



Before the Senate Commerce Committee
SB 212, State OSHA
Kurt Steinkuhler, Past Chairman, Kansas Roofing Association
Wednesday, March 15, 2017

Madam Chair and Members of the Committee:

My name is Kurt Steinkuhler, President of Geo. Groh and Sons, Inc., a roofing and sheet metal contractor in Emporia, Kansas. I also serve as Past Chairman of the Kansas Roofing Association (KRA).

The KRA urges your approval of SB 212 which directs the Secretary of Labor to create a state OSHA to enforce federal occupational safety and health regulations.

The federal OSHA is one of the most heavy-handed, uncompromising, unforgiving and threatening agencies of the Federal Government. OSHA's authority is absolute. And absolute power corrupts absolutely. OSHA inspectors can sweep into a job site and without challenge levy unreasonable fines and punishment which seemingly bear no relationship to whatever unsafe act is alleged.

Twenty-one states and Puerto Rico have an OSHA-approved state plan that covers both private and state and local government work places. Five states plus the Virgin Islands have state-approved OSHA plans covering public sector work places. These state-run OSHA's enforce the federal standards. However, the enforcement is done in a manner where in many instances the problems can be remedied and the standards met without such onerous and unreasonable penalties being assessed.

Roofing contractors deal with the federal OSHA frequently. I'm not aware of any legitimate roofing company in Kansas which intentionally disregards the safety of its workers. In fact, KRA members continually self-police their job sites to detect and correct any unsafe behavior and conditions. The KRA conducts frequent educational seminars on worker safety for its member companies.

Our employees are our greatest asset, and we cannot afford to have them injured in work place accidents. Training and instilling a safety minded attitude in our employees is very important to all Kansas workers.

We hear from our members that they have had OSHA hide in the shadows and wait for an employee to make a small mistake in how he is doing his job and then sweep in and do a full inspection. Others in the construction industry have reported an inspector visiting a job site and not leaving until he finds something to cite them with.

KRA members are small businesses which provide a good living for thousands of Kansans. Federal agencies like OSHA don't make it any easier to sustain and grow a business. In fact it is just the opposite. They make it more difficult.

The KRA and other members of the construction industry believe it is time to lessen the heavy hand of the federal government on individual citizens and businesses. The 2016 election demonstrated the will of the people to return power to the state and local levels of government. In this instance, while no one is saying that safety and health standards should be relaxed, we are saying that the enforcement of those standards can and should be done by state officials who are more accountable than faceless, nameless federal bureaucrats.

As for the fiscal note the Division of the Budget has attached to SB 212, I think you all are involved in fixing the State's financial picture, so funding the projected expenditures to implement a state OSHA should not be that difficult going forward. My opinion is that this will pay for itself more than just monetarily, but will give the state and the business communities in Kansas the ability to work together to make Kansas one of the safest work places in the United States.

Thank you for the opportunity to testify in support of SB 212 and we urge your favorable consideration. I'd be pleased to stand for questions at the appropriate time.