LAW OFFICE OF
ADELE L. ABRAMS P.C.

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Mine Safety and Health Administration

MSHA Targets 56 Mines in 8 Weeks of Impact Inspections

Sarah Ghiz Korwan, Esq.

U.S. Department of Labor announced Sept. 28 that in July and August the Mine Safety and Health Administration conducted impact inspections at 29 mines across 22 states.

During these inspections, a total of 534 violations and four safeguard notices were issued.

The initiation of these impact inspections by MSHA can be traced back to the tragic explosion that claimed the lives of 29 miners at West Virginia's Upper Big Branch Mine in 2010.

Thus far in 2023, MSHA's impact inspections have resulted in 1,969 alleged violations, which include 587 significant and substantial (S&S) violations and 40 unwarrantable failure findings.

S&S violations are those that have a reasonable likelihood of causing serious injuries or illnesses, while unwarrantable failure findings are made when inspectors identify conduct that goes beyond ordinary negligence.

These impact inspections are carried out at mines that warrant heightened attention and enforcement due to a history of poor compliance, previous accidents, injuries, illnesses, and other compliance-related concerns.

Among the 534 violations identified in the eight week period covering July and August, 176 were classified as S&S violations, and 18 were designated as having an unwarrantable failure finding. These inspections covered mines in Alabama, Alaska, California, Colorado, Idaho, Indiana, Iowa, Kentucky, Michigan, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Virginia, West Virginia and Wyoming.

MSHA's statement detailed some of the hazards

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miners faced when MSHA inspectors arrived.

Specifically, from July 17 to 18, 2023, MSHA conducted an impact inspection at Buzzi Unicem USA's Lone Star Pryor Plant Mill and Quarry in Mayes, Oklahoma. Selected due to its past enforcement history, notably that the mine was cited for a total of 53 alleged violations including 25 S&S citations. The paper included:

- Failure to perform adequate workplace examinations;
- Housekeeping hazards;
- Exposures to energized electrical conductors; and,
- Failure to maintain guards and provide a safe means of access to work areas.

The Hopedale Mine in Hopedale, Ohio, operated by Leesville Land LLC was cited by MSHA in its newsrelease alleging 16 violations, including 10 S&S and nine unwarrantable failure findings.

MSHA claims the Hopedale mine failed to perform adequate workplace examinations, and that inspectors also found:

- Poor belt and walkway maintenance, including accumulations of loose coal and float coal dust.
- Nine unwarrantable violations related to accumulations of loose coal and coal dust along belts with bottom rollers turning in coal, which could cause a spark and cause an explosion.
- Nine additional unwarrantable violations include not maintaining a clear travel way along belts, not repairing or replacing damaged belt conveyor components, not identifying hazards and for allowing hazardous conditions to exist along belts for several shifts without taking any corrective actions.

Assistant Secretary for Mine Safety and Health, Chris Williamson, expressed concern about ongoing safety issues in the mining industry. He noted that in the last decade, over 20 miners and contractors have lost their lives, and more than 1,000 have suffered disabling injuries or work time losses due to falls from heights. He stated, "MSHA is troubled that this month's impact inspections included citations for hazards the agency has previously highlighted in safety and health alerts, such as fall accidents and hazardous chemicals."

Citations for inadequate workplace examinations and housekeeping issues seem to be perennial favorites of MSHA, which Buzzi Unicem and Leesville Land discovered the hard way. These are conditions which are often and easily overlooked yet can mount into increasing penalties and penalty points. Be vigilant for these conditions to avoid MSHA's wrath and fines.

EPA and OSHA Look at MOU on Enforcement

By Adele L. Abrams, Esq., ASP, CMSP

This summer, the Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) began exploration of a new Memorandum of Understanding (MOU) concerning enforcement under pending chemical safety rules that mandate coordination between the two federal agencies.

The Toxic Substances Control Act (TSCA) Section 6 rule is due to be finalized and EPA and OSHA want to have the cooperative agreement in place before the rules take effect. Because OSHA has more inspectors than the EPA, they get more field access and may observe TSCA violations that can be communicated to the EPA for follow up.

