

1. Skylar Williams, 45
2. unknown name
3. Marie C. Evans, 57
4. Roberto Ceja Mireles, 42
5. Andrew John Lenz, 38
6. Jeremiah McCollum, 32
7. unknown name
8. Wilson Iraheta, 55
9. unknown name, 76
10. Tom Smith, 42
11. Luis Medina Bernal, 50s
12. Gregory Michael De Leon
13. David Galyean
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15. Salvador Rincon, 68
16. Philip Marich, 53
17. Hector Vazquez, 46
18. Curtis Gresham, 43
19. Thomas Casillio
20. Nelly Chi Salazar-Kantun, 39
21. Brian Christensen
22. John Jacini, 48
23. Jose Davalos
24. Brian Law, 34
25. Juan Gonzalez, 33
26. William Woolard
27. Alejandro Campos, 50
28. Jose Castillo
29. James Dennis Robbins, 53
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32. Joseph Parrish
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46. Aaron Faulk
47. Gurbinder Singh
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52. Eddie Parra
53. Talalelei Lealao-Taiao, 53
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67. Carlos Ubaldo Corona
68. Randy Riley
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88. Marcus Zane Powell, 25
89. Glenn Hodgson, 49
90. Jessie Julian
91. Alfredo Lopez
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93. unknown name
94. unknown name
95. Christopher Clayton
96. Jesus Gonzales
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98. unknown name
99. Scott Hewell, 33
100. José Rodriguez, 40
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102. unknown name
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107. Richard Maberto
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109. unknown name
110. Allen Calloway, 32
111. Adan Munoz
112. Ben Carlson, 32
113. Jose Garcia Negrete
114. unknown name
115. Jerry White
116. Robert Carrasco, 24
117. unknown name
118. Erik Ceron Alegria
119. Leo Clark Gobel
120. Sergio Hernandez, 50
121. unknown name, 61
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129. Antonio Lopez
130. Vince J Zuniga
131. Juan A. Macias
132. Mark Santos, 24
133. Randy Byers
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136. unknown name, 55
137. unknown name
138. unknown name
139. Greg Howery
140. unknown name
141. unknown name
142. unknown name
143. Urelío Duran
144. Robert Limon, 38
145. unknown name
146. unknown name
147. Lisandro Garcia
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150. Carlos Lara
151. Juan Castellano
152. Helen Johnston
153. unknown name
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171. unknown name
172. unknown name
173. Miguel Angel Ruiz Jr., 21
174. Chanthavy Chanthapaseuth, 40
175. unknown name
176. Priscila "Precy" Moreto
177. Danny Oliver, 42
178. Michael David Davis, Jr., 42
179. Jesus Fernandez, 51
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182. Michael Alsbury, 39
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187. Jon Richard Dennis, 69
188. unknown name
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190. unknown name
191. unknown name
192. unknown name
193. Thomas Hoover, 57
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195. Jimmy Herrera, 37
196. unknown name
197. unknown name
198. unknown name
199. unknown name
200. unknown name
201. unknown name
202. unknown name
203. unknown name
204. Jimmy Pen... 70
205. Timothy Mi... 39
206. unknown name
207. unknown name
208. Richard... 48

# DYING at WORK in CALIFORNIA the HIDDEN STORIES behind the numbers

2015

**WORKSAFE**  
safety, health, and justice for workers  
seguridad, salud, y justicia para los trabajadores



## FIRST MOURN. THEN WORK LIKE HELL FOR THE LIVING!

This is Worksafe's fifth annual report released in conjunction with Workers Memorial Day, an international day of remembrance for workers killed and injured on the job.

Every year, the production of this report is a sobering reminder of the real consequences of unabated hazards and employer intransigence, of the prioritizing of profit over the people whose labor makes it possible.

Hundreds of men and women once again died before their time in 2014, or were injured or made ill. They were simply trying to provide for themselves and their families, and, time and again, the conditions underlying these tragedies were entirely preventable. We hope that the information, statistics, and, especially, stories contained here will serve to remind us of what's at stake, and spur us all to action in each of our roles—as citizens, advocates, stakeholders, policymakers, and fellow workers.

This report is dedicated to the workers profiled, the countless others whose stories we never hear, and their families and communities.

We'd like to acknowledge those who provided assistance, contributions, and materials, including:

- ▶ AFL-CIO
- ▶ AFSCME Local 3993
- ▶ Cal/OSHA
- ▶ CSEIU 121 RN
- ▶ Cal Nurses Assn
- ▶ Earl Dotter
- ▶ Joan Lichterman
- ▶ OHB-OLPPP
- ▶ OSHA
- ▶ ProPublica and NPR
- ▶ UCLA LOSH
- ▶ Paul Zygielbaum

Finally, we'd like once again to thank Yvonne Day-Rodriguez, our graphic designer. This report simply would not be possible without her.

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## EXECUTIVE SUMMARY

# Who Is Dying, Being Injured, or Made Ill at Work in California?

**A**pril 28, 2015, marks the 26th observance of Workers' Memorial Day, an international day of remembrance of people who suffered work-related injuries or illnesses or were killed on the job. We reflect on the past year—those fallen, as well as some notable efforts to reverse the tide—and point the way forward in the fight for safe and healthy jobs.

This is Worksafe's fifth annual report released for Workers' Memorial Day. Once again, we highlight the fact that hundreds of people in California are killed and thousands have their lives seriously compromised by work-related injuries and illnesses. The vast majority of these incidents can be prevented. They occur because all too many employers fail to eliminate hazards, comply with health and safety rules, and provide a safe and healthy workplace for their employees. OSHA and its state-run programs, as well as NIOSH, remain woefully understaffed, with limited resources to carry out their mission to protect working people.

Despite this sobering news, a wider lens shows the progress that has been made because workers and their organizations organized, fought, and demanded action from employers and their government.

As we witness growing efforts by the business community to roll back the protections of OSHA and workers' compensation and take away worker's rights, we need to remember that strong enforcement of worker protection laws work: since the OSHA was established in 1970, both the number of people killed on the job and the injury rates have declined significantly. According to the AFL-CIO, more than

## WORKERS' MEMORIAL DAY

*Because worldwide, work kills more than war each year.*



512,000 workers can now say their lives have been saved since the passage of OSHA. That's more than half a million people! California's share would be over 57,000. Back in 1970, the death rate was 18 per 100,000 workers per year; now it is about 3.2—almost a six-fold drop!

As we all know, however, it's still not enough. This report offers a glimpse into the stories behind the numbers: putting a human face on injury and death statistics. In past years, we've focused primarily on stories of those killed on the job. This year we include more stories from those injured—and who survived to tell us what happened to them, why it happened, and what impact it has had on their health and economic well-being. Most of the data is from 2013, the latest available year. But our list of those killed at the end of the report and most of the stories occurred last year in 2014.

### How many die each year because of their work in California?

This report includes final figures for 2013 just released in late April by the Bureau of Labor Statistics (BLS). They reported 396 work-related deaths in California, a rise over last year's total of 375. The national number was 4,585 deaths, down from the previous year's 4628. California experienced a rise in deaths among Latinos, 194, a full 49% of all deaths, even though Latinos only comprise roughly 30% of the California workforce.

Deaths related to occupational diseases are rarely

counted; the national estimate continues to be 50,000 per year, with California's share in the neighborhood of 6,450 deaths per year.

## Who were the people killed on the job in 2014?

Relying primarily on federal OSHA's fatality reports, investigation data provided by Cal/OSHA, media sources, and the website [The Weekly Toll](#), run by United Support and Memorial for Workplace Fatalities, we identified 208 California workplace fatalities in 2014; 149 were identified by name. Given that the five-year average is 380 deaths per year, we have captured about 55% of deaths that will eventually be reported for 2014. Those we could identify are listed, with as much information as we could glean from publicly available resources, in the chart at the back of this report. We fully expect and must acknowledge that this list is incomplete. These tragedies which deserve public attention are hidden from public view; there are many others which we, for whatever reasons, will never hear about.

## Who is at highest risk of dying?

In 2013, 92 percent of the fatalities were men, consistent with years past and reflective of the types of jobs they often hold. Workers between the ages of 35 and 54 accounted for roughly half of all fatalities, with the remainder evenly split between the two ends of the age spectrum. Workers identified as white made up 41 percent of those killed on the job, while those identified as Black constituted 4 percent and those identified as Asian comprised 5 percent. As in 2012, Hispanic/Latino workers were killed in strikingly disproportionate numbers, making up almost half of the total, despite comprising significantly less of the total working population.

Page 9 lists the industries and occupations with the highest fatality rates. Transportation and material moving remained the most deadly occupation, followed by construction and extraction.

## Who's getting sick because of their work in California?

Nationally, about 3.75 million injuries and illnesses were reported by employers in the private and public sectors in 2013. In the same year, an estimated 2.8 million work-related injuries were severe enough to require treatment in the emergency room, resulting in 140,000 hospitalizations. In California, skin diseases and respiratory problems dominate among illnesses, though the catch-all category of "all other" account for the vast majority—in other words, we simply don't know why workers are getting sick. This is reflective of the endemic lack of adequate monitoring and attention to workplace illness.

## Who is at highest risk for being injured?

Strains and falls account for the majority of injuries, once again. Some groups of workers are at much greater risk than others. Research indicates that the true toll of job injuries may be two to three times greater than the number reported by the BLS. (See the 2014 AFL-CIO *Death on the Job* report for a detailed review of injury underreporting.)

Workplace violence is a growing problem, with women experiencing about two-thirds of all work-related assaults. The rate is particularly high in the health care and service sectors. Undocumented immigrant workers are particularly vulnerable to exploitation and retaliation. Temporary and contract workers and day laborers are also at great risk, as employers try to avoid responsibility for health and safety and workers' compensation by contracting out dangerous work.

## How much do workplace injuries and illnesses cost? More than annual costs for dementia or diabetes

The National Safety Council estimates the total costs of work-related fatal and non-fatal injuries in the neighborhood of \$200 billion in 2012. According to the 2014 Liberty Mutual Workplace Safety Index, workplace injuries and illnesses in 2012 cost employers \$59.58 billion in direct U.S. workers'

compensation costs—more than a billion dollars a week. But OSHA estimates that employers are only paying about 20% of total costs through workers' comp. So that puts the total costs over \$280 billion a year—more than the annual costs for diabetes (\$245 billion) or dementia (\$159-215 billion).

Who is paying this? The remaining 80% is paid by the rest of us, directly or indirectly. Injured workers pay 50% out-of-pocket and 30% is divided between private health insurance and government programs, such as social security disability. And we're not even accounting for occupational disease.

### What remains to be done

We need strong enforcement of health and safety laws. The record shows that a strong OSHA saves lives. Many job hazards remain unregulated and uncontrolled, so we need to set new standards to protect workers. And we need stronger mechanisms to ensure all workers have a voice on the job—they are, after all, the experts in their workplaces. In particular, we need to update and improve protections from

retaliation for workers who report injuries or hazards or exercise other legally protected rights.

Some employers cut corners and violate the law, putting workers in serious danger and costing lives. Those who ignore the law do so knowing that the odds of being visited by Cal/OSHA are ridiculously low (current staffing provides for inspecting each workplace every 182 years). This creates an uneven playing field for those businesses that take employee safety seriously, and put them at a significant economic disadvantage. We need to level the playing field and increase the consequences for those who don't follow the law. This requires a major update of the OSH Act, long overdue after almost 45 years. Given the changing structure of our economy and labor markets, it must include mechanisms to protect all working people, with particular attention to temp workers and those who work for multiple employers.

Here are some of the steps Cal/OSHA and related state agencies should take:

- ▶ Rebuild Cal/OSHA's enforcement program by hiring and training more inspectors, especially

## APRIL 28, 2015, IS THE 25TH ANNIVERSARY OF WORKERS MEMORIAL DAY IN THE U.S.

An international day of remembrance for workers killed and injured by work, it was first proposed by Canadian trade unionists Ray Sentes and Colin Lambert. As a former miner, Lambert lamented the contrast between the lack of memorials for his co-workers, and others who died due to their job, and the public events for "fallen" police officers and firefighters.

April 28th coincides with the passage of Canada's first workers' compensation law in 1914. The canary became the symbol because "it shows that today workers are the canaries—they are "front-line protection for all of us," Lambert said a few years ago. It appears on memorials, banners, and pins across Canada, where the day is recognized officially by federal, provincial, and municipal governments.

The idea has been taken up around the globe. For details about what happens elsewhere, see <http://www.hazards.org/wmd/>. As they say: "Workers Memorial Day. Because worldwide, work kills more than war each year."

Worksafe has a local event to commemorate the day. Our sister COSH (community occupational safety and health) group in southern California, SoCalCOSH, takes the lead in organizing a week of activities there. For details about what other U.S. groups do, see <http://www.coshnetwork.org/workers-memorial-week-action-0>.

