

Union Calendar No. 463

119TH CONGRESS
2^D SESSION

H. R. 2844

[Report No. 119-538]

To authorize the Department of Labor's voluntary protection program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2025

Mrs. HARSHBARGER (for herself and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Education and Workforce

MARCH 3, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 10, 2025]

A BILL

To authorize the Department of Labor's voluntary protection program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Michael Enzi Voluntary*
5 *Protection Program Act of 2025”.*

6 **SEC. 2. MICHAEL ENZI VOLUNTARY PROTECTION PROGRAM.**

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

11 *(1) requirements for systematic assessment of*
12 *hazards;*

13 *(2) comprehensive hazard prevention, mitigation,*
14 *and control programs;*

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

18 *(4) employee safety and health training.*

19 *(b) MICHAEL ENZI VOLUNTARY PROTECTION PRO-*
20 *GRAM ESTABLISHED.—*

21 *(1) ESTABLISHMENT.—*

22 *(A) IN GENERAL.—The Secretary of Labor*
23 *shall establish and carry out a voluntary protec-*
24 *tion program (consistent with subsection (a)) to*
25 *encourage excellence and recognize the achieve-*

1 *ment of excellence in both the technical and man-*
2 *agerial protection of employees from occupa-*
3 *tional hazards.*

4 (B) *DESIGNATION.*—*The voluntary protec-*
5 *tion program carried out under this section shall*
6 *be known as the “Michael Enzi Voluntary Pro-*
7 *tection Program” (referred to in this Act as the*
8 *“Program”).*

9 (2) *PROGRAM REQUIREMENTS.*—*The Program*
10 *shall include the following:*

11 (A) *APPLICATION.*—*Employers who volun-*
12 *teer under the Program shall be required to sub-*
13 *mit an application to the Secretary of Labor*
14 *demonstrating that the worksite with respect to*
15 *which the application is made meets such re-*
16 *quirements as the Secretary of Labor may re-*
17 *quire for participation in the Program.*

18 (B) *SELF-EVALUATIONS AND ONSITE EVAL-*
19 *UATIONS.*—

20 (i) *SELF-EVALUATIONS.*—*Employers*
21 *approved by the Secretary of Labor for par-*
22 *ticipation in the Program shall conduct an-*
23 *ual self-evaluations in accordance with*
24 *regulations promulgated by the Secretary.*

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

13 (C) *INFORMATION.*—*Employers who are ap-*
14 *proved by the Secretary of Labor for participa-*
15 *tion in the Program shall assure the Secretary of*
16 *Labor that information about the safety and*
17 *health program shall be made readily available*
18 *to the Secretary of Labor to share with employ-*
19 *ees.*

20 (D) *REEVALUATIONS.*—*Periodic reevalua-*
21 *tions by the Secretary of Labor of the employers*
22 *shall be required for continued participation in*
23 *the Program.*

1 (E) *OVERSIGHT.*—*Worksite audits and eval-*
2 *uations and other activities related to participa-*
3 *tion in the Program shall—*

4 (i) *remain under the direct supervision*
5 *of employees of the Occupational Safety and*
6 *Health Administration whom the Director*
7 *of the Directorate of Cooperative and State*
8 *Programs designates; and*

9 (ii) *be conducted by special Govern-*
10 *ment employees, as defined in section*
11 *202(a) of title 18, United States Code,*
12 *under the direct supervision of the employ-*
13 *ees designated under clause (i).*

14 (3) *MONITORING.*—*To ensure proper controls*
15 *and measurement of program performance for the*
16 *Program under this section, the Secretary of Labor*
17 *shall direct the Assistant Secretary of Labor for Occu-*
18 *ptional Safety and Health to take the following ac-*
19 *tions:*

20 (A) *Develop a documentation policy regard-*
21 *ing information on follow-up actions taken by*
22 *the regional offices of the Occupational Safety*
23 *and Health Administration in response to fatali-*
24 *ties and serious injuries at worksites partici-*
25 *pating in the Program.*

1 (B) *Establish internal controls that ensure*
2 *consistent compliance by the regional offices of*
3 *the Occupational Safety and Health Administra-*
4 *tion with the Program policies of the Occupa-*
5 *tional Safety and Health Administration for*
6 *conducting onsite reviews and monitoring injury*
7 *and illness rates, to ensure that only qualified*
8 *worksites participate in the Program.*

9 (C) *Establish a system for monitoring the*
10 *performance of the Program by developing spe-*
11 *cific performance goals and measures for the*
12 *Program.*

13 (4) *EXEMPTIONS.—A worksite with respect to*
14 *which a Program has been approved shall, during*
15 *participation in the Program, be exempt from pro-*
16 *grammed inspections.*

17 (5) *NO PAYMENTS REQUIRED.—The Secretary of*
18 *Labor shall not require any form of payment for an*
19 *employer to qualify for or participate in the Pro-*
20 *gram.*

21 (6) *MODERNIZATION OF TECHNOLOGY TO ADMIN-*
22 *ISTER THE PROGRAM.—*

23 (A) *WRITTEN PLAN.—Not later than 2*
24 *years after the date of enactment of this Act, the*
25 *Secretary of Labor shall establish a written plan*

1 to modernize the technology used to administer
2 the Program.

3 (B) CONTENTS OF PLAN.—The plan re-
4 quired under subparagraph (A) shall include the
5 procurement, directly or through partnerships
6 with nonprofit organizations, of software or plat-
7 forms that will modernize the administration
8 of—

9 (i) the application process under the
10 Program;

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

13 (iii) the worksite audit reporting proc-
14 ess under the Program; and

15 (iv) other functions that directly affect
16 the efficiency of the Program's operations
17 for the Occupational Safety and Health Ad-
18 ministration and for current and prospec-
19 tive employers participating in the Pro-
20 gram.

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

23 (1) IN GENERAL.—The Secretary of Labor shall
24 modernize and support a tiered challenge program in
25 the Occupational Safety and Health Administration

1 *(consistent with subsection (a)) to serve as a safety*
2 *and health management system evaluation tool for*
3 *employers participating in the Program.*

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

7 (d) *TRANSITION.—The Secretary of Labor shall take*
8 *such steps as may be necessary for the orderly transition*
9 *from the voluntary protection program carried out by the*
10 *Occupational Safety and Health Administration as of the*
11 *day before the date of enactment of this Act, to the Program*
12 *authorized under this section. In making such transition,*
13 *the Secretary shall ensure that—*

14 (1) *the Program authorized under this section is*
15 *based upon and consistent with the voluntary protec-*
16 *tion programs carried out on the day before the date*
17 *of enactment of this Act; and*

18 (2) *each employer that, as of the day before the*
19 *date of enactment of this Act, was participating in a*
20 *voluntary protection program carried out by the Oc-*
21 *cupational Safety and Health Administration and*
22 *was in good standing with respect to the duties and*
23 *responsibilities under such program, shall have the*
24 *option to continue participating in the Program au-*
25 *thorized under this section.*

1 (e) *REGULATIONS AND IMPLEMENTATION.*—Not later
2 than 2 years after the date of enactment of this Act, the
3 Secretary of Labor shall issue final regulations for the Pro-
4 gram authorized under this section and shall begin imple-
5 mentation of the Program.

6 (f) *FUNDING.*—Of the funds appropriated for the Occu-
7 pational Safety and Health Administration for a fiscal
8 year, the Secretary of Labor shall use an amount that is
9 not less than 5 percent of such funds to carry out this Act
10 for such fiscal year.

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