Congress of the United States
House of Representatives
Washington, DC 20515

November 8, 2023

Mr. Douglas Parker
Assistant Secretary for
Occupational Safety and Health
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Assistant Secretary Parker:

As members of Congress, and steadfast supporters of American workers, we thank you for your continued commitment to the health and safety of America's workforce. The important work of the Occupational Safety and Health Administration (OSHA) has never been more critical as employers and workers not only emerge from a global pandemic but will soon be contributing to significant infrastructure projects nationwide. As the nation confronts these challenges and opportunities, we write to encourage urgent consideration of improved enforcement guidance of industry standards for arc-rated (AR) clothing and associated personal protective equipment (PPE).

According to current industry estimates, more than 800,000 American workers are currently without adequate protection and as a result are exposed to potentially life-threatening arc-flash related injuries and hazards on worksites through the country. Congress has expressed concerns in recent years that these hazards are not a result of OSHA standard interpretations but a lack of compliance with recognized industry standards such as National Fire Prevention Association (NFPA) 70E, "Standard for Electrical Safety in the Workplace." This non-compliance has significant human and financial costs, as workers exposed to these threats face life-threatening risk from arc-hazard events.

As implementation of Federal laws such as the *Infrastructure Investment and Jobs Act (IIJA)* (Public Law 117-58) increases demand for projects including electrical grid improvements and electric vehicle (EV) charging stations, tens of thousands of new workers will be exposed to arc-flash and other electrical hazards. We believe that it is critically important that OSHA provide the most relevant and updated guidance to avoid preventable injuries and loss of life from exposures to arc-flash hazards. Catastrophic injuries are preventable if American workers are properly protected with proper PPE.

Congress encourages OSHA to urgently update enforcement policies for existing standards such as NFPA 70E and provide detailed guidance for industry to prepare for the increase in infrastructure projects nationwide. We understand that the current demands faced by the OSHA staff are significant. However, at a time when electrical workers are in high demand and

will be contributing to infrastructure improvements across the nation, OSHA must take action now to prevent needless injuries on electrical worksites.

On behalf of our constituents, we commend OSHA for taking action to improve worker safety from arc-flash hazards. While the agency works to clarify enforcement policy, we encourage prompt approval and issuance of updated guidance as soon as possible and request that your office advise when this guidance is expected to be issued. Thank you for your consideration of this issue of significant importance to our districts.

Sincerely,

Donald Norcross
Member of Congress

Brian Fitzpatrick
Member of Congress