



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

FINDING

Workers' Family Protection Task Force

I find that establishment of the Workers' Family Protection Task Force is specifically mandated by 29 U.S.C. 671a.

I deem that such establishment is desirable to provide advice and consultation to the Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, in connection with this Institute's functions, that neither the Institute nor any of its existing committees can feasibly perform these duties, and that a satisfactory plan for appropriate balance of committee membership has been submitted.

4 Nov. 93.

Date

Richard A. Lemen

Acting Director, National Institute for
Occupational Safety and Health

C H A R T E R

WORKERS' FAMILY PROTECTION TASK FORCE

Purpose

The Workers' Family Protection Act (29 U.S.C. 671a) mandated the Director of the National Institute for Occupational Safety and Health (NIOSH), hereafter referred to as the Director, in cooperation with the Secretary of Labor, the Administrator of the Environmental Protection Agency, the Administrator of the Agency for Toxic Substances and Disease Registry, and heads of other Federal Government agencies as determined to be appropriate by the Director, to conduct a study to evaluate the potential for, the prevalence of, and the issues related to the contamination of workers' homes with hazardous chemicals and substances, including infectious agents, transported from the workplaces of such workers, and to prepare a report concerning the results of matters studied or evaluated. The Act further mandated the Director to establish a working group to be known as the Workers' Family Protection Task Force to review the study report, determine additional data needs, and develop an investigative strategy.

Authority

29 U.S.C. 671a. The Task Force is governed by the provisions of Public Law 92-463, as amended, (5 U.S.C. App. 2), which sets forth standards for the formation and use of advisory committees.

Function

The Workers' Family Protection Task Force shall review and evaluate the report of a study to be conducted by NIOSH in cooperation with the Secretary of Labor, the Administrator of the Environmental Protection Agency, the Administrator of the Agency for Toxic Substances and Disease Registry, and heads of other Federal Government agencies as determined to be appropriate by the Director, on the potential for, the prevalence of, and the issues related to the contamination of workers' homes with hazardous chemicals and substances, including infectious agents, transported from the workplace on equipment, clothing, or the person. The Task Force will determine and advise the Director about additional data needs, if any, and the need for additional evaluation of the scientific issues related to and the feasibility of developing additional data. If the Task Force determines that additional data are needed, it will develop a recommended investigative strategy for use in obtaining needed information.

Structure

The Task Force shall be composed of not more than 15 individuals to be appointed by the Director from among individuals who are representative of workers, industry, scientists, industrial hygienists, the National Research Council, and government agencies, except that not more than one such individual shall be from each appropriate government agency and the number of individuals appointed to represent industry and workers shall be equal in number.

Members shall be invited to serve for overlapping 4-year terms; terms of more than two years are contingent upon the renewal of the Task Force by appropriate action prior to its termination. Members shall serve after the expiration of their terms until their successors have taken office.

Subcommittees composed of members of the parent committee shall be established to perform specific functions within the Committee's jurisdictions. The Department Committee Management Officer will be notified upon establishment of each subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

Management and support services shall be provided by the Division of Standards and Technology Transfer, NIOSH.

Meetings

Meetings shall be held approximately three times a year at the call of the Chair with the advance approval of a government official, who shall also approve the agenda. A government official shall be present at all meetings.

Meetings shall be open to the public except as determined otherwise by the Secretary or other official to whom the authority has been delegated; notice of all meetings shall be given to the public.

Meetings shall be conducted and records of the proceedings kept, as required by applicable laws and Departmental regulations.

Compensation

Members who are not full-time Federal employees shall be paid at the rate of \$188 per day, plus per diem and travel expenses in accordance with Standard Government Travel Regulations.

Annual Cost Estimate

Estimated annual cost for operating the Task Force, including compensation and travel expenses for members but excluding staff support, is \$53,910. Estimate of annual person-years of staff support required is .40, at an estimated annual cost of \$27,483.

Reports

An annual report shall be submitted to the Secretary through the Assistant Secretary for Health, the Director of the Centers for Disease Control and Prevention (CDC), and the Director of the National Institute for Occupational Safety and Health, CDC, not later than January 15 of each year, which shall contain as a minimum a list of members and their business addresses, the Task Force's functions, dates and places of meetings, and a summary of the Task Force activities and recommendations made during the fiscal year. A copy of the report shall be provided to the Department Committee Management Officer.

