

PLEASE **VOTE NO** ON HB26-1054

Protections for Worker Safety

Sponsors: Reps. Rutinel & Velasco



Colorado employers prioritize workplace safety by investing heavily in training, hazard prevention, and creating strong safety cultures. Federal OSHA provides clear, expert-driven standards that work. HB26-1054 adds unnecessary complexity, litigation, and legal risk without improving actual safety outcomes.

KEY REASONS TO VOTE NO

1. **Confusion.**

- Establishes a **separate state enforcement system** on top of existing federal OSHA requirements.
- Employers and workers would face **two conflicting compliance layers**, increasing the chance of inconsistent rules and interpretations.
- Colorado is **not** an OSHA State Plan state → no current authority to enforce or interpret OSHA standards directly.

2. **Conflicting safety standards.**

- Allows CDLE to create new state rules whenever federal protections are judged "**less stringent**" – a vague, subjective standard open to broad interpretation.
- Leads to **two separate, evolving rule sets** (federal OSHA vs. Colorado rules) that could diverge over time.
- Undermines stability, complicates compliance, and confuses everyone involved.

3. **Replaces enforcement with increased litigation.**

- Opens the door for **anyone** – including third-party advocacy groups with **no direct injury** – to file lawsuits seeking:
 - Injunctions, stop-work orders, and statutory damages
- Replaces proactive inspections, expert consultations, and cooperative hazard fixes with **courtroom battles**.
- True safety improves through education, compliance assistance, and targeted enforcement – not endless lawsuits.

4. **Federal preemption.**

- **Section 18 of the federal OSHA Act** prohibits states from regulating OSHA-covered workplace safety issues unless operating an approved State Plan, which **Colorado does not have**.
- Federal law **preempts** state attempts to regulate in these areas.
- In sectors with industry-specific federal oversight (e.g., mining under MSHA), state regulation is even more clearly blocked.

OPPOSITION TO HB26-1054 (list in formation)



Amy Attwood
amy@amyattwood.com
720-840-4912

Meghan Dollar
mdollar@cochamber.com
239-222-3051

Larry Hudson
larry@groupfulcrum.com
303-249-4234