OSHA will not directly enforce EPA rules, but the agencies do have overlapping requirements in terms of air quality and chemical releases involving worker exposures.

The two pending EPA rules under TSCA impact users of methylene chloride and perchloroethylene

(PCE). Those rules are expected to ban some uses of these chemicals while allowing other uses as long as existing EPA chemical exposure limits (ECELs) are met – and these public exposure limits are more stringent than the permissible exposure limits (PELs) enforced by OSHA for the same substances. In addition to the anticipated OSHA/EPA MOU, once TSCA rules take effect, the agencies can look to their state counterparts to aid in enforcement and have resources to address environmental protection. For example, California environmental regulators already cooperate with the EPA frequently.

Occupational Safety and Health Administration

OSHA Reopens Heat Rule Draft for Comments

By Adele L. Abrams, Esq., ASP, CMSP

On August 21, 2023, OSHA's directorate of standards announced the reopening of Docket No. OSHA-2021-0009 – its draft Heat Illness Prevention rule – for supplemental comment until December 23, 2023. This will allow the public to review the responses to the draft rule submitted by the Small Business panel members, comprised of small entity representatives potentially impacted by the rulemaking. The review process is conducted for regulations that would have a substantial impact on a large number of small businesses., and is required under the Small Business Regulatory Enforcement Fairness Act (SBREFA).

The proposed rule addresses heat injury and illness prevention in both outdoor and indoor work settings, and outlines the alternatives and options that OSHA is considering. Other materials available in this docket at www.regulations.gov include the preliminary analysis of the rule's costs, and the draft rule and SBREFA materials. For copyrighted materials that are shielded from view on this website, OSHA instructs to contact their office for access via email at stone.jessica@dol.gov. Interested stakeholders can also submit their comments directly through this portal.

Occupational Safety and Health Administration

OSHA Proposes Walkaround Rule for Union Representatives

By Sarah Ghiz Korwan, Esq.

On August 29, 2023, the U.S. Occupational Safety and Health Administration (OSHA) unveiled a proposed regulation that would give a designated union representative the right to accompany an OSHA inspector during a facility walkaround — regardless of whether the representative is an employee or the facility is a union shop. This is an Obama era policy, known as the "Fairfax Memo", which the Trump administration rescinded in 2017, but now OSHA seeks to revive.

The new rule would allow employees to nominate third-party representatives to accompany OSHA inspectors during workplace walkthrough inspections at their employer's premises. OSHA's stated objective with this proposed rule is to enhance the efficiency of its workplace inspections by granting employees the ability to choose a representative of their preference to accompany the Compliance Safety and Health Officer (CSHO) during physical workplace inspections.

To achieve this, OSHA is specifically proposing amendments to 29 CFR §1903.8(c) to clarify two key points: (1) that a representative authorized by employees can either be an employee of the employer or a non-employee third party, and (2) employees may authorize a third-party representative reasonably necessary to conduct an effective and thorough physical inspection of

the workplace by virtue of their knowledge, skills, or experience.

OSHA is seeking public comment on all facets of this proposed rule. It is particularly interested in understanding the reasons behind why employees might opt for third-party representation.

Additionally, OSHA wants to confirm that the proposed changes to 29 CFR § 1903.8(c) are clear. The agency is reaching out to stakeholders to solicit their opinions on the requirement of "reasonably necessary" as outlined in the Regulation. The formal publication of this proposed rule in the *Federal Register* was August 30, 2023, and the deadline for comments on OSHA's Notice of Proposed Rule is Oct. 30, 2023.

The worker walkaround representative policy can be traced back to a letter of interpretation, the "Fairfax Memo", issued by OSHA on February 21, 2013, authored by Richard Fairfax, who served as the former OSHA Deputy Assistant Secretary. The letter was in response to inquiries from a Health and Safety Specialist affiliated with the United Steelworkers of America based in Pittsburgh, Pennsylvania.

These inquiries sought clarification on two key issues at worksites without collective bargaining agreements:

(1) Whether workers could appoint a representative from a union or community organization to serve as their "personal representative" for purposes related to the Occupational Safety and Health (OSH) Act, and

(2) whether workers could designate a representative from a union or community organization to act on their behalf during a walkaround inspection.