Termination Date

Continuing. The charter for the Workers' Family Protection Task Force will terminate two years from the date this charter is approved.

APPROVED:

4 Nov. 93.

Date



Acting Director, National Institute for Occupational Safety and Health

PROPOSED PLAN FOR APPROPRIATE BALANCE OF
COMMITTEE MEMBERSHIP

The Workers' Family Protection Task Force will consist of 15 members, including the Chair, who are knowledgeable of the issues related to the Task Force's functions. They shall be selected from among individuals who are representative of workers, industry, scientists, industrial hygienists, the National Research Council, and government agencies, except that not more than one such individual shall be selected from each appropriate government agency and the number of individuals appointed to represent industry and workers shall be equal in number.

The National Institute for Occupational Safety and Health will give close attention to equitable geographic distribution and to minority and female representation so long as the effectiveness of the Task Force is not impaired.

Appointments shall be made without discrimination on the basis of age, race, sex, cultural, religious, or socioeconomic status.

FINANCIAL OPERATING PLAN (Fiscal Year)

Name of Committee Workers' Family Protection Task Force

Authorized Public Members 10 Current Public Members 0 Other than Authorized 0

*Authorized Federal Members 5 Current Federal Members 0 Number for projected year 0

	1993 Current Fiscal Year	1994 Projected Fiscal Year
<u>TOTAL COSTS PER COMMITTEE</u>	\$ <u>-0-</u>	\$ <u>81,393</u>
1. Operating Costs - TOTAL	<u>-0-</u>	<u>53,910</u>
2. Federal Staff Costs - TOTAL	<u>-0-</u>	<u>27,483</u>
<u>MEMBER COSTS</u>		
1. <u>Meetings</u>		
a. Travel: Non-Federal Members	<u>-0-</u>	<u>15,000</u>
Federal Members	<u>-0-</u>	<u>7,500</u>
b. Per Diem: Non-Federal Members	<u>-0-</u>	<u>11,520</u>
Federal Members	<u>-0-</u>	<u>5,760</u>
c. Consultant fees at \$ <u>188</u> per day	<u>-0-</u>	<u>11,280</u>
d. SUBTOTAL - Meeting Costs	\$ <u>-0-</u>	\$ <u>51,060</u>
e. Number of meeting days		<u>0 / 6</u>
f. Number of non-Federal man meeting days		<u>0 / 60</u>
g. Number of Federal man meeting days		<u>0 / 30</u>
2. <u>Site Visits</u>		
a. Travel: Non-Federal Members	<u>-0-</u>	<u>-0-</u>
Federal Members	<u>-0-</u>	<u>-0-</u>
b. Per Diem: Non-Federal Members	<u>-0-</u>	<u>-0-</u>
Federal Members	<u>-0-</u>	<u>-0-</u>
c. Consultant fees at \$ <u>0</u> per day	<u>-0-</u>	<u>-0-</u>
d. SUBTOTAL - Site Visit Costs	\$ <u>-0-</u>	\$ <u>-0-</u>
e. Number of site visit days		<u>0 / 0</u>
f. Number of non-Federal site visit man days		<u>0 / 0</u>
g. Number of Federal site visit man days		<u>0 / 0</u>
3. <u>Other Committee-related Activities</u>		
a. Travel: Non-Federal Members	<u>-0-</u>	<u>-0-</u>
Federal Members	<u>-0-</u>	<u>-0-</u>
b. Per Diem: Non-Federal Members	<u>-0-</u>	<u>-0-</u>
Federal Members	<u>-0-</u>	<u>-0-</u>
c. Consultant fees at \$ <u>0</u> per day	<u>-0-</u>	<u>-0-</u>
d. SUBTOTAL - Other Activities	\$ <u>-0-</u>	\$ <u>-0-</u>
e. Number of meeting days		<u>0 / 0</u>
f. Number of non-Federal man meeting days		<u>0 / 0</u>
g. Number of Federal man meeting days		<u>0 / 0</u>

*Authorized Federal members designated in the charter.

