

The Year in U.S. Occupational Health & Safety

Fall 2018 – Fall 2019

8th Edition

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Special thanks to the following organizations for sending in photos to include in the OHS Yearbook 2019: Appalachian Citizens' Law Center, Asbestos Disease Awareness Organization, Greater Minnesota Worker Center, MassCOSH, National COSH, New Hampshire COSH, New Jersey Work Environment Council, New Labor, Occupational Health Internship Program, SEIU 32BJ, and Worksafe.

The full-page photos in the yearbook were taken on Dec. 4-6, 2018 at the National Conference on Worker Safety and Health (COSHCON18). Appearing are Luis Vazquez (International Chemical Workers Union); Jora Trang (Worksafe); Schuyler Geery-Zink and César García (Nebraska Appleseed); José Rojas (New Labor); Natalia Nicastro and her daughter (Philaposh); and Nick Young, Alexis Grainger-Clemmons, and Juan Zuniga (United Steelworkers).

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Table of Contents

Introduction: It's Been a Busy Year..... 1

I. The Federal Government and Occupational Health and Safety 3

OSHA.....4

MSHA.....7

Chemical Safety Board 11

EPA 15

II. Occupational Health and Safety at the State and Local Levels 21

Worker Memorial Week 29

III. News Coverage of Worker Health and Safety Topics 37

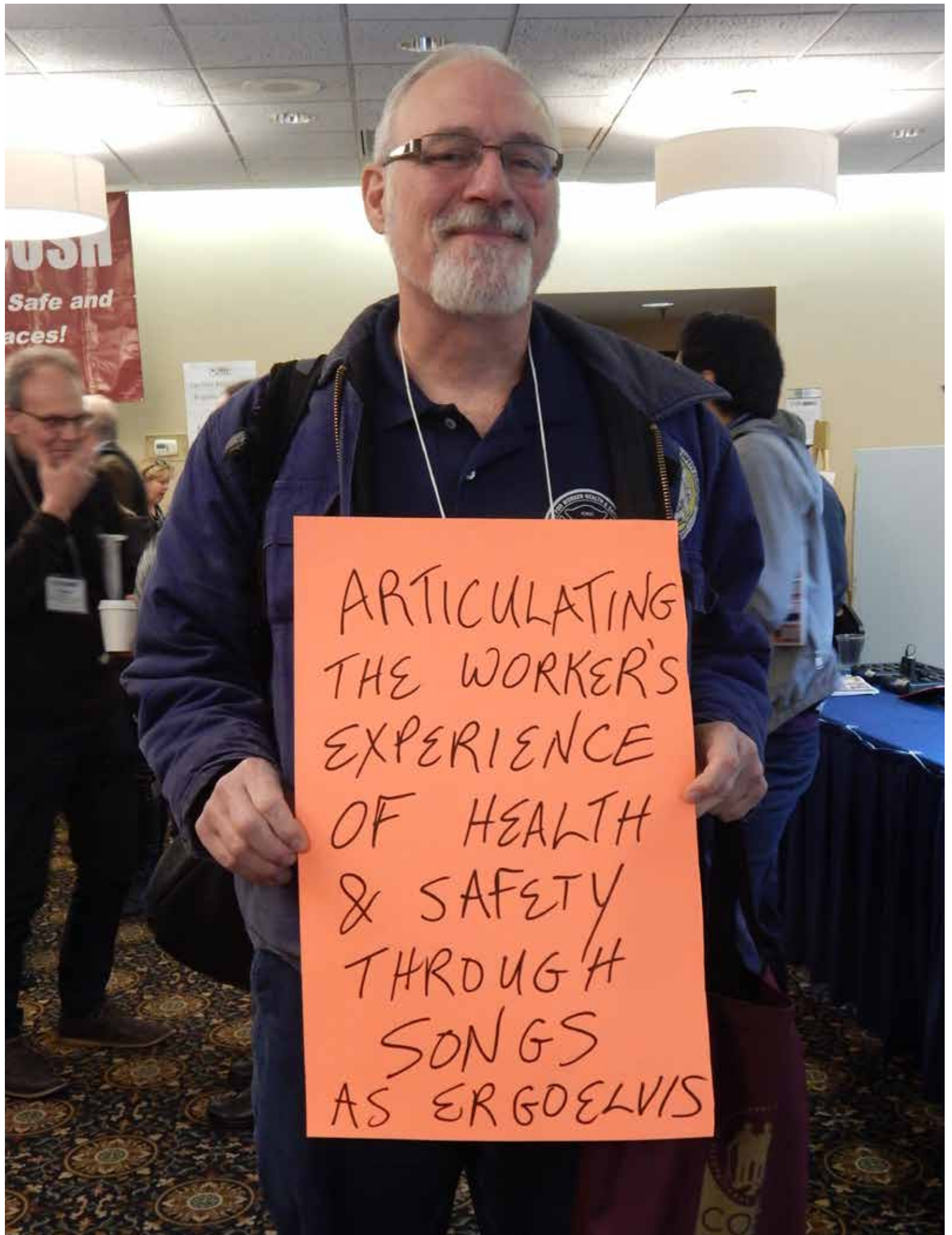
IV. New Research on Worker Health and Safety 49

Peer-Reviewed Research on Occupational Health & Safety..... 64



National COSH

(L-R) Marsha Love (University of Illinois-Chicago), Laura Stock (Labor Occupational Health Program (LOHP)), Alejandra Domenzain (LOHP) and Marcy Goldstein-Gelb (National COSH) at COSHCON18 in December 2018. Alejandra Domenzain received the organization’s Health and Safety Trainer Award. At the ceremony, Domenzain said, “I really do believe in our movement. I believe in our dreams and our demands and in this joint mission to transform our world, not just our workplaces.”



ARTICULATING
THE WORKER'S
EXPERIENCE
OF HEALTH
& SAFETY
THROUGH
SONGS
AS ERGOELVIS

It's Been a Busy Year

We are pleased to present the 8th edition of The Year in U.S. Occupational Health & Safety (*OHS Yearbook 2019*).

In 2012 when we published the first edition of the *OHS Yearbook*, our goal was to assemble the most noteworthy happenings from the previous 12 months on worker health and safety in the U.S. Much as the AFL-CIO's annual *Death on the Job* report focuses attention on workplace injury and illness statistics, the *OHS Yearbook* reports on the policy successes and challenges, and the people who were involved in them.

This 8th edition continues that tradition by recapping key policy changes at federal and

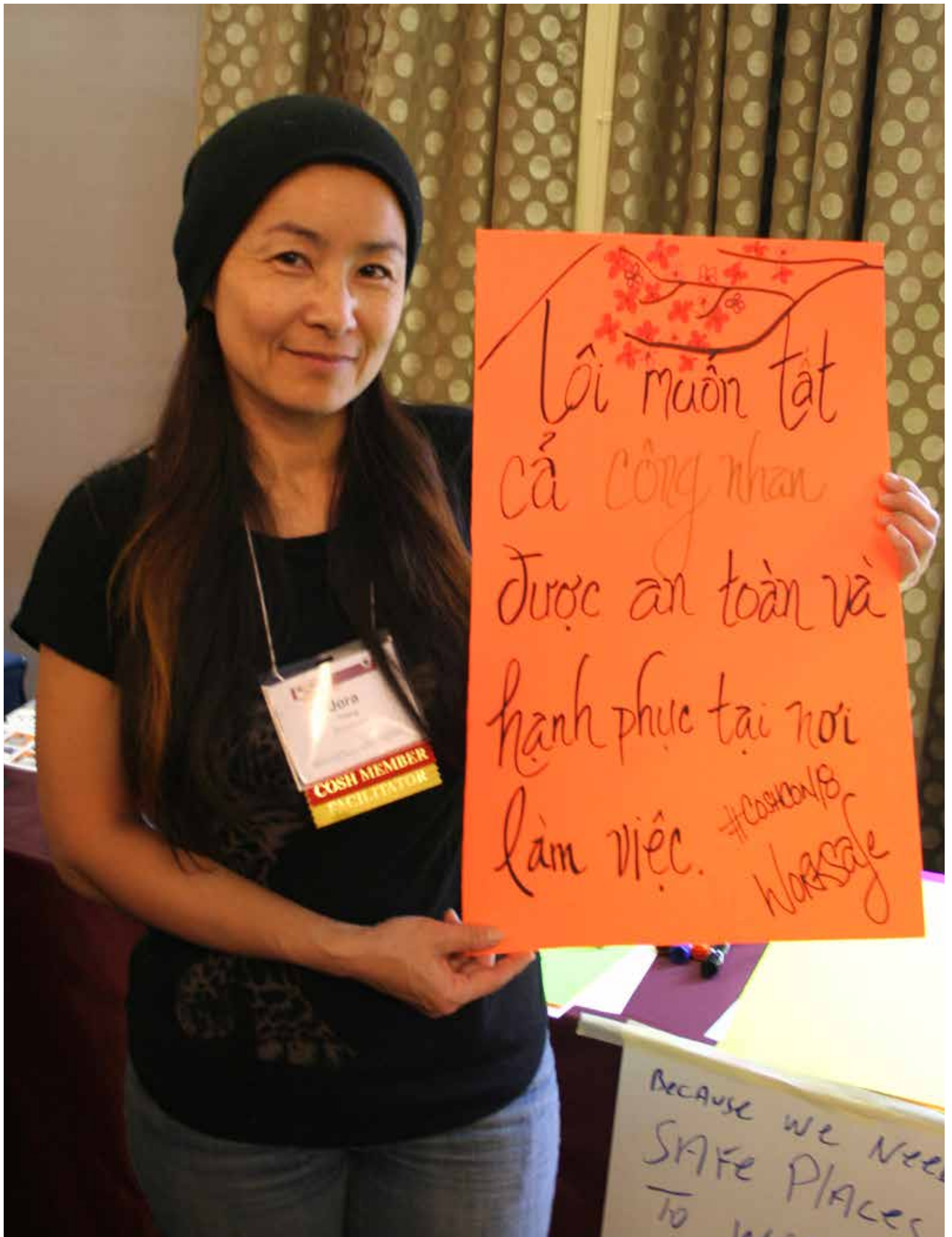
state worker safety agencies, profiling some of the best reporting by journalists on OHS topics, and highlighting key publications prepared by organizations and researchers. To keep the *OHS Yearbook* to a manageable length, we had to make tough decisions about what to include or omit. Having to make those choices tells us that advocacy and research in the OHS community is vibrant.

The *OHS Yearbook 2019* features many photos contributed by COSH groups, worker centers, and other organizations. We are delighted to use them because they chronicle and celebrate some of the people who make our movement strong. We hope you enjoy reading the yearbook as much as we like putting it together.



Fe y Justicia

Members of the Fe y Justicia Worker Center during a health and safety training in June 2019.



Lôi muốn tất
cả công nhân
được an toàn và
hạnh phúc tại nơi
làm việc. #coshvn18
NoSafe

BECAUSE we need
SAFE PLACES
TO

The Federal Government and Occupational Health and Safety

The year 2018 concluded with a partial shutdown of the federal government that continued into the new year and lasted 35 days. The dispute between the White House and Congress was financially and psychologically stressful for federal employees and contractors, particularly those directly affected by the shutdown.

The Trump administration continued to show its disdain for fulfilling the basic functions of government, including for occupational health and safety (OHS) programs. As of November 2019, nearly three years since the inauguration, there was no Senate confirmed director of the Occupational Safety and Health Administration (OSHA) and no one nominated for the post. The President's budget for fiscal year 2020 called for the elimination of the Chemical Safety Board and a cut of more than 50 percent to the budget of the National Institute for Occupational Safety and Health (NIOSH). Despite the President's claim that he loves coal miners, the Mine Safety and Health Administration (MSHA) had yet to take meaningful action to address the epidemic of black lung disease.

Pushing back, however, against the administration's attacks on worker protections, OHS advocates, environmental groups, and civil rights organizations filed lawsuits, insisted on

congressional oversight, and made other demands to change the administration's course. In the following section, we describe these topics and other noteworthy activities at the federal level.

Government shutdown

The longest federal government shutdown in history, caused by disagreements between President Trump and members of Congress about border security and construction of a border wall, lasted from December 22, 2018 until Friday, January 25, 2019. The shutdown affected nine departments, and nearly 800,000 federal employees and contractors saw their paychecks delayed or lost weeks of wages. OSHA, NIOSH, and MSHA were not shut down, but employees at the Environmental Protection Agency and the Chemical Safety Board were furloughed.



National Park Service

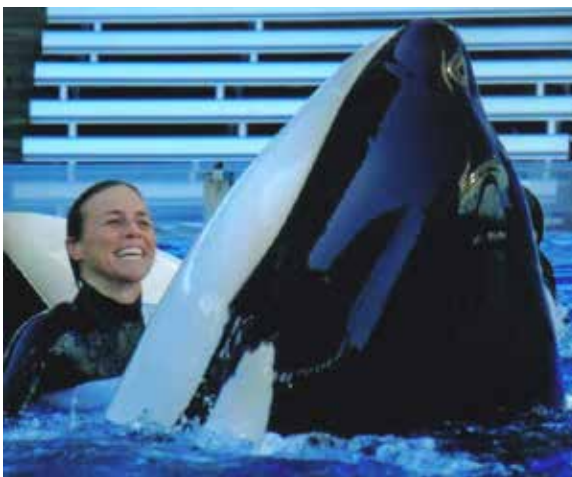
Jessica Martinez, co-director of National COSH, said, “The workers who are on the job every day to protect us deserve better treatment, and the public deserve a full-time workforce that is rested, healthy and prepared to provide important public services.”

Labor Secretary

In July 2019, Alex Acosta resigned as U.S. Secretary of Labor. Acosta was under fire for a plea deal he cut in 2008 while serving as U.S. attorney, which allowed financier Jeffrey Epstein to plead guilty to a lesser offense in a sex-trafficking case and avoid a lengthy prison sentence despite evidence that he committed horrific crimes.

Less than a week after Acosta’s resignation, President Trump nominated Eugene Scalia to fill the post. Scalia served for one year as Solicitor of Labor during the George W. Bush administration and later worked for industry groups to challenge OSHA citations. Scalia was also the attorney for the entertainment venue Sea World in its unsuccessful challenge to OSHA’s “general duty clause” citation following the death of Dawn Brancheau, 40. She was fatally injured by a six-ton orca.

4



Dawn Brancheau Foundation

Dawn Brancheau, 40, was fatally injured in February 2010 by an orca at Sea World. An OSHA violation against the company—specifically Judge Brett Kavanaugh’s dissenting opinion about it—was a subject at his October 2018 confirmation hearing for a seat on the U.S. Supreme Court.

Senators held a confirmation hearing on Mr. Scalia’s nomination in early September 2019. Senator Patty Murray (D-WA) criticized his record as one that is hostile to workers. “We need someone who will hold companies accountable, not let them off the hook at every opportunity,” she said. Later that month, the Senate confirmed Scalia by a 53-to-44 vote.

Supreme Court vacancy

In October 2018, the Senate voted 50-48 to confirm Brett Kavanaugh to be a justice of the U.S. Supreme Court. During his confirmation hearing, Democratic Senators expressed concern about Kavanaugh’s views on workers’ rights. Their concerns stemmed, in part, from his dissenting opinions in cases on workers’ right to join a union (*Agri Processor Co. v. NLRB*) and the application of OSHA’s general duty clause for a violation related to the death of an animal trainer (*Sea World of Florida v. U.S. Department of Labor*). A final vote on Kavanaugh’s confirmation was delayed briefly while Senators reviewed allegations that the nominee sexually assaulted young women when he was in high school and college; the White House set the parameters of a remarkably brief FBI investigation, which did not include interviews with multiple witnesses who offered to provide information.

OSHA

OSHA nominee withdraws

In May 2019, Scott Mugno withdrew his nomination to serve as the assistant secretary of labor for OSHA. Mugno, who is a vice president at FedEx, was nominated by President Trump in October 2017. Ms. Loren Sweatt is the highest ranking political appointee at OSHA and has been acting in that position since July 2017.



Ahmed Ali

Osob Jama with the Greater Minnesota Worker Center at an October 2019 protest outside of the Jennie-O plant in Melrose, MN.

Rollback of injury and illness reporting

In January 2019, OSHA issued a rule that eliminated the requirement for workplaces with 250 or more employees to electronically submit to OSHA their injury logs and incident reports (OSHA 300 and 301 forms). The agency asserted that the Obama-era rule put workers' private information at risk of disclosure. Groups opposing the regulatory rollback include Public Citizen and the American Public Health Association, which filed a lawsuit to

challenge the change. The states of New Jersey, Illinois, Maryland, Minnesota, New York, and the Commonwealth of Massachusetts also filed a lawsuit to challenge the rollback. The cases were filed with the U.S. District Court Western District of Oklahoma and the U.S. District Court for the District of Columbia, respectively.

Workplace violence legislation

In February 2019, the Subcommittee on Workforce Protections of the U.S. House Education and Labor Committee held a hearing on the "Workplace Violence Prevention for Health Care and Social Service Workers Act." Witnesses at the hearing included Jane Lipscomb, professor of nursing at the University of Maryland, and Patricia Moon-Updike, a registered nurse from Wisconsin. Moon-Updike had to give up her nursing career because of physical and emotional injuries from an assault by a patient.

The Committee approved the bill in June 2019 on a 26-18 vote. It would compel OSHA to issue a regulation that requires employers in healthcare and social services to implement violence prevention plans. As of November 2019, a vote by the full House of Representatives was not scheduled.

5

Heat-illness prevention legislation

In July 2019, Reps. Judy Chu (D-CA) and Raul Grijalva (D-AZ) introduced the "Asunción Valdivia Heat Illness and Fatality Prevention Act." The bill would require OSHA to issue a regulation to protect indoor and outdoor workers from excessive heat. The bill is named after a 53 year-old farmworker who suffered a fatal stroke in 2004 after working in 100+ degree temperatures. His employer failed to call an ambulance to assist Valdivia.

