

April 2000

## From Our Readers:



### RE: Proposed OSHA Ergonomics Regulations

The most troubling aspect of the new proposed regulations is the fact that there is no recognized body of knowledge or engineering data that identifies that, if you do this, you'll get that result. We are put into the position of having to do new research to identify, validate and quantify the causes and cures of "injuries" that, for most people, may not even exist.

To properly respond would put a challenge to even a properly qualified research organization. To a small business like ours, it simply thrusts us into the field of fire with no protection and no weapons. If we make it through, we're just lucky. If we get slammed by an OSHA inspector on a career building quest, then, BAM!—we're out of business.

The most immediate effect of the proposed rules as you have described them [Proposed Ergonomics Regulations] is to rekindle a deep and abiding loathing for the bureaucracies of the federal government. It makes my lifetime of investment in my small business into a mere game of chance. The winners are the lawyers, and the losers are the small businesses. The "injured" won't really benefit. Most will lose their jobs as companies abandon areas fraught with risk. We might as well be in a banana republic where all businesses face the daily risk of expropriation by criminal gangs pretending to be governments.

The provisions are onerous beyond description. They call for "management involvement" as though the essential tasks of running a business were only a part-time endeavor. What do we not do in order to devote time to this wild adventure? In my mind, my personal involvement takes a very low priority because it requires an investment with absolutely no possibility of return. All expenditures are purely defensive. The blood-sucking bureaucrats who came up with this hare-brained scheme should have their personal automobile depreciate to zero value as soon as they buy it, and their personal home be mandated to never appreciate in value, so they can personally experience what it is like to make major investments with zero return and no likelihood of return. I'm sure they would feel pretty resentful.

The WTCA survey on ergonomics, while well intentioned, is darned near impenetrable. How does one estimate the unknowable? How much time will it take to find the unknown? What is the cost of diverting your time and attention from minding the essentials of your business to respond to a demanding, all powerful government? What is the cost of missing the really important stuff? Try

this exercise: Drive down the road at 60 miles per hour and shut your eyes tightly for just one second. How much risk were you exposed to? Not much, wouldn't you agree? Now, close your eyes for five seconds. How about ten seconds. Fifteen? At what point does such an exercise make disaster almost certain? Our government has hundreds of bureaucracies, each of them mandating that you take your eyes off the road for just one second, maybe just a smidgen more. How many of these bureaucracies (EPA, OSHA, IRS, INS, etc,) does it take to make disaster almost certain. To survive, you have to ignore some if not most of them.

The message from our government is that we should not invest our fortunes, such as they may be, in our own small business. Put the money in the stock market and into big businesses. They can afford to hire "human relations" directors and "compliance officers" to cope with big government. They can afford the high powered lawyers to fight them off at every turn. They have the economic might to have "pricing control" so they can pay for all these things and pass the costs along to their customers.

So, what's the cost of the latest grand scheme from government? It's the cost of creating an incentive to disinvest in my small business. It's the cost of denying people the opportunity to hold a job and be productive. It's the cost of keeping my small business small enough to not be a target, and to thereby limit the growth and career opportunities of my employees. It's the cost of not committing everything to this business so that, if or when the government comes along and acts to snuff it out, I haven't lost everything. Competition is a risk. I can handle risk. Government is a gamble. I can't handle that!

I send this to you for your pleasure and amusement. I entertain no fantasy that anyone at OSHA (or EPA, or ADA or INS or whatever) actually gives a damn what happens to one small business. We're like passenger pigeons: There's an endless supply of us.

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