

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2844  
OFFERED BY MR. MACKENZIE OF PENNSYLVANIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Michael Enzi Vol-  
3 untary Protection Program Act of 2025”.

**4 SEC. 2. MICHAEL ENZI VOLUNTARY PROTECTION PRO-  
5 GRAM.**

6 (a) PROGRAM ESTABLISHED.—The Secretary of  
7 Labor shall establish a program of recognizing employers’  
8 voluntary commitment to establish comprehensive safety  
9 and health management systems that include—

10 (1) requirements for systematic assessment of  
11 hazards;

12 (2) comprehensive hazard prevention, mitiga-  
13 tion, and control programs;

14 (3) active and meaningful management and em-  
15 ployee participation in the voluntary program de-  
16 scribed in subsection (b); and

17 (4) employee safety and health training.

1 (b) MICHAEL ENZI VOLUNTARY PROTECTION PRO-  
2 GRAM ESTABLISHED.—

3 (1) ESTABLISHMENT.—

4 (A) IN GENERAL.—The Secretary of Labor  
5 shall establish and carry out a voluntary protec-  
6 tion program (consistent with subsection (a)) to  
7 encourage excellence and recognize the achieve-  
8 ment of excellence in both the technical and  
9 managerial protection of employees from occu-  
10 pational hazards.

11 (B) DESIGNATION.—The voluntary protec-  
12 tion program carried out under this section  
13 shall be known as the “Michael Enzi Voluntary  
14 Protection Program” (referred to in this Act as  
15 the “Program”).

16 (2) PROGRAM REQUIREMENTS.—The Program  
17 shall include the following:

18 (A) APPLICATION.—Employers who volun-  
19 teer under the Program shall be required to  
20 submit an application to the Secretary of Labor  
21 demonstrating that the worksite with respect to  
22 which the application is made meets such re-  
23 quirements as the Secretary of Labor may re-  
24 quire for participation in the Program.

1 (B) SELF-EVALUATIONS AND ONSITE  
2 EVALUATIONS.—

3 (i) SELF-EVALUATIONS.—Employers  
4 approved by the Secretary of Labor for  
5 participation in the Program shall conduct  
6 annual self-evaluations in accordance with  
7 regulations promulgated by the Secretary.

8 (ii) ONSITE EVALUATIONS.—There  
9 shall be onsite evaluations by representa-  
10 tives of the Secretary of Labor to ensure  
11 a high level of protection of employees. The  
12 onsite visits shall not result in enforcement  
13 of citations under the Occupational Safety  
14 and Health Act of 1970 (29 U.S.C. 651 et  
15 seq.). Any serious hazard or violation iden-  
16 tified during such onsite evaluation shall  
17 be corrected within a 90-day period or, if  
18 such time period is not feasible, as soon as  
19 practicable.

20 (C) INFORMATION.—Employers who are  
21 approved by the Secretary of Labor for partici-  
22 pation in the Program shall assure the Sec-  
23 retary of Labor that information about the  
24 safety and health program shall be made read-

1           ily available to the Secretary of Labor to share  
2           with employees.

3           (D) REEVALUATIONS.—Periodic reevalua-  
4           tions by the Secretary of Labor of the employ-  
5           ers shall be required for continued participation  
6           in the Program.

7           (E) OVERSIGHT.—Worksite audits and  
8           evaluations and other activities related to par-  
9           ticipation in the Program shall—

10           (i) remain under the direct super-  
11           vision of employees of the Occupational  
12           Safety and Health Administration whom  
13           the Director of the Directorate of Coopera-  
14           tive and State Programs designates; and

15           (ii) be conducted by special Govern-  
16           ment employees, as defined in section  
17           202(a) of title 18, United States Code,  
18           under the direct supervision of the employ-  
19           ees designated under clause (i).

20           (3) MONITORING.—To ensure proper controls  
21           and measurement of program performance for the  
22           Program under this section, the Secretary of Labor  
23           shall direct the Assistant Secretary of Labor for Oc-  
24           cupational Safety and Health to take the following  
25           actions:

1 (A) Develop a documentation policy re-  
2 garding information on follow-up actions taken  
3 by the regional offices of the Occupational Safe-  
4 ty and Health Administration in response to fa-  
5 talities and serious injuries at worksites partici-  
6 pating in the Program.

