

# 7 Things Employers Should Expect From Trump's OSHA Pick

By **Kristin White and Todd Logsdon** (April 10, 2025)

In February, the White House sent David Keeling's nomination to the U.S. Senate as the president's official pick to head the Occupational Safety and Health Administration.

Keeling is a workplace safety veteran with experience at UPS Inc. and Amazon.com Inc. His background suggests a mix of practical, on-the-ground experience and corporate safety management.

If confirmed, Keeling would assume the role of assistant secretary of labor for OSHA, and ultimately report up to Lori Chavez-DeRemer who was confirmed as the country's newest secretary of labor on March 10.[1]

Keeling's nomination signals potential shifts in workplace safety policy, enforcement priorities and regulatory focus. But how will this translate into action at OSHA? More importantly, what should employers expect?

## Who Is Keeling?

### ***UPS Experience***

Keeling started as a package handler at UPS in 1985 and worked his way up through multiple safety leadership roles. His career at UPS spanned more than 35 years, giving him firsthand knowledge of the challenges in ensuring worker safety at a massive logistics company.

### ***Amazon Safety Leadership***

From 2021 to 2023, Keeling served as director of global road and transportation safety at Amazon, furthering his expertise on workplace safety in high-energy environments.

### ***Industry Reputation***

Keeling has received praise from employers and the business community for his technical expertise and practical understanding of workplace safety.

For example, the Coalition for Workplace Safety submitted a letter of support for Keeling, noting that his experience provides him with a "practical view of how to improve workplace safety." [2]

The International Brotherhood of Teamsters also backed his nomination, posting on social media that it "applauds" Keeling's selection as someone who "started in the trades and understand[s] the risks facing working Americans today." [3]

## Key Takeaways for Employers

Keeling's appointment comes at a time of significant workplace safety debates. President



Kristin White



Todd Logsdon

Donald Trump's administration is expected to roll back several OSHA policies from former President Joe Biden's era, while setting new priorities for enforcement. Here are seven things that employers should prepare for.

### ***1. Electronic injury reporting rules may be rolled back.***

The status of OSHA's electronic recordkeeping rule has flip-flopped back and forth over the past decade — and it's time for another swing of the pendulum under Keeling's leadership.

The Biden-era OSHA expanded requirements for companies to electronically submit injury and illness data,[4] which was often made public, and it even issued an updated compliance directive in the waning days of the administration.[5] A Keeling-led OSHA will most likely reverse or scale back these requirements to reduce regulatory burdens.

### ***2. Public data releases will likely end.***

The Biden administration gave employers a parting gift in December by releasing comprehensive details on nearly 900,000 reported workplace injuries and illnesses that were recorded by OSHA in 2023.[6]

This has already started to increase scrutiny toward employers. However, with Keeling leading the agency, we don't expect another public data dump anytime in the near future.

### ***3. The union walkaround rule may be scrapped.***

Under Biden, a major change was made to the union walkaround rule, allowing employees to bring third-party representatives, including union officials, along for OSHA inspections — even in nonunion workplaces.[7]

This rule has generated controversy, and a Keeling-led OSHA is expected to work toward reducing its influence, if not removing it altogether. We might also see the agency stand aside as legal challenges brought by business groups work their way through the court system.

### ***4. Heat illness prevention regulations may be on the chopping block.***

OSHA has been working on a nationwide heat safety standard to protect outdoor and warehouse workers from extreme temperatures.[8] The proposed standard includes specific compliance requirements pertaining to breaks, shade and temperature.

However, this initiative has faced business opposition due to compliance costs. We expect Keeling's OSHA to press pause on developing the standard while he and OSHA carefully review comments submitted during the rulemaking phase.

Further, we anticipate that Keeling will either significantly revise or completely scrap the one-size-fits-all nature of the current proposed standard, i.e., that it would apply to all industries regardless of the work involved.

Instead, Keeling will prioritize OSHA's prevention program that focuses on "Water. Rest. Shade," which is enforced through the general duty clause of the Occupational Safety and Health Act.[9]

Both the prevention program and OSHA's national emphasis program for outdoor and indoor

heat-related hazards recommend best practices for employee safety, but they give employers leeway to find methods that account for the challenges and needs of their industry.[10]

Remember: The national emphasis program remains in place through April 2026, and state-level rules, e.g., in California, Nevada and Maryland, will continue to apply.