## Highlights from This Year's Report

- ▶ We review the most recent information on work-related deaths, injuries, and illnesses in California and comment on the significant increase in deaths among Latinos, which rose in the state while similar rates fell nationwide. You'll note that many of the stories of serious injuries and fatalities in our report are Latino workers.
- ▶ We highlight new reports showing the link between low-wage vulnerable workers, increased risk of injury or death, and rising inequality. A recent UCLA-LOSH report analyzes data from an earlier wage theft study to explore the reasons why vulnerable workers in low-wage, high-risk jobs are afraid to report hazards or injuries. The study found they end up shouldering the burden of medical costs and lost wages when injured or fired for reporting an injury, as their employers seek to avoid paying workers' compensation claims. The recent OSHA report, "Adding Inequality to Injury: The Costs of Failing to Protect Workers on the Job," shows how employers pay only about 25 percent of the costs of work-related injuries, leaving workers and taxpayers to pay the rest. A series by ProPublica/NPR documents a major rollback of protections in workers' compensation system in California and several other states, linking work injuries and growing income disparity.
- ▶ As the Standards Board considers updating the 30-year-old lead standard to reflect recent scientific evidence—including links between low levels of exposure once thought safe to high blood pressure, heart disease, male reproductive harm, and lowered kidney function—we share the story of a scrap metal worker overexposed to lead at a workplace where co-workers have also been overexposed over the past two decades.
- ▶ We profile asbestos victim Paul Zygielbaum, who is using his diagnosis of mesothelioma to fight the companies that exposed him, advocate for a U.S. ban on asbestos (yes, it's still legal here), and support other victims. His story represents the estimated 6,450 others who died this year in California from a disease caused by exposure at work, a largely hidden epidemic.
- ▶ We follow-up on stories from last year's report, including efforts by two unions to get the Standards Board to pass a rule to protect health care workers from workplace violence
- ▶ Two years ago, we reviewed the pattern of lack of preventive maintenance and corporate neglect that led to the August 2012 Chevron fire that almost killed 19 workers and sent 15,000 community residents to the hospital. This year we report on more recent upsetting events at refineries around the state, and the strike by oil workers around delayed maintenance, understaffing, and other safety issues.



those who are bilingual, to match staffing levels on par with our neighbor states Oregon and Washington. The recent proposal to add 40 new enforcement staff over 2 years is a good first step, but more will be needed to rebuild the program and enforce new standards now in the pipeline

- ▶ Hold employers accountable for promptly fixing hazards through use of an expedited appeal process for serious hazards, with follow-up inspections to confirm hazards have been fixed
- ▶ Change the definition of a repeat citation to match federal OSHA's, in order to require employers with multiple establishments in the state to fix hazards in all locations. This maximizes the use of limited agency resources
- ▶ Develop and implement a plan to enforce our current and developing health-based standards, engaging qualified inspectors with industrial hygiene capability and backed with medical, technical, and legal expertise
- ▶ Provide more education and training to workers and small employers about workers' rights, with a special focus on retaliation and the requirement that every employer must create injury reporting programs that actually encourage workers to report
- ▶ Clarify state rules regarding retaliation for reporting injuries to match federal OSHA's stated policy. Reporting an injury should be recognized as a protected activity under Cal/OSHA's recordkeeping requirement and retaliation protection, regardless of whether the injury results in a workers' compensation claim (which also has a retaliation protection right)
- ▶ Improve protections for temp workers by issuing clear guidance documents for employers and workers, similar to those developed by OSHA
- ▶ Pass new regulations to protect workers from indoor heat, lead, workplace violence (in health care settings and for all other occupations), musculoskeletal injuries among hotel room cleaners, blood-borne pathogens in the adult film

industry, falls in residential construction, and update the Process Safety Management standard to protect refinery workers and surrounding communities from catastrophic or other unplanned releases

On a national level, the AFL-CIO is calling for an overhaul of the OSHA law to provide better remedies for retaliation, strong penalties for violating the law, and the elimination of barriers to set and update safety and health standards, as well as significant increases in the budget and staffing of the agency. New initiatives to protect immigrant, temp workers, and other groups of vulnerable workers must be continued and expanded.

For those interested in more information, we suggest you read the AFL-CIO's annual report, *Death on the Job: The Toll of Neglect*, available online. It includes data showing how California compares with other state OSHA programs and provides data over several years.

# I. OVERVIEW OF INJURIES, ILLNESSES, AND DEATHS



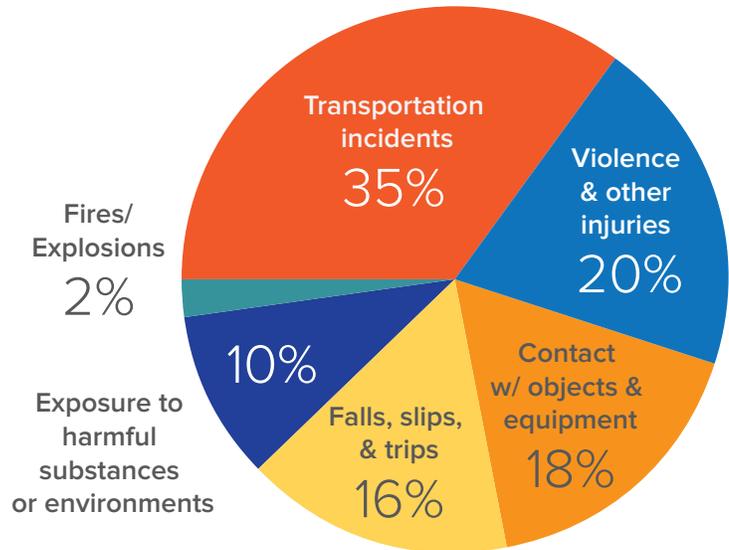
# Occupational Fatalities in California

**A**ccording to final numbers from the Bureau of Labor Statistics' Census of Occupational Fatalities, a total of 396 workers died on the job in California in 2013. As we have routinely emphasized in past years, this number is almost certainly an undercount—many workers (for instance, undocumented workers) are often below the official radar, and for various reasons many incidents may simply never be accounted for. In addition, occupational disease remains largely undiagnosed or reported.

Of these 396 official fatalities in the state, the most common cause was transportation incidents, which account for 35 percent of the total. This is slightly down from 2012 data, but these incidents still constitute the largest percentage by far. Violence and other injuries by persons or animals comes next at 20 percent, followed closely by contact with objects and equipment (17 percent), and falls, slips, and trips (16 percent). Exposure to harmful substances or environments (10 percent) and fires and explosions (2 percent) make up the rest.

Demographically, men accounted for 92 percent and women 8 percent of total fatalities—an unsurprising disparity reflective of the types of job hazards they face. (Women, on the other hand, are much more likely to suffer from injuries related to repetitive motion and other musculoskeletal disorders.) Workers between the ages of 35 and 54 accounted for roughly half of all fatalities, with the remainder evenly split between the two ends of the age spectrum.

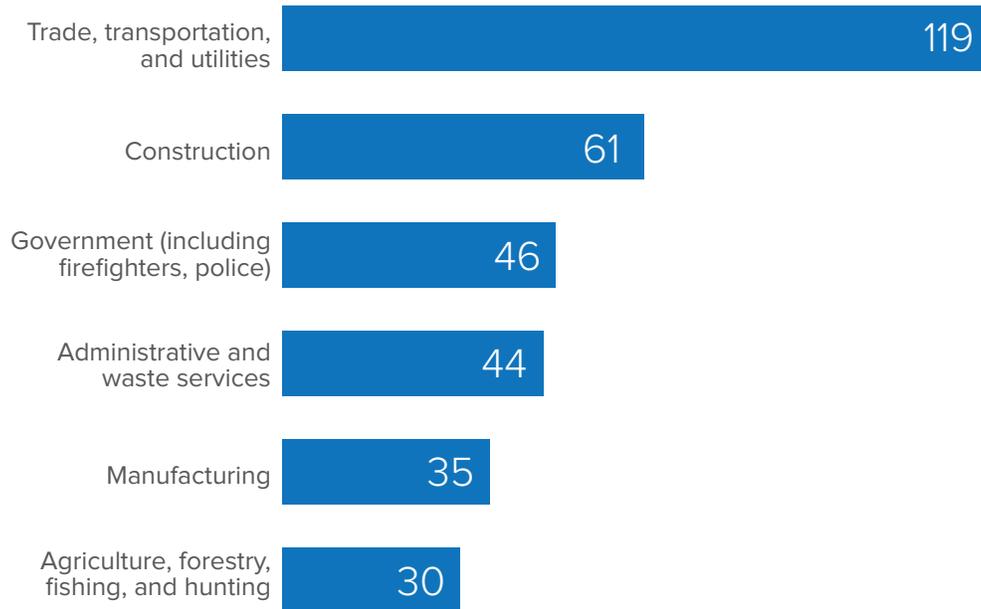
## 2013 FATALITIES BY EVENT/EXPOSURE



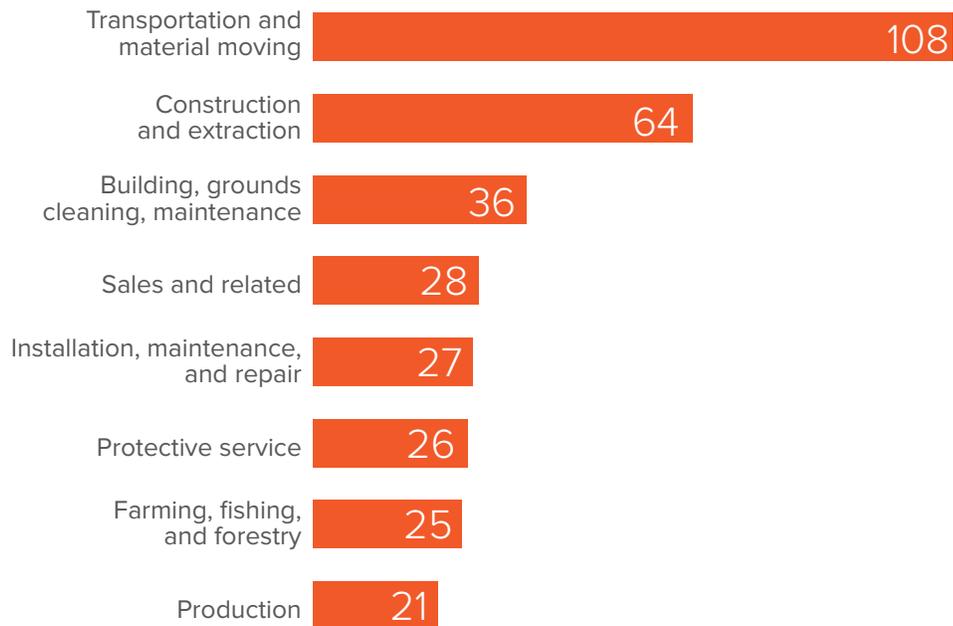
Workers identified as white made up 41 percent of those killed on the job, while those identified as Black constituted 4 percent and those identified as Asian comprised 5 percent. As in 2012, Hispanic/Latino workers were killed in strikingly disproportionate numbers, making up almost half (49 percent) of the total, despite comprising significantly less of the total working population. Notably, Hispanic/Latino workers accounted for more than 60 percent of those killed in falls in 2013 (see page 19 for several specific instances of these tragedies).

Trade, transportation, and utilities continues to represent the most deadly industry in the state, accounting for 30 percent of the total. Similarly, transportation and material moving had the highest number of fatalities of any individual occupation by a large margin, followed by construction and extraction occupations, and building, grounds cleaning, and maintenance.

## 2013 FATAL WORK INJURIES BY INDUSTRY



## 2013 OCCUPATIONS WITH THE LARGEST NUMBER OF FATALITIES



## California's "High Hazard" Industries

Every year, Cal/OSHA compiles and distributes a list of industries and subsectors in which workers are at a particularly elevated risk of serious injuries. The annual list is determined by examining the average rate at which workers in these sectors are compelled to take days away from work, have their workload restricted, or are transferred due to injury (known as DART rates). A DART rate of 2.0 indicates that the particular sub-sector has twice the injury rate as others grouped in the same category.

Below, we list sub-sectors with extraordinarily high DART rates from Cal/OSHA's 2014-2015 list. For our purposes here, we include those with a rate of 4.5 or higher.

It's important to note that this doesn't tell the whole story: for instance, some industries with elevated injury rates below this threshold employ enormous numbers of workers. So, while the rate might not be as high as others, the potential for widespread injuries is just as severe.

For example, "accommodation and food services" and "building material/garden equipment and supplies dealers" each have a rate of 4.3, but together employ a combined 314,000 workers, or a full 67% of the workers in high hazard industries for the year. Another 99,169 workers are employed in "warehousing and storage," which has a rate of 4.4. Clearly, more must be done to keep everyone in these sectors safer, too.

### 2013-2014 HIGHEST HAZARD INDUSTRY LIST

INDUSTRY GROUP	INDUSTRY ACTIVITY	DART	EMPLOYEES
Agriculture, Forestry, Fishing and Hunting	Greenhouse, nursery, and floriculture production	4.7	26,628
	Animal production	5.1	28,987
Construction	Structural steel and precast concrete contractors	7.2	9,067
	Roofing contractors	4.6	9,067
	Other foundation, structure, and building exterior contractors	5.7	3,687
Manufacturing	Sugar and confectionary product manufacturing	5.4	6,162
	Fluid milk manufacturing	4.5	7,627
	Animal slaughtering and processing	5.1	20,956
	Commercial bakeries	4.9	14,588
	Beverage and tobacco product manufacturing	5.3	44,491
	Millwork	4.6	6,358
	Ferrous metal foundries	4.7	3,748
	Ornamental and architectural metal products manufacturing	4.6	19,442
	Ship and boat building	4.7	7,564
Transportation and warehousing	Air transportation	6.4	4,2725
	Couriers and messengers	6.2	57,624
Administrative and Support and Waste Management and Remediation Services	Janitorial services	4.8	99,169

# Injury Experiences of Workers in Low-Wage Jobs

**A** recent study by the UCLA Labor Occupational Safety and Health Program (UCLA-LOSH) looked at the common experiences of workers in low-wage jobs who are injured at work.<sup>1</sup> The research relied on data from a 2008 survey of workers in the low-wage labor market in Los Angeles, New York, and Chicago. The research found that while 75% of injured workers in the survey missed work and/or sought medical care for their injuries, only 8% filed a workers' compensation claim.

Why was this number so low?

- ▶ **Workers were afraid of losing their jobs or did not want to miss work.**

While the majority of injured workers told their employers about an injury they experienced at work, many chose not to tell their employers. These workers were afraid of losing their jobs, did not want to miss work, believed the injury

was not serious, or believed the employer would not have done anything. Also, some workers did not know they could get workers' compensation benefits for their injury.