The Subcommittee on Workforce Protections of the House Education and Labor Committee held a hearing that month about the bill. Javier Rodriguez, a warehouse worker from Ontario, CA; Arturo Rodriguez of the United Farm Workers; Ronda McCarthy with the



AFT

(L-R) Senator Tammy Baldwin (D-WI) welcomes Patricia Moon-Updike to Capitol Hill. The retired nurse testified later that day before a congressional committee on the need for an OSHA rule to address workplace violence.



Public Citizen

Rep. Alma Adams (D-NC) speaks at a press conference in Washington, D.C. to introduce the Asunción Valdivia Heat Illness and Fatality Prevention Act. Also appearing are Robert Weissman and Srividya Maganti (Public Citizen); Arturo Rodriguez (former president of the United Farm Workers); Rep. Judy Chu (D-CA); Lydia Baugh (Int'l Safety Equipment Assoc.) and Iris Figueroa (Farmworker Justice.)

6

American College of Occupational and Environmental Medicine; and Thomas Bernard with the University of South Florida were among the witnesses.

Respiratory protection

In September 2019, OSHA updated its respiratory protection standard to add two new fit testing protocols. The change means there are now six protocols for employers to use to ensure that a worker's respirator fits properly.

Beryllium

In October 2019, OSHA proposed a rollback of certain provisions of its beryllium standard for the construction and shipyards industries. The agency asserted that in these sectors, exposures are generated through welding and abrasive blasting with agents that contain only trace amounts of beryllium. Among other things, the changes would revoke some requirements for a written exposure control plan, emergency procedures, use of PPE if the expected route of exposure is dermal, and handling of beryllium contaminated PPE. The comment period ended in November 2019.

Audit reports

The Labor Department's Office of Inspector General (OIG) issued a report in September 2018 on OSHA's handling of fatality and severe injury reports under a regulation issued in 2015. The audit found that in 87 percent of the cases, OSHA either lacked written justification for having the employer do their own investigation of the incident rather than an OSHA inspector, or the agency closed the case without sufficient evidence that the employer abated the hazard that caused the incident. OSHA disagreed with some of the OIG's findings, but agreed that it could improve documentation in its case files.

In February 2019, the Government Accountability Office (GAO) reported that the Department of Defense misses opportunities during its contracting process to assess companies' workplace safety records, specifically by using OSHA data. GAO noted that nearly half of all defense contractors had been cited by OSHA for at least one serious violation in the previous five year period. GAO recommended that DOD officials consider OSHA's online inspection data as a resource in making contracting decisions, and recommended that OSHA

explore the feasibility of including corporate identification numbers in its inspection data.

Also in February 2019, GAO issued a report on the status of working children in the U.S. and enforcement of the Fair Labor Standards Act with respect to work-related hazards. Between 2003 and 2016, 452 children were fatally injured at work, with more than 50 percent of the deaths occurring in agriculture. The report described a regulatory proposal in 2011 to create parity on safety protections for young workers in agricultural and non-agricultural jobs and Department of Labor (DOL) decision to withdraw the proposal. GAO made several recommendations to DOL's Wage and Hour Division, Bureau of Labor Statistics, and OSHA, including evaluating the feasibility of collecting injury data on young workers.

The OIG issued a report in March 2019 concerning OSHA's procedures for issuing guidance documents such as factsheets, hazard bulletins, and memoranda to regional offices. OIG sampled 57 documents issued between 2013 and 2016. The audit concluded that only 20 percent were reviewed appropriately to ensure they did not create new legal obligations for employers. In its response to the OIG, OSHA explained the Solicitor of Labor's role in developing guidance documents, but committed to having better written records of internal reviews.

MSHA

Pre-shift safety exams

In June 2019, the U.S. Court of Appeals for the D.C. Circuit struck down a change made by the Trump administration that rolled back requirements for enhanced pre-shift safety examinations in metal and aggregate mines. The United Mine Workers and the United Steelworkers sued the Mine Safety and Health Administration (MSHA) for making changes to the rule, which was adopted at the end of the Obama administration. The court said that MSHA failed to explain how the changes made by the Trump administration did not di-

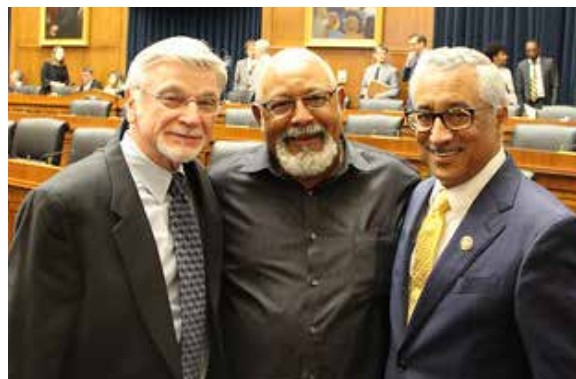
minish safety for mine workers. It ordered the Obama-era version of the rule be reinstated.

Black lung and silicosis

In June 2019, the Subcommittee on Workforce Protections of the House Education and Labor Committee held a hearing entitled "Breathless and betrayed: What is MSHA doing to protect miners from the resurgence of black lung disease?" Witnesses at the hearing included Cecil Roberts, president of the United Mine Workers of America (UMWA), NIOSH director John Howard, and MSHA chief David Zatezalo. A highlight of the hearing was testimony by former coal miner Gary Hairston, who was only 48 years old when he was diagnosed with severe black lung disease. "Being disabled at such a young age nearly broke my spirit," he said. Hairston is currently vice president of the Fayette County, WV Black Lung Association.

On the day of the hearing, the UMWA and the United Steelworkers submitted a petition to MSHA calling for a standard to protect miners from respirable silica. They noted that OSHA adopted an improved silica standard in 2016, but MSHA has not followed suit.

In August 2019, MSHA published a request for information on new technology and best practices to protect workers in the coal, metal, and aggregate operations from exposure to quartz. The comment period ended in October 2019.



(L-R) UMWA president Cecil Roberts, former coal miner Gary Hairston, and Rep. Bobby Scott get ready to participate in a congressional hearing on the resurgence of black lung disease.

Climate Change and Worker Health

"I pray I don't get a heatstroke," is what a UPS driver in Kentucky told an NBC News reporter. Most of the company's familiar brown trucks don't have air conditioning, and 2018 was the fourth consecutive year of record warm temperatures, according to National Aeronautics and Space Administration (NASA) and National Oceanic and Atmospheric Administration (NOAA). By mid-year 2019, scientists were already anticipating another record setting year.

Work-related heat illness and deaths were a particular focus of attention in 2018 and 2019 for OHS advocates. They turned to Capitol Hill for action that would force OSHA to address heat stress with a regulation. In July 2019, Reps. Judy Chu (D-CA) and Raul Grijalva (D-AZ) introduced the "Asunción Valdivia Heat Illness and Fatality Prevention Act." The bill would require OSHA to issue a standard within 42 months, to protect indoor and outdoor workers from excessive heat. The bill is named after a 53 year-old farmworker who suffered a fatal stroke in 2004 after working in heat that exceeded 100 degrees.

The Subcommittee on Workforce Protections of the House Education and Labor Committee held a hearing on the legislation. Javier Rodriguez, a warehouse worker from Ontario, CA; Arturo Rodriguez of the United Farm Workers; Ronda McCarthy with the American College of Occupational and Environmental Medicine; and Thomas Bernard with the University of South Florida were among the witnesses who testified in support of the bill. Each year, more than 2,000 workers develop a heat-related illness and about 30 die from it.



His wife, Michelle Reis / NBC News

Stephen Michel, 44, suffered heat stress, which contributed to his death, while working in July 2011 at a Chicago-area UPS facility.

At the time of the hearing, lawmakers did not know that July 2019 would turn out to be the hottest month globally in modern time. Local and national reporters, who were feeling the heat in their own communities, wrote stories about people suffering at workplaces where workers didn't have air conditioning or adequate rest breaks.

"In the Hot Seat" was an in-depth investigation by NBC News about UPS drivers. The reporters used OSHA and other data and identified at least 107 UPS workers since 2015 who have been hospitalized for heat-related illnesses. Their July 2019 story generated extensive publicity and compelled more UPS workers to come forward. In an August 2019 follow-up, 16 UPS employees spoke to the NBC News reporters and describe the heat illnesses they suffered in just the previous two months. The true scope of heat injuries is "staggering," one employee told reporters. "The problem is so many haven't been reported, so there's no paper trail."

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MassCOSH

(L-R) Al Vega, Jenny Fernandez and Rick Rabin with MassCOSH at the Climate Strike event in Boston on September 20, 2019.

A different delivery company—the U.S. Postal Service (USPS)—also doesn't have air-conditioned vehicles. It was the subject of reporting on work-related heat illnesses by the Center for Public Integrity (CPI). Using OSHA data, CPI identified at least 93 USPS employees who were hospitalized for confirmed or suspected heat-related illness in 2015 through October 2018.

Both UPS and USPS have contested the citations issued by OSHA for the company's failure to address extreme heat. Both employers argue that it would be infeasible or impossible to follow the agency's recommendations.

More than 100 state and local organizations, including COSH groups, worker justice groups, unions, and health organizations, are pushing the Labor Department to issue a heat stress standard for outdoor and indoor

workers. The coalition wants to ensure that policy makers recognize the dangers of the climate crisis on workers' health and safety.

Lisa Riordan Seville, Adiel Kaplan, Kenzi Abou-Sabe, and Cynthia McFadden. "In the hot seat: UPS delivery drivers at risk of heat-related illnesses." NBC News, July 18, 2019.

<https://tinyurl.com/y3hcdwrh>

Lisa Riordan Seville and Adiel Kaplan. "Heat takes down more UPS workers during hottest summer ever." NBC News, Aug. 22, 2019.

<https://tinyurl.com/y4bordca>

Maryam Jameel. "Extreme heat doesn't stop the mail, even at the cost of postal workers' health." Center for Public Integrity, Aug. 6, 2019.

<https://tinyurl.com/y3xfunp5>



Appalachian Citizens Law Center

Coal miners with black lung disease take over the lobby of a U.S. Senate office building in July 2019.

Effect of penalties

In August 2019, the Department of Labor’s Inspector General (OIG) issued a report asserting that MSHA has failed to demonstrate that monetary penalties deter unsafe mining practices. The OIG said MSHA should develop measures that would assess the effect of fines on changing mine operator behavior. The audit was prompted by a 2014 investigation by National Public Radio (NPR) that came to the opposite conclusion. NPR looked specifically at data for individual coal mines and found that those with delinquent penalties had much higher injury rates than those that paid their fines. The OIG audit evaluated penalties for mining companies as a whole and included coal, metal, and aggregate companies. NPR’s analysis, in contrast, analyzed penalty data only from coal mines and examined it on a mine-by-mine basis.

Black lung trust fund in debt

In June 2019, the Government Accountability Office issued a report on the financial stability of a federal trust fund set up to compensate coal miners who are disabled by black lung disease. The trust fund is \$4.3 billion in debt. With an epidemic of black lung disease in central Appalachia, more miners will need to rely on the program for support.



White House

West Virginia Gov. Jim Justice (L) and President Trump in the White House. Justice’s coal companies owe millions in unpaid MSHA penalties.

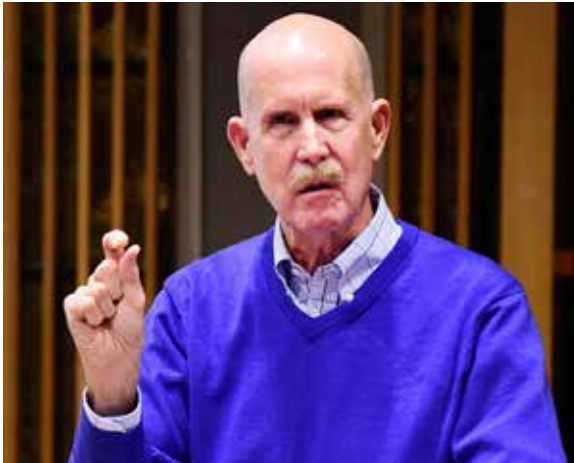
Governor’s unpaid safety fines

Federal prosecutors filed a lawsuit in May 2019 against companies owned by West Virginia’s governor to recover \$4.7 million in unpaid MSHA fines. Gov. Jim Justice and his family own dozens of coal mining operations in Alabama, Kentucky, Tennessee, West Virginia, and Virginia. The delinquent penalties stem from 2,300 violations cited over a five-year period.

NIOSH

Budget

In February 2019, President Trump called for cutting funding for NIOSH by more than 50 percent—from \$336 million to \$190 million—and eliminating the 18 NIOSH Education and Research Centers. The White House asserted



Steve McCaw/NIEHS

John Howard discusses opioids as an occupational hazard at an October 2018 NIEHS Worker Training Program workshop.

that research activities conducted by NIOSH “could be more effectively conducted by the private sector.” The American Public Health Association called the cuts in public health funding “extreme” and “deeply flawed.”

Mesothelioma registry

Between April and August 2019, NIOSH requested public comment on the pros and cons of establishing a national mesothelioma registry. The agency’s action stemmed from



Tony Rich/ADAO

Julie Gundlach on the National Mall in Washington, D.C. as part of an April 2019 protest organized by the Asbestos Disease Awareness Organization. She was only 35 years old when she was diagnosed with mesothelioma. Gundlach was likely exposed to asbestos as a child from her father’s work clothes.

language in its fiscal year 2019 appropriation. It directed NIOSH to initiate a feasibility study for a registry for this specific asbestos-caused cancer.

Health hazard evaluations

Between September 2018 and November 2019, NIOSH researchers published more than 40 health hazard evaluations. The hazards investigated included a wide range of topics,



NIOSH PHE

NIOSH researchers observe firefighters involved in a controlled burn for wildfire prevention.

from nanomaterials at an electronics recycling company and chemical exposures at vape shops, to exposure to narcotics in a county evidence room and hazards to firefighters during controlled burns.

Chemical Safety Board

Nomination of Chair

In June 2019, Katherine Lemos, PhD was nominated by President Trump to chair the Chemical Safety Board (CSB). The chair position had been vacant since June 2018. Lemos was director of autonomy research and technology at Northrop Grumman, and worked previously at the Federal Aviation Administration and the National Transportation Safety Board. The Senate confirmed Dr. Lemos in October 2019.



Senate HELP Committee

Katherine Lemos, PhD, was confirmed by the U.S. Senate in October 2019 to chair the Chemical Safety Board.

Board vacancies

The EPA's Office of the Inspector General (OIG), which has audit authority over the CSB, warned in a May 2019 report that the agency will not be able to carry out its mission without new presidential appointments. The terms of board members Manny Ehrlich, Rick Engler, and Kristen Kulinowski will expire in December 2019, February 2020, and August 2020, respectively.

At the September 2019 confirmation hearing for board chair Katherine Lemos, Senators raised concern about the looming board va-

cancies. The chair of the Senate Environment and Public Works Committee, John Barrasso (R-WY), said, "In December of this year, the CSB will be down to one member. ... We cannot allow the agency to lose its quorum," and urged the White House to fill the vacancies.

Budget

For the third consecutive year, the Trump administration budget zeroed out funding for the CSB. The fiscal year (FY) 2020 funding proposal claimed the CSB's programs are "largely duplicative of efforts carried out by other agencies." For FY 2019, Congress appropriated \$12 million to the agency.

Worker participation in investigations

In October 2018, the CSB updated and made public its written policy on worker and union participation during investigations. This includes site walk-throughs, equipment testing, witness interviews, and review of draft reports and recommendations. Although the CSB adopted a policy in 2012 on this topic, it was not publicly available.

Reporting rule

In February 2019, the U.S. District Court for the District of Columbia ruled in favor of safety and environmental advocacy groups to compel the CSB to establish a mandatory system for facilities to report chemical releases. The Air Alliance Houston, the Louisiana Bucket Brigade, and other groups said Congress intended the CSB to issue a release reporting regulation, but after 29 years, the agency failed to do so. Following the decision, the CSB said it would comply with the court mandate and finalize a rule by February 2020.

Hydrofluoric acid

In April 2019, the CSB called on EPA to review the adequacy of its regulations on hydrofluoric acid (HF). CSB's letter to EPA came on the



NJWEC

(L-R) Cecelia Leto of the New Jersey Work Environment Council and Vice President of the Greater NJ Coalition of Labor Union Women (CLUW) and Darlene Smith the NJ CLUW State President and Rutgers URA-AFT on Worker Memorial Day 2019 in New Brunswick, NJ.



(L-R) Josh Ray, 35; Matt Smith, 29; Cody Risk, 26; Parker Waldrige, 60; and Roger Cunningham, 55, were the victims of the January 2018 oil rig explosion in Pittsburg County, OK. The CSB initially excluded the workers' names from its investigation report, but objections raised by the OHS comment led the agency to amend the report and restore the workers' names.

one-year anniversary of an explosion at the Husky Energy refinery in Superior, WI.

Victims' names in reports

In June 2019, National COSH, the United Steelworkers, International Chemical Workers Union Council, United Support and Memorial for Workplace Fatalities, and 50 signatories urged the CSB to return to its past practice of listing victims' names in its investigation reports. Since 2014, the agency had been including in its reports a dedication page listing the workers who lost their lives at the site in question, but it failed to do so in its 2019 reports on the Pryor Trust gas well blowout and the DuPont LaPorte chemical release.

In a CSB statement, the agency said "our mission is not to determine blame" so including victims' names "may infer culpability on the part of the entity responsible for the operation of the facility where the incident occurred."

Opponents of the change countered that including victims' names is "a simple, but powerful fact that these individuals are not statistics."

In September 2019, the CSB approved a written policy to include in its investigation reports the names of individuals who died as a result of each incident. Holly Shaw-Hollis, a workplace safety activist and a member of the board of directors of National COSH and Philaposh, said, "On behalf of families who have lost their loved ones, I'd like to say 'thank you' to the Chemical Safety Board" for making this change.