### ***5. OSHA will reshape its inspection and enforcement priorities.***

During Trump's first term, OSHA slashed the number of inspectors it deployed to oversee more than 8 million workplaces to the lowest numbers on record.[11] While those numbers rose under the Biden administration, we expect to see further streamlining under Keeling's leadership.

We expect that Keeling will face pressure to modernize enforcement efforts, in the sense of allowing employers to consider the ways in which technology can improve their processes — especially from the Department of Government Efficiency.[12]

We also expect to see OSHA increase its focus on high-risk industries, e.g., construction, manufacturing, logistics, warehousing, etc., and ease compliance burdens on lower-risk sectors.

### ***6. A broader infectious disease standard will fade away.***

While Biden's OSHA ultimately scrapped plans to finalize an outdated COVID-19 regulation in January, it started the ball rolling on a broader infectious disease standard that could have created compliance obligations for healthcare employers across the country, such as masking, vaccine and testing requirements for various diseases.[13] However, we expect Keeling to end this initiative and instead reduce the focus on regulatory action.

### ***7. State-level regulations will become more important.***

With potential federal rollbacks, states that have their own OSHA plans — such as California, Washington and Oregon — may take the lead in implementing stricter safety rules. Employers that operate in multiple states will need to track and adapt to a patchwork of state-specific compliance requirements.

## **What Should Employers Do Now?**

While Keeling still requires Senate confirmation before helming the leadership post, businesses should take proactive steps to prepare for potential regulatory shifts. Here's what employers can do.

### ***Review the company's safety programs.***

Ensure compliance with current federal and state safety requirements. Even if federal regulations loosen, state-specific rules may still apply.

### ***Train managers and supervisors.***

OSHA inspections and workplace safety programs depend heavily on manager-level enforcement. Train teams on heat safety, injury prevention and compliance best practices.

### **Monitor regulatory updates.**

Stay informed about OSHA policy changes and state-level initiatives, as some states will likely strengthen their own enforcement efforts.

### **Audit the company's recordkeeping.**

Even if electronic injury reporting is rolled back, maintaining accurate records remains critical for legal defense and liability management.

### **What's Next?**

The Senate confirmation process will provide further insight into Keeling's policy priorities, but if he is confirmed, both the business and labor communities could see a focus on compliance and assistance, rather than enforcement, when it comes to efforts to improve worker safety.

With that in mind, businesses should place a renewed emphasis on compliance best practices, especially when it comes to the practical, on-the-ground corporate safety measures that Keeling has likely experienced firsthand in his array of industry experience.

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*Kristin R.B. White and Todd B. Logsdon are partners and co-chairs of the workplace safety and catastrophe management practice group at Fisher Phillips.*

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[1] <https://www.fisherphillips.com/en/news-insights/trump-shocks-employers-by-tapping-chavez-deremer-for-secretary-of-labor-the-10-things-employers-can-expect.html>.

[2] <https://workingforsafety.com/blog/cws-supports-nomination-of-dave-keeling-to-lead-osh/>.

[3] <https://x.com/Teamsters/status/1890442239731724578?mx=2>.

[4] <https://www.fisherphillips.com/en/news-insights/oshas-new-electronic-recordkeeping-rule.html>.

[5] <https://www.osha.gov/sites/default/files/enforcement/directives/CPL-02-00-172.pdf>.

[6] <https://www.osha.gov/Establishment-Specific-Injury-and-Illness-Data>.

[7] <https://www.fisherphillips.com/en/news-insights/updated-oshas-issues-final-rule-allowing-union-walkthroughs.html>.

[8] <https://www.fisherphillips.com/en/news-insights/oshas-releases-first-ever-national-heat-safety-rule.html>.

[9] <https://www.osha.gov/heat-exposure/water-rest-shade>.

[10] <https://www.osha.gov/enforcement/directives/cpl-03-00-024>.

[11] <https://www.politico.com/story/2019/06/17/number-of-workplace-safety-inspectors-fall-under-trump-1531659>.

[12] <https://www.fisherphillips.com/en/news-insights/white-houses-new-doge-efficiency-initiative.html>.

[13] <https://www.fisherphillips.com/en/news-insights/bidens-osha-abandons-covid-19-regulation-in-favor-of-broader-infectious-disease.html>.