- ▶ **Employers reacted negatively when they learned about workers' injuries.**

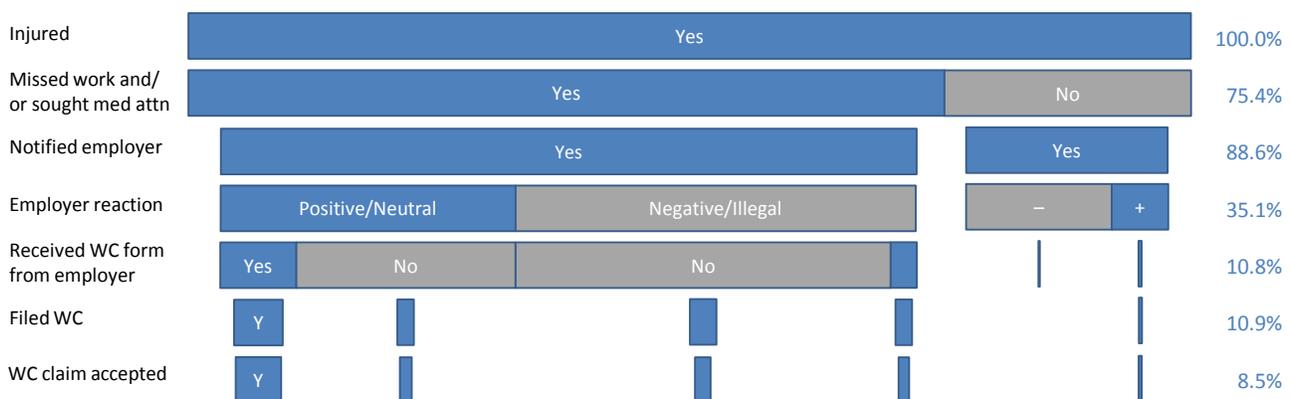
Over half of injured workers who informed their employer of their injury reported that employers reacted in a negative way. Common employer reactions included making employees work despite being injured, refusing to help, blaming other workers for the injury, or firing the injured worker shortly thereafter.

- ▶ **Few employers provided a workers' compensation claim form or told workers to file.**

Even when employers did not respond negatively, few provided injured workers with the necessary

At each step of the process, fewer injured workers move towards gaining access to medical care and wage replacement under their right to workers' compensation.

**Figure 1: Pathways and Barriers to Workers' Compensation Access**



1. See Kevin Riley and Doug Morier, Patterns of Work-Related Injury and Common Injury Experiences of Workers in the Low-Wage Labor Market, Los Angeles: UCLA Labor Occupational Safety and Health Program, March 2015 ([http://www.dir.ca.gov/chswc/Reports/2015/Patterns\\_Work\\_Related\\_Injury.pdf](http://www.dir.ca.gov/chswc/Reports/2015/Patterns_Work_Related_Injury.pdf)). Support for this project was provided by the Commission on Health and Safety and Workers' Compensation, California Department of Industrial Relations.

paperwork to file a claim or told them to file. Only 1 in 10 workers received a workers' compensation form from their employer after informing them of their injury.

Undocumented immigrants were more likely to experience negative reactions from employers following injury and less likely to seek medical attention. They were also less likely to receive workers' compensation claim forms from employers or file for workers' compensation.

Several worker advocacy organizations around the state have been active in supporting workers in low-wage industries who suffer from injuries to get the necessary care and support they need. Below we profile three examples from Southern California.

- ▶ “The carwash industry in Los Angeles largely operates below the basic health and safety standards set by state and federal law. Without such protections, carwash workers—many of whom are undocumented—suffer from on-the-job injuries and have few avenues to appropriate remedies. Many workers are fired and retaliated against for reporting injuries to their employers. The CLEAN Carwash Campaign is dedicated to supporting and empowering carwash workers to exercise their rights to safe and healthy workplaces free from illegal employer threats.”  
—Rosemarie Molina, Strategic Director, CLEAN Carwash Campaign/Carwash Worker Center

- ▶ “In our experience with the hotel industry, injured workers file for workers' comp as the last resort, and only for drastic injuries. Workers can't afford the loss of time and income needed to go through the entire process. They would rather quit and start again or look for a less labor-demanding job. Obviously, threats and intimidation from employers are also a concern.”  
—Lorena Lopez, Organizing Director, UNITE HERE, Local 11

- ▶ “St. John's Well Child & Family Center provides care for many vulnerable low-wage workers in South Los Angeles. We see the difficulties our

patients face in accessing adequate care and compensation when they are injured on the job and believe community health centers must play a valuable safety-net role in protecting workers' rights. The St. John's Initiative for Low-Wage Workers is designed to identify and advocate for patients with work-related injuries and illnesses through outreach and education on workers' rights; prompt treatment and referrals to specialty care; and connections to local workers' centers and legal aid.”

—Shom Dasgupta-Tsinikas, MD, Director of Social Medicine & Health Equity, St. John's Well Child & Family Center

## GUADALUPE GONZÁLEZ

# Insult to Injury: Is Income Inequality Tied to Worker Safety?

**G**uadalupe González doesn't know if she's going to be able to make it much longer.

The East Boston resident used to hold a full time position as a cleaner for Sodexo.

Much of her time working was spent on the campus of Lasell College, located in the wealthy Boston suburb of Newton, where she was paid \$10.80 an hour for her labor. Weighed down by her buckets and supplies, she would rush, at Sodexo's insistence, from building to building across the campus often on uneven terrain.

When Guadalupe fell it was devastating; she knew instantly what her mangled ankle meant. She was going to have to take a break from her physically demanding job, a break she just couldn't afford. Three surgeries later, Guadalupe is no closer to returning to work than the day she was injured. She is in nearly constant pain and requires a cane to walk. Worse yet, Guadalupe now receives a mere 60 percent of her former earnings, making it almost impossible to buy food, pay bills and make rent. Sadly, Guadalupe is not alone. She is one of at least three million workers seriously injured every year in the United States. She is one of many workers who will lose more than 15 percent in wages over ten years because of their injury while bearing nearly 50 percent of its cost. For workers like Guadalupe, the American dream quickly becomes a nightmare. These injuries and illnesses contribute to the pressing issue of income inequality: they force working families out of the middle class and into poverty, and keep the families of lower-wage workers from ever getting out. It is a vicious cycle and the topic of a new report from our agency, the Occupational Safety and Health Administration.

The costs of workplace injuries are borne primarily by injured workers, their families, and taxpayer-supported components of the social safety net. Changes in state-based workers' compensation insurance programs have made it increasingly difficult for injured workers to receive the full benefits to which they are entitled. Employers now provide only a small percentage (about 20%) of the overall financial cost of workplace injuries and illnesses. This cost-shift has forced injured workers, their families and taxpayers to subsidize the

vast majority of the lost income and medical care costs generated by these conditions.

When employers are excused from this burden, worker safety and health often becomes less of a priority. This is especially important because preventing these injuries and illnesses in the first place would be the number one way to alleviate this type of suffering before it even begins.

We here at OSHA will continue to work towards that goal, but it is important that as we continue the national conversation on income inequality we do not forget the workplace injuries and illnesses can lead directly to it.

*Dr. David Michaels is the assistant secretary of labor for occupational safety and health.*



# Understanding the Magnitude of Occupational Disease from Asbestos

Every year, we publish this basic statistic: about 50,000 workers in the U.S. die annually due to work-related disease, including from various forms of cancer and lung disease, according to government sources. California's share, based on its working population, is roughly 6,400 deaths a year—an order of magnitude more than 15 times the number killed each year by on-the-job injuries. Yet this gets little attention from the press or Cal/OSHA targeted enforcement activities.

We briefly re-cap the asbestos story because of its importance as one of the few deadly substances where illness can be clearly linked back to work exposure. This is because the diseases it causes are unique: only asbestos can cause asbestosis and mesothelioma, a cancer of the lining of the lungs or abdomen. (It can also cause other forms of cancer but these are not unique and so harder to prove.)

It is also an example of a classic cover-up of worker exposure and early death by industry on par with benzene, vinyl chloride, radiation, flame retardants, and many others. As Paul Zygielbaum, the mesothelioma survivor profiled in this report, succinctly put it, American companies have long been “poisoning Americans with asbestos for profit.”<sup>1</sup> Recognition of adverse health effects from asbestos exposure dates back to 1898, with stronger evidence available in the 1930s. By 1964, the work of Dr. Irving Selikoff with the insulators union provided the proof to link it to

“The asbestos issue is not a thing of the past. It continues to this day, and has a health impact on our nation.”

—Former U.S. Acting Surgeon General Boris Lushniak

Sixty nations have banned asbestos; the U.S. is not among them. As Barry Castleman, an expert on asbestos-related disease commented, “A good name for an asbestos ban bill would be ‘The Catch Up with Croatia Act.’”<sup>3</sup>

cancer. Yet the asbestos industry continues to fight its victims. Zygielbaum summed up the current landscape: “Industry is putting enormous funding into influencing legislation, corrupting scientific research, and mounting strenuous legal defense, but not a penny into honest medical research or assistance to their victims except under duress.”<sup>2</sup>

## Asbestos Exposure Needs to be Viewed as a Current Event

Asbestos-related disease is all too often viewed by the public as closed chapter of a story from the 1970s; surely it must be banned in the U.S. by now. So they are surprised to learn that asbestos-containing products continue to be manufactured and used in the U.S. as well as imported from abroad—exposing people through their work, in the products they buy, and in their communities. The World Health Organization (WHO) estimates at least 125 million people across the globe are currently exposed to asbestos in their work or in their communities. A [report](#) by the

1. *American Journal of Industrial Medicine*, 50:68-70 (2007), “Ending Asbestos Poisoning: Global Advocacy From a Survivor’s Viewpoint.”

2. *Ibid.*

3. McCumber, David. *San Francisco Chronicle*, “Asbestos victim wages resolute battle to ban deadly substance”, 1/4/15.



Earl Dotter's BADGES photo exhibit development was sponsored by the Asbestos Disease Awareness Organization (ADAO). The present exhibit showing concludes at the AFL-CIO headquarters in Washington, DC on April 30th. Future showings in 2015 include: Mt. Sinai Medical Center in NYC, TH Chan Harvard School of Public Health and the New England Occupational & Environmental Health Conference—both in Boston.

Environmental Working Group estimates that asbestos exposure results in about 10,000 deaths per year in the U.S. from asbestosis, mesothelioma, lung cancer, and gastrointestinal cancer.

In the U.S., the government estimates that currently 1.3 million workers in construction and general industry are potentially exposed to asbestos each year, particularly during renovation and demolition activities.

### The Veteran Connection

Veterans of the U.S. military are 30% of all mesothelioma patients; mesothelioma is clearly linked to asbestos exposure. Although they represent just 8% of our population, vets are an astonishing 40% of all known mesothelioma deaths. California ranks first in the nation overall for mesothelioma and asbestos-related deaths.

Vets, particularly those who served in Vietnam, continue to suffer from asbestos-related diseases resulting from its widespread use in military ships and other vehicles, garage repair shops, building construction, and other uses. There have been cases of veterans' family members developing mesothelioma through second-hand exposure, when veterans carried asbestos dust home on their clothing.

## PAUL ZYGIELBAUM

### “I’m a Patient Who Has Become an Activist”

**A** diagnosis of asbestos-related disease such as asbestosis, mesothelioma, or lung cancer is typically a death sentence; mesothelioma victims live on average about a year after diagnosis. The fact that Paul Zygielbaum is still alive 12 years after he was diagnosed is remarkable. But even more remarkable is how he has used his time to work on many fronts to ban the use of asbestos in the U.S., while lending support to people with the disease.



Zygielbaum, a retired corporate executive and engineer living in Santa Rosa, described himself as “a patient who has become an activist.” Over his career, he worked in many locations, including a stint in the 1970s at a power plant where asbestos insulation was used. Years later, he began to have stomach bloating and other symptoms, but the disease remained undiagnosed. He grew weaker and weaker until a diagnosis in 2003 of mesothelioma in the abdomen led to a major operation and chemotherapy. While he still has some inoperable tumors, their relatively slow growth has enabled him to survive – and fight the industry that caused his disease.

Attending his first asbestos conference after surgery, he met a 22-year old woman whose body was riddled with tumors resulting from exposure to dusty clothes worn home by her father; because Zygielbaum was still alive years after the typical survival rate, she said he was her inspiration and hope for her own survival. When she died, he realized the reverse was true: her totally preventable death was the inspiration that motivated him and his wife Michelle to do all that they could to protect others from a similar fate.

He credits recent improvements in the standard medical care for asbestos victims with giving him and others time to savor life—and work to ban asbestos while supporting newly diagnosed victims. He and Michelle set up a project that tested over 250 consumer projects for asbestos; among the products that tested

positive in three separate labs was a powder used in a kids’ spy detective game imported from China. Results were shared with EPA and the Consumer Product Safety Commission (CPSC).

In years past, victims were typically too sick to become vocal activists, many relying on oxygen tanks to breathe. When Zygielbaum attended a U.S. Senate hearing on a bill that would have banned asbestos, the chair formally recognized him, noting that it was the first time they were aware that an asbestos victim was present; his presence helped changed the political landscape by inserting victims directly into the political process. He commented after, “I think these asbestos companies wanted people to die fast and quiet [but] we have the moral high ground and are able to talk.” The companies were able to defeat the bill, with General Electric playing a lead role. GE was all too familiar to Zygielbaum. He recalled, “Michelle and I held our ground against General Electric Company, which hid for three decades the fact that they had put undisclosed, dangerous asbestos in a power plant where I worked in the 1970s, and we proved our case in court.” The fact that he was an engineer and could read the plant diagrams proved useful when the company dumped over 10,000 documents just before the case when to trial.

We continue to see bills introduced by industry at the national and state level to block or limit the rights of asbestos victims to go to court for compensation. Last fall, AB 597 was introduced in the California legislature. Based on model legislation drafted by ALEC (the American Legislative Exchange Council), the bill is designed to force asbestos victims to jump through expensive and time-consuming hoops before they can move forward with a claim in the state courts. The fight continues.

## II. THE STORIES BEHIND THE STATISTICS



# THE INTERSECTION OF RACE, CLASS & IMMIGRATION

## Latino Workplace Fatalities Rise in California While U.S. Rates Decline

In California, while Latinos only make up 36% of the California workforce, they accounted for close to 50% of the fatalities in 2013. Last year, within the course of two days, three Latino construction workers were killed at work in California. On May 20, 2015, Eduardo Lopez, a 29-year old construction worker in San Diego, was crushed by falling rebar. On the same day, Elias Vera, a 54-year old construction worker in San Mateo, was killed by an industrial fall. And the very next day, Victorino Campos-Tovar, a 48-year old construction worker in San Jose, was killed in an industrial fall.