Ongoing and completed investigations

The CSB deployed investigation teams to a massive tank fire in March 2019 at Intercontinental Terminal Company that led to shelter in place orders for residents of Deer Park, TX and Galena Park, TX; an April 2019 explosion and



Luis Alvarez, 53, was a powerful voice pushing Congress to provide long-term reauthorization for the September 11th Victim Compensation Fund. Alvarez was a NYC police detective (left) before he developed cancer related to his work at Ground Zero. He died in June 2019 just two weeks after testifying (right) before the House Judiciary Committee, where he said, "You made me come down here the day before my 69th round of chemo and I'm going to make sure that you never forget to take care of the 9/11 first responders."

fire at KMCO in Crosby, TX that killed a worker, injured others, and led to a shelter in place order for residents; a May 2019 explosion that killed four workers at AB Specialty Silicones in Waukegan, IL; and a June 2019 explosion and fire at the Philadelphia Energy Solutions refinery.

The CSB completed the following investigations:

In February 2019, the CSB published a case study on the June 2016 explosion and fire at the Enterprise Pascagoula Gas Plant in Moss Point, MS. Investigators attributed the incident to thermal fatigue of an aluminum heat exchanger and noted that if the incident occurred during the day shift, the consequences could have been much worse.

In June 2019, the CSB issued its final report on the Pryor Trust gas well blowout and fire in Pittsburg County, OK. Five workers who were working inside the driller's cabin on the rig floor were fatally injured in the Jan-

uary 2018 incident. Investigators identified numerous failures that caused the blowout, including failure to prevent gas influx during drilling and an ineffective alarm system. The CSB made recommendations to OSHA about its process safety management standard, to Patterson-UTI on drill rig operations, and to others.

In June 2019, the CSB issued its final report on the release of methyl mercaptan at the DuPont LaPorte facility in Houston, TX. The November 2014 incident killed four workers. Investigators determined the cause was a flawed engineering design and safety management deficiencies, and reported a disorganized emergency response system that put operators, responders, and the public at risk. Prior to completing its investigation, the CSB made interim recommendations in September 2015 to address deficiencies requiring immediate attention.

EPA

Methylene Chloride

In March 2019, EPA issued a rule to ban the manufacture, import, and distribution of methylene chloride (MC) in consumer products, such as paint removers sold at retail stores. The highly toxic agent can cause loss of consciousness and death if not used with exceptionally effective engineering controls. Although EPA determined that exposure to MC poses an “unreasonable risk to health,” the ban applies only to consumer uses, not commercial ones. In April 2019, Earthjustice, the Natural Resources Defense Council, and other groups filed suit in the U.S. Court of Appeals for the 2nd Circuit challenging EPA’s decision to exclude occupational exposures from the ban.

Asbestos

EPA’s Office of Inspector General (OIG) issued a report in September 2018 on EPA’s failure to monitor compliance by schools of the Asbestos Hazard Emergency Response Act (AHERA). The IG audit found that EPA conducted very few AHERA inspections and was diverting funds from the program to activities not related to asbestos exposure.

In May 2019, the Subcommittee on Environment & Climate Change of the House Energy and Commerce Committee held a hearing on the “Alan Reinstein Ban Asbestos Now Act of 2019,” a bill that would prohibit the import, manufacture, processing, and distribution of asbestos. EPA assistant administrator Alexandra Dunn testified at the hearing and said the agency did not have a position on the bill. Testifying in support of the bill were Linda Reinstein with the Asbestos Disease Awareness Organization, Rebecca Reindel with the AFL-CIO, and Celeste Monforton on behalf of the American Public Health Association. Each of them noted that EPA has been making decisions that indicate its interest in allowing the continued use of asbestos and failure to address legacy uses that continue to pose a risk.



APHA

(L-R) Rebecca Reindel (AFL-CIO), Linda Reinstein (ADAO), Rep. Suzanne Bonamici (D-OR) and Celeste Monforton (APHA) at the May 2019 congressional hearing on a bill to ban asbestos. Rep. Bonamici introduced the bill in March 2019.

The attorneys general (AGs) of California, Massachusetts, Maryland, and 15 other states and the District of Columbia, filed a lawsuit in July 2019 in the U.S. District Court for the Northern District of California to compel the EPA to initiate a rulemaking to ban asbestos. The lawsuit follows a January 2019 petition to the EPA by the AGs asking the agency to issue a regulation that would require businesses to report their import or use of asbestos. EPA rejected the petition.

Chemical plant safety

In March 2019, John Morawetz with the ICWUC Health and Safety Department and



(L-R) Mike Wilson (BlueGreen Alliance), John Morawetz (Int'l Chemical Workers Union) and Pamela Nixon (People Concerned About Chemical Safety) testify before the House Committee on Homeland Security in March 2019 on chemical facility safety.



Asbestos Disease Awareness Organization

(L to R) Bob Sussman, Racquel Segall (IAFF), MK Fletcher (AFL-CIO), Linda Reinstein (ADAO), Patrick Morrison (IAFF), Becky Reindel (AFL-CIO), and Mike Mattmuller (ADAO) following an August 2019 briefing for 60 congressional staff on the impact of asbestos on workers and public health.

Mike Wilson with the BlueGreen Alliance testified about the Chemical Facility Anti-Terrorism Standards (CFATS) before the U.S. House Committee on Homeland Security. Operators of the highest risk chemical facilities work with the Department of Homeland Security to ensure their facilities have adequate security measures in place. In reauthorizing the program, both Morawetz and Wilson urged the committee to include provisions for meaningful worker participation in security planning and decision-making; strong whistleblower protections; effective training; and risk reduction measures. CFATS will expire in 2020 unless Congress reauthorizes it.

Failing to protect workers

In March 2019, the House Energy and Commerce Committee held a hearing to examine EPA's responsibility under the Toxic Substances Control Act (TSCA) in protecting workers from chemical hazards. Witnesses at the hearing included former OSHA official Adam Finkel, Wendy Hutchinson with the Baltimore Teachers Union, Giev Kashkooli with the United Farm Workers, Jeaneen McGinnis with the United Auto Workers, and Patrick Morrison with the International Association of Firefighters. Each of them testified that EPA was ignoring TSCA's provision to consider occupational exposures when evaluating health risks because workers often have the highest

exposures to toxic substances. Committee Chairman Frank Pallone (D-NJ) said he has "lost confidence in EPA's ability to implement this law," including required special consideration of workers.

In August 2019, EPA released its draft risk evaluation for the solvent 1-bromopropane. The evaluation acknowledges that workers have the highest exposure to this potent neurotoxin. EPA suggests, however, that the health risk to workers is low because under "conditions of use," workers wear gloves and respiratory protection. Occupational health advocates raised concerns about the draft risk evaluation, noting the flawed assumption that personal protective equipment will be provided or used properly. The comment period on the document ended in October 2019.

Other Agencies

Teen workers and patient lifts

In September 2018, DOL's Wage and Hour Division proposed a rule to ease the restrictions for 16- and 17-year-olds to use power-driven patient lifts. DOL claimed the rule change would broaden employment opportunities for young workers. The AFL-CIO, SEIU, NYCOSH, MASSCOSH, Public Citizen, APHA, and other advocates submitted comments opposing the change and objected to the data used to

justify it. The attorney general of Massachusetts, along with her counterparts in 11 other states, also wrote in opposition to the proposal. The comment period closed in December 2018. In January 2019, DOL's Inspector General announced an investigation of the rulemaking over concerns about data quality.

Rollback of offshore drilling safety rules

The Department of Interior's Bureau of Safety and Environmental Enforcement (BSEE) issued a final rule in September 2018 that rolled back offshore safety rules that were put in place following the 2010 Deepwater Horizon disaster. The Trump administration argued a rule adopted in 2016 by the Obama administration created "unnecessary burdens" on domestic oil and gas producers. The Obama-era regulation included provisions for equipment maintenance and repair and emergency shutdown valves. The community and environmental group Healthy Gulf filed a lawsuit in the U.S.

District Court for the District of Columbia to challenge the regulatory rollback.

Increased line speeds for pork workers

In September 2019, the USDA issued a final rule that allows pork processing companies to increase line speeds as part of the agency's deregulation of its pork slaughtering inspection system. When announced, the United Food and Commercial Workers (UFCW) called the change "a reckless corporate giveaway that would put thousands of workers in harm's way as they are forced to meet impossible demands." National OSHA issued a statement saying, "Speeding up production lines will make these jobs even more difficult and more dangerous. Workers will be at a greater risk of getting sick, injured, or killed."

Immediately after the USDA issued the rule, the UFCW and Public Citizen filed a lawsuit in the U.S. District Court for the District of Minnesota to challenge it.



UFCW

UFCW members from Indiana, Iowa, Minnesota, and North Carolina who work in pork processing plants traveled to Washington, D.C. in October 2018 to meet with lawmakers. They highlighted the danger of the Trump administration's plan to increase hog slaughter line speeds. The workers represented UFCW Locals 2, 9, 440, 663, 700, 1149, and 1208.

Congratulations to Peg Seminario

Following a 42-year career with the AFL-CIO's safety and health department, Peg Seminario retired in June 2019. She began her career as an OHS intern in 1977, became the department's director in 1990, and now stands at the top of the list of the most influential OHS leaders in U.S. history.

Seminario played an instrumental role in the development and adoption of more than 40 OSHA standards, and served as a keen watchdog of the agency's enforcement practices. She was on the front line of historic OHS fights, including against legislative proposals to neuter OSHA's authority and to obstruct adoption of an ergonomics standard.

The June 2019 edition of the AFL-CIO Dispatch noted:

"Peg is nothing short of an institution at the House of Labor. She has dedicated every second of time and ounce of energy she has to advancing a cause at the heart of our movement, fighting for our right to go to work knowing that we will return home safe and healthy. We are immeasurably better off for her expertise and unwavering desire to make our country a better place for working people."

Colleagues and friends of Seminario gathered at the AFL-CIO headquarters to celebrate her career. Darryl Alexander (American Federation of Teachers, retired) and Nancy Lessin (USW Tony Mazzocchi Center, retired) entertained the crowd with a duet called "Better Call Peg!" They concluded with this sentiment:

"We are all part of the collected works of Peg Seminario. We should all take comfort in the fact that Peg's mentoring has made us better at what we've done, what we do, what we're going to be doing—to move forward the protection of workers' safety and health and building a diverse, active, and powerful labor movement."



Kathy Kirkland

Peg Seminario describes all the things that made her work meaningful.

A Poem for Peg

Our dear friend Peg is retiring
And we are all truly perspiring
Because we have relied on her guidance for
over forty years
And so it's just natural to be a bit nervous as we
face our fears.

The list of struggles and wins is long
So be glad this is not a song
New protections from asbestos, silica, cotton
dust, vinyl chloride, and noise, to name a few
And there was the revolutionary Right to Know
and workers' access to medical records, too.

She took on the Chamber, NAM, those who
wanted to destroy OSHA, and more
With no drama or theatrics, she waged an
effective war
To make sure OSHA would have the tools to
enforce the law
That her mentor George Taylor and others had
fought so hard for.

She was a great leader, collaborator, and
inspiration
A great friend and person, she treated us all as
a relation
And Peg, of course, we knew you would have a
plan
Thank you for leaving us in very good hands.

—Debbie Berkowitz, June 2019



Kathy Kirkland

(L-R) Rebecca Reindel and Peg Seminario. Reindel was appointed in July 2019 as director of the AFL-CIO's Safety and Health Department.



Kathy Kirkland

(L-R) Peg Seminario dons a baseball hat presented by Nancy Lessin and Darryl Alexander. The cap says "Commander Peg," a reference to her leadership on the 10-year battle for an ergonomics standard.



Kathy Kirkland

AFL-CIO President Richard Trumka and Peg Seminario.



Kathy Kirkland

Former OSHA Director David Michaels and Peg Seminario.



Kathy Kirkland

Front row (L-R) Robyn Robbins, Azita Mashayekhi, Amy Bahruth, Denny Dobbin, Bill Borwegen, Diane Factor. Second row (L-R) Terry Lynch, Jane Lipscomb, Janie Gordon, Diane Matthew Brown, Peg Seminario, Nancy Lessin, Dave LeGrande, Frank Mirer, Deborah Stern, James August. Third row (L-R) Fernando Tapia, Rebecca Reindel, MK Fletcher, Jerry Scarano, Mike Wright, Milly Rodriguez, Jordan Barab, Rich Duffy, Earl Dotter, Bill Kojola. Fourth row (L-R) Russell Bateman, Michael Oathout, Rick Engler, Eric Frumin, Mark Catlin, Travis Parsons, Scott Schneider, Emmett Russell, Jackie Nowell, Lynn Rhinehart, Darryl Alexander, Jeanne Otersen, Ron McGraw.



Schuyler
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Advocate for Workers Rights

^{Lift Up}
Lift Up Immigrant Voices

^{Empower}
Empower
the
People!!!

Nebraska Applied

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Addressing Occupational Health and Safety at the State and Local Levels

Over the last 12 months, several states adopted new regulations to protect workers from occupational injuries and illnesses. Hospitals in Nevada will soon be required to implement violence prevention plans to protect healthcare workers. New Hampshire's Department of Labor is now required to investigate work-related fatalities and serious injuries involving public sector employees. Michigan became the first state to improve medical removal protections for workers with elevated blood lead levels. California adopted an emergency temporary standard to protect farm and other outdoor workers from exposure to wildfire smoke. At the local level, more than 100 communities in the U.S. commemorated Worker Memorial Day 2019. Sponsors of the events remembered the local workers who were killed or made ill because of their work. They also insisted on policy changes, including those that benefit high road employers who ensure that workplace hazards are eliminated. Highlights of activities from states and localities are recapped below.

Appalachia region

More than 150 coal miners, widows, and family members affected by black lung disease traveled to Washington, DC in July 2019 to demand action on black lung disease. The

activists had 17 meetings with lawmakers and staff to share their stories, insist Congress shore up finances for the black lung disability fund, and force MSHA to adopt a regulation on silica dust.

21



Appalachian Citizens Law Center

John Cline (center) helps a group of retired coal miners with their busy schedule on Capitol Hill. They joined 100 other coal miners who traveled to Washington, DC in July 2019 to tell lawmakers that "Black Lung Kills." Cline was a black lung benefits counselor at New River Breathing Center before going to law school. His entire legal career has been helping coal miners with their black lung legal claims.



Worksafe

Worksafe's Maggie Robbins, Nicole Marquez, and Jora Trang (L-R) meet in June 2019 with California Assembly member Ash Kalra. The lawmaker introduced a bill to require manufacturers of products used in salons to translate their safety data sheets in Spanish, Vietnamese, Chinese, and Korean, and post them on a website that workers can access.

California

Chemicals and salon workers

In September 2018, California adopted the first-in-the-nation law to require manufacturers of professional cosmetic products to list their ingredients. The law was sponsored by the California Healthy Nail Salon Collaborative, Black Women for Wellness, Women's Voices for the Earth, and other groups. Chemical disclosure requirements were already in place for retail products, but not for professional cosmetics. Salon workers often are exposed to them for many hours each day. Proponents of the law expect it to lead to the use and development of safer cosmetics.

Injury reporting

A bill signed by Gov. Jerry Brown in September 2018 stipulates that an employer's failure to keep accurate injury records is a regulatory violation until the records are corrected or discovered by state's Division of Occupational Safety and Health (Cal/OSHA). Federal OSHA adopted a similar requirement, with a five year statute of limitations, at the end of the Obama administration. In March 2017 Con-

gress used its authority under the Congressional Review Act to nullify the regulation, leaving federal OSHA unable to issue citations for unrecorded injuries or illnesses that are more than 6 months old.

In May 2019, Cal/OSHA convened an advisory committee to examine what regulatory steps should be taken to protect the goals of OSHA's 2016 injury reporting rule. The rule required large and certain other employers to electronically submit injury records each year (i.e., OSHA Forms 300, 300-A, and 301). The Trump administration rescinded the federal OSHA rule in January 2019 and some states followed suit.

Indoor heat standard

Cal/OSHA missed the deadline set by the state legislature to propose a rule to address indoor heat. The agency's draft proposal was due at the Standards Board by January 2019. An earlier draft proposal included provisions to require employers to take protective action when indoor temperatures reach 87°F (with a lower action level of 82°F when workers are required to wear certain protective clothing), ensure access to cool-down areas, and implement acclimation steps for newly assigned workers.

Farmworkers in darkness

Extreme heat is forcing more work to occur after dark. Cal/OSHA proposed a rule in March 2019 to address visibility hazards for farmworkers who work at night in the dark. Among other things, the rule would require functioning headlights on trucks, area or personal lighting systems, and light reflective vests.

Wildfire smoke

In July 2019, Cal/OSHA's Standards Board voted to adopt an emergency temporary standard to protect farm and other outdoor workers from exposure to wildfire smoke. It will require employers to take steps, such as relocating workers or providing respiratory protection,



Worksafe

Members of IDEPSCA and the Pasadena Community Job Center in March 2019 at the Cal/OSHA Standards Board meeting. They were insisting on a rule to address workers' exposure to wildfire smoke.

California Federation of Labor petitioned the Standards Board in December 2018 to issue the regulation.

Process safety management

The Western States Petroleum Association filed a lawsuit in July 2019 challenging Cal/OSHA's improved process safety management (PSM) rules. The industry wants to block enforcement of the provision that requires refineries to ensure that workers have a meaningful role in safety decisions. They argue it interferes with the federal government's role in regulating labor relations. The PSM improvements came in response to the 2012 fire at Chevron's Richmond refinery and took effect in May 2019.

