

# FORUM

## Republican OSHA "Improvement" Bill Would Gut Workplace Safety Rules



**Guest Column**  
Rep. Major Owens, D-New York

\$4,043

If, as Talent suggests, three quarters of the work sites experiencing serious injuries have not had an OSHA inspection in 10 years, then we should expand OSHA's capabilities rather than cripple an underfunded agency. We cannot put the fox in charge of the chicken coop by allowing employers to regulate themselves. The worst element of this Republican Trojan horse is that it provides extensive benefits to employers for using third-party and self-audits. The legislation would exempt employers from OSHA penalties for two years for using these inspectors to assess workplace hazards. These "auditors," who may not be experienced health and safety professionals, could merely offer non-mandatory recommendations. The audit results would be shielded from OSHA and civil courts. I disagree with this blanket liability protection provided to employers that

knowingly fail to correct recognized harms to workers, their families, and the public. Equally objectionable is the provision that reverses current law and allows OSHA to refuse to respond to employee-requested inspections. The intent is to prevent OSHA from being used by unions as a tool for harassing employers during labor-management disputes. However, as Talent and Enzi know, the majority of American workers are unorganized and do not have a union to represent them. So, before using OSHA reform to punish unions, I suggest that the sponsors consider the interests of the majority of employees who have nowhere to go except OSHA. The Republican bill also rewards employer ignorance by barring OSHA citations unless an employer knows of an OSHA violation. I am surprised to hear my Republican colleagues support the notion that ignorance of the law is

a valid excuse for failure to comply. H.R. 2579 further rewards employers for poor management practices by fining employees for violating work rules. Health and safety are management responsibilities, and management has the means to discipline unsafe employees. They don't need OSHA's help.

H.R. 2579 amends the NLRA to allow employers to establish workplace health and safety committees. While this provision is limited in scope, I strongly object to any legislation allowing employers to establish workplace committees and control employee representation in matters dealing with work conditions. H.R. 2579 preempts state drug laws that were enacted to prevent employer abuses of drug testing and to ensure testing accuracy. It would turn OSHA inspectors into drug testers and allow employers to peek into the off-the-job lives of their employees. We must maintain a serious gaze upon the deadly statistics that reveal an unsafe workplace: 6,500 job-related deaths from injury; 862,200 illnesses and 13.2 million nonfatal injuries require that we remain vigilant of the proposals being peddled as the "Safe Act," which in reality constitutes a "Death and Injury Act."

## Where Was the Amistad Story Before Spielberg?

By EARL OFARI HUTCHINSON

Steven Spielberg recently told an interviewer that he wouldn't have made the film Amistad, if he couldn't tell it as the story of Joseph Cinque, the reputed leader of the shipboard slave revolt. He felt that the story would only make sense if moviegoers had someone they could identify with. This approach points to a sad, but painful truth about African-American history. While there are scores of heroes and heroic acts in Black history, many African Americans don't know about them. This is inexcusable. The story is straightfor-

ward enough. In 1839, 53 Black slaves were transported illegally from West Africa on a Spanish schooner from one Cuban port to another. Led by Cinque, the slaves revolted at mid-sea, commandeered the ship, and attempted to sail it back to Africa. They never made it. The ship floundered for two months at sea, was captured by a U.S. Navy cruiser and towed to Connecticut. In a bitter two-year court battle, the case became a cause for abolitionists, drew much national and international attention and stirred political intrigue and controversy. Eventually the Amistad captives were freed in a landmark Supreme Court decision, and repatriated back

to their African homeland. But why did it take top gun Hollywood filmmaker Spielberg to make millions of Americans aware of this magnificent tale of triumph and heroism? Ignoring African-American history is bad enough, but commercializing or romanticizing it is even worse. Let's hope the Amistad story won't suffer that fate. Dr. Earl Ofari Hutchinson is the author of The Assassination of the Black Male Image and the forthcoming The Crisis in Black and Black.

## Striving for the Truth in South Africa

By GEORGE WILSON, NNPA



**Guest Column**  
George Wilson

Since 1995, citizens of South Africa have been watching the work of the Truth and Reconciliation Commission. The commission was set up to ostensibly provide a vehicle for the country to confess its sins during the era of apartheid. Under the leadership of Archbishop Desmond Tutu, it is divided into three parts — investigation, amnesty and pardon. How this works is that an individual or group can come forward and confess to politically motivated crimes or indicate that they have some knowledge of offenses. The commission hears from these persons, who are eventually pardoned. Just a few months ago some White police officers admitted to killing several Black men and literally burning them on a rotisserie while they drank beer. Others have admitted to torturing Black political activists, like Steven Biko, when they were in police custody. Those who have chosen to come forward can now get on with their lives while the families and loved ones of victims derive a macabre sense of closure. The commission's work is scheduled to end this year.

