

Protecting America’s Workers Act

Senate HELP Committee Ranking Member Bernie Sanders

The Occupational Safety and Health Act (OSH Act) was enacted in 1970 to ensure every worker comes home safe at the end of their shift. While this law has been critical to protecting workers from workplace injuries and deaths over the years, **unfortunately, the OSH Act has failed to keep pace with modern workplaces.**

Millions of workers still fall outside the law’s protections, weak sanctions fail to provide meaningful incentives for employers who cut corners on compliance with safety and health standards, and anti-retaliation protections for workers who report unsafe conditions are antiquated and ineffective.

As a result, too many workers are being injured or killed on the job. According to the Bureau of Labor Statistics in 2024 alone, [5,070 workers](#) were killed on the job—an average of 14 workers who do not go home to their families at the end of each workday. An additional [2.5 million workers](#) reported getting hurt or sick on the job in 2024.

The Protecting America’s Workers Act addresses shortfalls in the law and strengthens health and safety protections for workers by amending the Occupational Safety and Health Act to:

- 1. Extend health and safety protections to millions more workers** by expanding OSH Act coverage to public employees, including federal, state and local workers.
- 2. Impose meaningful penalties for those who break the law, especially egregious violators, by:**
 - Increasing civil monetary penalties as detailed below:

Category of Violation	Current Penalty (Min/Max)	PAWA Penalty (Min/Max)
Willful	\$11,823 to \$165,514	\$50,000 to \$700,000
Serious	\$1,221 to \$16,550	\$20,000 to \$70,000
Other Than Serious	\$0 to \$16,550	\$10,000 to \$30,000
Failure to Abate Hazard	\$0 to \$16,500 per day	\$10,000 to \$70,000 per day
Failure to Post	\$0 to \$16,550	\$5000 to \$25,000

- Authorizing felony charges against employers who knowingly commit health and safety violations that result in death or serious injury. Under current law, an employer may be charged—at most—with a misdemeanor when a willful violation of health and safety laws leads to a worker’s death.
- 3. Protect workers who blow the whistle on unsafe conditions in the workplace** by aligning the OSH Act’s whistleblower protections with more recently updated laws, like the whistleblower protections within the Surface Transportation Act. The OSH Act’s whistleblower provisions have not been updated since their adoption in 1970.

4. Enhance the public's right to know about safety violations by:

- Mandating the Department of Labor (DOL) investigate all cases of workplace deaths or serious injuries.
- Giving workers and their families the right to meet with and provide evidence to DOL investigators.
- Requiring employers to inform workers of their rights under the OSH Act.

5. Clarify an employer's duty to provide a safe workplace by:

- Amending the OSH Act's General Duty Clause to include all workers, including contractors, on the worksite.
- Clarifying the employer's responsibility to provide personal protective equipment to their workers.
- Reversing a Trump-era Congressional Review Act resolution that undermined DOL's ability to hold employers accountable who violate requirements to record workplace injuries and illnesses.