (NAWE)  
General Dynamics/Electric Boat  
Huntington Ingalls  
International Longshoremen's Association (ILA)  
International Brotherhood of Electrical Workers (IBEW Local 733)  
United Steel Workers (USW)

National Maritime Safety Association (NMSA)  
Maritime Administration  
Coast Guard  
Occupational Safety & Health State Plan Association (OSHSA)