However, the amnesty portion has been extended for five months. In all of the time that the commission has been in place and in spite of the grisly confessions that some have made, the coverage of the commission's work has been low key. However, since the former wife of Nelson Mandela, Winnie Mandela's name was brought up in relation to the killing and disappearances of two young men, the "mainstream media" has been engaging in what could best be described as "trial by commission." In order for there to be no confusion, let me state clearly that I do not condone murder or mayhem. However, the allegations raised by some who have testified before the commission deserve more investigation than has been done to date. As an outsider who has been to South African recently, it seems strange that allegations

of murder come just before Nelson Mandela's term is about to expire and when Winnie Mandela is a prime candidate to become South Africa's next vice president. Given the amount of popular support that she enjoys among the rank and file, the prospect of Winnie Mandela as vice president is not a comfortable thought for some who want to smile away the horrors of apartheid. It occurs to me that when apartheid was in its heyday, the system worked quite effectively to incarcerate as many Blacks as possible. Therefore, if there is sufficient evidence to back up allegations that are being made against Winnie Mandela, why hasn't she been formerly charged with murder? I don't think that the justice system has to wait for the commission to complete its work before it does what it is legally mandated to do.

A well-known politician once told me that "commissions are formed when politicians really don't want to do anything, so what they do is study the problem." The Truth and Reconciliation Commission in South Africa is traveling the same road as President Clinton's Commission on Race. Both provide an emotional release for some, but do very little to change the conditions under which too many function. Senseless killings, economic deprivation, sub-standard housing and state-sanctioned injustice can't be talked away. The truth that is lurking in South Africa as well as in the United States, is that the quality of life continues to deteriorate for a vast number of people. The only balm for the hurt that is being administered is nice sounding words. Perhaps, Frederick Douglass put it best when he said in a speech given in 1857 that "those who favor freedom, and yet depreciate agitation are men who want crops without plowing up the ground." George Wilson is a 16-year Capitol Hill correspondent for the American Urban Radio Network.

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**NOTICE OF PUBLIC HEARING**  
**REZONING OF PROPERTY**  
**CITY OF WINSTON-SALEM**

The Board of Aldermen will consider requests to amend the City of Winston-Salem Zoning Ordinance by rezoning property as shown below:  
DATE: January 5, 1998 TIME: 7:30 p.m.  
PLACE: Board of Aldermen Chamber, City Hall

- Petition of Salem Plaza, Inc.; The Trusthouse, Inc.; Railroad Building Partners; and One Salem Tower Partnership; from GO to CB; property located at the northwest corner of Liberty Street and Brookstown Avenue. W-2198
- Petition of Wachovia Bank N. A. for property owned by Linwood L. Davis; from RS-9 and GO-S (Child Day Care Center; Medical or Dental Laboratory; Funeral Home; Hospital or Health Center; Medical and Surgical Offices; Offices, Miscellaneous; Professional Offices; Banking and Financial Services- TWO-PHASE) to GO-S (Services, Business A); property located on the west side of Silas Creek Parkway approximately 325 feet south of Fairlawn Drive and at the northeast terminus of Ferncliffe Drive. W-2199
- Petition of Graziano Camastra for property owned by B.C. Real Estate Investments, Inc. and Holly K. Bodford; from LB-S (Restaurant (without drive through service)) and RS-9 to LB-S (Car Wash); property located on the southeast corner of Jonestown Road and Frandell Road. W-2200.
- Petition of JKT Enterprises for three separate tracts of land: Tract 1 - from RS-9 to IP; property located at the northwest corner of Lansing Drive and Buckeye Lane (unopened) and at the southwest corner of Buckeye Lane (unopened) and Berl Street (unopened); Tract 2 - from RS-9 to IP; property located at the northeast corner of Lansing Drive and Buckeye Lane (unopened) and at the southeast corner of Buckeye Lane (unopened) and Berl Street (unopened); Tract 3 - from RM-12-S (Residential Building, Multifamily) to IP; property located on the north side of Berl Street (unopened) across from Buckeye Lane (Unopened). W-2201.
- Petition of the City of Winston-Salem; from RSQ to RM-12-S (Residential Building, Multi-Family - Two Phase); property located on the east side of Dunleith Avenue between 17th and 18th Streets. W-2195.
- Proposal to amend Article II "Definitions" and Section 3-3.2 "Off-Street Parking Requirements" of the UDO to reduce the parking regulations for a new use of Computer Data Centers - UDO-34.

Prior to the hearing, interested persons may obtain any additional information which is in the possession of the City / County Planning Board in that office at City Hall on weekdays, 8:00 a.m. to 5:00 p.m. Interested citizens will be given an opportunity to be heard. All requests for appropriate and necessary auxiliary aids and services must be made within a reasonable time prior to the hearing to Angela Carmon at 727-2056 or TDD No. 727-8319.

**THIS MEETING WILL BE BROADCAST LIVE ON CITY TV-13.**  
Renee P. Rice, Secretary to the Board of Alderman

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