



David McCall
International President

September 16, 2025

Via Email

Committee on Education & Workforce
U.S. House of Representatives
Washington, D.C. 20515

**RE: United Steelworkers opposes and urges you to vote NO on H.R. 2844,
the Michael Enzi Voluntary Protection Program Act.**

Dear Representative:

On behalf of the 850,000 members of the United Steelworkers (USW), I write in opposition to H.R. 2844, the Michael Enzi Voluntary Protection Program Act and urge you to vote NO in tomorrow's markup.

The Voluntary Protection Program (VPP) has existed at the Occupational Safety and Health Administration (OSHA) since the 1980s. In that time, our union — like many others — has had mixed experiences with VPP, with some USW members crediting the program with incentivizing their employers to take health and safety more seriously. However, many other USW Locals have found that their employers actually use VPP as an excuse to ignore their workers' concerns and to neglect hazard mitigation altogether. This range of experiences underscores one of the fundamental flaws of VPP: there is a lot of room for employer abuse of the program. We highlight this issue in the following examples:

- While conducting a safety investigation at a VPP Star facility, USW found "Lockout/Tagout Procedures" were missing the magnitude of the energy that a machine utilizes. When the USW's health and safety representative pointed out this missing information to management, the manager argued that the company did not need to change anything in the procedure because they are a VPP Star site.
- We represented workers at a site that was on OSHA's VPP list, but is now on OSHA's Severe Violator Enforcement Program (SVEP). For context, the SVEP program is a list of employers where OSHA concentrates their resources on inspecting those that have demonstrated indifference to OSH Act obligations by committing willful, repeated, or failure-to-abate violations. The mere fact that an employer can be on OSHA's VPP list at one point, and then on the SVEP list the next shows that there is no such thing as an always "good" employer.

Ownership and workplace culture can change, making the three- to five-year range for inspection exemption status dangerous.

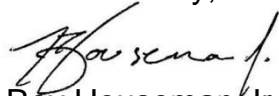
- Finally, and most tragically, our union has experienced fatalities at VPP workplaces where employers did not provide the protections needed to save their workers' lives. At one workplace, a young apprentice electrician was electrocuted while servicing a large air conditioner where the employer failed to have the proper procedures and training in place. We've also had a member die after he was engulfed in a flash fire involving combustible dust. Although OSHA correctly terminated VPP at this latter workplace, we believe that had these workplaces been involved in OSHA's programmed inspections, including its National Emphasis Program inspections, those fatalities could have been prevented.

Clearly, VPP employers' approaches to workplace health and safety (and thus, our union's experiences with the program) are wide-ranging. As such, our union has significant concerns about H.R. 2844, which would codify many of those bad practices.

In fact, this bill would actually be *worse* than the current program. The current program requires worker support for participation and allows workers to remove their employer from the program if the company doesn't live up to its end of the bargain; H.R. 2844 has no such worker voice requirements. VPP currently requires employers to sign a statement saying they will not discriminate against workers who raise health and safety hazards; the bill is silent on that issue. Lastly, VPP requires companies to use the hierarchy of controls, which is the gold standard for addressing hazards; this legislation includes much weaker standards.

In closing, if Congress is serious about a commitment to enhancing worker safety, lawmakers should instead focus on the real ways to achieve that goal: adequately funding and staffing OSHA. Rather than codifying a flawed, voluntary program, this Committee should work with Congressional appropriators to provide sufficient resources to OSHA so that it can carry out its statutory duties. While VPP may have its roots in an understandable idea, it has failed to achieve that idea in practice. With too few requirements, too little oversight, and too broad of experiences, VPP is merely a bandage on a much bigger problem. As such, we urge you to stand with workers by voting NO on H.R. 2844.

Sincerely,



Roy Houseman Jr.
Legislative Director

Assistant to the International President