Cal/OSHA director

In August 2019, Gov. Gavin Newsom appointed Doug Parker as chief of the state's Division of Occupational Safety and Health (Cal/OSHA). Parker has been part of the COSH Network

when the air quality index for fine particulate matter reaches 151. Worksafe, the California Rural Legal Assistance Foundation, and the



Labor Occupational Health Program

Community members participate in the 32-hour Community Emergency Response Training (CERT) in Spring 2019. Since 2012, with support from the National Institute for Environmental Health Sciences, the Labor Occupational Health Program at the University of California, Berkeley has collaborated with fire and police departments in Berkeley, CA and Contra Costa County, CA to provide the CERT. Because of CERT, almost 400 Spanish-speaking community residents who live near refineries are better prepared to handle an emergency.



Worksafe

Worksafe director Doug Parker at a Worker Memorial Day commemoration in April 2019 near City Hall in Oakland, CA.

since 2016, when he became director of Worksafe. He was a senior advisor at the Mine Safety and Health Administration from 2009 to 2015 and began his career as an attorney in 1997 at the United Mine Workers union.

Connecticut

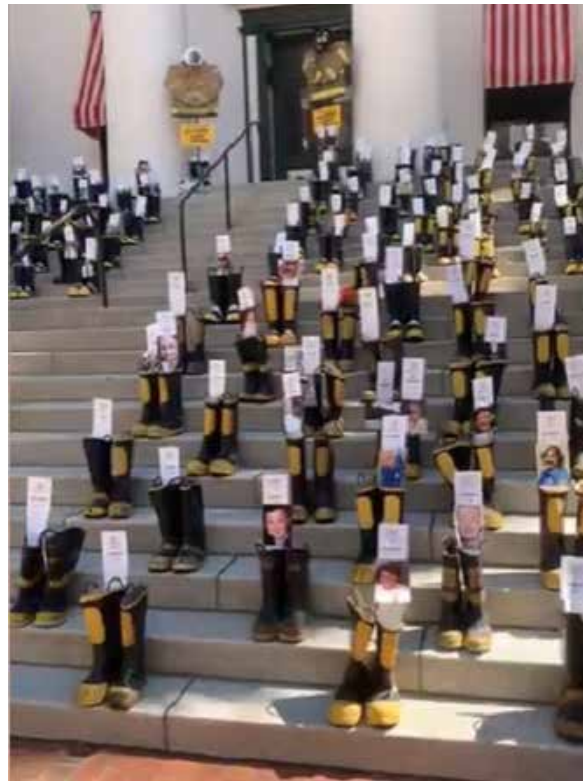
Bus operators with the Amalgamated Transit Union won explicit language about bathroom access in their labor contract with Connecticut Transit. The union had a year-long campaign to secure the right. Workers had been disciplined and fired for leaving their buses to urgently void their bladders.



McKinley Sanford, a bus driver for the Greater Bridgeport Transit District. Sanford was involved in the campaign by the union to ensure bathroom breaks.

Florida

In May 2019, Gov. Ron DeSantis signed a law that will make it easier for firefighters to be covered by workers' compensation insurance for any of 21 types of cancer. The compensation will include a one-time \$25,000 payment, full healthcare coverage, and disability and death benefits. The Florida League of Cities opposed the change and said it would increase property taxes.



Facebook/North Collier IAFF 2297

Members of the Int'l Association of Professional Fire Fighters and Paramedics (IAFF) Locals 2297 and 3254 place 500 sets of boots on the steps of the State Capitol in Tallahassee, FL in March 2019. Heather Mazurkiewicz with IAFF Local 2297 said the display shows "the impact that occupational disease is having on our profession."

Illinois

In July 2019, Gov. J.B. Pritzker signed a bill to increase penalties for drivers who endanger any individual authorized to be on a highway within the scope of their job duties, such as road crews and first responders. The maximum penalty for entering zones where workers are present was raised to \$25,000.

Museum Media

Indiana

In April 2019, Gov. Eric Holcomb signed a bill to establish mandatory penalties against employers for a violation that contributes to a worker death. Indiana OSHA (IN-OSHA) will be required to assess a penalty of not less than \$9,472 for each serious violation in a fatality case, and will have the authority to assess a penalty of \$132,598 for each willful violation. The changes came in response to penalty reductions IN-OSHA gave Fort Wayne Plastics after one of its employees, 23-year-old Shacarra Lashae Hogue, was crushed to death on her third day on the job.

Indiana OSHA, however, has yet to adopt higher penalties for violations not related to fatalities, a change required pursuant to an inflation adjustment mandated by Congress in 2016.



D.O. McComb & Sons/Samantha Hogue-Figgs

Shacarra Lashae Hogue, 23, was fatally injured in January 2018 while working at Fort Wayne Plastics. Her death spurred Indiana lawmakers to increase penalties against employers for certain work-related fatalities.

Maryland

Workers at BWI Thurgood Marshall International Airport in Baltimore, who are cabin cleaners, airplane fuelers, fuel farm operators, mechanics, ramp and passenger service agents, identified and documented dozens of work-



SEIU 32BJ

Anthony Robinson describes the safety hazards being ignored by Menzies Aviation. Robinson has worked as an aircraft refueler at BWI airport for 16 years. Peter Dooley with National COSH holds the photo.



SEIU 32BJ

Baltimore City Councilman Kristifer Burnett (L) shows his support for the airport workers and their demand that Menzies Aviation fix all of the safety hazards at BWI Airport. The public action took place at BWI in June 2019 with support from SEIU 32BJ and National COSH.

place hazards. In May 2019, they made public demands to their employer, Menzies Aviation, to fix all of the unsafe conditions. Workers describe having to use trucks with faulty brakes and being required to work on top of jet bridges as high as 25 feet without protection or adequate training.

Jim Burns, a 20-year veteran at BWI as an aircraft refueler, told the *Baltimore Sun* that he no longer feels safe at work. The fuel trucks leak and management doesn't ensure they get fixed. Burns also worries about passenger safety. He told a reporter, "They probably wouldn't be sitting on that airplane if they knew what was leaking under that wing."

The workers filed a complaint with Maryland Occupational Safety and Health that resulted in citations for serious violations and a \$5,400 penalty.

Michigan

Michigan became the first state to lower the threshold for medical removal protection (MRP) for workers with elevated blood lead levels (BLL). As of February 2019, MRP takes effect if a worker's BLL is 30 ug/dL or greater. Federal OSHA's threshold is 50 ug/dL. A worker would be allowed to return to their previous job once their BLL falls below 15 ug/dL, instead of the federal OSHA threshold of 40 ug/dL.

Nevada

In June 2019, Gov. Steve Sisolak signed into law new requirements for hospitals and psychiatric facilities to implement violence prevention plans to protect healthcare workers. SEIU Nevada Local 1107 and National Nurses United campaigned for the legislation, which also protects workers from retaliation for reporting incidents. The law will take effect in July 2020.

New Hampshire

In May 2019, Gov. Chris Sununu signed a bill that requires the state Department of Labor to investigate work-related fatalities and serious injuries involving public sector employees. To facilitate the investigations, state and local agencies are now required to notify the Department within eight hours of a fatality and within 24 hours of a serious injury incident. Samantha Wooten, a New Hampshire COSH board member, was instrumental in



Susi Nord

New Hampshire Gov. Chris Sununu signs a bill requiring investigations of fatalities and serious injuries involving public sector employees. Attending the signing ceremony was the family of Tom Wooten, 56, who was fatally injured while working for the Northfield, NH Public Works Department. (L-R) Commissioner of Labor Ken Merrifield, Gov. Sununu, and Wooten's daughter Samantha, his wife Allison, and son Dave.



SEIU Local 1077

Members of SEIU Local 1077 attend an April 2019 hearing of the Nevada State Assembly on a bill to address workplace violence.

getting the legislation passed. Her father, Tom Wooten, 56, was employed by the Northfield Public Works Department when he was killed on the job.

In June 2019, family members, co-workers, and safety advocates attended the dedication of the state's memorial to public works employees who died while performing their duties. The names of 36 workers are listed on the memorial, which is located outside the Department of Transportation building in Concord, NH. At the dedication, participants were reminded that public works employees are on call 24/7. "They work quietly and tirelessly whenever they are needed. Their work is dangerous and their service often goes unrecognized."

New Jersey

In June 2019, Gov. Phil Murphy signed into law new protections for workers from wage theft and new penalties for employers who violate



The mother of Robby Gonyer at the memorial dedication. Gonyer was killed on the job in 2004 while working for the NH Department of Transportation.



The New Hampshire Public Works Memorial was dedicated in June 2019.

the law. Among the changes, the statute of limitations for filing wage claims with the NJ Department of Labor (NJDOL) was changed from two years to six years; an employer's license can be suspended if wages are not paid following an NJDOL decision; and guilty employers can go to jail for up to 18 months.

Reynalda Cruz, a leader with New Labor, was proud of the six-year campaign by workers to pass the law: "After years of advocacy, we are thrilled that we will have one of the strongest anti-wage theft laws in the nation." Along with New Labor, Interfaith Worker Justice, Make the Road NJ, and Working Families were powerful advocates for the legislation.

New York

In July 2019, Gov. Andrew Cuomo signed into law the Farm Laborers Fair Labor Practices Act. The law gives farm workers the explicit right to collective bargaining, mandates overtime pay, and broadens workers' compensation coverage. Former dairy worker Crispin Hernandez with the Workers' Center of Central New York was the main plaintiff challenging the exclusion of agricultural workers from certain state labor laws. After the Governor signed the bill, Hernandez said "we are ready to take the next step and call on our bosses to respect our right to form unions."

Brian Mitchell/NH COSH

Brian Mitchell/NH COSH



Payne Horning/WRVO News

Crispin Hernandez prepares to celebrate passage in June 2019 of the Farm Laborers Fair Labor Practices Act.

Washington

The Division of Occupational Safety and Health released a draft proposal in June 2019 to amend its lead standard and make it more protective than the federal OSHA standard. The medical removal protections, for example, would take effect when a worker's blood lead level (BLL) reached 30 $\mu\text{g}/\text{dL}$ instead of 50 $\mu\text{g}/\text{dL}$. The worker would be allowed to return

to their previous job once their BLL fell below 15 $\mu\text{g}/\text{dL}$ instead of the OSHA threshold of 40 $\mu\text{g}/\text{dL}$. The proposal would also reduce the permissible exposure limit from 50 $\mu\text{g}/\text{m}^3$ to 20 $\mu\text{g}/\text{m}^3$ and set more protective action levels. An official rule proposal is expected by the end of 2019.



Family of Carlos Gabrielli/The City

When Carlos Gabrielli, 50, (center) was killed on the job in August 2018, his death was not called work-related by the NYC's Department of Building (DOB). A May 2019 investigation by The City, an independent, non-profit news outlet, found one-third of construction worker deaths counted by OSHA are not counted by DOB.



New Labor

Members of New Labor (front) and Make the Road New Jersey (back) celebrate the signing of the state's anti-wage theft law with State Senate Majority Leader Loretta Weinberg, Lieutenant Governor Sheila Oliver, and Assemblywoman Annette Quijano.

Worker Memorial Week 2019

From Monday, April 22 through Sunday, April 28, 2019, COSH groups, union locals, worker centers, and other advocates participated in events and activities to remember workers who died from work-related illnesses and injuries. Each person's participation contributed to the global commemoration of International Worker Memorial Day. In the U.S., more than 100 events took place in small towns and big cities. Photos from some of them are featured below.

IMAGINE A WORLD WHERE
EVERY SINGLE WORKER
RETURNS HOME SAFE AT
THE END OF EACH DAY

Imagine if work was a truly enriching and enabling endeavor

Enabling all workers to sustain themselves and their families

Enabling all workers to apply their skills and creativity to benefit their communities

Not requiring a trade-off with our safety, health, and well-being

Not requiring some workers to suffer more than others for the sake of profit

If getting hurt at work was not inevitable

If being endangered at work was not acceptable

Can we imagine?

Mara Ortenburger/Worksafe



Worker's Justice Project

Brooklyn, NY

Vicente Romano with the Worker Justice Project leads a chant at a gathering of workers. The group shared testimony and expressed demands for stronger safety protections, including that employers pay and provide for safety training, and revoking the licenses of employers who are responsible for the deaths of workers.



Tim Shadix/Worksafe

Los Angeles, CA

Worker safety and labor justice advocates hold a "die in" at the Los Angeles City Hall as part of a Worker Memorial Day event.



MasCOSH

Boston, MA

Family members whose loved ones were killed on the job gather in a reserved area at the event organized by MassCOSH, Massachusetts AFL-CIO, and Greater Boston Labor Council.



Mara Ortenburger

Oakland, CA

Artwork created by Worksafe staff and volunteers displays 376 black ribbons to remember each worker who was killed on the job in California during 2018. Photos of some of the deceased workers appear in the foreground.



Worker's Justice Project

Brooklyn, NY

(R-L) Nilsia Ceballos, Gerardo Lucero and Braulio Rosaliano, worker leaders and safety liaisons with the Worker's Justice Project, hold up a coffin with names of workers killed on the job. Several of the fatal incidents occurred just days before this event. The workers being remembered include: Luis Almonte, 47, who was fatally injured by a collapsed retaining wall; Nelson Salinas, who was killed by falling debris as he worked from a suspended scaffold in Midtown; Erik Mendoza, 23, who was killed by a fall while performing roof work in Brooklyn Heights; and Gregory Echevarria, 34, who was fatally struck by part of a crane on a construction site in Manhattan.



Tim Shadi/WorkSafe

Los Angeles, CA

On the steps of the Los Angeles City Hall, a member of the Garment Worker Center speaks about the safety hazards that she and her co-workers experience. The April 2019 event in Los Angeles was organized by Clergy & Laity United for Economic Justice, Instituto de Educacion Popular del Sur de California, Los Angeles Alliance for a New Economy, Los Angeles County Labor Federation, UCLA Labor Occupational Safety & Health Program, UFCW 770, and Warehouse Worker Resource Center.



NYCOSH

New York, NY

A display in St. Patrick's Cathedral of 15 hardhats. The name of a construction worker who was killed on the job in 2018 was displayed on each hat.



New Labor/NUWEC

New Brunswick, NJ

Participants gather at the Anshe Emeth Memorial Temple as part of the annual Worker Memorial Day event organized by New Labor, the New Jersey Work Environment Council, with the Jersey Renews coalition, United Steelworkers, New Jersey Education Association, and Central Jersey Coalition Against Endless War.



New Labor/NUWEC

New Brunswick, NJ

Reynalda Cruz, an organizer with New Labor, leads the march through the streets of New Brunswick, NJ to commemorate Worker Memorial Day. The theme of the rally was "Not One More Death." Participants renewed their commitment to fight for safe jobs for all, cognizant of the rash of gun violence in schools and sacred spaces.



Tim Shadix/Worksafe

Riverside, CA

Erin Edwards, Riverside City Council candidate, addresses those who are gathered for the Worker Memorial Day commemoration hosted by the Center for Community Action & Environmental Justice; CWA Local 9588; San Bernardino & Riverside Counties Central Labor Council; SOCAL COSH; UCLA Labor Occupational Safety & Health Program; UDW; UNAC/UHCP; Warehouse Worker Resource Center; and Worksafe.



Alejandro Zuniga, Fe y Justicia

Houston, TX

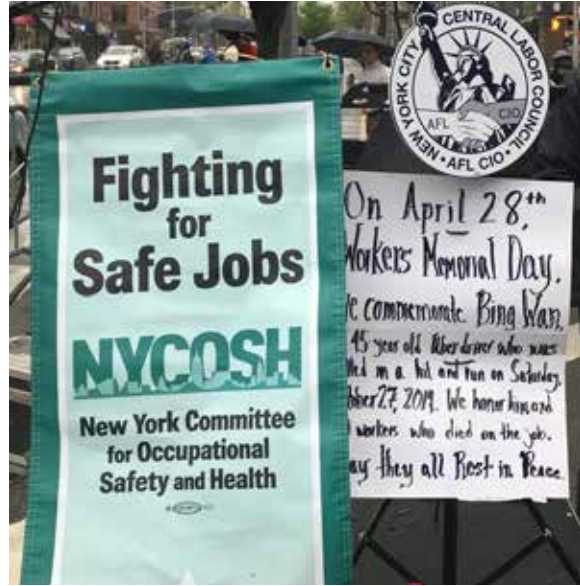
A Worker Memorial Day display in April 2019 on the altar of Our Lady of Guadalupe church in Houston, TX. Fe y Justicia Worker Center coordinated with 10 faith congregations in the city to commemorate Worker Memorial Day.



New Labor/NJWEC

New Brunswick, NJ

Young advocates get ready to participate in the Worker Memorial Day march through the streets of New Brunswick, NJ. The kids train brings attention to the fight for air conditioning in school because hot classrooms are bad for learning and for teaching.



NYCOSH

New York, NY

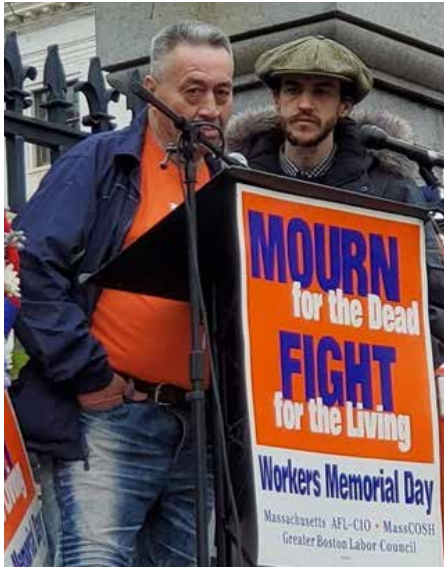
Part of the 2019 Worker Memorial Day display set up by NYCOSH and the NYC Central Labor Council.