Name of Committee Workers' Family Protection Task Force

	1993 Current Fiscal Year	1994 Projected Fiscal Year
<u>AD HOC VISITORS</u>		
1. <u>Meetings</u>		
a. Travel: Non-Federal Members	\$ -0-	\$ -0-
Federal Members	-0-	-0-
b. Per Diem: Non-Federal Members	-0-	-0-
Federal Members	-0-	-0-
c. Consultant fees at \$ <u>0</u> per day	-0-	-0-
d. SUBTOTAL - Meeting Costs	\$ -0-	\$ -0-
e. Number of meeting days	<u>0 / 0</u>	
f. Number of non-Federal man meeting days	<u>0 / 0</u>	
g. Number of Federal man meeting days	<u>0 / 0</u>	
2. <u>Site Visits</u>		
a. Travel: Non-Federal Members	-0-	-0-
Federal Members	-0-	-0-
b. Per Diem: Non-Federal Members	-0-	-0-
Federal Members	-0-	-0-
c. Consultant fees at \$ <u>0</u> per day	-0-	-0-
d. SUBTOTAL - Site Visit Costs	\$ -0-	\$ -0-
e. Number of site visit days	<u>0 / 0</u>	
f. Number of non-Federal site visit man days	<u>0 / 0</u>	
g. Number of Federal site visit man days	<u>0 / 0</u>	
<u>ADMINISTRATIVE OVERHEAD</u>		
1. Printing (Special publications, reports, etc.)	-0-	500
2. Rental of Meeting Facilities	-0-	-0-
3. Supplies and Materials (Stationery, Special Equipment, etc.)	-0-	200
4. Special Mailing Cost (Federal Express, Purolator, etc.)	-0-	150
5. Court Reporting/Transcripts	-0-	2,000
6. SUBTOTAL - Administrative Overhead	\$ -0-	\$ 2,850

Name of Committee: Workers' Family Protection Task Force

	1993 Current Fiscal Year	1994 Projected Fiscal Year
<u>TOTAL FEDERAL STAFF COSTS</u>	\$ <u>-0-</u>	\$ <u>27,483</u>
Total Staff Support Years:	<u>-0-</u>	<u>.40</u>
A. Title/Grade: <u>Executive Secretary, Senior Surgeon</u>		
1. Annual Salary	<u>-0-</u>	<u>96,532</u>
2. Cost-of-Living Increase (<u>0</u> %)		<u>-0-</u>
3. Other Projected Increase (<u>0</u> %)		<u>-0-</u>
4. SUBTOTAL - Projected Annual Salary		\$ <u>96,532</u>
5. Fringe Benefits (18% for GS and GM lump sum or 30% for CC)	<u>-0-</u>	<u>28,960</u>
6. Annual Compensation	<u>-0-</u>	<u>125,492</u>
7. Percent of Time Devoted to Committee Work	<u>0 % / 15 %</u>	
8. Net Compensation	<u>-0-</u>	<u>18,824</u>
9. <u>Meetings</u>		
a. Travel	<u>-0-</u>	<u>-0-</u>
b. Per Diem	<u>-0-</u>	<u>-0-</u>
c. Number of days: <u>0 / 0</u>		
10. SUBTOTAL - Meeting Costs	\$ <u>-0-</u>	\$ <u>-0-</u>
11. <u>Site Visits</u>		
a. Travel	<u>-0-</u>	<u>-0-</u>
b. Per Diem	<u>-0-</u>	<u>-0-</u>
c. Number of days: <u>0 / 0</u>		
12. SUBTOTAL - Site Visit Costs	<u>-0-</u>	<u>-0-</u>
13. TOTAL STAFF COST - Employee <u>A</u>	<u>-0-</u>	\$ <u>18,824</u>