OSHA's proposed rule is similar to 2013 policy in that the OSH Act authorizes participation in the walkaround portion of an OSHA inspection by "a representative authorized by [the employer's] employees," without any limit on whom the employees can choose for a representative.

Likewise, the rationale behind the suggested Regulation draws upon the OSH Act and its well-established rule which grants OSHA compliance officer the authority to permit a non-employee to take part in a worksite inspection by the employer if it is deemed "reasonably necessary for the completion of a comprehensive and effective physical inspection of the workplace. Notably the proposed rule would allow employees to designate third-party interpreters, such as union representatives, while the rule in 2013 contemplated only non-employees if they were industrial hygiene specialists or safety engineers.

In today's tight labor market, unions are having a moment and employers should take heed. OSHA's policy change may encourage unions to participate in OSHA inspections and raise complaints in non-unionized facilities as a strategy to gain entry to these facilities, which they wouldn't typically have access to. This alteration in policy has the potential to significantly bolster union organizing efforts and has garnered widespread approval from the majority, if not all, labor unions.

Now more than ever, it's important to know your rights when OSHA shows up at your operation. If you have questions or concerns, feel free to contact us at 301.595.3520 The comment deadline on the proposal is October 30, 2023., via www.regulations.gov and referencing Docket No. OSHA-2023-0008.

Maryland Employment Law and Regulations

MD Court Declines to Offer Worker Sexual Orientation Protections

By Adele L. Abrams, Esq., ASP, CMSP

In August 2023, the Maryland Supreme Court declined to offer "overlapping" employment protections for LGBTQ individuals at the state

level. The court ruled 4-3 that the state's fair employment laws that apply to "sex-based" discrimination do not apply to discrimination arising from sexual orientation. The state court holding does conflict with a 2020 ruling by the U.S. Supreme Court that held discrimination on the basis of sexual orientation necessarily involves sex-based discrimination.

The Maryland case involves Catholic Relief Services, a religious organization that was charged with discrimination in 2017, after withdrawing health insurance coverage from a gay employee's spouse. The religious group acted because it alleged offering coverage would violate its religious belief that marriage is limited to one man and one woman.

A federal judge ruled last year that the group violated federal laws against sex discrimination in employment, in a summary judgment decision, but had invited the Maryland Supreme Court to respond to a series of questions about the issue under the Maryland Fair Employment Practices Act and the Maryland Equal Pay for Equal Work Act.

The court found that the EPEWA includes the term "gender Identity" which led it to conclude that sexual orientation was not covered. The FEPA expressly includes the term "sexual orientation," leading the narrow majority to conclude that this meant the legislature did not intend to cover sexual orientation under the portion of the statute that barred sex-based discrimination.

The majority stated that the Maryland General Assembly should add that if they choose. They also held that the FEPA has an exemption for religious employers that was added in 2001, to protect them from discrimination claims brought by workers whose duties "directly further the core missions – religious or secular, or both – of the religious entity." The three dissenting judges had urged adoption of the SCOTUS 2020 decision in *Bostock v. Clayton County* upholding protection against discrimination based on sexual orientation.

Occupational Safety and Health Administration

OSHA's Authority to Set Safety Standards Is Constitutional

By Gary Visscher, Esq.

An important decision by the U.S. Court of Appeals for the Sixth Circuit has held the OSHA's authority to set safety standards is constitutional.

OSHA's authority to set safety standards was challenged by Allstates Refractory Contractors. It was supported by several national employer organizations as an unconstitutional delegation of legislative authority.

Whether the case is appealed to the Supreme Court, or whether the Supreme Court accepts an appeal, remains to be seen. Although the Supreme Court has considered several OSH Act cases, it has not specifically ruled on whether the OSH Act is an unconstitutional grant of legislative authority to the Secretary of Labor, specifically, the broad language in section 6 giving OSHA authority to promulgate safety standards that are "reasonably necessary or appropriate."

