Arguing as an Art Form

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My father was the type of person who could make a customer service agent cry. He would argue his case with manager after manager until he found someone who could do what he wanted. It didn't matter if a sale ended months ago; we always got the sale price. When I got my first car, the dealership actually *lost* money on the sale.

I never questioned his argumentative nature, especially since it usually benefitted me, but now as I watch corporations do it, I feel a little guilty.

In 2008, combustible sugar dust caused an explosion at an Imperial Sugar refinery that killed 14 people and injured 36 more. An investigation by OSHA found hundreds of safety violations which lead to a proposed $8.7 million fine.

Imperial Sugar — despite being warned about dust problems as late as 2002 and as early as the 1960s — argued the fine and settled with OSHA for $6.05 million.

Temporarily putting aside the fact that the explosion killed 14 people, the company had been warned about the issue since the 60s. In 40-some years, someone should have done something, but they did nothing.

To me, Imperial Sugar got off easy. I'm not saying that $6 million isn't a substantial amount for a fine, but if you ignore an issue for 40 years and kill people in the process, you should get a heck of a lot more.

Why do we give companies the right to argue fines? If it's something as important as worker safety — something that puts people's lives at risk — it should be as simple as black and white. If OSHA says you are in violation of safety codes, you should pay for it. You shouldn't be able to hire an attorney to argue that you should be responsible for only some of the violations.

If a company has a problem with a requirement forcing them to pay fines, then maybe they should do more to fix safety problems before OSHA needs to get involved.

What's your take? Drop me a line at amy.radishofski@advantagemedia.com [2].

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