7 (B) Establish internal controls that ensure  
8 consistent compliance by the regional offices of  
9 the Occupational Safety and Health Adminis-  
10 tration with the Program policies of the Occu-  
11 pational Safety and Health Administration for  
12 conducting onsite reviews and monitoring injury  
13 and illness rates, to ensure that only qualified  
14 worksites participate in the Program.

15 (C) Establish a system for monitoring the  
16 performance of the Program by developing spe-  
17 cific performance goals and measures for the  
18 Program.

19 (4) EXEMPTIONS.—A worksite with respect to  
20 which a Program has been approved shall, during  
21 participation in the Program, be exempt from pro-  
22 grammed inspections.

23 (5) NO PAYMENTS REQUIRED.—The Secretary  
24 of Labor shall not require any form of payment for

1 an employer to qualify for or participate in the Pro-  
2 gram.

3 (6) MODERNIZATION OF TECHNOLOGY TO AD-  
4 MINISTER THE PROGRAM.—

5 (A) WRITTEN PLAN.—Not later than 2  
6 years after the date of enactment of this Act,  
7 the Secretary of Labor shall establish a written  
8 plan to modernize the technology used to ad-  
9 minister the Program.

10 (B) CONTENTS OF PLAN.—The plan re-  
11 quired under subparagraph (A) shall include  
12 the procurement, directly or through partner-  
13 ships with nonprofit organizations, of software  
14 or platforms that will modernize the adminis-  
15 tration of—

16 (i) the application process under the  
17 Program;

18 (ii) the annual self-evaluation submis-  
19 sion required under paragraph (2)(B)(i);

20 (iii) the worksite audit reporting pro-  
21 cess under the Program; and

22 (iv) other functions that directly affect  
23 the efficiency of the Program's operations  
24 for the Occupational Safety and Health  
25 Administration and for current and pro-

1           spective employers participating in the  
2           Program.

3           (c) BASIC, NO-COST TIERED SAFETY AND HEALTH  
4 MANAGEMENT SYSTEM CHALLENGE PROGRAM.—

5           (1) IN GENERAL.—The Secretary of Labor shall  
6 modernize and support a tiered challenge program in  
7 the Occupational Safety and Health Administration  
8 (consistent with subsection (a)) to serve as a safety  
9 and health management system evaluation tool for  
10 employers participating in the Program.

11           (2) NO PAYMENT REQUIRED.—The Secretary  
12 shall not require any form of payment for participa-  
13 tion in the Challenge program under this subsection.

14           (d) TRANSITION.—The Secretary of Labor shall take  
15 such steps as may be necessary for the orderly transition  
16 from the voluntary protection program carried out by the  
17 Occupational Safety and Health Administration as of the  
18 day before the date of enactment of this Act, to the Pro-  
19 gram authorized under this section. In making such tran-  
20 sition, the Secretary shall ensure that—

21           (1) the Program authorized under this section  
22 is based upon and consistent with the voluntary pro-  
23 tection programs carried out on the day before the  
24 date of enactment of this Act; and

1           (2) each employer that, as of the day before the  
2           date of enactment of this Act, was participating in  
3           a voluntary protection program carried out by the  
4           Occupational Safety and Health Administration and  
5           was in good standing with respect to the duties and  
6           responsibilities under such program, shall have the  
7           option to continue participating in the Program au-  
8           thorized under this section.

9           (e) REGULATIONS AND IMPLEMENTATION.—Not  
10          later than 2 years after the date of enactment of this Act,  
11          the Secretary of Labor shall issue final regulations for the  
12          Program authorized under this section and shall begin im-  
13          plementation of the Program.

14          (f) FUNDING.—Of the funds appropriated for the Oc-  
15          cupational Safety and Health Administration for a fiscal  
16          year, the Secretary of Labor shall use an amount that is  
17          not less than 5 percent of such funds to carry out this  
18          Act for such fiscal year.