Name of Committee: Workers' Family Protection Task Force

	1993 Current Fiscal Year	1994 Projected Fiscal Year
B. Title/Grade: <u>Administrative Assistant, GS-8-6</u>		
1. Annual Salary	\$ <u>-0-</u>	\$ <u>29,354</u>
2. Cost-of-Living Increase (<u>0</u> %)		<u>-0-</u>
3. Other Projected Increase (<u>0</u> %)		<u>-0-</u>
4. SUBTOTAL - Projected Annual Salary		\$ <u>29,354</u>
5. Fringe Benefits (18% for GS and GM lump sum or 30% for CC)	<u>-0-</u>	<u>5,284</u>
6. Annual Compensation	<u>-0-</u>	<u>34,638</u>
7. Percent of Time Devoted to Committee Work		<u>0 % / 25 %</u>
8. Net Compensation	<u>-0-</u>	<u>8,659</u>
9. <u>Meetings</u>		
a. Travel	<u>-0-</u>	<u>-0-</u>
b. Per Diem	<u>-0-</u>	<u>-0-</u>
c. Number of days: <u>0 / 0</u>		
10. SUBTOTAL - Meeting Costs	\$ <u>-0-</u>	\$ <u>-0-</u>
11. <u>Site Visits</u>		
a. Travel	<u>-0-</u>	<u>-0-</u>
b. Per Diem	<u>-0-</u>	<u>-0-</u>
c. Number of days: <u>0 / 0</u>		
12. SUBTOTAL - Site Visit Costs	<u>-0-</u>	<u>-0-</u>
13. TOTAL STAFF COST - Employee <u>B</u>	\$ <u>-0-</u>	\$ <u>8,659</u>

36 USC 5206.

SEC. 207. AUDITS, REPORT REQUIREMENTS, AND PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) **AUDITS.**—For purposes of the Act entitled “An Act to provide for audit of accounts of private corporations established under Federal law”, approved August 30, 1964 (36 U.S.C. 1101 et seq.), the Foundation shall be treated as a private corporation established under Federal law.

(b) **REPORT.**—The Foundation shall, within 4 months after the end of each fiscal year, prepare and submit to the appropriate committees of the Congress a report of the Foundation’s proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(c) **RELIEF FOR CERTAIN FOUNDATION ACTS OR FAILURES TO ACT.**—If the Foundation—

(1) engages in, or threatens to engage in, any act, practice, or policy that is inconsistent with the purposes set forth in section 202(b); or

(2) refuses, fails, or neglects to discharge its obligations under this title, or threatens to do so, the Attorney General may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate.

36 USC 5207.

SEC. 208. IMMUNITY OF THE UNITED STATES.

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligation of the Foundation.

Workers' Family
Protection Act.
29 USC 671a.

SEC. 209. WORKERS' FAMILY PROTECTION.

(a) **SHORT TITLE.**—This section may be cited as the “Workers’ Family Protection Act”.

(b) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress finds that—

(A) hazardous chemicals and substances that can threaten the health and safety of workers are being transported out of industries on workers’ clothing and persons;

(B) these chemicals and substances have the potential to pose an additional threat to the health and welfare of workers and their families;

(C) additional information is needed concerning issues related to employee transported contaminant releases; and

(D) additional regulations may be needed to prevent future releases of this type.

(2) **PURPOSE.**—It is the purpose of this section to—

(A) increase understanding and awareness concerning the extent and possible health impacts of the problems and incidents described in paragraph (1);

(B) prevent or mitigate future incidents of home contamination that could adversely affect the health and safety of workers and their families;

(C) clarify regulatory authority for preventing and responding to such incidents; and

(D) assist workers in redressing and responding to such incidents when they occur.

(c) **EVALUATION OF EMPLOYEE TRANSPORTED CONTAMINANT RELEASES.**—

(1) STUDY.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the National Institute for Occupational Safety and Health (hereafter in this section referred to as the "Director"), in cooperation with the Secretary of Labor, the Administrator of the Environmental Protection Agency, the Administrator of the Agency for Toxic Substances and Disease Registry, and the heads of other Federal Government agencies as determined to be appropriate by the Director, shall conduct a study to evaluate the potential for, the prevalence of, and the issues related to the contamination of workers' homes with hazardous chemicals and substances, including infectious agents, transported from the workplaces of such workers.