The Sixth Circuit decision in *Allstates Refractory* joins two other courts of appeals, the 7th Circuit, in *Blockson & Co. v. Marshall*, 582 F.2d 1122 (7th Cir. 1978) and the D.C.Circuit, in *Natl. Mar. Safety Assn*, 649 F.3d 743 (D.C. Cir. 2011) in holding that the OSH Act does not violate the nondelegation doctrine.

The majority opinion in *Allstates Refractory* reviewed the history of Supreme Court rulings on nondelegation of legislative authority. Those rulings, both sides agreed, require that Congress may share legislative authority with another branch of government if in so doing Congress provides an "intelligible principle" to guide, constrain, and limit an agency's exercise of the authority.

The majority opinion by Judge Griffin found that such an "intelligible principle" exists with the OSHA's authority to set safety standards. First,

the Court said, taken as a whole, the OSH Act "sets forth a host of principles, purposes, and goals that the agency must consider or fulfill." Second, the OSH Act limits OSHA's discretion in deciding whether it may issue a particular safety and health standard. "OSHA cannot merely issue any standard it likes; rather, a safety risk must be one that 'requires' some action for a safe workplace." Third, "OSHA must act when a particular hazard 'requires' its action, and it cannot issue any standard when the risk does not rise to that level." Finally, the Court said, the "reasonably necessary or appropriate" language means that "it is something that OSHA can do to ameliorate or mitigate, but not necessarily eliminate, an unsafe condition."

The majority opinion also noted the very few times that the Supreme Court had found statutes to be unconstitutional delegations of legislative authority. After citing to numerous cases, going back to the 1800's, in which statutes were upheld against charges of being unconstitutional delegations, the Court noted that in only two cases ("both in 1935 as part of its resistance to New Deal legislation") had the Supreme Court found the delegations of authority to be unconstitutional. The majority opinion compared the limits and standards placed on OSHA in promulgating safety standards to other grants of legislative authority which have been upheld (even "under standards phrased in sweeping terms") and found the OSH Act well within the range of delegations of legislative authority which have been upheld by the Supreme Court.

In a lengthy and detailed dissent, Judge Nalbandian said that the Supreme Court might now take a more restrictive view of Congress' delegation authority, citing recent dissenting opinions by Justices Gorsuch and Kavenaugh. In order to meet the "intelligible principle" requirement, Judge Nalbandian said, a statute must (1) require fact-finding or a situation which prompts the agency's action, and (2) provides standards that sufficiently guide discretion on which health and safety standards are appropriate. Looking only at the statute "on its face" (and not on its implementation), the dissenting judge said the OSH Act's delegation of authority to issue safety standards (as compared to health standards issued under section 6 (b)(5)) provided neither.

Dept. Of Labor Wage and Hour Division

Federal Overtime Law Changes in Progress

By Adele L. Abrams, Esq., ASP, CMSP

On September 7, 2023, the US Department of Labor published a proposed rule to raise the wage threshold at which employees are exempt from receiving overtime compensation, in a move affecting 3.6 million "low paid salaried workers." The proposal would require payment of overtime to most salaried workers who earn less than $1,059 per week or approximately $55,000 per year. Currently, workers who earn at least $684 per week ($35,568 per year) do not qualify for overtime in most circumstances. Exempt workers do not get any additional pay for working more than 40 hours in a seven-day workweek, while non-exempt employees receive time and a half for all hours exceeding 40 in a work week.

In addition to raising the wage threshold for exemption from overtime compensation, the proposal would:

- Give workers who are not exempt executive, administrative or professional employees overtime compensation above 40 hours in a workweek;
- Automatically update the salary threshold every three years, to reflect current earning data; and,
- Restore overtime protections for workers in U.S. territories: from 2004 until 2019, the overtime requirements were in effect in every territory where the federal minimum wage was applicable, but that was eliminated in the

previous administration, and the proposed rule would return to that practice to align territorial workers the same protections as other U.S. workers.

The comment deadline is November 7, 2023, and the entire proposal can be found at www.regulations.gov, Docket WHD-2023-0001-0001. For assistance on employment law issues, contact Adele Abrams at safetylawyer@gmail.com.