Fe y Justicia Worker Center

Houston, TX

U.S. Rep. Sylvia Garcia speaks at Houston City Hall on Worker Memorial Day. Standing next to her (right) is U.S. Rep. Sheila Jackson-Lee, U.S. Rep. Al Green (behind, left) and Houston Mayor Sylvester Turner (behind, right). Also present are Marianela Acuña Arreaza (Fe y Justicia Worker Center (FJWC)); María Maldonado (FJWC); Tamara Fitzgerald, mother of Christian Fitzgerald, 25, who was fatally injured on the job in 2017; Paul Puente (Houston Gulf Coast Building and Construction Trades Council); and Linda Morales, (Texas Gulf Coast Area Labor Federation/AFL-CIO). The Mayor and lawmakers announced the Build Houston Better program. It will require enhanced labor protections for federally-funded new multi-family housing projects related to Hurricane Harvey recovery.



MassCOSH

Boston, MA

On the steps of the Massachusetts State House, Jorge Estrada with the MassCOSH Worker Center's Injured Workers Committee speaks about the need for strong OHS protections.



Mara Ortenburger

Oakland, CA

Cal/OSHA Director Juliann Sum delivers remarks during the Worker Memorial Day event held in Oakland, CA. The visual displays include photos of California workers who were killed on the job in 2018 and well as textile art with rows of black ribbons to commemorate 376 worker fatalities in the state.



MassCOSH

Boston, MA

Holding a photo of her loved one, a family member expresses her emotion as a speaker reads the names of workers from Massachusetts who were killed on the job in 2018.

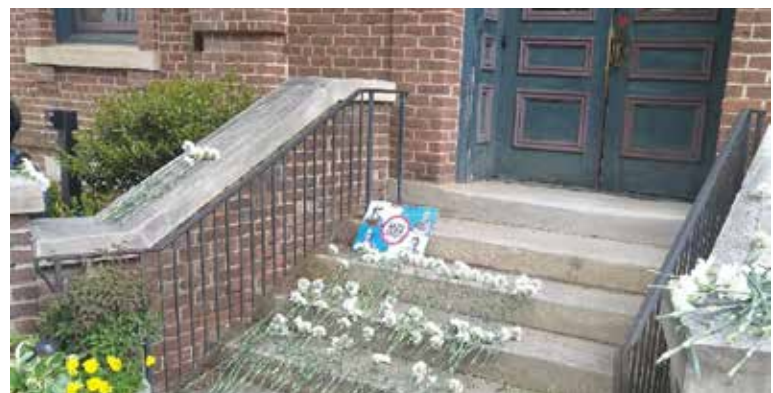
Newton, NC (right)

Labor advocates in North Carolina laid 183 flowers on the doorstep of the home of Cherie Berry, the state's labor commissioner. Each flower represents a worker whose death was work-related.



New York, NY

The rain didn't stop these members of the International Alliance of Theatrical Stage Employees from attending the Worker Memorial Day commemoration.



Twitter/Asinus Pervicax



New Labor/NJWEC

New Brunswick, NJ

Singers with the youth and student group Anakbayan NJ kick off the Worker Memorial Day Rally inside the Anshe Emeth Memorial Temple in New Brunswick, NJ



Philaposh

Philadelphia, PA

A photo display of the faces of workers who were fatally injured on the job in Philadelphia, New Jersey and Delaware in 2018. The display was part of Philaposh's Worker Memorial Day breakfast held at the Sheet Metal Workers Hall.

EXPLORE



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News Coverage of Worker Health and Safety Topics

Journalists working at national and regional news outlets were busy over the last year investigating the causes and consequences of workplace hazards. The stories they tell help to raise public awareness about occupational injuries and illnesses, as well as the role of regulations and enforcement to protect workers' lives. We profile more than a dozen of these stories below. We include a multi-part series about Kentucky OSHA and its failure to conduct thorough fatality investigations, and the struggle for justice by workers made ill because of exposure to toxins when they were cleaning up a massive rupture of a coal-ash impoundment in Tennessee. The stories cover the gamut of topics, from oil field workers and Amazon drivers, to day laborers, firefighters, and farm workers.

Workers die in wood chippers

Justus Booze, 23, was "the light in the room when you felt alone," a friend said. Booze was killed on the job in May 2016 when he was pulled into a wood chipper on a landscaping job in Guilderland, NY. The man who hired Booze had not paid his workers' compensation premium.

The *Times Union's* Lynda Edwards examines the prevalence of fatal injuries in these machines and the circumstances that contributed to Booze's death, including failures of regulators to require an available safety enhance-

ment on wood chippers. Researchers with the state health department identified 41 worker deaths in wood chippers nationwide between 1982 and 2016.

Edwards also tells Booze's personal story, from his years in foster care, then homelessness, to day labor and temp worker jobs. By the end of his young life, he became a man who was adored by his fiancé and her three children.

Lynda Edwards. "Years after wood chipper death, meaning still sought." *Times Union*. Jan. 19, 2019.

<https://tinyurl.com/y2z5ctpu>



Facebook

Justus Booze with Kristen Hickey's children, Josh and Olivia, before his death in May 2016.

Death in the oilfields

Jim Morris with the Center for Public Integrity investigated the oil and gas industry's deadly record of work-related deaths. Nearly 1,600 workers died from fatal injuries from 2008 through 2017, which Morris notes is the same as the number of U.S. troops killed in Afghanistan during the same period.

His story begins with the January 2018 incident in Quinton, OK that killed five workers, including Peter Waldrige. A contracted well site consultant, Waldrige had been working in oil fields since he was a teenager. His wife of 34 years said he was obsessed with safety and never expressed concern about dangers on the job.



Waldrige family

Parker Waldrige and his youngest daughter Kaycee Whisenhunt. His life and death are part of the Center for Public Integrity's investigation entitled "Blowout," on the oil boom in west Texas.

Morris uses the Quinton disaster and the deaths in Texas of Juan De La Rosa, 38, and Gregory Claxton, 29, to explain that the industry is exempt from key OSHA safety regulations. Oil and gas operations do not have to comply, for example, with the process safety management standard that addresses high-hazard operations at risk of fires and explosions. Toxic gases, such as hydrogen sulfide (H₂S), in crude oil can also be lethal for oil workers. Claxton's parents know their son's death from H₂S could have been prevented had his employer, Twin Eagle, provided appropriate safety gear. His mother told Morris, "he was a Marine. ... He went to Iraq twice. He was willing to lay down his life for his country, and I just don't want him to have died in vain." The company settled a lawsuit filed by the Claxtons, but denied responsibility for his death.

Reporting by Mike Soraghan with E&E News also examines worker fatalities in the oil and gas industry. He describes the death of Dennis Mason, 66, whose body was found between his truck and an oil tank in a town near Kingfisher, OK. Although state medical examiners concluded his death was due to "natural causes," safety investigators suspected he died because of toxic vapors from the oil tank.

Soraghan reports on the disparity between conclusions of the Oklahoma Chief Medical Examiner's office (OCME) and evidence provided by OSHA of the potential for fatal exposure

to volatile organic compounds common at oil well operations. Soraghan found misclassification of work-related petroleum poisoning also by medical examiners in North Dakota and Texas. Moreover, contractors like Mason are often not provided the same supplies to do their jobs safely, such as vent hoses that divert the flow of gas.

Jim Morris. "Death in the oilfields." The Center for Public Integrity, Dec. 21, 2018.

<https://tinyurl.com/y7jo5ua2>

Mike Soraghan. "Missed connections leave questions in oil worker's death." E&E News, Feb. 19, 2019.

<https://www.eenews.net/stories/1060121345>



The Mason family

Dennis Mason, 66, with two grandchildren prior to his death in 2016 near Kingfisher, OK at a crude oil tank.

Kentucky OSHA fails workers

Eleanor Klibanoff with the Kentucky Center for Investigative Reporting (KyCIR) and Jeff Young with Ohio Valley ReSource delved into the way that Kentucky OSHA (KY OSH) investigates work-related fatalities. Their multi-part series relied in part on a review of case files for 47 worker fatalities that occurred in Kentucky from October 2015 through September 2017. The reporters' analysis found many of the agency's investigations were grossly inadequate, with witnesses not interviewed and deceased workers blamed. Penalties meant to serve as a deterrent were slashed. Klibanoff described how the pro-business, anti-regulatory

ry agenda of Gov. Matt Bevin affected KY OSH and how little state lawmakers knew about operations at the agency.

Jeff Young with Ohio Valley ReSource joined Klibanoff in reporting that recounts the deep pain felt by families of deceased workers, which is compounded when the government agency fails to do its job. They also describe the frustration of a state prosecutor who wanted to pursue criminal charges against an employer for the death of 17-year-old Grant Oakley. The prosecutor was appalled to see the superficial nature of KY OSH's investigation.

In related reporting, Jim Morris with the Center for Public Integrity examines the OSHA State Plans program through the lens of worker fatalities. He recounts scrutiny of the state programs in Nevada and Arizona and provides different viewpoints on the challenges faced by these agencies. Morris shares the experience of Lariat Rope's family with Arizona OSHA's investigation of his death in 2017.

Eleanor Klibanoff. "How Kentucky is failing its workers." Kentucky Center for Investigative Reporting, Nov. 12, 2018.

<https://tinyurl.com/y3lpbx8y>



Jessica Lilly, co-host of West Virginia Public Broadcasting's Inside Appalachia, produced "He Died in Terror." The July 2019 episode examined the failure to prioritize worker safety and was part of the KYCIR collaboration. Only at the very end of the broadcast does Lilly reveal that her own father was killed on the job.

Jeff Young. "A teenager dies on the job, his family's work begins." Ohio Valley ReSource, Nov. 12, 2018.

<https://tinyurl.com/y4pogt7s>

Jim Morris. "State worker safety plans: 'The Good, The Bad And The Ugly.'" The Center for Public Integrity, Nov. 12, 2018.

<https://tinyurl.com/y2eda2vt>

Eleanor Klibanoff. "In Kentucky, deregulation and worker safety collide." Kentucky Center for Investigative Reporting, Nov. 12, 2018.

<https://tinyurl.com/yyus74uy>

Jessica Lilly, Roxy Todd, and Eric Douglas. "'He died in terror.' Thousands of U.S. workers die each year, leaving families with questions." WV Public Broadcasting, July 12, 2019.

<https://tinyurl.com/y64qk526>



J. Tyler Franklin/Louisville Public Media

Pam and Mike Oakley at their home in Garrard County, KY. Their son, Grant, 17, was fatally injured in 2015 by a forklift while working at a farm supply store.

Amazon drivers

BuzzFeed reporters Caroline O'Donovan and Ken Bensinger dive into Amazon's giant delivery network, where at least half of its packages are delivered by contracted delivery firms. The business model means the drivers are not Amazon employees so the company has no legal liability for working conditions. The company, however, wields substantial control through monitoring software used to track each package.

The reporters' year-long investigation reveals how the public is at risk because drivers are under intense pressure to meet delivery goals. Some contracted drivers make as little as \$160 per day to deliver as many as 250 packages. Interviews with drivers expose the pressure from their employer to meet the firm's contracted obligations to Amazon, which can result in speeding, unsafe parking, and foregoing bathroom and meal breaks. Contractors' trucks are not always maintained and are often smaller than what is actually needed to do the job. The reporters took photos of contractors' loaded trucks where packages block the windshields. Pedestrians have been struck, and some killed, by trucks making Amazon deliveries. Drivers are being charged, but no one is holding Amazon accountable.

Caroline O'Donovan and Ken Bensinger. "The cost of next-day delivery." BuzzFeed News, Aug. 31, 2019.

<https://tinyurl.com/yy688m3l>

Dismantling OSHA's beryllium rule

Reuters reporters Julia Harte and Peter Eisler investigated how the abrasive blasting industry and their allies on Capitol Hill worked to undermine OSHA's beryllium standard. Coal slag is a blasting agent that can contain beryllium and other metals. Rep. Bradley Byrne (R-AL) led the campaign to weaken the rule and was joined by a dozen other Republican lawmakers. The journalists describe a \$270,000 lobbying effort by the industry. It influenced the Trump administration to propose rolling back beryllium safety requirements for construction and shipyard employers.

Wardell Davis was a 24-year-old contractor when he began the dusty work of blasting the hulls of U.S. Navy ships. Now at 36, he is disabled with respiratory disease and has only one lung. "If I ever would have thought that this would have happened to me, I would've never ever worked there," he told the reporters.



REUTERS/Julia Rendleman (Fee paid for use)

Wardell Davis, 35, at his home in Virginia Beach, VA in January 2019. His face shows Davis' struggle to breathe on a single, collapsed lung.

Julia Harte and Peter Eisler. "The political battle behind the dismantling of a worker safety rule." Reuters, Jan. 22, 2019.

<https://tinyurl.com/y82yheqt>

Second class workers

Alex Nieves with UC Berkeley's Graduate School of Journalism and colleagues use audio, photographs, and text to describe the complications for undocumented workers when they are injured on the job or consider raising safety concerns. Nieves explains the challenges for these immigrants through the stories of Yolanda Urioste, a janitor, and Lupe, a car wash worker.

Yolanda Urioste worked for a large janitorial company. She had cleaning assignments each shift that took her to three cities to clean 24-Hour Fitness gyms. The physical labor took its toll on her hips and knees and a doctor recommended she take three days off of work. When Urioste mustered the courage to ask for a less rigorous schedule, she was fired. Nieves describe the hurdles Urioste encountered with filing claims to the California Labor Commission and company's workers' compensation insurer, as well as the assistance she eventually received in Oakland, CA from the Street Level Health Project and labor rights attorneys.

Nieves also describe the experience of Lupe, who worked at a Bay area car wash. She knew

she wasn't being paid properly, but feared speaking up because of her immigration status. Lupe raised the ire of her supervisor when she asked co-workers about safety. The supervisor tried to intimidate her by alleging that if OSHA showed up, they would ask Lupe for her immigration papers.

Through interviews with attorneys at Centro Legal de la Raza in Oakland, CA, Nieves learned about the complexity of retaliation cases. In Lupe's case, she reached a settlement with the car wash, but it included a non-disclosure agreement. "You feel like you have your hands tied," Lupe told the reporters. "Because sometimes you would like to say what company it is, so other people do not go there, but I cannot do anything."



Yolanda Urioste

Yolanda Urioste working at a 24-Hour Fitness gym.

Nieves also shares the story of Abad Leyva with the Street Level Health Project's worker center. Leyva spends many hours each week talking with workers about their rights and is a credible source of information because of his own experiences as an immigrant worker.

Susie Neilson, also with the UC Berkeley Graduate School of Journalism, explores California's recycling industry through the lens of worker health and safety. With ambitious zero-waste goals, material recovery facilities (MRFs) provide jobs across the state, but they are low-paying and hazardous. Victoria Leon worked as a sorter at an MRF operated by Waste Management when she suffered a painful back injury. Physicians who were affiliated with her employer said the injury was not related to work, but other physicians disagreed. Neilson uses Victoria's story to illustrate the roadblocks injured workers encounter in the workers' compensation system.

Alex Nieves. "Second class. Unseen: Working in the shadows of the Golden State." UC Berkeley Graduate School of Journalism, Sept. 2019.

<https://unseen.report/#projects>

Susie Neilson. "On the line. Unseen: Working in the shadows of the Golden State." UC Berkeley Graduate School of Journalism, Sept. 2019.

<https://unseen.report/#projects>

Trucks and blind spots are a deadly combo

Dozens of mine workers have been killed on the job in the U.S. by a deadly combination of heavy machinery and blind spots. Backup cameras and proximity sensors have been available for decades, but mining companies have failed to install them and regulators have not forced them to do so.

Thomas Benavidez, 52, a mechanic at an Arizona copper mine owned by the multi-national Asarco, was killed at work on Father's Day 2010. He was in a pick-up truck when it was flattened by a 240-ton truck. Reporter Mark



Benavidez Family

Thomas Benavidez, 52, with his wife Nita during happier times. He was fatally injured in 2010 at a mine in Arizona when he was struck by a massive haulage truck that was not equipped with proximity detection equipment.

Olalde with *The Arizona Republic* notes that between 2003 and 2018, 23 deaths of this type at surface mines, including Benavidez's, could have been prevented. He describes the avail-

able technology, the family's frustration that it is still not required, and the mining industry's excuses for not installing it.

Mark Olalde. "Bind spot: Miners died while their bosses refused safety equipment." *The Arizona Republic* and the Center for Public Integrity, June 26, 2019.

<https://tinyurl.com/y6l77d6t>

Injured at Amazon

During her two years working at an Amazon fulfillment center in California, a worker named Andrea sustained injuries to her shoulder, neck, wrist, spine, and hip. She quickly learned that the on-site clinic was a roadblock to appropriate medical care.

Writing for *Mother Jones*, Tonya Riley shares workers' stories of poor treatment at clinics run by AmCare, a firm contracted by Amazon

Walk-outs for Health and Safety

Huge warehouse distribution centers continue to proliferate around the country. The biggest player in the retail industry is Amazon, which has 75 fulfillment centers in the U.S. Each site covers 400,000 to 1 million square feet.

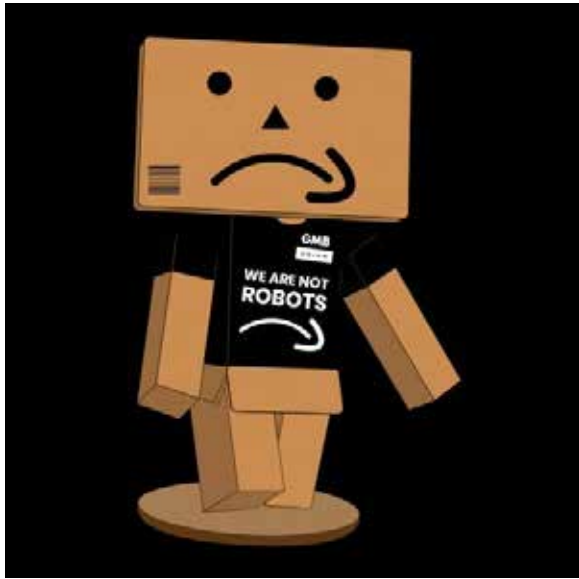
Occupational hazards in many warehouses include extreme temperatures and poor ventilation. At Amazon, the jobs for fulfillment center warehouse workers involve repeated heavy lifting and quotas to process orders and move merchandise. These hazards contribute to musculoskeletal injuries and stress.