(B) MATTERS TO BE EVALUATED.—In conducting the study and evaluation under subparagraph (A), the Director shall—

(i) conduct a review of past incidents of home contamination through the utilization of literature and of records concerning past investigations and enforcement actions undertaken by—

(I) the National Institute for Occupational Safety and Health;

(II) the Secretary of Labor to enforce the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.);

(III) States to enforce occupational safety and health standards in accordance with section 18 of such Act (29 U.S.C. 667); and

(IV) other government agencies (including the Department of Energy and the Environmental Protection Agency), as the Director may determine to be appropriate;

(ii) evaluate current statutory, regulatory, and voluntary industrial hygiene or other measures used by small, medium and large employers to prevent or remediate home contamination;

(iii) compile a summary of the existing research and case histories conducted on incidents of employee transported contaminant releases, including—

(I) the effectiveness of workplace housekeeping practices and personal protective equipment in preventing such incidents;

(II) the health effects, if any, of the resulting exposure on workers and their families;

(III) the effectiveness of normal house cleaning and laundry procedures for removing hazardous materials and agents from workers' homes and personal clothing;

(IV) indoor air quality, as the research concerning such pertains to the fate of chemicals transported from a workplace into the home environment; and

(V) methods for differentiating exposure health effects and relative risks associated with specific

agents from other sources of exposure inside and outside the home;

(iv) identify the role of Federal and State agencies in responding to incidents of home contamination;

Reports.

(v) prepare and submit to the Task Force established under paragraph (2) and to the appropriate committees of Congress, a report concerning the results of the matters studied or evaluated under clauses (i) through (iv); and

(vi) study home contamination incidents and issues and worker and family protection policies and practices related to the special circumstances of firefighters and prepare and submit to the appropriate committees of Congress a report concerning the findings with respect to such study.

Establishment.

(2) DEVELOPMENT OF INVESTIGATIVE STRATEGY.—

(A) TASK FORCE.—Not later than 12 months after the date of enactment of this Act, the Director shall establish a working group, to be known as the “Workers’ Family Protection Task Force”. The Task Force shall—

(i) be composed of not more than 15 individuals to be appointed by the Director from among individuals who are representative of workers, industry, scientists, industrial hygienists, the National Research Council, and government agencies, except that not more than one such individual shall be from each appropriate government agency and the number of individuals appointed to represent industry and workers shall be equal in number;

(ii) review the report submitted under paragraph (1)(B)(v);

(iii) determine, with respect to such report, the additional data needs, if any, and the need for additional evaluation of the scientific issues related to and the feasibility of developing such additional data; and

(iv) if additional data are determined by the Task Force to be needed, develop a recommended investigative strategy for use in obtaining such information.

(B) INVESTIGATIVE STRATEGY.—

(i) CONTENT.—The investigative strategy developed under subparagraph (A)(iv) shall identify data gaps that can and cannot be filled, assumptions and uncertainties associated with various components of such strategy, a timetable for the implementation of such strategy, and methodologies used to gather any required data.

(ii) PEER REVIEW.—The Director shall publish the proposed investigative strategy under subparagraph (A)(iv) for public comment and utilize other methods, including technical conferences or seminars, for the purpose of obtaining comments concerning the proposed strategy.

(iii) FINAL STRATEGY.—After the peer review and public comment is conducted under clause (ii), the Director, in consultation with the heads of other government agencies, shall propose a final strategy for investigating issues related to home contamination

that shall be implemented by the National Institute for Occupational Safety and Health and other Federal agencies for the period of time necessary to enable such agencies to obtain the information identified under subparagraph (A)(iii).

(C) CONSTRUCTION.—Nothing in this section shall be construed as precluding any government agency from investigating issues related to home contamination using existing procedures until such time as a final strategy is developed or from taking actions in addition to those proposed in the strategy after its completion.

(3) IMPLEMENTATION OF INVESTIGATIVE STRATEGY.—Upon completion of the investigative strategy under subparagraph (B)(iii), each Federal agency or department shall fulfill the role assigned to it by the strategy.

(d) REGULATIONS.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, and periodically thereafter, the Secretary of Labor, based on the information developed under subsection (c) and on other information available to the Secretary, shall—

(A) determine if additional education about, emphasis on, or enforcement of existing regulations or standards is needed and will be sufficient, or if additional regulations or standards are needed with regard to employee transported releases of hazardous materials; and

(B) prepare and submit to the appropriate committees of Congress a report concerning the result of such determination.

Reports.

(2) ADDITIONAL REGULATIONS OR STANDARDS.—If the Secretary of Labor determines that additional regulations or standards are needed under paragraph (1), the Secretary shall promulgate, pursuant to the Secretary's authority under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), such regulations or standards as determined to be appropriate not later than 3 years after such determination.