Occupational Safety and Health Administration

Letter of Interpretation Finds Highway Shooting Recordable

In a May 17, 2023 Letter of Interpretation (LOI) OSHA responded to a question regarding the Injury and Illness Recording Rule, 29 C.F.R. 1904, and the scope of the "work-relatedness" requirement for recordable injuries.

Under the Injury and Illness Recording Rule, an employer must record (and in some cases report to OSHA) injuries and illnesses which are (1) work-related and (2) non-minor. The rule states that an injury or illness is "work-related if an event or exposure in the work environment either caused or contributed to the resulting conditions or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment unless an exception in 1904.5(b)(2) specifically applies."

The Rule further defines "work environment" as "the establishment and other locations where one or more employees are working or present as a condition of their employment."

The recent LOI grew out of a specific incident in which an employee, driving a company vehicle and traveling between service calls, was forced to stop at an intersection as a result of a four-car collision caused by another driver going the wrong direction. The driver who caused the accident then exited his car, shot the employee, and stole his vehicle in an attempt to flee the scene.

The question asked of OSHA was whether the "work relatedness" criteria was met, or whether the employee's injury was the result of "such a continuous string of unforeseeable third- party criminal acts," so as to rebut the presumption of work-relatedness (for any injuries which occur in the "work environment") in 1904.5

OSHA found that the employee was "traveling in the interest of the employer" and therefore was in the work environment at the time of the injury.

The LOI then discussed the Rule's general requirements for recording injuries and illnesses resulting from acts of violence in the workplace. "The Recordkeeping rule contains no general exception, for purposes of determining work relationship, for cases involving acts of violence in the work environment." OSHA determined that the facts did not fall under any of the exceptions to recording in 1904.5(b)(2), and therefore the injuries sustained by the employee driver were work-related and recordable.

No doubt recognizing the seeming absurdity of finding that the injury to the driver in the circumstances described in this case must be recorded because it was "work related," the LOI notes that "recording or reporting a work-related injury, illness, or fatality does not mean that the employer or employee was at fault, that an OSHA rule has been violated, or that the employee is eligible for workers compensation or other benefits. OSHA recognizes that injury and illness rates do not necessarily indicate an employer's lack of interest in occupational safety and health."

Federal Motor Carrier Safety Administration

FMCSA Proposes Safety Fitness Determination Rule

By Adele L. Abrams, Esq., ASP, CMSP

On August 24, 2023, the Federal Motor Carrier Safety Administration (FMCSA) released an Advanced Notice of Proposed Rulemaking to obtain public input on ways the agency can improve determination methods addressing when a motor carrier is unfit to operate commercial motor vehicles.

The agency also seeks comments on the use of available safety data and inspection data in making a determination on fitness to operate, and when to remove unfit carriers from the roadways.

Safety Fitness Determinations (SFDs) are currently determined based on an analysis of existing motor carrier data and data collected during an investigation (referred to as a "compliance review" (CR) in 49 CFR § 385.3). The CR may be conducted on-site at the motor carrier's place of business and/or remotely through a review of its records using a secure portal. The existing SFD process analyzes six factors to assign a carrier's safety fitness rating. Federal Motor Carrier Safety Regulations (FMCSRs) and Hazardous Materials Regulations (HMRs) with similar characteristics are grouped together in the six factors as follows:

Factor 1 General — Parts 387 and 390

Factor 2 Driver — Parts 382, 383, and 391

Factor 3 Operational — Parts 392 and 395

Factor 4 Vehicle — Parts 393 and 396

Factor 5 HM — Parts 171, 177, 180, and 397

Factor 6 Accident factor — Recordable accident rate per million miles

FMCSA calculates a vehicle out-of-service rate, reviews crash involvement, and conducts an in-depth examination of the motor carrier's compliance with the acute and critical regulations of the FMCSRs and HMRs, currently listed in 49 CFR part 385, appendix B, part VII.

"Acute regulations" are those where noncompliance is so severe as to require immediate corrective action, regardless of the overall safety management controls of the motor carrier.

"Critical regulations" are related to management or operational systems controls. Overall noncompliance is calculated and rated on a point system within the six factors.