The deaths of nearly 200 Latino workers across the state are alarming. This is especially concerning given that, while nationwide the overall number for workplace deaths has decreased, California experienced an overall increase (339 in 2013 to close to 400 in 2014) and sharp rise in the deaths of Latino workers.

Overall, Latinos workers are disproportionately affected by workplace fatalities. According to the BLS:

- ▶ Fatal work injuries among Latino workers increased 7 percent;
- ▶ 797 Latino worker died at work, the highest total since 2008 of any other minority group;
- ▶ 66 percent of the 797 Latino worker fatalities were foreign born.
- ▶ About 70 percent of the Latino workers killed on the job in 2013 in the state were foreign-born.

### Marginalization of Latino Workers

Latino workers have historically been marginalized based on race, class, and immigration status. The Bracero Program, the largest guest worker program in US history, employed more than four million Mexican workers over its 22-year history, but also led to abuses by employers taking advantage of cheap labor.<sup>1</sup>

Although more than 30 years has passed since the end of the Bracero program, Latino workers still suffer the brunt of being marginalized, leading to the disproportionate numbers of workplace deaths.

In a recent study by UCLA, researchers found that workers who had significantly higher rates of injury included undocumented immigrant men whose primary language was Spanish and who worked in construction.<sup>2</sup> The study also confirmed previous reports that immigrant workers may be reluctant to report safety hazards because they are afraid of being told to leave for the day, being told to leave altogether, and/or deportation/immigration related consequences.<sup>3</sup>

With a little over 5% of the U.S. workforce being unauthorized (a number that is likely an undercount), undocumented Latino immigrants face huge hurdles in accessing meaningful legal protections.<sup>4</sup>

1. Opportunity or Exploitation: The Bracero Program [http://amhistory.si.edu/onthemove/themes/story\\_51\\_5.html](http://amhistory.si.edu/onthemove/themes/story_51_5.html) (last visited on April 9, 2015).

2. Riley, K, Morier, D, UCLA Labor Occupational Safety and Health Program, *Patterns of Work-Related Injury and Common Injury Experiences of Workers in Low-Wage Labor Market*. ( March 2015)

3. Id.

4. PEW Research Center <http://www.pewhispanic.org/2011/02/01/unauthorized-immigrant-population-brnational-and-state-trends-2010/> (last visited on April 9, 2015).

## Overrepresentation of Latino Workers in High Hazard Industries

In a review of all the fatal falls on the construction jobs from 2003 to 2011, OSHA found that 74% of those who died were either U.S.-born Latinos or immigrants. A majority of them work in high-risk, unskilled/semi-skilled professions.<sup>5</sup>

### Three Latino Construction Workers Died Within Two Days

**Victorino Campos-Tovar**, 48, was killed when he fell three stories while unloading sheet rock for Foundation Building Materials at a residential building project near Sierra Road and North Capitol Avenue in San Jose.

**Elias Vera**, 54, was killed when he fell approximately nine feet as he was working at a construction site, located at the 2900 block of McCown Avenue in San Mateo. The soon-to-be townhouse complex is the site of the former Bay Meadows racing track and owned by TRI Pointe Homes.

**Eduardo Lopez**, 29, was crushed to death by falling rebar while working at a new rental car center near the airport in San Diego. Co-workers heard Eduardo yell that the rebar was collapsing before seeing it crush him, the medical examiner's office said. CPR was performed on Eduardo but he died before he could be taken to a hospital.

## The Rise in Temp Workers

Latino workers are also disproportionately represented among temporary workers, who are less likely to receive proper training and therefore more prone to injuries and fatalities.

Many firms have outsourced dangerous jobs to temporary or staffing agencies, who in turn disproportionately hire the most vulnerable, including foreign-born Latino workers. In 2010, 11.5 million temporary and contract workers were hired by U.S. staffing firms; since then, this number has nearly doubled.<sup>6</sup> Of those, California hosted 282,000 temporary and leasing firm workers in 2010.<sup>7</sup>

In our report last year, we noted that temporary workers are more likely to be killed within their first week on the job due to lack of adequate training, pressures/demands exerted on them by the employer, and/or disregard for workplace safety by employers.

For example, temporary worker Hugo Tapia—who worked for Thermal Sun Glass in Santa Rosa and was employed by Volt, a staffing firm for Thermal—was only 21 when several glass sheets, each weighing about 110 pounds, fell and fatally injured him.

5. Id. ; Dong

6. U.S. Bureau of Labor Statistics. Quarterly Census of Employment and Wages. Washington, D.C.: U.S. Department of Labor. 2012. Available at <http://www.bls.gov/cew/>. Accessed on April 2, 2014.

7. Miranda Dietz, "Temporary Workers in California are Twice as Likely as Non-Temps to Live in Poverty: Problems with Temporary and Subcontracted Work in California," U.C. Berkeley Labor Center (August 2012); 4 New York State Trial Lawyers Association Study

## Lack of Agency Enforcement and Agency Resources

All workers, especially the most vulnerable are unable to receive the protection needed because OSHA and Cal/OSHA are severely under resourced, leading to less aggressive enforcement measures and unscrupulous employers taking advantage of this landscape.

## Recommendations

First, we must not forget that workplace health and safety is not about statistics; it is about people. A safe and healthy workplace, where workers return home to their families, is not only a legal right but a basic human right. When disproportionate numbers of Latino workers are impacted, we need to resolve this injustice. We recommend the following:

### 1. Workplace rights for all requires immigration reform

Without comprehensive immigration reform, the disempowering of Latino and other immigrant workers will continue, and the consequences are fatal. Indeed, both federal and state laws cover the rights of all workers, but until those laws are respected by all employers and zealously enforced by state and federal agencies, we will continue to bear witness to tragic stories like the deaths of Eduardo Lopez, Elias Vera, Victorino Campos-Tovar, and Carlos Centeno.

### 2. Increased access to quality health and safety training

Improving access to effective, culturally and linguistically appropriate training opportunities for Latino workers is crucial to the prevention of workplace injuries and illness, and is required by several Cal/OSHA rules. (Worksafe has summarized these rules in an English and Spanish factsheet.) In the UCLA study (see page 11), evidence suggests that workers who received health and safety training on the job were significantly less likely to

experience serious injuries. Additionally, training for all workers, including temporary workers, is vital. Employers must be held accountable for meeting all training requirements.

In dual-employer situations, the contract must clearly spell out which employer provides generic training on hazard identification and communication; the host employer should train everyone working onsite about the site-specific hazards, chemicals, permit procedures, and standard operating procedures. Training by both parties should review basic OSH rights, how to report injuries, and who provides personal protective equipment. State resources should be increased to provide worker organizations representing Latino workers greater opportunities to receive supplemental training.

### 3. Expand the rights and voice of nonunion workers on OSH matters

Safety violations are more common at job sites run by smaller, non-union contractors—which in turn are more likely to hire immigrant day laborers.<sup>8</sup> The decline of union density has impacted Latino workers and their rights to collective action. Many Latino workers, especially in construction, are more likely to be employed by a small employer and or misclassified as independent contractors.<sup>9</sup> The construction industry has the highest amount of independent contractors, and also the highest rate of misclassification.<sup>10</sup> When workers are misclassified, their ability to act collectively is diminished. OSHA and Cal/OSHA need to develop new mechanisms to support and engage non-union Latino workers in filing and participating in the complaint process, as well. State-based capacity-building grants to these organizations, similar to those provided through the OSHA Susan Harwood grants program, could increase the ability of Latino workers to protect themselves on the job.

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8. New York State Trial Lawyers Association Study

9. Dong.

10. GAO, U.S. DOL.

#### **4. A California Temp Worker Initiative**

We also recommend the adoption of an initiative in California similar to that of federal OSHA's Temporary Worker Initiative (TWI) launched in April 2013. Both OSHA and Cal/OSHA have "dual employer" enforcement policies that authorize them to issue citations in such situations from failure to train and provide PPE, to failure to control for exposure to hazards. But workers are not aware of these policies.

OSHA has developed resource materials in English and Spanish for temp workers, including wallet cards, information bulletins on specific topics, compliance memos, and letters of interpretation to clearly spell out to employers and workers what is required. Similar materials should be developed and promoted by Cal/OSHA. (Cal/OSHA plans to complete a temp worker fact sheet soon, as of April 2015).

#### **5. Increased funding for agencies**

Finally, until both federal OSHA and Cal/OSHA receive the resources needed to enforce our state's health and safety laws, the number of Latino worker deaths is not only likely to remain the same, but will increase.

## Lead Poisoning in Scrap Metal Work: Still a Problem

**J**ose (not his real name), a male in his 40s, cut up scrap metal so that it could later be melted and re-used in the production of new products containing lead. His employer offered him a pre-job blood lead test before starting his work as a torch cutter. This initial test result was 3.0 ug/dL (micrograms per deciliter of whole blood). The California Department of Public Health recommends that adults' blood lead levels be kept under 10 ug/dL to avoid adverse health effects to the nervous, cardiovascular, and reproductive systems and kidneys. Jose had never before worked in a job or had a hobby with lead exposure. After 6 months on this job, Jose's blood lead level was 50 ug/dL, which meant that, under the requirements of the Cal/OSHA Lead Standard, his employer had to provide him with a lead-specific medical exam. On his next test only 6 weeks later, his blood lead level was up to 61 ug/dL. Jose reported symptoms consistent with lead toxicity, and was temporarily removed from work under the Cal/OSHA Lead Standard's provisions for medical removal protection. While a worker is on "medical removal," his employer must keep him away from high lead exposure and continue paying his wages and benefits until his blood level drops and he can return to work. Jose has been off work for more than two months since his removal, and has not been able to return to his job.

### The Problem

Scrap materials can come from a variety of sources and may be coated with and/or contain significant amounts of lead. This is particularly true for coated or painted steel, brass, bronze, and some aluminums. The type of scrap materials that arrive at a facility may vary from day to day and may not be well characterized as to their lead content. Workers cutting up scrap, even if the operations are conducted outside, may be exposed to significant amounts of lead fumes,



especially during hot cutting (using a torch), if controls like ventilation fans, long-handled torches, or properly fitting personal protective equipment are not used. Lead dust can quickly accumulate in scrap material yards and further expose workers through hand-to-mouth activities, if stringent practices for hand hygiene and housekeeping are not followed. Exposure to lead from scrap metal work can quickly increase an employee's blood lead level to unsafe levels, where they may experience immediate health problems or suffer longer-term health effects.

### State Efforts

What is particularly troubling in Jose's case is that his employer should have known better. The California Department of Public Health provided substantial assistance in the 1990s to this employer after at least two other workers were placed on medical removal with elevated blood lead levels. Since that time, California's state adult blood lead registry has periodically received blood lead levels linked to this employer that were high enough to trigger the requirement for a lead-specific medical exam. Cal/OSHA inspected the facility in the 2000s and issued a number of citations, including serious safety violations. Cal/OSHA is currently inspecting this facility again, this time for lead complaints; the outcome of this enforcement action is pending.

## Bringing It Home

You take lead dust from your job to your family when you wear your work clothes and shoes home. Lead dust can get in your car. It can get on furniture, floors, and carpets. Your child can swallow this lead dust and be poisoned. The steps you take to protect yourself at work will also keep you from bringing lead home to your family.



### The Role of the Lead Standard: Employers' Responsibilities

Employers are responsible for protecting their workers' safety and health. In California, there are two Cal/OSHA Lead Standards, one for general industry operations, like cutting and processing of scrap materials, and one for construction. These standards include the requirements for employers to conduct or arrange for exposure monitoring of workplace lead exposures; use controls to limit workplace exposures; provide personal protective equipment, including respirators where necessary; ensure that housekeeping and hygiene measures are implemented; and provide medical surveillance and employee training on lead hazards. Where employers are lax in carrying out their responsibility to provide a workplace free from

You may work with lead if you:

- ▶ Recycle scrap metal or electronics
- ▶ Melt, cast, or grind lead, brass, or bronze
- ▶ Make or recycle batteries
- ▶ Tear down buildings, bridges, or tanks
- ▶ Cut, weld, or saw lead-containing metal
- ▶ Remove paint or coatings
- ▶ Work at a shooting range
- ▶ Make or repair radiators
- ▶ Make or glaze ceramics
- ▶ Remodel homes and buildings
- ▶ Use solder

This is not a complete list. If you are unsure if you work with lead, ask your employer.

recognized hazards that can cause serious harm such as lead, the impacts to their workers can be devastating.

### What Needs to be Done

The deleterious effects of lead on health have been known for centuries.

“...You will see by it, that the Opinion of this mischievous Effect from Lead, is at least above Sixty Years old; and you will observe with Concern how long and useful Truth may be known, and exist, before it is generally received and practiced on.”  
—Benjamin Franklin, July 31, 1786

The current Lead Standards are based on medical and toxicological information that is more than 30 years old. Cal/OSHA is currently in the process of revising these two standards to be more protective and better reflect the newest information about the toxic effects of lead. This work is supported by the California Department of Public Health and Western Occupational and Environmental Medicine Association, among others. For more information on the Cal/OSHA Advisory Committee meetings, see [www.dir.ca.gov/dosh/doshreg/advisory\\_committee.html](http://www.dir.ca.gov/dosh/doshreg/advisory_committee.html). We must take action to protect the health of workers with adequate enforcement of health-protective occupational standards.

Worksafe is coordinating comments from unions and worker organizations who want to participate in the process to pass two strong, health-protective lead standards for construction and general industry in the state. Contact us at [worksafe@worksafe.org](mailto:worksafe@worksafe.org) so we can keep you informed.

# Linking Income Inequality to Worker Injuries

**A** new report from OSHA, [“Adding Inequality to Injury: the Costs of Failing to Protect Workers on the Job”](#) explores the substantial impact work-related injuries and illnesses can have on income inequality. Over three million workers in the U.S. (including 360,500 in California) are seriously injured each year. Thousands more are killed on the job, and 50,000 die each year from work-related chronic diseases.