On July 15 and 16, 2019, Amazon held a two-day global sale called "Prime Days" for its customers. Amazon workers in some locations used the event—and the workload increase it was expected to cause—to raise awareness about conditions inside the fulfillment centers. Some workers stressed the need for more access to drinking water and more reasonable quotas for packing orders. A group of Amazon workers at a fulfillment center in Shakopee, MN walked off the job to emphasize the message: "We Are Not Robots."

Workers and allies protest in July 2019 outside an Amazon fulfillment center in Shakopee, MN.



Amazon Center



The United Kingdom's GMB Union has a campaign called "We Are Not Robots" to fight back against labor abuses at Amazon warehouses.

to treat work-related injuries. Workers, including those employed at Amazon fulfillment centers Raleigh, NC and Schertz, TX described the obstacles faced when they needed extended care.

Andrea's pain became more severe as she continued to work in packaging, and no matter how many times she visited the clinic, she didn't receive any accommodation. Eventually, she was authorized by her physician to take medical leave, but Amazon required her to return to work before her injuries had a chance to properly heal.

Riley interviewed other Amazon workers who had similar experiences with AmCare. They were unable to take time off to recover from injuries, and the pace of work was intense. Workers told Riley that they were not permitted to carry their cellphones, meaning they could not call 911 if an emergency arose.

During a 2015 investigation, Riley notes, OSHA discovered that Amazon had failed to report at least 26 worker injuries at its fulfillment centers in New Jersey. Most were shoulder and back injuries, similar to the injuries experienced by Andrea.

Tonya Riley. "She injured herself working at Amazon. Then the real nightmare began." *Mother Jones*, Mar. 19, 2019. <https://tinyurl.com/y5zzfkt8>

Tesla's doctors don't put patients first

Physicians are supposed to "do no harm" and put the needs of their patients first. Yvette Bonnet and Anna Watson saw the opposite at the Access Omnicare medical clinic contracted by Tesla to treat injured workers. Bonnett and Watson were physician assistants at the clinic. They told reporters that doctors at Access



Vicki Salvador tripped and broke a bone in her hand while working at Tesla's car factory in March 2018. She went to the hospital and got a splint (shown here) but didn't receive a form from Tesla to file a workers' compensation claim.

Omnicare let their business arrangement with Tesla influence their clinical decisions.

Writing for the Center for Investigative Reporting, Will Evans spoke to former Tesla workers and clinic staff to examine how economic interests compromise the type of medical care provided to injured workers. From electrocutions and falling objects to skin rashes, Access Omnicare physicians found ways to assert that injuries were not work-related or deny the need for light-duty assignments. Physician assistant Watson said her boss's goal was to see that every injured worker "leaves this clinic as first aid," meaning incidents are not subject to workers' compensation rules in California. Access Omnicare had previously lost its contract with Tesla. When the automaker gave the clinic another chance, Evans heard, it was determined to keep Tesla happy.

Will Evans. "How Tesla and its doctor made sure injured employees didn't get workers' comp." Reveal from The Center for Investigative Reporting, April 11, 2019.

<https://tinyurl.com/y36rqclz>

OSHA barred from small farms

For more than 40 years, federal OSHA and most states that run their own OSHA programs have exempted small farms from oversight. Eli Wolfe with Fair Warning describes the congressional politics around the federal exemption, which applies to farms with 10 or fewer non-family workers, and the implications when a worker is killed on the job.

Wolf identified 63 worker deaths from 2013 through mid-2018 that were not investigated by OSHA because of the exemption. He spoke to family members who were unaware of the policy until it was their loved one who was fatally injured. Some families have tried unsuccessfully to repeal the exemption.

Tonya Ford, a leading advocate for the rights of family members, told Wolf why OSHA investigations are valuable: "It clarifies what happened that day, and how a company can prevent that from recurring." Allison Weston

added, "If OSHA was not involved with this, I really don't think we would have ever gotten the true story." Weston's husband, Jason, 41, was killed in 2016 in a Nebraska grain elevator.

Eli Wolfe. "When workers are killed on small farms, OSHA's hands are tied." Fair Warning, Dec. 8, 2018.

<https://tinyurl.com/yyyua23m>



Faith Ford

Tonya Ford, director of United Support and Memorial for Workplace Fatalities in Grand Island, NE at the Harvest of Harmony Parade in October 2018.

Firefighters, cancer, and workers comp

More than 40 states have laws for firefighters that presume cancer is work-related, supposedly making it easier for these first responders to receive workers' compensation (WC) or disability benefits. Despite such laws, firefighters have to fight for these protections because their claims are often denied. Lauren Bavis with Side Effects Public Media describes obstacles put in their way, such as situations where firefighters have been asked by WC insurers to produce records of chemical exposures, an impossibility given the nature of their jobs. Bavis notes the unsuccessful efforts by the International Association of Fire Fighters to get data



Glenn Preston

Boston firefighter Lt. Glenn Preston, 42, was diagnosed in 2016 with lymphoma. He is shown here receiving treatment at the Dana Farber Cancer Center.

from municipalities on claims filed and denials related to cancer.

Lauren Bavis. "Laws intended to protect fire-fighters who get cancer often lack teeth." Side Effects Public Media, Jan. 4, 2019.

<https://tinyurl.com/y4syturq>

Inspectors experience retaliation for doing their jobs

Jennifer Dixon of the *Detroit Free Press* used emails and other internal documents to expose a cozy relationship between the real estate firm Bedrock Detroit and Michigan OSHA (MIOSHA). Bedrock Detroit is owned by



Billionaire Dan Gilbert sends a Trump-like tweet to *Detroit Free Press* reporter Jennifer Dixon about her investigation of his firm Bedrock Detroit and its relationship with MIOSHA.

billionaire Dan Gilbert and is responsible for major developments projects that are part of the city of Detroit's revitalization.

Dixon reports on meetings held by executives of the firm with Gov. Rick Snyder's office to complain about citations issued by a MIOSHA safety inspector. Bedrock Detroit claimed that only the construction contractors were responsible for unsafe conditions, not the developer. The MIOSHA inspector, however, was applying long-standing policy that permits citations to be issued to a company that controls the site.

Dixon's sources reported that Bedrock Detroit officials lectured MIOSHA inspectors on how to do their jobs. The union representing the inspectors warned, "An enforcement agency should never be influenced by power or money. ... State workers become a target because what we do interferes with corporate profits."

The *Free Press* story led federal OSHA to investigate the state's handling of inspections at Bedrock Detroit projects.

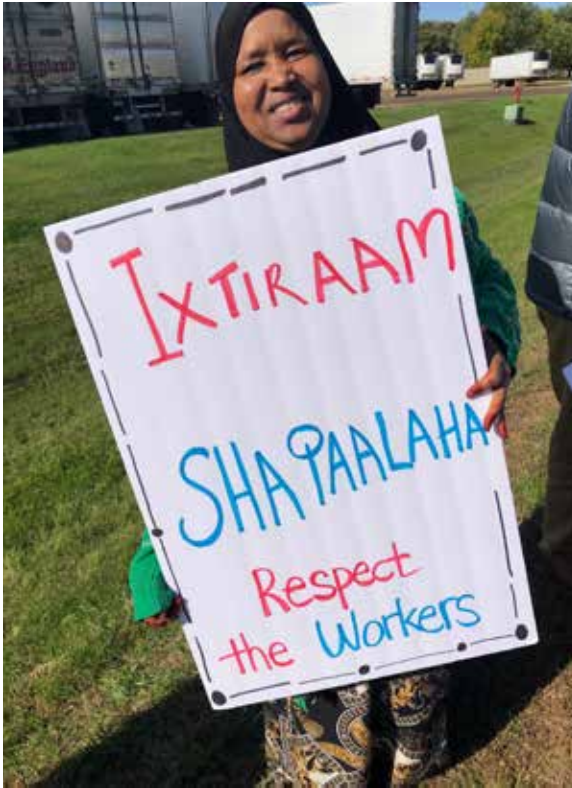
Jennifer Dixon. "Gilbert's Bedrock lectured inspectors on how to do their jobs." *Detroit Free Press*, Jan. 10, 2019.

<https://tinyurl.com/y6xnskh7>

Worker injuries and a Trump USDA policy

"He's bleeding bad and he's in shock. Please tell them to hurry up before the man dies." That's the audio from a 911 call made by an employee at Fieldale Farms in Gainesville, GA. ProPublica's Isaac Arnsdorf lets readers connect to audio recordings like these to punctuate his story on severe work-related injuries in some U.S. poultry plants. Arnsdorf's investigation focuses on plants that received waivers from the U.S. Department of Agriculture (USDA) to exceed current line speed limits.

Arnsdorf reports that some of the poultry plants with waivers have a history of significant OSHA violations or workers being seriously injured. He uses examples from Gerber Poultry in Kidron, OH and Peco Foods in Pochontas, AR to illustrate the difference



Fatuma Abib with the Greater Minnesota Worker Center has a message for management at the Jennie-O turkey processing plant in Melrose, MN.

between workers' and management's opinions on the impact of line speeds and injuries. Arnsdorf describes workers' struggles to get appropriate medical treatment for their work-related injuries. Current regulations on line speeds are governed by USDA, which



OHS advocates from eight states protest in October 2019 at the Jennie-O turkey processing plant in Melrose, MN.

insists the responsibility for worker safety belongs to OSHA.

Isaac Arnsdorf. "Trump's USDA is letting factories with troubling safety records slaughter chickens even faster." ProPublica, Oct. 3, 2019. <https://tinyurl.com/y4pwwbuv>

Poisoned workers seeking justice

Almost a decade ago, Betty Johnson, Janie Clark, and Dorothy Bass witnessed their husbands go from good health to struggling to walk, breathe, and sleep. They were some of the 500 workers involved in hazardous waste clean-up in Roane County, TN following the December 2008 coal ash spill at the Tennessee Valley Authority Kingston Fossil Fuel Power Plant. More than 7 million tons of coal ash polluted the vicinity, making it the U.S.'s largest coal ash disaster. Many of the 500 or so workers who were in the most dangerous parts of the cleanup site didn't have insurance, and some can't afford medical testing for their illnesses.

The *Knoxville News Sentinel's* Jamie Satterfield interviewed Johnson, Clark, and Bass, who described the medical conditions experienced by their husbands, such as blood and lung disease, sleep apnea, and respiratory issues. More than 50 survivors are suing Jacobs Engineering for unsafe working conditions, claiming the toxic waste caused sickness and death. Jacobs Engineering had a \$64 million government contract to clean up the disaster.

Witnesses testified that Jacobs Engineering failed to provide showers and changing rooms, as required by EPA. They allege the firm also tampered with air monitoring equipment to deceive workers about the contamination. Sitting through the trial, workers and their families said they were ashamed of Jacobs Engineering, and urged that the company be held accountable.

In March 2019, Jamie Satterfield won a Scripps Howard Award for her reporting on the Kingston disaster.



National COSH

(L-R) Karen Burkhalter, Tammy Miser and Tonya Ford of United Support and Memorial for Workplace Fatalities at COSHCON18.

Jamie Satterfield. "Kingston disaster workers band together in battle over coal ash spill's legacy." *Knoxville News Sentinel*, Nov. 13, 2018.

<https://tinyurl.com/y5mpoqm9>

Jamie Satterfield. "VA contractor Jacobs Engineering loses request to appeal lawsuit by Kingston workers." *Knoxville News Sentinel*, Aug. 16, 2019.

<https://tinyurl.com/y5fxze98>

Valley Fever hitting farmworkers

Valley Fever is an illness caused by a soil-borne fungus, coccidioidomycosis, which is endemic in California and the southwest U.S. People experience flu-like symptoms, but many people with Valley Fever are often misdiagnosed and can suffer symptoms for months before the disease is correctly identified. Writing for Civil Eats, Twilight Greenaway reports that droughts in the southwest U.S., fueled by climate change, are likely contributing to the 14,000 cases of Valley Fever reported in 2017.

Greenaway's story features Víctor Gutierrez, Manuela Ortega, and Isabel Arrollo-Toland,

who've all had Valley Fever. Gutierrez developed severe symptoms and was told he had only six months to live. He survived the treatment, but has constant pain in his lungs and an impaired immune system. Dust masks may provide some protection from the soil-borne spores, but during dust storms, farmworker Ortega suggests that "people just need to be sent home."

Twilight Greenaway. "Climate change-fueled Valley Fever is hitting farmworkers hard." *Civil Eats*, June 17, 2019.

<https://tinyurl.com/y4zmuzqf>

Violence against nurses

Elise Wilson was working as a triage nurse in 2017 when she was stabbed 11 times by a patient. Patrick Terpstra, reporting for Newsy, notes that OSHA does not have a standard to address violence against health care workers, but 10 states have adopted such rules.

Wilson is one of the thousands of U.S. health care workers who experience workplace violence each year. Her colleagues at Harrington Hospital in Southbridge, MA told Newsy's Terpstra that patients are becoming more violent. "Almost on a daily basis we get punched, kick, hit, or spit on," one worker said.

Patrick Terpstra. "Exposed: Workplace violence against nurses." *Newsy*, Nov. 2, 2018.

<https://tinyurl.com/y8o6jtpc>



Mass. Nurses Assoc.

Elise Wilson shows the result of injuries she suffered from a 2017 attack by a violent patient.



BECAUSE...

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New Research on Worker Health and Safety

Over the last year, public health researchers and labor rights advocates published dozens of papers and reports on OHS topics. In peer-reviewed journals, epidemiologists, physicians, and scientists investigated industry-specific hazards and solutions, such as an alarming incidence of silicosis among workers making quartz countertops and an intervention to address climate-related weather extremes. Reports from COSH groups and other non-profit organizations examined a wide range of topics, from policy changes by the Trump administration that affect worker protections and the state of safety protections for women firefighters, to violence faced by workers at McDonald's. We profile some of this new research below, and an appendix at the back of the yearbook lists our top picks from the peer-reviewed literature.

Peer-Reviewed Literature on Climate Change and Worker Health

Construction workers and heat deaths

Researchers analyzed occupational fatality cases and ambient temperature data to characterize heat-related deaths among U.S. construction workers. Summer temperatures from 1997 through 2016 increased markedly and were associated with higher heat-related death rates. Construction workers accounted for 36 percent of the deaths but constituted only 6 percent of the workforce. Higher risk was reported among Hispanic workers, and for masons and roofers.

Dong XS, West GH, et al. Heat-related deaths among construction workers in the United States. *Am J Ind Med.* 2019 Dec;62(12):1047-1057.

Impact of heat awareness program

The authors evaluated the effectiveness of a heat-stress awareness program involving 600 municipal employees in a Texas city. The program included acclimatization, training, and medical monitoring. Following the intervention, the frequency and severity of heat-related illness decreased, in particular among workers with the highest risk. Workers' compensation costs for heat-related illnesses declined by 50 percent.



Apopka Quilt Project

Farmworker and quiltmaker Linda Lee says this pattern was inspired by memories of her father working in Florida orange groves.

McCarthy RB, Shofer FS, Green-McKenzie J. Outcomes of a heat stress awareness program on heat-related illness in municipal outdoor workers. *J Occup Environ Med.* 2019 Sep;61(9):724-728.

Farmworkers and heat stress

More than 250 farmworkers participated in a study to examine heat-related illness as a function of both outside temperature and work load. Core body temperature was independently associated with ambient temperature and work load. In a related study, 600 farm workers wore accelerometers to measure their physical activity over a typical shift. Physical activity was inversely related to higher outside temperature, and piece-rate pay was associated with greater physical activity in spite of higher temperatures.



Apopka Quilt Project

Members of YAYA—Youth and Young Adult—of the National Farm Worker Ministry show their appreciation in November 2018 to community leader Linda Lee (second from right) and the Lake Apopka Farmworker Memorial Quilts project. The textile art is a project of the Farmworker Association of Florida and it marked its 10 year anniversary in late 2018. Each square tells a story to pay tribute to a farmworker who lost their life because of exposures on the job. Linda Lee is a former farmworker and lead quilt maker.

Vega-Arroyo AJ, Mitchell DC, et al. Impacts of weather, work rate, hydration, and clothing in heat-related illness in California farmworkers. *Am J Ind Med.* 2019 Dec;62(12):1038-1046.

Mitchell DC, Castro J, et al. Physical activity and common tasks of California farm workers: California Heat Illness Prevention Study. *J Occup Environ Hyg.* 2018 Dec;15(12):857-869.

Outdoor work and disease vectors

Researchers examined the prevalence of *Aedes aegypti* mosquitoes and their habitats at construction sites in Miami-Dade, FL. They found productive breeding areas in elevator shafts, stair shafts, and fillable plastic safety barriers. In light of changing vector habitats because of climate change, the authors suggest further research on modifiable factors to improve mosquito control practices in urban environments.

Wilke ABB, Vasquez C, et al. Construction sites in Miami-Dade County, Florida are highly fa-

vorable environments for vector mosquitoes. *PLoS One.* 2018 Dec 20;13(12):e0209625.

Wilke ABB, Caban-Martinez AJ, et al. Mosquito adaptation to the extreme habitats of urban construction sites. *Trends Parasitol.* 2019 Aug;35(8):607-614.



USMWF

Tonya Ford with United Support & Memorial for Workplace Fatalities (USMWF) brings water to construction workers in Lincoln, NE. USMWF's 2019 Beat the Heat campaign reached more than 2,000 workers.

Racism and hot work

The author describes racism in the U.S. with respect to people of color doing outdoor work. Owners and employers asserted that workers of African descent and immigrants from China and Mexico could tolerate jobs in the extreme heat. Employment policies and practices were based on falsehoods that non-Whites were naturally suited for unhealthy working conditions.

