

Trump Nominates Sullivan for Last Vacant Seat on Occupational Safety and Health Review Commission

May 24, 2017

President Donald Trump has nominated attorney James Sullivan to the U.S. Occupational Safety and Health Review Commission (OSHRC) to fill the remaining vacancy on the three-member commission.

OSHRC is an independent agency that adjudicates contested citations between employers and the Occupational Safety and Health Administration through administrative trials and appellate review. Appellate review is conducted by politically appointed, Senate-confirmed members. Appeals of administrative law judge decisions are accepted only by discretionary review. This means the Review Commission can decline to accept a petition for review. The OSHRC has operated without a full number of Commissioners since April 2015. The lack of a full complement of members has left cases undecided due to the absence of a quorum. A full OSHRC likely will result in more cases being accepted for review and decisions being issued in older cases that have been pending review.

With the addition of Sullivan, the majority members of the Review Commission will have backgrounds as management representatives, something the Commission has not seen since the departure of Chairman W. Scott Railton in 2007. This likely will affect key decisions issued by the three-member panel.

In a [White House statement](#), the Trump Administration said Sullivan is a labor and employment attorney in Philadelphia, with 37 years of experience representing employers and practicing occupational safety and health law. Most recently, he has been a shareholder with the law firm Buchanan, Ingersoll and Rooney P.C. and a member with the law firm Cozen O'Connor.

Sullivan also served as vice president of labor and employment law and deputy general counsel for Philadelphia-based Comcast Cable Communications Inc.

From 2014 to 2017, Sullivan served as the management co-chair of the Occupational Safety and Health Law Committee of the American Bar Association's Labor Law Section. He received a B.A. from The Pennsylvania State University and a J.D. from The Georgetown University Law Center.

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