When a worker is injured, family members must often reduce their work hours to become caregivers. If the primary wage earner is injured, others must work even more hours to make up the difference in the household budget. Either way, the added workload can lead to fatigue at home or at work, which in turn can put the caregivers at increased risk of injury.

Immigrants and other vulnerable workers are less likely to receive workers’ comp or have health insurance or access to other safety net benefits, leaving them to shoulder more of the economic burden themselves. The report points to two major contributing factors to this downward mobility: changes in state worker’s compensation systems that have it more difficult for injured workers to receive full benefits, and recent changes in employment relationships, with the rise of temporary workers or those often misclassified as “independent contractors,” which often puts them in higher risk jobs with higher injury rates.

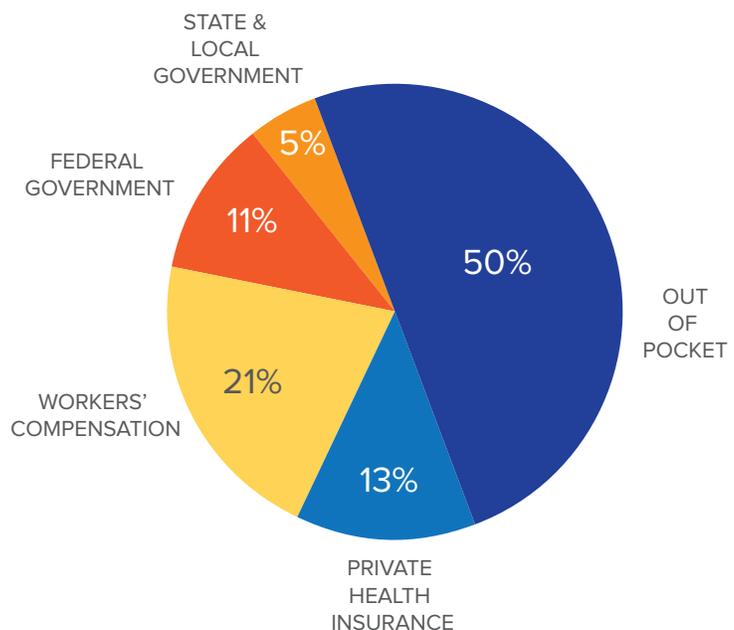
## The Failure Of Workers’ Compensation Shifts the Burden to Workers and Taxpayers

While the “no fault” workers’ compensation systems created over 100 year ago were intended to provide injured workers with medical care and wage replacement while they recovered, recent studies show that the reality today is that an on-the-job injury is all too often a pathway to poverty.

According to OSHA’s report, “the costs of workplace injuries are borne primarily by injured workers, their families, and tax-payer supported components of the social safety net (...) Employers ... provide a small percentage (about 20%) of the overall financial cost of workplace injuries and illnesses through workers’ compensation,” resulting in a huge cost-shift to injured workers and their families.

A California study by researchers in the Occupational Health Branch of the state public health agency found that one-third of workers who had amputations and one-third who had carpal tunnel syndrome had not

### WHO BEARS THE COST OF WORKER INJURIES?



received workers' compensation even though the injuries were recorded by their employers on the injury logs.

A powerful investigative series released in March 2015 by Pro Publica and National Public Radio (NPR) put a human face on this problem. [“The Demolition of Workers’ Comp”](#) reports on the trend over the last decade in which 33 state legislatures, including California, have passed laws that reduce worker benefits or make it harder to qualify. A follow-up piece, [“The Fallout of Workers’ Comp Reforms: 5 Tales of Harm,”](#) included profiles of three California workers; brief highlights are given below:

- ▶ **Nicolas Mercado** from San Bernardino became a quadriplegic in 2011 after the tanker truck he was driving flipped over on an exit ramp, paralyzing him from the neck down. Sixteen months later, his medical condition was stable and he was ready to leave, as soon as modifications were made at home to accommodate his wheelchair. Even though such modifications are an expense covered by workers' comp in California, the insurer used a new medical review procedure to request a second opinion. Mercado's wife, Linda, explained the toll it took on her each time she left after visiting her husband at a long-term care facility: “I wave bye and I throw him a kiss and he throws me a blessing, it just tears by heart.” Delays and multiple appeals by the insurer kept Mercado away from his family until television publicity in January 2015 finally got the insurer to drop the case. Four years after the injury, he was finally able to move home.
- ▶ **Joel Ramirez** worked in a warehouse in California before becoming a paraplegic in 2009. He worked 17 years for a large freight company, moving up from temp worker to warehouse supervisor. One day, he was told to move a crate that was stored on a pallet. While preparing to start, he heard a whooshing sound behind him as a 900-pound crate crashed down, folding his body in half and crushing his spinal cord. OSHA later said that the crate had not been properly stacked. At first, he was given a home health aide. Five years later, after the new medical review rule had kicked in, his physician made a request for a slight modification of care. But Travelers, the insurer, used the request to re-open his whole case. The decision to take away his aide made Ramirez “feel like less than nothing.” He fell several times trying to transfer from his wheelchair and was left soaking in his own urine or feces for hours until a family member returned home. This caused his wife, Lupita, to give up her job cleaning houses to care for him. His daughter quit college to earn money to support the family.
- ▶ In 1997, **Frances Stevens** was the editor and publisher of *Curve*, a best-selling lesbian magazine. An avid boxer, she was in excellent shape. But one day, while carrying a box of magazines to a storage area, she tripped on a rug and broke a bone in her foot. The bone healed but there was permanent nerve damage that has caused her to live in excruciating pain for the last 17 years. “It’s like that nerve pain that just zings through your whole body like an ice pick,” she explained. She uses a motorized wheelchair and has relied on a home health aide provided by workers' comp. But a change in the law in 2013 enabled the insurer to use an out-of-state medical examiner to review her case; based on a paper review of her files, the reviewer determined that an aide was no longer medically necessary. Stevens is challenging the constitutionality of that process.

## Fast Food Workers Face Hazardous Conditions: “Some Mustard for Your Burn?”

**F**ast food workers have been increasingly covered in the news, particularly the “Fight for \$15” campaign that is organizing for a \$15 minimum wage and union recognition in the industry.

Fast food restaurants like McDonald’s don’t automatically rise to the top of the list when you’re thinking about places with the most hazardous jobs, but a recent report suggests taking a second look. A survey of over 1,400 fast food workers released March 16, 2015 found that “the vast majority of fast food workers have been injured on the job—most of them seriously and repeatedly. Burn injuries are particularly prevalent.”<sup>1</sup>

The survey, conducted by Hart Research Associates on behalf of the National Council for Occupational Safety and Health, reported that:

- ▶ 79% of fast food workers have been burned during the past year (that’s 3.1 million workers in a year);
- ▶ 58% have been burned more than once; and
- ▶ One-third of the burn victims say managers give them a condiment—like mayonnaise or mustard—to treat their burns, instead of real first aid or medical treatment as required by law.

Armed with the survey results, fast food workers in Oakland held a rally and press conference at a local McDonald’s where workers spoke out about the pain they suffered and the challenges they faced getting proper medical care. A Worksafe representative shared the survey findings to put their stories in a larger context.

Workers report that a major factor behind these burns is understaffing; there are simply too few employees to do the job safely. In addition, management pressures



them to work too fast. Another factor cited was damaged or missing kitchen equipment or protective equipment such as gloves, goggles, or aprons. Over one-third of the workers also reported wet, slippery, or oily floors, which can lead to falls, a common, easily preventable hazard.

### Workers Fight Back

Workers at McDonald’s across the nation used the information gathered to file 28 complaints with OSHA and state agencies like Cal/OSHA, alleging hazardous working conditions, including pressure to clean and filter the fryer while the oil is hot. Although two-thirds of McDonalds are owned by franchises, the workers argue that the McDonald’s corporation creates hazardous working conditions at all locations via their system that dictates staffing levels and pace of work.

Voice your support for safe working conditions when visiting fast food locations.

1. Hart Research Associates, “Key Findings from a Survey on Fast Food Worker Safety” (3/16/15); pg. 1

## CESAR AUGUSTO VALENZUELA

# Bringing Justice to Los Angeles International Airport Fatality and Prioritizing Worker Health and Safety



In last year's report, we told the story of Cesar Valenzuela, who died at work at Los Angeles International Airport on February 21, 2014. He fell from the baggage tug he was driving, and it ran over him. The vehicle was not equipped with a working seat belt.

In the days since, Cesar's family and fellow advocates have worked tirelessly to find justice and set up mechanisms to prevent more workers being seriously hurt or even killed at LAX.

These efforts have paid off, and now airport workers employed directly and indirectly by Menzies Aviation are on their way to setting the standard for a safer and healthier workplace.

Efforts are currently underway to change the culture around health and safety at Menzies Aviation in LAX. Earlier this year, Menzies Aviation airport workers united and organized the formation of a new union unit under the banner of Services Employees International Union—United Service Workers West (SEIU- USWW). They are participating in a survey to identify and document hazards which will form the basis of a campaign to improve working conditions. In the very near future, they will be selecting a health and safety committee made up of workers, management, and union representatives.

Though we will never be able to recover a stolen life, we are nonetheless looking to a future in which occupational safety and health is a priority at LAX, and every workplace.

## DAMON FRICK

# UC Berkeley Death

**O**n April 7, 2014, UC Berkeley custodian Damon Frick—a 45-year-old father of two—was ordered by his supervisor to clean window sills using a lift more than 20 feet above ground, which was not part of his job description. The lift was over 30 years old and poorly maintained. His union contends UCB had failed to provide proper training on operating the lift, and no spotter was assigned to watch Frick and make sure he was safe. Frick fell after the lift became unstable and collapsed. The American Federation of State, County and Municipal Employees (AFSCME) Local 3299 filed a complaint accusing the University of California of assigning workers like Frick to “abnormally hazardous tasks” without first ensuring the safety of the worker and any equipment that would be used. Cal/OSHA investigated, and fined UC Berkeley \$26,000 in September 2014 for failing to ensure that the lift was assembled correctly and allowing Frick to use it unsupervised. The agency also contended his training was ineffective because it was provided more than two years earlier. According to annual OSHA injury and illness reports, on-the-job injuries by UC service workers have increased by 20 percent over the past 5 years, with 1 in 7 of UC custodial workers injured on the job.

### Lessons Learned

Apart from the need to ensure proper machine maintenance and worker training, when a work assignment can lead to serious injury or death, it should trigger special precautions. Possible death is not business as usual. In this case, special precautions should have included making sure the lift was in proper working order and was assembled correctly, that the worker knew how to operate it, and that he was supervised or spotted by someone who was also trained to operate the lift.

### The Employers' Duties

Cal/OSHA issued 5 citations against UC Berkeley pointing to the campus' failure under California Rules of Regulations, Sections 3646, 3638, 3640 for the Operation of Elevated Work Platforms and Aerial Devices to properly maintain and inspect the lift, keep an operation manual of the lift on-site, properly train employees on how to use the lift, and ensure that the lift was assembled correctly. UC Berkeley was also cited for failure to maintain a proper Injury and Illness Prevention Program (IIPP), which included a safety program, a way to ensure employee compliance, communication with employees free of reprisals, hazard assessment and correction, accident investigation, and safety training and record-keeping.

According to AFSCME and Cal/OSHA, the lift was only used about once a year, the last training for its use occurred in March of 2012 (two years before Damon was assigned to use it), and the lift was poorly maintained.

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<http://dailybruin.com/2014/05/15/afscme-files-complaint-against-uc-berkeley-for-custodians-death/>

<http://www.berkeleydailyplanet.com/issue/2014-04-18/article/42026?headline=Death-of-a-Worker-on-the-UC-Berkeley-Campus--From-Toni-Mendicino>

<http://www.berkeleydailyplanet.com/issue/2014-05-09/article/42098?headline=Union-Files-Safety-Complaint-About-UC-Berkeley-Worker-s-Death--BY-Jeff-Shuttleworth-BCN->

<http://www.sfgate.com/bayarea/article/Cal-OSHA-fines-UC-Berkeley-26K-in-death-of-5767816.php>

<http://www.dailycal.org/2014/09/15/state-investigation-alleges-five-violations-related-custodian-death/> [this link includes the Cal/OSHA citation]

## Refinery Safety Threatens Workers and Local Communities

**O**n February 1, 2015, oil workers at nine refineries represented by the United Steelworkers Union (USW) went out on strike to demand that the oil industry address safety concerns affecting both workers and the surrounding community. A key issue for the union was forced overtime: when workers are fatigued, they are less able to respond quickly to malfunctions and more prone to being injured. The union members recalled the 2005 explosion at BP outside of Houston that killed 15 workers and injured almost 200; overtime and fatigue were later identified as contributing factors. Another issue was industry's increased use of untrained, nonunion workers to do the daily maintenance work previously done by union members. It was the first national oil strike since 1980.

Community concerns grew when an explosion at the ExxonMobil plant in Torrance occurred February 18th; this facility was not on strike, but it reminded surrounding communities of their vulnerability. Four workers were injured and a health advisory urged the

local community, particularly children and the elderly, to stay inside and “shelter in place,” as the air in the nearby area spelled of chemicals and smoke.

Community groups and organizations like the Sierra Club turned out to show their support for the striking workers:

“Oil refinery workers do hard, dangerous work as bulwarks protecting our communities from devastating explosions, spills, and releases. They deserve to be treated with respect, and to work in healthy and safe conditions. Instead, oil companies have created conditions that endanger not only the safety and health of their own employees, but that of nearby communities.” (Press statement from Sierra Club Executive Director Michael Brune, February 3, 2015)

Two California refineries owned by Tesoro were included among those targeted—one in Carson and one in Martinez.