Derickson A. "A widespread superstition": The purported invulnerability of workers of color to occupational heat stress. *Am J Public Health*. 2019 Oct;109(10):1329-1335.

Peer-Reviewed Literature on Occupational Health and Opioids

Overdoses and occupation

The authors used data from Massachusetts on opioid-related overdose deaths (OROD) to determine differences by victims' occupation. Between 2011 through 2015, the OROD rates for construction and fishing workers were many times higher than the average OROD for other workers. Occupations with high rates of work-related injuries, job insecurity, and low availability of paid sick leave also had higher rates.

Hawkins D, Roelofs C, et al. Opioid-related overdose deaths by industry and occupation—Massachusetts, 2011-2015. *Am J Ind Med*. 2019 Oct;62(10):815-825.

Worker exposure to opioids

Researchers investigated two incidents in which law enforcement officers were occupationally exposed to fentanyl, methamphetamine, and other drugs. The authors make recommendations for timely toxicological evaluations to better characterize exposures.

Chiu SK, Hornsby-Myers JL, et al. Health effects from unintentional occupational exposure to

opioids among law enforcement officers. *Am J Ind Med*. 2019 May;62(5):439-447.

Injury and opioid use

Researchers used data from Washington State's workers' compensation program to examine long-term trends in opioid prescriptions for injured workers. They examined the impact of opioid use review procedures implemented in 2013 and the resulting reduction in long-term chronic use of opioids by injured workers.

Franklin GM, Mercier M, et al. Brief report: Population-based reversal of the adverse impact of opioids on disability in Washington State workers' compensation. *Am J Ind Med*. 2019 Feb;62(2):168-174.



Sean Nehiley tells his story in an August 2018 interview. Nehiley is on the MassCOSH board and suffered with opioid addiction following a work-related injury.

Peer-Reviewed Literature on Home Care Aides

Verbal abuse by clients

In a large survey of working conditions for home care aides, more than 900 reported verbal abuse from clients or their family members. Verbal abuse was most strongly associated with clients suffering from dementia and in homes with too little space for the aide to work. Aides reporting verbal abuse were 11 times as likely to also report physical abuse.

Karlsson ND, Markkanen PK, et al. Home care aides' experiences of verbal abuse: a survey of characteristics and risk factors. *Occup Environ Med.* 2019 Jul;76(7):448-454.

Client expectations and injury risk

Researchers surveyed 60 home care aides to characterize their acculturation status and how it affects their health and safety. Nearly all of the aides shared language and ethnicity with their clients. Boundaries separating worker and client were blurred and work expectations were often based on cultural traditions. As a result, workers performed tasks that were not specified in service plans or even prohibited, which increased the aides' risk of injuries.

Zhang J, Buchanan SN, et al. Health and safety of limited English speaking Asian homecare aides in Chicago: a pilot study. *J Occup Environ Med.* 2019 Jan;61(1):81-88.

52

Emotional labor and well-being

Focus groups of home health aides revealed the strong connection between the quality of their client relationship and their personal well-being. The aides described self-reliance, faith and prayer, and social support as their primary coping mechanisms to deal with job

challenges. The authors note that the workers' stress was often related to role ambiguity that arises from the invisibility of their emotional labor.

Franzosa E, Tsui EK, Baron S. "Who's caring for us?": Understanding and addressing the effects of emotional labor on home health aides' well-being. *Gerontologist.* 2018 Aug 17. doi: 10.1093/geront/gny099.

Clients' deaths and well-being

The authors describe the physical, emotional, and other impacts on home care workers of the death of their clients. Effects included sleeplessness and social withdrawal, as well as the financial stress of unemployment. Aides reported limited support from their employers following a client's death and made recommendations of ways employers could help staff members' well-being when they experience a client's death.

Tsui EK, Franzosa E, et al. Home care workers' experiences of client death and disenfranchised grief. *Qual Health Res.* 2019 Feb;29(3):382-392.



National COSH

(L-R) Alejandra Valles (Secretary-Treasurer of SEIU United Service Workers West (SEIU-USSW)), Rebecca Fuentes (Worker Center of Central New York (WCCNY)), a friend, Veronica Lagunas (SEIU-USSW), Beatriz Gatica, Julia de la Cruz (Coalition of Immokalee Workers), and Dolores Bustamante (WCCNY).



Leaders of UNITE HERE's Housekeeper Injury Prevention campaign in May 2019 at Worksafe's annual award ceremony.

Stress and perceived health

Through focus groups with 45 home care aides, the authors note the role of stress in the participants' characterization of perceived health. Work stressors included excessive demands from clients and their families, complexity of clients' health problems, and lack of training and information from their employer. They described intertwined work and non-work stressors that triggered physical, emotional and behavioral conditions.

Muramatsu N, Sokas RK, et al. Perceived stress and health among home care aides: Caring for older clients in a Medicaid-funded home care program. *J Health Care Poor Underserved*. 2019;30(2):721-738.

Peer-Reviewed Literature on Janitors

Researchers examined changes in safety rights knowledge among a group of union janitors who received information about OSHA, injury reporting, and workers' compensation. Prior to the intervention, workers identified numerous barriers to reporting injuries, including "fear" and "being unsure of the process." There were notable changes in perceptions of the barriers following the intervention.

The researchers also investigated the effects of workload and sleep disruptions on work-relat-

ed injuries. Over a one-year period, 38 percent of workers reported increases in workload due to fewer staff and more job duties. This group had a nearly two-fold increased risk of injury. Sleep duration and quality was also associated with risk of injury.

Green DR, Gerberich SG, et al. Knowledge of work-related injury reporting and perceived barriers among janitors. *J Safety Res*. 2019 Jun;69:1-10.

Green DR, Gerberich SG, et al. Janitor workload and occupational injuries. *Am J Ind Med*. 2019 Mar;62(3):222-232.

2 OUT OF 3
WORKPLACE VIOLENCE EVENTS
WERE SUFFERED BY WOMEN

Support H.R. 1309

Workplace Violence Prevention for Health Care
 and Social Service Workers Act

SAFE JOBS
 WITH WOMEN'S DEMAND
 AFL-CIO

Morbidity and Mortality Weekly Reports

Over the past year, the Centers for Disease Control and Prevention's *Morbidity and Mortality Weekly Report* featured several investigations of work-related fatalities, injuries, and illnesses. The reports include the following:

Occupations and carpal tunnel syndrome

During 2007 through 2014, there were more than 139,000 claims filed for carpal tunnel syndrome (CTS) with California's workers' compensation system. The industries with the highest rates were textiles mills, apparel manufacturing, and animal slaughtering. Rates were 3.3 times higher in women than in men.

Jackson R, Beckman J, et al. Rates of carpal tunnel syndrome in a state workers' compensation information system, by industry and occupation, California, 2007-2014. *Morbidity and Mortality Weekly Report*. 2018;67(39):1094-1097.



Lolita Liedo with the Pilipino Worker Center in Los Angeles shows solidarity for workers at the Jennie-O processing plant in Melrose, MN. Supporters from California, Illinois, Nebraska, North Carolina, and Texas participated in the October 2019 action to demand safer working conditions.



Sydney Boles/Ohio Valley Resource

In October 2019, coal miners and supporters dedicated a memorial to more than 200 workers in Letcher County, KY who died from black lung disease.

Suicide rates by occupation

Suicide rates in the U.S. working age population increased by 34 percent from 2000 to 2016. Researchers used data from the National Violent Death Reporting System to examine rates by occupation. In 2012 and 2015, the highest suicide rates for men were among those employed in construction and extraction jobs and for women employed in arts, design, and entertainment jobs.

Peterson C, Stone DM, et al. Suicide rates by major occupational group, 17 states, 2012 and 2015. *MMWR Morbidity and Mortality Weekly Report*. 2018; 67(45):1253-1260.

Occupations and COPD

An estimated 25 to 50 percent of chronic obstructive pulmonary disease (COPD) cases can be attributed to workplace exposures. Using data from the National Health Interview Survey, NIOSH researchers reported the highest prevalence of COPD among women who never smoked was in the information industry and in transportation jobs. Among men who never smoked, the highest prevalence was for those employed in agriculture, forestry and fishing, and waste management and remediation services.

Syamlal G, Doney B, Mazurek JM. Chronic obstructive pulmonary disease prevalence among

adults who have never smoked, by industry and occupation—U.S., 2013-2017. *MMWR Morb Mortal Wkly Rep.* 2019;68(13):303-307.

Work-related secondhand smoke

Using data from the 2015 Occupational Health Supplement of the National Health Interview Survey, investigators found 20 percent of non-smoking workers reported secondhand smoke (SHS) exposure at work during the previous 12 months. Ten percent of nonsmoking workers reported SHS exposure occurring twice per week or more. The industry with the highest prevalence of workplace SHS exposure was automotive repair and maintenance, which frequently are open air jobs that are not covered by smoke-free laws.

Su CP, Syamlal G, et al. Workplace secondhand tobacco smoke exposure among U.S. non-smoking workers, 2015. *MMWR Morb Mortal Wkly Rep.* 2019;68(27):604-607.

Silicosis and quartz countertops

Public health investigators in California, Colorado, Texas, and Washington identified 18 cases of silicosis, including two fatalities, among workers fabricating quartz-based composite material. The engineered stone, which contains more than 90 percent crystalline silica, is popular for kitchen and bath countertops.

Three of the cases were from a single workplace in California, and 16 of the 18 workers were Hispanic. Several of the workers were initially diagnosed with autoimmune disorders or latent tuberculosis infection, which is also associated with silica exposure.

Rose C, Heinzerling A, et al. Severe silicosis in engineered stone fabrication workers, California, Colorado, Texas, and Washington, 2017–2019. *MMWR Morb Mortal Wkly Rep.* 2019;68(38):813–818.

Reports from Non-Profit Organizations

Workers Left Behind Under Trump's OSHA: President Places Big Business Before Health and Safety of America's Workforce. Public Citizen, August 2018.

<https://tinyurl.com/yxvadjvt>

Public Citizen provides numerous examples where the Trump administration has weakened the OSHA program. The report focuses on three areas: (1) deregulation and delay of proposed regulations such as maintaining and reporting injury logs; (2) failure to take action on proposed standards such as heat exposure, safe patient handling, and line speed at poultry plants; and (3) overall erosion of the agency due to lack of leadership, inadequate



Tony Rich/ADAO

Patients and family members who've been affected by asbestos-related cancers brought their demand for an asbestos ban to Washington, D.C. in April 2019. Joey and Julie Amento held signs that read "Asbestos Killed My Dad." They were 8 and 10 years old when their father, Joe Amento, 53, died from mesothelioma.

staffing, and weak enforcement. “Perhaps most outrageous of all, the Trump administration worked to undo a requirement that employers comply with safety requirements as a condition for receiving federal contracts.”

Marriott’s Dirty Choice: How “Your Choice” Harms Housekeepers. UNITE HERE, Sept. 2018. <https://tinyurl.com/y4zrabt2>

Marriott and other hotel chains encourage guests to decline daily housekeeping services, claiming environmental benefits. Undisclosed is the increase in company profits due to cuts in housekeepers’ hours. This UNITE HERE report summarizes a 2018 survey of 60 housekeepers at a Boston hotel who worked over a decade under a “Green Choice” program. Survey results are backed up by personal testimonials that explain why Green Choice rooms are harder to clean than those cleaned daily. Housekeepers report using larger quantities of hazardous chemicals and experiencing increased pain, stress, and diminished quality of family life.

From Surviving to Thriving. Center for Progressive Reform, September 2018. <https://tinyurl.com/y25fjcz>



Jessica Tavares, a Teens Lead @ Work Alumnus, at MassCOSH’s 42nd Celebrating the Movement where she received the Young Worker Champion Award Winner.

Hurricanes Harvey, Irving, and Maria demonstrated the unequal impact extreme weather events have on low-income communities, people of color, and the disenfranchised. The Center for Progressive Reform examines different aspects of the nation’s disaster planning and response programs, with a particular focus on mitigating social inequities. Problems include exploitation of workers who are involved in clean-up and renovation. With equity in mind, the authors make recommendations for the policies and programs needed as the climate continues to change in dramatic ways.

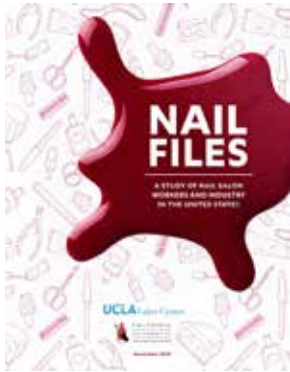
More Pain, Less Gain: Minnesota Poultry Workers Face Grueling Work Conditions. Greater Minnesota Worker Center, Oct. 2018. <https://tinyurl.com/yywshy5h>

Did working conditions improve after Pilgrim’s Pride took ownership in 2017 of a poultry plant in Cold Spring, MN? One year following the takeover, the Greater Minnesota Worker Center surveyed 50 workers from the plant to assess current conditions and compare them to findings from a similar survey conducted in 2016. An overwhelming majority of the workers surveyed said excessive line speeds, restrictions on bathroom use, and lack of accommodations for daily Muslim prayers persist or have gotten worse at the plant. The report presents the data, shares workers’ perspectives, and makes recommendations for the company and OSHA.

Nail Files: Study of Nail Salon Workers and Industry in the U.S. UCLA Labor Center and the California Healthy Nail Salon Collaborative, November 2018. <https://tinyurl.com/yxnqjozn>

Revenue for nail salons in the U.S. currently totals more than \$4.4 billion and is projected to reach \$5.7 billion in 2020. This report examines labor issues in the industry, including demographics of the workers, wages, and other labor conditions. Nationwide, for example, 75 percent of nail salon workers are Vietnamese and 80 percent are foreign-born. The report describes workers’ concerns about

MassCOSH



for nail salon workers.

Fourth National Climate Change Assessment, Volume II: Impacts, Risks, and Adaptation in the United States. U.S. Global Change Research Program, November 2018.

<https://nca2018.globalchange.gov/>

In November 2018, the federal government issued the fourth edition of the National Climate Assessment—a congressionally mandated intergovernmental report on the state of the science of climate change and its physical impacts on the U.S. Although workers in particular industries are on the front lines of extreme weather events and other adverse effects, they are only briefly mentioned in the report’s list of vulnerable populations. The workplace is not discussed as a key source of exposure, nor as a place to focus mitigation efforts.

Deadly Skyline: Annual Report on Construction Fatalities in New York State. NYCOSH, January 2019.

<https://tinyurl.com/y38d5cfd>



NYCOSH used data from the Bureau of Labor Statistics and OSHA to report trends in construction industry deaths in New York State and New York City (NYC). Over the past five years, the state-wide fatality rate for construction workers increased nearly 40 percent, while the rate in NYC decreased by 23 percent. The authors use colorful graphics to

chemical hazards, as well as vignettes from four workers about their experiences. It explains current challenges to enforcing OHS protections and innovative programs in some localities to improve conditions

show five- and 10-year trends on safety agency personnel, OSHA inspections, and penalties. They describe recent regulatory changes in NYC that could be applied statewide.

Hazards on the Ground at American Airlines. Communications Workers of America, January 2019.

<https://tinyurl.com/y6em8bw8>

The Communication Workers of America surveyed 800 members who are employed at Envoy Air/American Eagle to investigate their health and safety concerns. Nearly 80 percent reported feeling rushed all or most of their shift, largely because of inadequate staffing. The report includes injury and illness data from OSHA logs, with a significant portion caused by ergonomic hazards. Workers noted that Envoy’s low wages force them to work extra shifts and the resulting fatigue increases the risk of injury.



Communication Workers of America

A flight attendant for American Eagle joins co-workers in a protest about unsafe working conditions and low wages.

Emerging Health and Safety Issues for Women in the Fire Service. U.S. Fire Administration and the Federal Emergency Management Agency, March 2019.

<https://tinyurl.com/y6eqevll>

This report revisits recommendations originally made in 1994 to improve OHS for women firefighters. Research continues to lag on gender specific exposures and health effects. Task training and equipment fail to integrate



Facebook/Mountain View Fire Department

Fire captain Jenna Graham, fire engineer Patty Juergens, and firefighter Alison Costello with the City of Mountain View, CA in March 2019. It is the first time in the city's history the department has an all female crew for an apparatus.

biomechanical differences between women and men, and this shortcoming increases risk of injury for women firefighters. Inequities in facility design, such as bathrooms and sleeping quarters, continue to persist, as do inadequate mental health services to address work-related trauma and stress.

Systematic Review of Occupational Exposure to Cancer Chemotherapy Agents and Adverse Health Outcomes. National Toxicology Program, March 2019.

<https://tinyurl.com/y3jmb1ru>

The authors reviewed more than 100 epidemiological studies on occupational exposure to cancer chemotherapy agents (i.e., during research, manufacture, and patient care) to assess the strength of the evidence of adverse health outcomes. They concluded a moderate level of evidence that occupational exposure to such agents is associated with spontaneous abortions, chromosomal aberrations, and DNA damage in exposed workers. They recommend improvements in exposure and biomonitoring.

Workplace Safety Enforcement Continues to Decline in Trump Administration. National Employment Law Project, March 2019.

<https://tinyurl.com/yxuwxxqd>

An analysis of OSHA enforcement data conducted by NELP revealed a significant

difference between the Trump and Obama administrations in the number of inspections conducted by the agency. There were half as many inspections on excessive heat, for example, and one-third as many inspections involving chemical exposures in the first year of the Trump administration. NELP noted that as of January 2019, OSHA had the lowest number of inspectors in its 48 year history.

Death on the Job: The Toll of Neglect (28th edition). AFL-CIO, April 2019.