During the investigation, for each instance of noncompliance with an acute regulation or each pattern of noncompliance with a critical regulation one point is assessed. Each pattern of noncompliance with a critical regulation in part 395, *Hours of Service of Drivers*, is assessed two points. For a critical regulation, the number of violations required to meet the threshold for a pattern is equal to at least 10 percent of those sampled, and more than one violation must be found to establish a pattern. In addition, on-road safety data is used in calculating the vehicle and crash factors.

If any factor is assessed one point, that factor is rated as "conditional." If any factor is assessed two points, that factor is rated as "unsatisfactory." Two or more individual factors rated as "unsatisfactory" will result in an overall rating of "Unsatisfactory." One individual factor rated as "unsatisfactory" and more than two individual factors rated as "conditional" will also result in an "Unsatisfactory" rating overall. FMCSA notes that these current practices are resource-intensive and reach only a small percentage of motor carriers.

The ANPRM is available for review and public comment through October 30, 2023, at https://www.fmcsa.dot.gov/regulations/safety-fitness-determinations.

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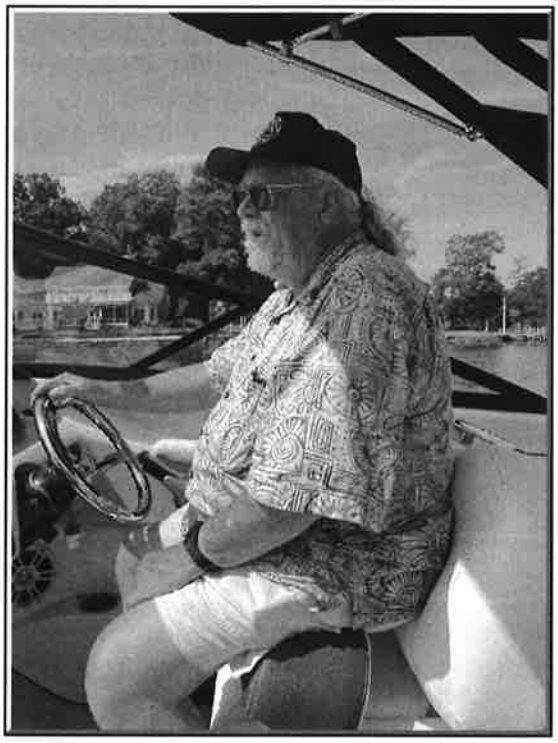
~ In Memoriam ~



Farewell to Jim Anderson

On July 8, 2023, our firm's beloved Chief Financial Officer Jim Anderson passed away suddenly at his home. Jim had a career as an educator in South Carolina and Maryland before his retirement in 2013, when he assumed duties managing financial matters and providing IT assistance at the Law Office. He was also the husband of firm founder Adele Abrams for over 25 years at the time of his death. He also leaves three children and six grandchildren, and his beloved dogs.

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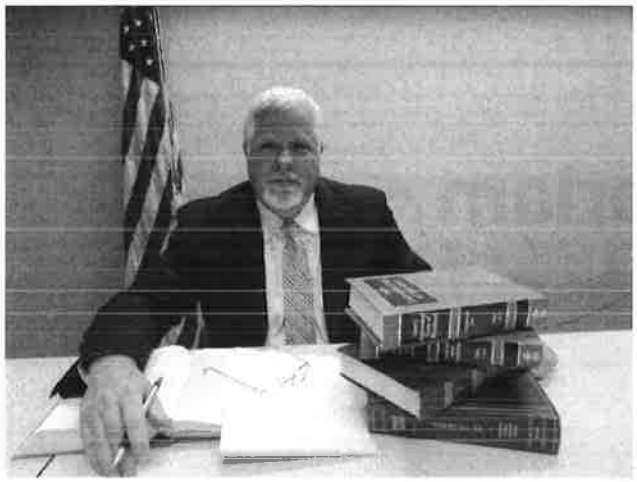

Joseph E. Ashley, Esq. Joins Law Office of Adele L. Abrams PC

The Law Office of Adele L. Abrams PC is delighted to announce a new addition! Joseph E. Ashley, Esq., has joined the firm as our latest attorney and safety professional. Joe recently retired after 30+ years in federal OSHA enforcement. He has also been an attorney for decades assisting clients with litigation and bankruptcy matters. Joe will provide legal support to our clients in OSHA and MSHA cases nationwide and in general matters in MD and DC, and is working from our Beltsville, MD office. Joe will also conduct OHS training and auditing at client worksites.