## Tesoro: Two Acid Spills in Two Months

The Tesoro refinery in Martinez was targeted in part due to the company's blatant disregard for safety. On February 12, 2014, two employees performing maintenance work were seriously burned when they were sprayed with sulfuric acid from a broken pipe; the spill released 84,000 pounds of acid. The company refused entry to the U.S. Chemical Safety Board (CSB) staff when they arrived to investigate the cause of the release. Cal/OSHA stepped in and ordered the unit to be shut down for 10 days based on worker testimony. Workers told investigators they were afraid to work on the unit because the pipes "leak all the time" and feared losing their jobs if they voiced safety concerns. Cal/OSHA issued seven citations with five classified as serious. The case was settled and the company paid over 80% of the original fine, but only one serious citation remained. Serious citations are black marks that can affect a company's insurance rates and ability to compete on jobs' bids.

Less than a month later, a second acid spill on the same unit sent two contract employees to the hospital for serious injuries. Tesoro characterized these as minor releases, but several agencies disagreed. Former U.S. Congressman George Miller, who represented the district, issued a statement that concluded, "Based on what we have learned so far, there is a troubling trend of degraded safety conditions, and loss of confidence by employees that the refinery management will adequately maintain equipment and piping." The local Steelworker rep, Tracy Scott, concurred, saying there is "a significant disconnect between management and the hourly (workers) in their beliefs about the refinery's safety. Added proof was the decision by the company to withdraw from a joint effort with the union through its Triangle of Prevention safety program.

Despite a dip in oil prices, the big five oil companies—BP, Chevron, ConocoPhillips, ExxonMobil, and Shell—made almost \$90 billion in 2014.

## Next Steps: Cal/OSHA Working to Improve Refinery Safety

Following the August 2012 fire and explosion at the Chevron Richmond refinery that almost killed 19 emergency responders and sent over 15,000 community residents to the hospital, the Brown Administration undertook a significant multi-agency effort to develop and implement a new approach to regulating the state's oil refineries. A key piece of will be updating the Cal/OSHA Process Safety Management (PSM) Standard (GISO 5198). The Cal/OSHA PSM unit has already ramped up to handle the new work, adding over a dozen inspector positions last year.

Later this year, we can expect the OSH Standards Board to issue a draft revised PSM that includes new requirements such as:

- ▶ Greater involvement of employees in decision-making
- ▶ Using a hierarchy of controls to identify the most effective safety solutions
- ▶ Require comprehensive damage mechanism reviews
- ▶ Integrating human factors and safety culture assessment into safety planning
- ▶ Conducting root cause analysis following significant incidents

Contact Worksafe if you want to receive updates and alerts on opportunities for public input into the details of this new standard. Requiring management to create a climate that truly promotes active employee participation on safety and health heads our list of what needs to be included in the final standard.

# It's Not (Supposed to Be) Part of the Job: Violence Is Too Common for Too Many Workers, Yet It Can Be Prevented

**W**orkplace deaths may occasionally make the headlines, but the ongoing, daily grind of violence at work takes its toll on a wide range of workers.

Yes, the statistics about deaths due to violence at work are disturbing. Homicides accounted for almost 400 of the 4,405 reported [fatal workplace injuries](#) in the United States in 2013. Violence in general accounted for one out of every six fatal work injuries that year. It is the leading cause of death for women in the workplace.

But the numbers of people dealing with violence at work in the U.S. are in the millions. [Federal OSHA says](#) nearly 2 million American workers report being assaulted each year, and that the numbers are hugely underestimated because reports are not made or incidents recorded.

Violence at work runs on a spectrum from threats, verbal abuse, and bullying to physical assaults that can cause bruises, broken bones, multiple injuries, or death. In Britain, a 2013–2014 [survey](#) found 72% of violence at work did not cause a physical injury. Minor bruising or a black eye accounted for the majority of the other 28% of cases. (There are no equivalent numbers in the U.S.)

Whatever happens, it is a hazard to workers' bodies, and their minds—and often both, as those assaulted and their families are traumatized by the attacks and their emotional and psychological repercussions.

Organizations also pay directly and indirectly. A Society for Human Resource Management 2012 [survey](#) found the 3 most common costs associated with workplace violence were management time/expense (55%), productivity loss (37%), and staff replacement costs resulting from turnover (34%). The 2011 Liberty Mutual [Workplace Safety Index](#)



said “assaults and violent acts” were the 10th leading cause of nonfatal occupational injury in workers’ compensation claims, costing \$590 million in 2009.

The picture is so serious that OSHA issued [new guidelines](#) for health care and social service workers earlier this year. They include practical prevention and control measures, and recognize the everyday types of violence common in health care.

Two stories highlighted these common events. Like other sectors, nurses are expected to put up with the spectrum of violence, often blamed for bringing it on themselves, or not supported when they try to report it.

California nurses have been telling their stories to the Occupational Safety and Health Standards Board and the [Cal/OSHA Advisory Committee](#) on Workplace Violence in Healthcare. It was set up in response to petitions [538](#) and [539](#) to the Board from the Service Employees International Union (SEIU) Local 121RN and the California Nurses Association (CNA) in 2014. Both unions talked about the deaths of Cynthia Palomata and Donna Gross (see our [2011 Dying at Work in California](#) report) and referred to the extensive



MADELINE FROST (not her real name)

## “Retaliation Is Real”

**B**erkeley-area nurse Madeline Frost faces violence every day on the job, the result of “astounding,” dramatic changes to the healthcare system where she works and the loss of facilities for people with psychiatric issues.

This long-term nurse declined to use her real name, even though she’s a member of the California Nurses Association. She says, “You live with that fear of being fired [about speaking out about violence at her hospital] because retaliation is real.”

Her most common experience of the hazard is related to the lack of proper spaces for psychiatric patients. The number of “5150 admits (people dangerous to themselves or others) has skyrocketed astronomically in the last two years.”

People admitted for a health problem are taken off psychiatric and sedative medications for the diagnosis process and for surgery. Documentation about their history of violence or medication/drug use is not always provided to the nursing staff. “When they’re not on their regular meds after surgery, they’re dangerous,” she explained. “We deal with this all the time.”

For example, working during the later stages of her pregnancy, Madeline cared for a patient who had been

taken off his medications before emergency surgery—but she wasn’t told about this. When the man regained consciousness, he didn’t know where he was or who she was, and he attacked her.

The hospital also did not provide documentation and advise precautions about another patient, who already threw a flower pot at one of Madeline’s co-workers, cutting her face. The documentation about episodes in other hospitals did not get to the last nurse in the chain, who missed a week’s work because of the injury.

“It was a direct failure of the hospital administration to protect their nurses. All these things should be watched, communicated,” Madeline says.

Barebones staffing makes things worse. “We don’t have enough to bring people a glass of water,” she said. Or people lie “in their own waste, with no nursing assistants to clean them up, nurses running the whole show.” Family members and patients—understandably—become upset in these situations, taking out their anger in verbal (and sometimes physical) assaults on the nurse, who is not responsible for staffing decisions.

Madeline wants a violence prevention regulation, among other things, to ensure there are procedures and staffing levels to prevent these regular incidents.



# III. WHAT IS TO BE DONE?



## Rebuild Cal/OSHA: Strong Enforcement Saves Lives

It is worth remembering that strong government enforcement of health and safety laws work: since the OSHA—the Occupational Safety and Health Act—was passed in 1970, the number of people killed on the job and overall injury rates have both declined significantly. According to the AFL-CIO, more than 512,000 workers can now say their lives have been saved since the passage of OSHA. California’s share, based on population, is likely more than 60,000. Back in 1970, the death rate was 18 per 100,000 workers per year; now it’s about 3.2. Almost a six-fold drop, and more than half a million lives saved!

That is why Worksafe has been a vocal supporter over the years to increase the level of staffing and overall funding for Cal/OSHA and its related programs that set standards, enforce retaliation protection rights, and review citations when appealed. Strong government enforcement is particularly important because many of the most vulnerable workers lack the protection of unions, which have specific rights under health and safety laws so they can represent their members. Many immigrant workers are channeled into low-wage, high-risk jobs, or hired as temp or contingent workers with ambiguous employment rights, putting them at higher risk of injury or death. One example of this was the recent jump in workplace deaths among Latinos in California, particularly in the construction sector. (See story on page 18.)

Today, California officially has 196 inspectors on staff, although recent figures indicate there may be between 10 and 15 vacant positions, meaning the actual number of inspectors in the field

is closer to what it was in 1994 when the state had 20% fewer workers. The inspectors are tasked with enforcement at over 1.3 million workplaces. Given the current official level of staffing, it would take 182 years to inspect each worksite once. The [recent data](#) released by the AFL-CIO shows Cal/OSHA ranks last among the 21 states that run their own OSHA program, and 7th among all states.

### Starting to Turn the Ship Around

After the decline in the Cal/OSHA program over the last two decades, we will finally begin to see an increase in the number of inspectors beginning July 2015 with the passage of the Governor’s proposed budget and a two-year plan. While we certainly support the proposed increase in staffing, there are a couple of points to make.

### CITATIONS HAVE BARELY MOVED IN THE PAST DECADE, DESPITE INCREASES IN THE WORKFORCE



## More Cal/OSHA Inspectors Planned

The Governor's budget for 2015-2016 proposes to add 44 new positions to Cal/OSHA over the next 2 years, including 40 in the enforcement branch. Proposed are 34 new inspector positions, including 18 new Assistant District Managers who will combine administrative and enforcement duties. A separate budget proposal would create 27.5 new positions in the elevator unit, which issues and renews permits for every elevator in the state, among other duties; there is currently a significant backlog in inspections.

A [recent report](#) by the Legislative Analyst's Office (LAO) supports the increase as necessary to address a number of deficiencies in the Cal/OSHA Program raised in the Governor's proposal:

1. California has a higher rate of nonfatal injury and illness than the national average;
2. Cal/OSHA is not meeting certain requirements established in state law to respond quickly to complaints and conduct follow-up inspections of serious violators;
3. Cal/OSHA is not meeting certain Federal OSHA expectations, particularly the low number of serious citations it issues.

The budget proposal includes a goal of conducting 1,400 more inspections per year through a combination of new inspectors and increasing each inspector's quota. But the LAO comments that Cal/OSHA should not confuse "output" with "outcome," meaning that the agency must focus its resources on the most serious sources of workplace injuries and illnesses. It identified effective targeting of high-hazard industries as critical to improved enforcement.

## Cal/OSHA Needs to Add Staff to Enforce New Standards

The proposed new positions are just a first step in a long process. As LAO points out, the state will need to continue to add more positions so that Cal/OSHA can do its job. It's not enough to come up to par with the federal inspector-to-workplace ratio, given the number of special permit programs and standards that are unique to Cal/OSHA. For example, every inspection involves reviewing an employer's Injury and Illness Prevention Plan (IIPP), a California rule; this is time well spent. Another example is the amount of resources currently needed to enforce our heat illness prevention standard, which is of critical importance to agricultural and construction workers during the high heat season. In recent years, fully half of all inspections conducted each year by Cal/OSHA have been classified as heat stress inspections—yet the total number of inspections has been in decline because of short staffing. This means enforcement resources are being taken away from other high hazard industries.

The agency has added more resources to address a particular concern on occasion—a model that we encourage them to follow to ensure strong enforcement of other new standards and those now in the pipeline. For example, over a dozen new inspectors were added to the Process Safety Management Unit (PSM) that oversees safety at refineries and chemical plants following the August 2012 Chevron fire and in anticipation of a revised PSM standard. Next year's budget also includes one new position to help implement a standard to protect against workplace violence in healthcare settings. We encourage Cal/OSHA to continue this trend of anticipating resources needed to implement new standards.

## More Health Inspections

Second, enforcement of health standards has been de-emphasized in recent years, since these inspections are often more complex, require a greater level of inspector expertise, and may involve monitoring. Health inspections, on average, take significantly more time to complete than safety inspections, a factor that OSHA calculates when determining minimum staffing levels. If there is a push to increase the total number of inspections (“more output”), fewer health and other complicated types of inspections will be done, and occupational disease rates will not come down.

This issue must be addressed, both in terms of having enough qualified health inspectors and integrating health inspections into the high-hazard targeting methodology. Worksafe's analysis of the latest data from more than 1,400 health inspections conducted in 2013 indicated that 80% of health inspections that resulted in citations were conducted due to a worker complaint. California has passed stronger standards to protect workers from chemical or biological agents, but then they are rarely enforced. But Cal/OSHA is currently conducting very few targeted inspections to check if employers are in compliance with laws limiting exposure to chemicals and biological agents.

Chronic injuries and diseases that develop over time from repetitive motion, heavy lifting, use of force, vibration, and other factors contribute to over one-third of all serious injuries each year (with women disproportionately represented); these are called musculoskeletal disorders (MSDs). California workers develop over 35,000 MSDs each year and there is [a standard to prevent them](#). But data from 2013 showed that Cal/OSHA only issued one citation throughout the entire state during the year. As the former head of another state OSHA program put it, “if you aren't doing something about MSDs, you are missing the elephant in the room.”

# Working Together to Prevent Retaliation

**F**or the past few years, Worksafe has worked with the Division of Labor Standards Enforcement (DLSE) to strengthen their investigation process for occupational safety and health (OSH) retaliation complaints. We have also encouraged DOSH to identify and eliminate employer injury and illness reporting programs that create disincentives to reporting.

Workers are experts on their own workplace conditions. Their experience can help document workplace hazards, report them to their employer, and urge that they be fixed. Workers can provide documentation to Cal/OSHA when filing complaints and participating in on-site inspections. For these reasons, it is extremely important to ensure that they can voice concerns without fear of reprisal.

Although the DLSE has made many improvements, including increased trainings for staff and processing more cases through its new “triage” system, the DLSE’s OSH retaliation investigation system continues to have issues that make relying on it untenable for vulnerable workers.

Worksafe convened worker leaders, unions, and legal aid centers to strategize about ways to address the epidemic levels of OSH retaliation plaguing workers across the state. These meetings—held in San Diego, L.A., the Central Valley, and the Bay Area—included training on OSH retaliation and the various remedies available to workers. Speakers from government agencies provided useful information. Long-time advocates and attorneys explained how to use possible remedies for retaliation based on the concept of “concerted activity.”