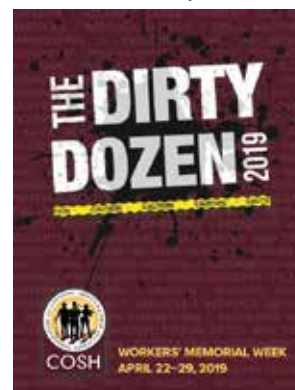
<https://tinyurl.com/y589jnv6>

This annual report by the AFL-CIO's safety and health department is loaded with nearly 100 data tables and charts on fatality and injury rates, including data stratified by industries, occupations, and causes of death. Data on federal and state OSHA enforcement activities are presented in state-by-state comparisons. The report also summarizes actions by the Trump administration to roll back worker protections.

The Dirty Dozen 2019: Employers Who Put Workers and Communities at Risk. National COSH, April 2019.

<https://tinyurl.com/y3kh2u8y>

National COSH profiles 12 companies that have particularly egregious records for disregarding the health and safety of their employees. The fast food giant McDonald's is listed for failing to address sexual harassment complaints; Johns Hopkins Hospital for ignoring nurses' complaints about violent patients; and Genan for the death of Byron Jones, 26, in an industrial tire shredding machine. Other firms in the report are Amazon, Integra Health



Management, Purdue Pharma, and XPO. National COSH makes the case for selecting each company for its "dirty dozen" and recommends action steps to address the problems locally and nationally.

Dying at Work in California. Worksafe, April 2019.

<https://tinyurl.com/y5vmho6s>

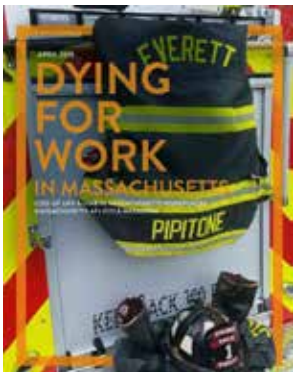


Nearly 400 workers in California are killed on the job each year. Worksafe's annual report offers the faces and stories of 12 of them, including 21-year-old lineman Jairus Ayeta and postal worker Peggy Frank, 63.

The report includes a list with names, ages, and incident information for 269 of the fatality victims. The authors highlight policy opportunities for preventing deaths statewide and nationally.

Dying for Work in Massachusetts: Loss of Life & Limb in Workplaces. Massachusetts AFL-CIO and MassCOSH, April 2019.

<https://tinyurl.com/y5v5kn4d>



In 2018, 59 workers in Massachusetts died from fatal work-related injuries and 10 firefighters died from cancer and other diseases. Prominent in the report are the victims' names, occupations, and ages, as well as

brief commentaries on violence, opioids, and climate change as hazards that contribute to work-related fatalities.

Rights at Risk: Gig Companies' Campaign to Upend Employment as We Know It. National Employment Law Project, April 2019.

<https://tinyurl.com/y4b6p5jv>

Service providers such as Uber, Handy, and other tech companies are rewriting worker classification standards so that their employ-



Gig drivers protest in August 2019 outside of Uber headquarters in San Francisco.

Mobile Workers Alliance

ees fit the definition of independent contractor. NELP describes the state and local lobbying campaigns of these firms to rewrite employment law and the specific tactics they use. The authors provide examples of successful efforts in California, Colorado, North Carolina, and elsewhere to block the efforts.

Chemical Detox for the Workplace: Guide to Securing a Nontoxic Work Environment. Center for Progressive Reform, May 2019.

<https://tinyurl.com/y4czomr6>

This three-part guide is designed to help workers find information about chemicals they may be exposed to on the job and policy options for addressing these hazards. The authors explain the federal laws that govern toxic chemicals and provide advice on exercising the "right to know," filing an OSHA complaint, submitting an official tip to EPA, and using citizen suits. The guide includes several case studies of workers' efforts to address chemical hazards using these strategies.

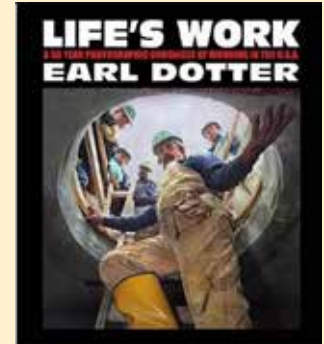
Behind the Arches: How McDonald's Fails to Protect Workers From Workplace Violence. National Employment Law Project, May 2019.

<https://tinyurl.com/y43jucfz>

NELP assembled more than 700 media accounts of workplace violence incidents occurring at McDonald's fast food restaurants in a three year period ending April 2019. NELP profiles the experiences of affected workers who describe their physical and psychologi-

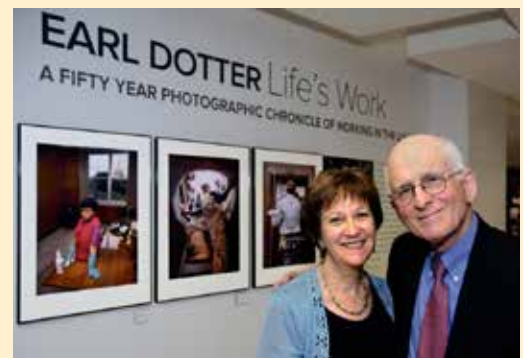
Life's Work: A 50 Year Photographic Chronicle of Working in the U.S.A.

A four-year-old touching her fisherman uncle's amputated arm. A nurse helping a patient get from her bed to a chair. A worker washing outdoor windows on the 83rd floor of a skyscraper. A Jamaican farmworker harvesting apples in Maine. These and hundreds of other photos make up Earl Dotter's book *Life's Work*. The collection of color and black-and-white photos comes to life with Dotter's descriptions of the photos, often with the names of the workers captured by his lens. Each chapter includes a brief commentary by an OHS leader. *Life's Work* was published in late 2018.



Jay Mallin and Ross Stansfield

Earl Dotter chats with Marcy Goldstein-Gelb of National COSH at the launch party for his book.



Jay Mallin and Ross Stansfield

Photojournalist Earl Dotter with his wife Deborah Stern at an event to celebrate the launch of his book and exhibit *Life's Work*. The event took place in September 2018 at the AFL-CIO headquarters in Washington, DC.

60



CNN

Yasmine James, 20, was assaulted by a patron in January 2019 at her job at a St. Petersburg, FL McDonald's. James reports the customer became enraged when he heard about the restaurant's new policy on plastic straws.

cal injuries from the incidents. The statistics do not include other forms of violence such as verbal abuse and threats, but the authors discuss their toll. The authors call on McDonald's to adopt OSHA's recommended violence prevention program.

Time for a Real Look at How the New York State Workers' Compensation System Treats Workers. Center for New York City Affairs (The New School), May 2019.

<https://tinyurl.com/y26pdndj>

This report documents how New York's workers' compensation law has eroded over several years, concluding that the focus "has shifted from fairly compensating injured workers to minimizing employer costs." The authors describe legislative changes the state passed in 2007 and 2017 to make modest improvements for injured workers, but explain that the reforms were largely wiped out by other changes. The authors recommend an update to income replacement payments; access to benefits, particularly for low-wage workers; and requirements that businesses invest in enhancing workplace safety.

Long Overdue: It Is Time for the Federal Pregnant Workers Fairness Act. A Better Balance, May 2019.

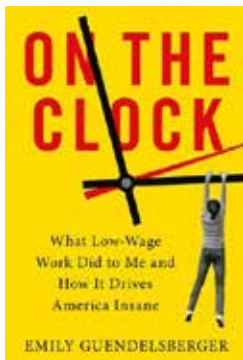
<https://tinyurl.com/yxsb8rah>



Women are routinely denied medically necessary accommodations during pregnancy. The situation is particularly prevalent for women in low-wage and physically demanding jobs. Even when pregnant women

have presented doctors' notes, federal courts usually side with employers who refuse to provide even modest accommodations. The report reviews three main legal hurdles, as well as actions by several states to pass pregnancy anti-discrimination laws and the proposed federal Pregnant Workers Fairness Act.

On the Clock: What Low-Wage Work Did to Me and How It Drives America Insane by Emily Guendelsberger. New York: Little, Brown and Company. June 2019.



When journalist Emily Guendelsberger became unemployed in 2015, she decided to see first hand the world of low-wage work. She took jobs at an Amazon warehouse in KY, a call center in Hickory, NC and a McDonald's in San Francisco. The book

tells her story.

"When We're Dead and Buried, Our Bones Will Keep Hurting": Workers' Rights Under Threat in U.S. Meat and Poultry Plants. Human Rights Watch, September 2019.

<https://tinyurl.com/y4zfvksh>

Long hours without breaks, high production quotas, limited access to sanitation facilities,



gender-based discrimination, and injuries are described by Human Rights Watch as assaults on the dignity of workers employed in the U.S. poultry, pork, and beef industries. Researchers

interviewed 49 workers from six states and 12 different companies, as well as using data from other sources, to characterize abusive conditions for a workforce that is primarily people of color and from marginalized communities. The report describes failures by the U.S. government to address the exploitation, including new moves by the Trump administration to deregulate slaughter line speeds.

Time Off Task: Pressure, Pain, and Productivity at Amazon. NYCOSH, October 2019.



The job for an Amazon warehouse worker involves picking, selecting, storing and packing items at a very fast pace. They are exposed repeatedly to stressful and awkward postures while handling significant physical loads. In

May 2019, the New York Committee for Occupational Safety and Health (NYCOSH) interviewed 145 Amazon workers from the company's Fulfillment Center on Staten Island to assess the demands of their job on their health. Workers said they are expected to handle four items per minute to meet a shift quota of 2,000 items. 80 percent were pressured to work faster, 66 percent experienced physical pain while performing their duties. NYCOSH's recommendations to Amazon include implementing a comprehensive ergonomics program and remaining neutral in workers efforts to form a union.

Occupational Health Internship Program

The Occupational Health Internship Program (OHIP) continued into its 16th year as the premiere program for students to learn about OHS from the perspective of workers. In the summers of 2018 and 2019, 25 undergraduate and graduate student-pairs were matched with unions and community organizations in more than 15 U.S. cities. The nine-week projects covered a range of OHS topics and the collaborations included warehouse workers in Los Angeles; hotel housekeepers in Philadelphia; fast food workers in Chicago; casino workers in Las Vegas; cannabis workers in Los Angeles; and transit workers in Hartford, CT.

62



OHIP

Irving Angeles (L) and Alfredo Rodríguez are eager to share the training they developed with members of UFCW Local 770 in Vernon, CA.



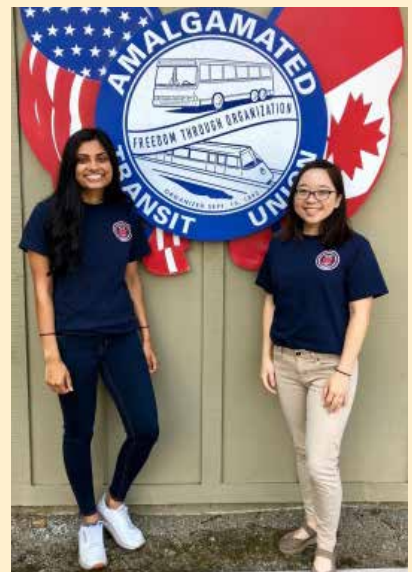
OHIP

Bukunmi Gesinde (L) and Hanna Campbell meet up at the Idaho National Laboratory during their 2018 internship with Steelworkers Local 652.



UCLA LOSH

In June 2018, OHIP interns tour an industrial laundry facility in Los Angeles as part of the OHIP orientation.



OHIP

Sophia Sidhu (L) and Grace An mark the conclusion of their 2018 internship with the Amalgamated Transit Union Local #265 in San Jose, CA.



OHIP

The 2019 OHIP interns and leadership during their orientation program in June hosted by UCLA LOSH.



OHIP

Kathryn Gonzalez (L) and Cambra Lee-Shapiro pose with a WWII-era missile during their 2018 internship with the International Brotherhood of Teamsters at Department of Energy sites.



OHIP

Elizabeth Machado (L) and Isa Ortiz Rodriguez (R) appreciate the guidance from their mentor Lida Orta during their 2018 internship with AFSCME members in Puerto Rico.



OHIP/AOEC

After presenting their work in San Diego, CA at the annual meeting of the American Public Health Association, some of the OHIP interns from 2018 share the stage with OHIP leadership. Front row (L-R) Ingrid Denis, Sarah Jacobs, and interns Grace An, Alfredo Rodríguez, Sophia Sidhu, Kathryn Gonzalez, and Nino Lucci. Back row (L-R) Becky Reindel, Matt London, Bob Harrison and Kevin Riley.

Peer-Reviewed Research on Occupational Health & Safety Topics

Over the last year, researchers published high-quality OHS papers that addressed a wide range of hazards and involved diverse groups of workers. Some reported on injury and illness trends, some relayed results of interventions, and others examined policy challenges and opportunities. The following list represents some of the best from the last 12 months. Those marked with ✦ are profiled beginning on page 49.

Al-Bayati AJ and York DD. Fatal injuries among Hispanic workers in the U.S. construction industry: Findings from FACE investigation reports. *J Safety Res.* 2018 Dec;67:117-123.

Almberg KS, Halldin CN, et al. Progressive massive fibrosis resurgence identified in U.S. coal miners filing for black lung benefits, 1970-2016. *Ann Am Thorac Soc.* 2018 Dec;15(12):1420-1426.

Arcury TA, Arnold TJ, et al. "Be careful!" Perceptions of work-safety culture among hired Latinx child farmworkers in North Carolina. *Am J Ind Med.* 2019 Dec;62(12):1091-1102.

Bleasdale SC, Sikka MK, et al. Experience of Chicagoland acute care hospitals in preparing for Ebola virus disease, 2014-2015. *J Occup Environ Hyg.* 2019 Aug;16(8):582-591.

Bulka CM, Daviglius ML, et al. Association of occupational exposures with cardiovascular disease among U.S. Hispanics/Latinos. *Heart.* 2019 Mar;105(6):439-448.

✦Chiu SK, Hornsby-Myers JL, et al. Health effects from unintentional occupational exposure to opioids among law enforcement officers: Two case investigations. *Am J Ind Med.* 2019 May;62(5):439-447.

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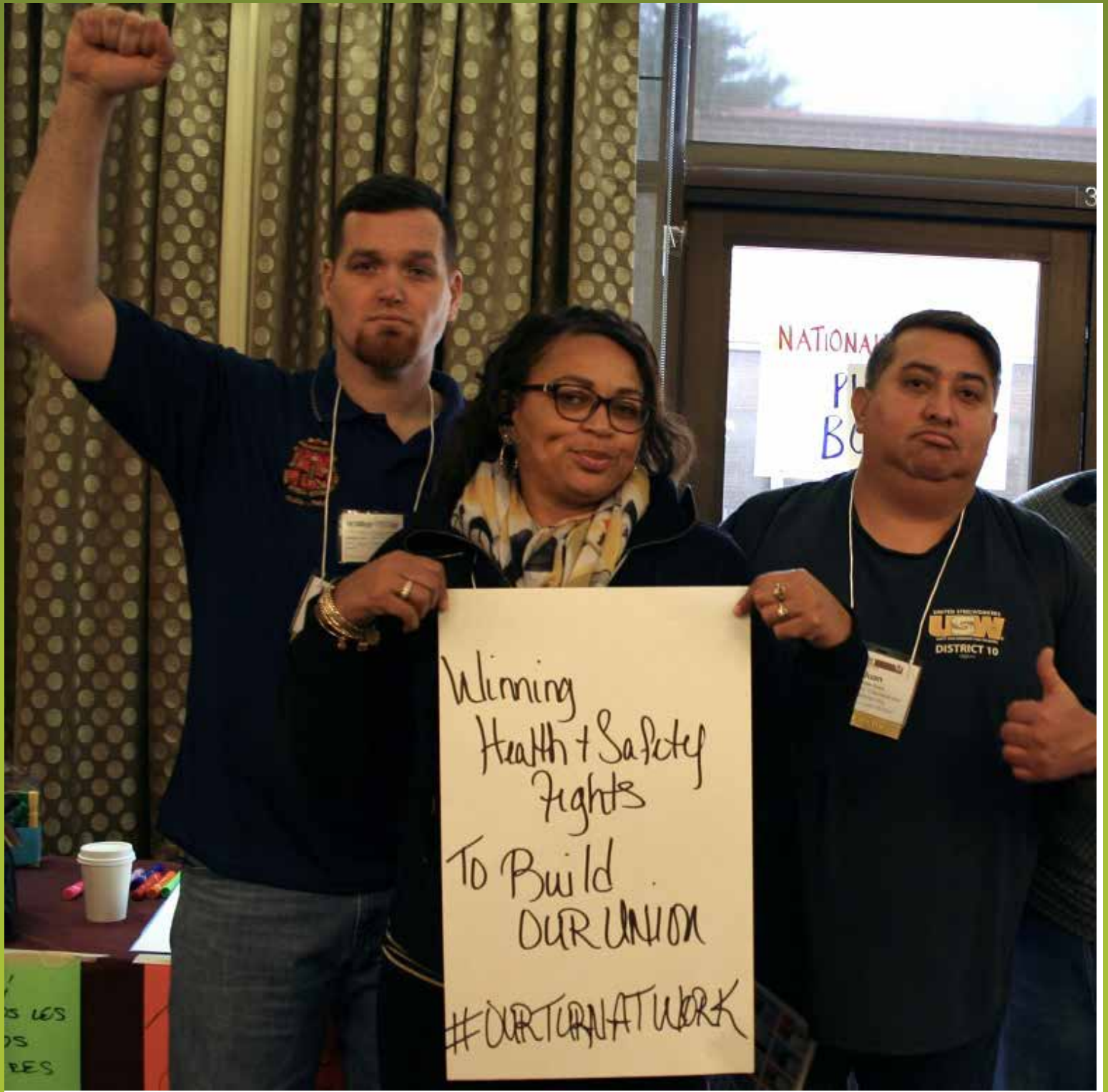
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