The Law Office of Adele L. Abrams PC is a full service law firm, focusing on occupational and mine safety and health, employment, and environmental law.

Our attorneys are admitted to practice in Maryland, Colorado, Washington DC, Michigan, Montana, Pennsylvania, and West Virginia. We handle OSHA, MSHA, and EPA administrative law cases around the United States. Our attorneys are admitted to federal courts including: US Supreme Court, US Court of Appeals (DC, 3rd and 4th Circuits), and US District Courts (Maryland, Tennessee, Washington, DC, and West Virginia).

In addition to our litigation practice, the Law Office offers mediation and collaborative law services, as well as consultation, audits, and training on safety, health and employment law issues.

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Don't Miss These Events in 2023

Oct. 4-5: Chesapeake Region Safety Council conference, presentation on Cannabis & Safety, Baltimore, MD
Oct. 22: National Safety Council: pre-Congress master class on Substance Abuse Prevention & Drug Testing, New Orleans, LA
Oct. 23: NSC Congress, presentation on OSHA/MSHA Enforcement Initiatives 2023, New Orleans
Oct. 24: PA Governor's Safety Conference, presentation on Psychological First Aid, Hershey, PA
Nov. 2: Birmingham, Ala., SE Mine Safety and Health Conference presentation on MSHA silica rulemaking.

Our Attorneys

Adele L. Abrams, Esq., CMSP
Firm President

Adele L. Abrams is the founder and president of the Law Office of Adele L. Abrams P.C. in Beltsville, MD, Charleston, WV, and Denver, CO, a multi-attorney firm focusing on safety, health and employment law nationwide. As a certified mine safety professional, Adele provides consultation, safety audits and training services to MSHA and OSHA regulated companies. She is a member of the Maryland, DC and Pennsylvania Bars, the U.S. District Courts of Maryland, DC and Tennessee, the U.S. Court of Appeals, DC, 3rd and 4th Circuits, and the United States Supreme Court. She is a graduate of the George Washington University's National Law Center. Her professional memberships include the American Society of Safety Professionals, National Safety Council, the National Stone, Sand & Gravel Association, Associated Builders and Contractors, the Industrial Minerals Association-North America, and the American Bar Association. In 2017, she received the NSC's Distinguished Service to Safety Award.
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Gary Visscher, Esq.
Of Counsel Emeritus
(DC, MI)

Gary Visscher has long-time involvement in occupational safety and health (OSHA and MSHA) and employment law. Prior to his current position, Gary worked in several U.S. government positions, including Workforce Policy Counsel for the U.S. House of Representatives Education and Workforce Committee, Commissioner on the Occupational Safety and Health Review Commission, Deputy Assistant Secretary for OSHA, and Board Member for the U.S. Chemical Safety Board. He has also served as Vice President, Employee Relations for the American Iron & Steel Institute, and as adjunct professor of Environmental and Occupational Health Policy at the University of Maryland Baltimore County (UMBC). Gary is a member of the Michigan and District of Columbia bars.
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Sarah Ghiz Korwan is a graduate of West Virginia University College of Law. She is the Managing Attorney of the Law Office of Adele L. Abrams P.C.'s West Virginia office. She has extensive experience representing mine operators and individuals cited by the US Department of Labor, Mine Safety and Health Administration and the WV Office of Miners' Safety and Training, and in accident investigations.
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Joseph E. Ashley, Esq. has 30+ years in federal OSHA enforcement. He has also been an attorney for decades assisting clients with litigation and bankruptcy matters. Joe provides legal support to our clients in OSHA and MSHA cases nationwide and in general matters in MD and DC. He is working from our Beltsville, MD office. Joe is available to conduct OHS training and auditing at client worksites.
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