Our findings and recommendations can be found in our report, “Improving OSH Retaliation Remedies for Workers: A Worksafe Report.” To recap, we learned:

1. The DLSE has recently adopted a policy of not accepting retaliation complaints filed as a result of reporting an injury, despite the fact that Federal OSHA lists this as a protected right

2. Complaints filed with the DLSE still see delays of up to a year before cases are completed
3. According to the most recent Federal OSHA audit, DLSE’s investigatory process for OSH cases continues to struggle
4. Little is being done to address injury and illness employer programs that create disincentives for workers to report their injuries and illnesses

Worksafe is reluctant to recommend filing OSH retaliation complaints with the DLSE until its investigation process is improved enough to see a significant boost in the metrics used by OSHA.

State and government agencies can collaborate with workers and advocates to improve the system of remedies available for those experiencing employer retaliation.

Such an agenda must include:

- ▶ A stronger and better DLSE investigatory process, and better outcomes for workers who file OSH retaliation cases
- ▶ Clarification by the DLSE regarding the worker’s right to be protected from retaliation for reporting an injury;
- ▶ A DOSH/DLSE Outreach and Education campaign around OSH Rights
- ▶ A better information-tracking and sharing system by the DLSE regarding OSH retaliation cases that will allow agencies, workers, and their advocates to assess the strength of existing remedies, and advocate for improvements
- ▶ Stronger working relationships between DOSH and the DLSE around issues of OSH retaliation
- ▶ Implementation of Federal OSHA’s interpretation of the illegality of injury and illness programs that create disincentives for reporting

# A Right-to-Know Chemical Hazards Victory for California Workers

## Has Your Employer Met the New Deadlines?

**H**ave you been trained how to read the new data sheets for chemical products at work? Know what those funny graphics or pictures on labels mean? Recent changes in federal and California laws should make it easier for you to understand the hazards of chemicals at your worksite.

Workers in California will get more information about chemicals used on the job than other workers in the United States, thanks to the standard passed here in March 2014. That’s because Worksafe led a long, uphill fight to keep key parts of the state’s long-time right-to-know regulation, officially called the Hazard Communication (HazCom) Standard. Joining our fight were more than 50 other organizations—representing unions, public health, and environmental health groups.

The chemical industry wanted Cal/OSHA to just follow the updated federal OSHA rules that let them be the ones to decide what to tell us about the hazards of chemicals. We knew what that could look like. Checking data sheets prepared by Chevron for styrene, a high-volume chemical, we found big differences between what health effects were disclosed, depending on where it was used. Workers in China had access to sheets on styrene that only listed 4 hazard categories, while those in Japan listed the chemical in 12 hazard categories. The U.S. was in between with seven, but those data sheets did not include styrene’s potential to cause reproductive effects or cancer.

	<b>Explosion hazard</b> (for explosion or reactivity hazards)		<b>Flame</b> (for fire hazards)		<b>Flame over circle</b> (for oxidizing hazards)
	<b>Gas cylinder</b> (for gases under pressure)		<b>Corrosion</b> (for corrosive damage to metals, as well as skin, eyes)		<b>Skull and Crossbones</b> (can cause death or toxicity with short exposure to small amounts)
	<b>Health hazard</b> (may cause or suspected of causing serious health effects)		<b>Exclamation mark</b> (may cause less serious health effects or damage the ozone layer*)		<b>Environment*</b> (may cause damage to the aquatic environment)
	<b>Biohazardous Infectious Materials</b> (for organisms or toxins that can cause diseases in people or animals)				

\*The GHS system also defines an Environmental hazard group. This group and its classes was not adopted in WHMIS 2015. However, you may see the environmental classes listed on labels and safety data sheets (SDS). Including information about environmental hazards is allowed by WHMIS 2015.

If a multinational company like Chevron “harmonizes” its labels and data sheets to what they can get away with in a particular jurisdiction, and tells different stories in different countries, what will others do? How can the chemical industry and its allies be trusted to provide complete and accurate information about their products without being told to use authoritative lists for carcinogens and other health hazards? How can they be trusted to use exceptions properly? That is why we fought so hard—and won! California’s rules now have much less wiggle room than the federal standard gives to chemical companies.

The lesson for workers? Keep an eye on what data sheets say, especially if you think they should tell you about health effects like cancer, asthma, or reproductive effects. Be sure to check section 11 of the data sheet (“Toxicological information”) to see if there is different information there than in section 2 (“Hazard/s identification”). In addition, OSHA’s website has bilingual Quick Cards to explain labels and other materials summarizing the new law.

## What's Changing in California?

Data sheets and labels will look different. Now called “safety data sheets,” the GHS calls for 16 sections of information with specific names, in a set order.

The sheets provide information about physical and health hazards. Criteria for those classifications are more detailed than in the previous Standard, and cover more hazards (called hazard class). The labels provide a “signal word” of warning, pictogram, hazard statement, and precautionary statement for each hazard class and category within it. Knowing how to read a label can help you decide which safety data sheets you should consult for more information.

The pictograms are supposed to be self-explanatory. However, they aren't always obvious, so training is especially important to understand them.

## EMPLOYER DEADLINES FOR MEETING THE HAZCOM STANDARD

DEADLINE	WHAT'S TO BE DONE?	WHO'S RESPONSIBLE?	WHAT DOES IT MEAN FOR WORKERS?
DEC. 1, 2015	Containers must have GHS labels from the chemical manufacturer or importer, or distributors cannot ship them.	Distributors	Everything you use should have the GHS formats.
JUNE 1, 2016	HazCom programs must be up-to-date, with all the GHS-related changes. Labels must match the hazards and workers must be trained about them.	Employers	Your employer's HazCom program must have all the up-to-date materials in it, and you must be trained about them. You must get trained again on new hazards.

## Who Trains Temp Workers on HazCom?

According to OSHA:

- ▶ The training of temporary workers is a responsibility that is shared between the staffing agency and the host employers.
- ▶ Staffing agencies should provide general safety and health training applicable to different occupational settings, and
- ▶ Host employers provide specific training tailored to the particular hazards of their workplaces.

Typically, this translates into the staffing agency training their workers how to read and understand labels and safety data sheets, while the host employer trains them on the specific chemicals found in their work area.

For more details, see <https://www.osha.gov/html/faq-hazcom.html#faq1>.

# Remembering Those We Lost in 2014

The chart below lists 208 California workers who died on the job in 2014. The chart represents those incidents we were able to independently verify, using data from federal OSHA, Cal/OSHA, the website The Weekly Toll, and various media sources. It is far from comprehensive: as we always note, it is unfortunately difficult to gather this information, and the list still doesn't include those who die from work-related disease over time. Nevertheless, we feel it's important to bear witness as best we can to these tragedies, and recommit ourselves to preventing them in the future.

## FATALITIES IN 2014 A PARTIAL LIST

	DATE	NAME	AGE	OCCUPATION/ EMPLOYER	INCIDENT	LOCATION
1	1/10	Skylar Williams		Logger	Crushed by tree	Hayfork
2	1/15		45	Bakersfield Memorial Hospital	Collapsed while transporting patient	Bakersfield
3	1/15	Marie C. Evans	57	Forest Memorial Christian Church	Fell from ladder	Pittsburg
4	1/16	Roberto Ceja Mireles	42	Robert's Tree Service	Crushed by tree	Saratoga
5	1/17	Andrew John Lenz	38	Sempervivum	Struck by scraper tractor.	Glen Ellen
6	1/17	Jeremiah McCollum	32	Truck mechanic	Crushed by frame of forklift	Carmichael
7	1/20			7 Seas Seafood	Crushed beneath car	Montebello
8	1/20	Wilson Iraheta	55	Truck driver	Hit by vehicle outside warehouse	Chino
9	1/21		76	Janitor	Collapsed and died after suffering stroke	Tracy
10	1/21	Tom Smith	42	BART officer	Shot in friendly fire incident	Dublin
11	1/21	Luis Medina Bernal	50s	Remac Tire Services	Pinned between two tractor trailer rigs	San Diego
12	1/24	Gregory Michael De Leon		Equipment operator	Crushed by overturned bulldozer	Los Olivos
13	1/28	David Galyeon		Steve Wills Trucking and Logging	Hit in head by vehicle	Carlotta
14	1/30			Tutor Perini	Struck by truck	Riverside
15	2/4	Salvador Rincon	68	Central Auto Parts	Struck by forklift	Otay Mesa
16	2/7	Philip Marich	53	Galaxy Granite Inc.	Crushed by 10 slabs of rock	San Francisco
17	2/7	Hector Vazquez	46	Galaxy Granite Inc.	Crushed by 10 slabs of rock	San Francisco
18	2/8	Curtis Gresham	43	Worker at World Ag Expo	Struck by tractor trailer	Tulare
19	2/11	Thomas Casillio		H&E Equipment Services	Ejected from elevated lift	Los Angeles
20	2/12	Nelly Chi Salazar-Kantun	39	Pizzeria worker	Shot by boyfriend at work	San Bernardino
21	2/12	Brian Christensen		Joshua's Pest Control	Found deceased by homeowner	Encinitas
22	2/13	John Jacini	48	Mechanic	Killed by fallen equipment	San Leandro
23	2/13	Jose Davalos		Draves Brothers Construction Inc.	Collapsed on job	Camarillo
24	2/17	Brian Law	34	CHP officer	Multi-vehicle crash	Clovis
25	2/17	Juan Gonzalez	33	CHP officer	Multi-vehicle crash	Clovis

	DATE	NAME	AGE	OCCUPATION/ EMPLOYER	INCIDENT	LOCATION
26	2/17	William Woolard		GKN Aerospace	Pinned between industrial truck and piece of equipment	El Cajon
27	2/17	Alejandro Campos	50	Landscaper	Electrocuted	Malibu
28	2/17	Jose Castillo		GS Brothers, Inc.	Heart attack	San Pedro
29	2/18	James Dennis Robbins	53	Roustabout	Fell from oil rig platform	McKittrick
30	2/18	Efren Sanchez	50	Thermo Power Industries	Fell from scaffolding	Long Beach
31	2/21	Cesar Valenzuela	51	Worker at Los Angeles International Airport	Fell from vehicle on service road; subsequently struck by second vehicle	Los Angeles
32	2/24	Joseph Parrish		Vintage Gardens Nursery and Feed	Struck by tree	Sacramento
33	2/26	Bernardo Teran	49	Tree trimmer	Crushed by falling tree	El Cajon
34	3/7	Nicholas Lee	40	Police officer	Killed in vehicle collision	Beverly Hills
35	3/8	Richard Chong	67	HVAC mechanic	Fell from ladder	Los Angeles
36	3/10			Dynamex	Struck by vehicle	Hayward
37	3/10	Anthony Kavea		Tree trimmer	Fell 30 feet after safety line was severed by chain	Long Beach
38	3/11	Leobardo Valdenegros	40	Heaviland Enterprises	Struck by vehicle	San Diego
39	3/15	Jose Ornales	37	Full Service Scaffold	Electrocuted	Sacramento
40	3/15	Eugenio Loaeza		Farmworker	Died after being hospitalized for possible pesticide exposure	Kingsburg
41	3/17	Ignacio Garcia	48	Landscaper	Heat-related illness	Santa Ana
42	3/17	James Buggs		Boxing trainer	Cardiac arrest	Oakland
43	3/17	Fred Eldridge		Whittier City School District	Heart attack	Whittier
44	3/19	John Beebe	58	Drywall installer	Fell	Bella Vista
45	3/19	Ricky Del Fiorentino	48	Sheriff's deputy	Shot in shootout	Fort Bragg
46	3/20	Aaron Faulk		Pool cleaner	Found in pool	Newport Coast
47	3/24	Gurbinder Singh		Sierra Gold Nursery	Found unresponsive	Yuba City
48	3/27	Zachary Doak		Oil worker	Collapsed on job	Bakersfield
49	4/7	Damon Frick	45	Custodial worker	Fell from motorized lift	Berkeley
50	4/7	Raul Rodriguez		Worker for Raymond Cazares	Fell from forklift	Los Angeles
51	4/8			Under the Wire	Possible electrocution	Los Angeles
52	4/9	Eddie Parra		Casa Linda Furniture	Collapsed while placing merchandise on lift gate	El Monte
53	4/10	Talalelei Lealao-Taiao	53	School bus driver	Collision	Orland
54	4/10	Tim Evans	32	FedEx driver	Collision	Orland
55	4/10	Kenneth Fisher	60	Logger	Ejected from tree felling machine	Corona
56	4/13	Jean Hubrechtsen	50	Laborer	Fell 18 feet while cleaning a gutter	Morgan Hill
57	4/14	Robert F. Ortiz	54	Aerojet Rocketdyne	Succumbed to injuries after explosion	Rancho Cordova

