



Julie Menin
Commissioner

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Dr. David Michaels
Assistant Secretary of Labor
Occupational Safety & Health Administration
200 Constitution Avenue
Washington, D.C. 20210

Re: Unsafe working conditions for nail salon workers

Dear Secretary Michaels:

The Occupational Safety & Health Administration (“OSHA”) has recognized that nail salon workers face daily hazards including exposure to chemicals from glues, polishes, removers and other salon products; muscle strains from awkward positions or repetitive motions; and risk of infection from contact with client skin, nails, and blood. Workers, advocates, and an increasing number of scientists claim that exposure to chemicals routinely used in salons is causing workers to experience potential reproductive harm, cancers, bronchial irritation, painful skin conditions, and might contribute to development challenges in children. It is particularly disturbing that the workers who face the brunt of these health hazards are largely immigrant women who work for low wages and are often subjected to wage theft and other illegal employer practices.

The New York City Department of Consumer Affairs (“DCA”) urges OSHA to take immediate steps to protect salon workers by providing safety and health consultation services to nail salon owners, reviewing and revising the permissible exposure limits (“PELS”) of toxins in the workplace and by conducting inspections.

The nail salon industry is booming. According to census data, there are more than 17,000 nail salons in the United States. The U.S. Bureau of Labor Statistics reports that salons employed approximately 87,000 workers in 2012 and that number is expected to grow by 16% over the next seven years. New York City is the nail salon capital of the United States, with salons dotting the streets of nearly every neighborhood. An estimated 2,000 nail salons in New York City employ a reported 13,100 nail salon workers.

OSHA must use its existing tools, such as education and training, to protect workers and bring businesses into compliance. Guided by these principles, we are conducting educational and outreach work to ensure that salon owners and



workers understand fully their respective rights and obligations under laws the Department enforces. According to OSHA's website, the agency has the ability and resources to conduct on-site compliance checks when businesses request them. We urge OSHA to consider undertaking a large-scale compliance review of salons in New York City and we are prepared to offer assistance to OSHA to ensure that salon owners know of and can access this critical OSHA resource.

DCA also urges OSHA to use its authority review and update the current PELs to protect the health and safety of nail salon workers. Advocates have expressed serious concerns about the adequacy of the PELs, as they were established for industrial settings and not nail salons; fail to take into account nail salon workers' exposures to multiple chemicals; and do not consider that safe exposure levels may vary based on gender and other factors. OSHA must swiftly review and address these serious concerns.

The agency should also consider conducting targeted inspections of nail salons in New York City, particularly since nail salon workers, who are among the most vulnerable and exploited in the City, are not likely to come forward, even in the face of serious hazards. They may be fearful of retaliation from employers, concerned about immigration consequences, or stymied by language barriers.

We are prepared to work closely with OSHA to act quickly to protect salon workers from work conditions that endanger their health and look forward to your response.

Sincerely,

Julie Menin
Commissioner