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58	4/17	Efren Gomes		Hermanos Grading, Inc.	Slipped and fell in front of loader, which crushed him	San Bernardino
59	4/18	Mohammad Khan		De Graaf Ranch	Found on ground by coworker	Manteca
60	4/20	Anthony Pettinichio		Nestle Carnation	Found unresponsive	Modesto
61	4/25		60	Yuba City Unified School District	School bus collision	Yuba City
62	4/27	David Plumb	33	Pilot	Mid-air plane collision	Richmond
63	4/28	Coll Perske	29	Diver	Drowned conducting sea lion training	Coronado
64	4/28	Jose Delgado Rubalcaba		Farmworker	Collapsed while weeding tomato field	Corcoran
65	4/29			Werner Enterprises	Vehicle rolled down embankment	Westley
66	4/30			Keep-it Storage	Found next to a partially collapsed eight-foot scaffold	Sacramento
67	4/30	Carlos Ubaldo Corona		Basalite Concrete Products	Pulled into machine	Lodi
68	5/2	Randy Riley		R & M Backhoe Services	Heart attack	Ukiah
69	5/3	Martin Morales		Esparza Enterprises	Died after a day of harvesting blueberries	Bakersfield
70	5/4	Eddie Andreini	77	Pilot	Crash	Fairfield
71	5/5			Mills Orchards	Found in vehicle, which smelled strongly of pesticide	
72	5/5			R&M Backhoe Services	Found unresponsive by coworker	
73	5/6	Samuel Enciso	51	National Distribution Services	Explosion	Riverside
74	5/9	Jorje Arzate		Mechanic	Run over by the vehicle	Madera
75	5/16	Dionieio Cantorna		Jasmine Vineyards	Found unresponsive after trimming grape leaves	Delano
76	5/17	Jose Luis Gonzalez Che		John Scharffenberg	Struck by tree limb	Philo
77	5/18	Raquel Morales	63	Office worker	Murdered by co-worker in robbery	San Diego
78	5/18	Okesene Faasalele	59	Hard Rock Equipment Rentals	Railroad trestle collapse	Riverside
79	5/20	Eduardo Lopez	29	Austin/Sundt Corp.	Killed by collapsing rebar	San Diego
80	5/20	Elias Vera	54	Construction worker	Killed in fall	San Mateo
81	5/21	Victorino Campos-Tovar	48	Construction worker	Killed in fall	San Jose
82	5/22	Luis Sanchez	20	Construction worker	Murdered by co-worker	Los Angeles
83	5/23	Joel Torres-Martin		Jorge Marin Perez	Lost consciousness after turning irrigation valves	Arvin
84	5/26	Salvador Cazarez		Millenium Construction	Heart attack	Capitola
85	5/26	Tommy Childress		K Vac Environmental	Skull fracture	City of Industry
86	5/26	Guadalupe Ceja		Farmworker	Heart attack	Wasco
87	5/29	Chris Tomasovich	48	Logger	Falling tree	Tuolumne County

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88	5/30	Marcus Zane Powell	25	Construction worker	Crane-hoisted basket broke free at bridge construction site	Winters
89	5/30	Glenn Hodgson	49	Construction worker	Crane-hoisted basket broke free at bridge construction site	Winters
90	5/31	Jessie Julian		Tree trimmer	Fell from tree	Elk Grove
91	6/1	Alfredo Lopez		Real Mex Restaurant	Fell from ladder	Manhattan Beach
92	6/2			Bay Area Truck and Trailer Repair	Succumbed to injuries after fire	Hayward
93	6/2	Javier Benitez Gamino		Farmworker	Died a day after spreading fertilizer and suffering paralysis	Merced
94	6/2	Dennis Roth		California Erector	Collapsed at work	Hanford
95	6/2	Christopher Clayton		Macy's Inc.	Crushed by merchandise falling off pallet	City of Industry
96	6/4	Jesus Gonzales		Kenyon Plastering	Found deceased by co-worker	Sacramento
97	6/5	James Morales Jr.		Silicon Valley Glass	Found deceased by co-worker	Los Gatos
98	6/11	Adrain Guzman		La Vina Ranch	Struck by motor vehicle.	Madera
99	6/11	Scott Hewell	33	Police officer	Succumbed to injuries sustained in an earlier vehicle incident	Stockton
100	6/12	José Rodriguez	40	Maintenance worker	Shot and killed	Ontario
101	6/13			Healy Electric & Controls	Electrocuted	Malibu
102	6/19	Kil Tae Kim	65	AP Tire Service	Pinned by heavy equipment	Oakland
103	6/20	Edgardo Vila	39	Crew member	Suffered injuries while unloading ship	Wilmington
104	6/23	Charles Hose		Electrician	Electrocuted	Vallejo
105	6/23	Jack Pollack		Night Watch	Heart attack	San Juan Capistrano
106	6/23	Charles Chumiskey		L.A. Department of Water and Power	Found bleeding from head	Beverly Hills
107	6/23	Richard Maberto		TSI Trucking	Found on ground near truck	Herald
108	6/25			Capitol City Patrol	Killed during robbery	Sacramento
109	6/27			RD Hughes Drywall	Possible indoor heat illness	Santa Rosa
110	6/27	Allen Calloway	32	Outreach worker	Shot to death	San Francisco
111	7/5	Adan Munoz		Tree trimmer	Fell 25 feet	Rowland Heights
112	7/6	Ben Carlson	32	Lifeguard	Drowned while attempting to rescue swimmer	Newport Beach
113	7/8	Jose Garcia Negrete		Farmworker	Heart attack while cutting broccoli	Santa Maria
114	7/10			Desert Springs Church	Killed after falling and hitting head	Palm Desert
115	7/11	Jerry White		New Horizon Contracting	Collapsed during asbestos remediation	Yucaipa
116	7/13	Robert Carrasco	24	Ironworker	Suffered severe head trauma after 15 feet fall	Pasadena
117	7/14			Javier Galindez Landscaper	Drowned in swimming pool	Laguna Beach

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118	7/15	Erik Ceron Alegria		Winlup Painting, Inc	Electrocuted	Westchester
119	7/15	Leo Clark Gobel		Iron Tree Solutions	Struck by metal rod	Williams
120	7/17	Sergio Hernandez	50	Estenson Logistics	Cardiac arrest	Santa Fe Springs
121	7/17		61	Truck driver	Possible heart attack	Five Points
122	7/17	Daniel Pohl	23	Five Star Plastering	Electrocuted	Mission Viejo
123	7/18	Neil Bruggman		Wave Co.	Heart attack	Fresno
124	7/18	James Heuer	37	College of the Sequoias	Trapped beneath a spray rig in cornfield	Tulare
125	7/18	Larry Franklin		TEK Systems Inc.	Heart attack	Sacramento
126	7/19			Ironworker	Fell through hole in floor	Pasadena
127	7/22	Francisco Miguel Tomas	48	Cleaning crew worker	Shot and killed	Los Angeles
128	7/23			Doug Hodgson Trucking, Inc.	Struck by vehicle	Gorman
129	7/24	Antonio Lopez		Truck driver	Found deceased in cab of truck while waiting to load	Stockton
130	7/30	Vince J Zuniga		Farmworker	Vehicle incident	Fresno
131	7/31	Juan A. Macias		Equipment mechanic	Crushed by belt conveyor	Santa Fe Springs
132	8/5	Mark Santos	24	Highway worker	Struck by vehicle	Menlo Park
133	8/8	Randy Byers		High Country Outdoors	Fell from ladder	Stockton
134	8/8			Coquelicot Estate Vineyard	Found deceased in truck	Santa Ynez
135	8/8	Alfredo Salgado		Jose Martin Gardening	Drowned in pool	Santa Ana
136	8/8	Tarsem Josen	55	Charter Pros Bus Company	Pinned between two buses	Oakland
137	8/10	Jose Rocha		JRW & Company	Electrocuted	Encino
138	8/11			Greeno Farms	Vehicle collision	Brawley
139	8/11	Greg Howery		Lawson Drayage	Equipment turnover	Hayward
140	8/12	John Probus		Truck driver	Collapsed on job	Palm Desert
141	8/13	Raul Soto-Olvera	31	Tree trimmer	Electrocuted	Corona
142	8/13			Orange County Transit Authority	Struck his head on bus	Anaheim
143	8/13	Urelío Duran		West Valley Aviation	Vehicle rolled over into canal	Mendota
144	8/17	Robert Limon	38	BNSF railroad worker	Shot and killed	Tehachapi
145	8/18			Hunter Landscaping	Struck by vehicle	La Punte
146	8/20	Juan Cendejas Luna		Farmworker	Tractor fell into canal in strawberry field	Camarillo
147	8/24	Lisandro Garcia		Boulevard Cadillac	Fatal chest trauma from steel gate	Signal Hill
148	8/28	Alvin Andrews	52	San Francisco Department of Public Works	Run over by garbage truck	San Francisco
149	8/28	Freddy Fernandez Morales		Honeyville Inc.	Apparent heart attack	Rancho Cucamonga

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150	8/28	Carlos Lara		Stucco Accents, Inc.	Found unconscious	Fresno
151	8/29	Juan Castellano		Ridge Andrews	Pinned by construction equipment	Clovis
152	8/29	Helen Johnston			Struck by car	El Cajon
153	8/31	Witayaki Jphongsri		Prayong Yangsanpu	Fell through skylight	San Francisco
154	9/2			California Accident RJ	Fell through temporary flooring	Los Angeles
155	9/2			Mencarini Brothers Vineyard	Truck went over embankment	Stockton
156	9/2	Joseph Eisenman		ABT Electric	Fall	Hayward
157	9/4	Francisco Velasco Andrade		Bothun Turkey Farms	Cardiac arrest	Snelling
158	9/8	Carson Peter-Contesse	18	Railroad track repairman	Killed after attacking co-workers	Bakersfield
159	9/9			Worker for turkey farmer	Found on ground in parking lot	Snelling
160	9/12	Charlotte Hayes		Kareo	Cardiac arrest	Irvine
161	9/15	Ricardo Manduano		Farmworker	Ejected from forklift	San Ardo
162	9/16	Jose Juan Vallejo	45	Main Stream Aquatics	Drowned	La Quinta
163	9/28		61		Crushed by falling tractor	San Diego
164	10/1			Affordable Plumbing	Vehicle incident	Santa Paula
165	10/2			Henco Oakland	Struck by vehicle after falling from back of truck	Oakland
166	10/5			Electrician	Fell eight feet onto concrete floor	Bakersfield
167	10/7	Geoffrey "Craig" Hunt	62	Pilot	Airplane crash while battling wildfire	Hollister
168	10/8			Foster Farms	Possible heart attack	Hickman
169	10/10			Haman Landscape and Tree	Struck by vehicle	Sacramento
170	10/10			Carlton Forge Works	Run over by forklift	Paramount
171	10/15			Gonzao Torrez	Struck by falling tree	Visalia
172	10/16			Bluesky Pool Service and Repair	Drowned in residential pool	Saratoga
173	10/16	Miguel Angel Ruiz Jr.	21	Human Resource Solutions	Run over by truck	Redding
174	10/19	Chanthavy Chanthapaseuth	40		Fall from tree	Brownsville
175	10/21			The House San Carlos	Crushed between equipment	San Carlos
176	10/23	Priscila "Precy" Moreto		San Francisco Controller's Office	Struck by tourist trolley	San Francisco
177	10/24	Danny Oliver	42	Sacramento Sheriff deputy	Shot	Sacramento
178	10/24	Michael David Davis, Jr.	42	Placer County Sheriff deputy	Shot	Sacramento
179	10/30	Jesus Fernandez	51	Construction worker	Hit by car	Salinas
180	10/30			Bay Area Traffic Solutions	Struck by vehicle	Fremont
181	10/30			Covenant Care	Struck by vehicle	Fremont

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182	10/31	Michael Alsbury	39	Test pilot	Crash of experimental spaceship	Mojave
183	10/31			Performance Sweeping Inc.	Street sweeper overturned	Santa Margarita
184	11/4			Uber	Struck by vehicle	Union City
185	11/6			Amtech Elevator Service	Crushed at top of elevator	Los Angeles
186	11/6			Santa Fe Springs Packaging Corp.	Injured and ultimately killed on a winding machine	Santa Fe Springs
187	11/8	Jon Richard Dennis	69	Pilot	Crash of small plane	Gilroy
188	11/10			Handyman	Apparent cardiac arrest	Newport Beach
189	11/12			A-CO Temporary Power	Struck by a power pole that came loose	Burbank
190	11/12			Global HVAC	Passed out and subsequently died at hospital	Visalia
191	11/12			Miller Orchard Farming Inc.	Vehicle collision	Modesto
192	11/17			Bertozzi Vineyard	Fell 14-20 feet onto concrete	Ukiah
193	11/19	Thomas Hoover	57	Longshoreman	Cardiac arrest	Benicia
194	11/20			American Building Innovation	Pinned between heavy equipment	Perris
195	11/25	Jimmy Herrera	37	Tree trimmer	Crushed between large palm fronds	San Diego
196	11/26			Tree trimmer	Made contact with power line	La Habra
197	12/2			SB Electrical Innovations	Tripped or fell at worksite	Irvine
198	12/2			Trinity Personnel, Inc.	Passed out on job and subsequently died at hospital	Manteca
199	12/4			Quintero Autobody	Crushed by vehicle	San Bernardino
200	12/8			Laborer	Fell from ladder	San Mateo
201	12/11			USC Medical Center	Fell into air handler	Los Angeles
202	12/16			Temporary employed by Priority Workforce	Fell 12 feet from railcar onto asphalt	Mira Loma
203	12/23			Inspire Senior Living Options	Found deceased	Mill Valley
204	12/24	Jimmy Pendergrass	70	Stockton Police Department	Struck by vehicle	Stockton
205	12/30	Timothy Mitchell	39	Harbor patrol officer	Pinned between boat and harbor rocks	Avalon
206	12/31			E&M Trucking	Made contact with overhead power line	Bakersfield
207	12/31			Prime, Inc.	Crushed between truck and loading dock	Thermal
208	12/31	Richard Williamson	48	Owner of security company	Shot	Riverside

# WORKSAFE

55 Harrison Street, Suite 400

Oakland, CA 94607

[www.worksafe.org](http://www.worksafe.org)

[worksafe@worksafe.org](mailto:worksafe@worksafe.org)

(510) 302-1021

Gail Bateson, Executive Director

Rick Kelley, Associate Director, Communications and Finance

Nicole Marquez, Staff Attorney

Sophie Noero, Associate Director, Communications and Development

Jora Trang, Managing Attorney

Dorothy Wigmore, Occupational Health Specialist

Based in Oakland, California, Worksafe is an independent non-profit dedicated to protecting people from job-related injuries, illnesses, and death. Prevention is our goal as we advocate for protective worker health and safety laws, and effective remedies for injured workers. In coalition with unions, workers, community, environmental and legal organizations, scientists, and public health advocates, we engage in campaigns to eliminate and reduce the full range of workplace hazards. We educate policymakers and others about the magnitude of workplace hazards and how they affect working people and communities. Many of our activities focus on low-wage immigrant workers and their experiences.

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safety, health, and justice for workers

55 Harrison Street, Suite 400

Oakland, CA 94607

(510) 302-1021

[worksafe@worksafe.org](mailto:worksafe@worksafe.org)

[www.worksafe.org](http://www.worksafe.org)