Worker Memorial Day Report 2015:
Workplace Fatalities in the Houston Area

Pray for the Dead, Fight for the Living
Elmer Oscar Barrera, 26, is just one of thousands of US workers who died on-the-job in 2014. Mr. Barrera worked for Wonton Food Inc., one of the largest US manufacturers of fortune cookies and Asian-style noodles. He went to work last April at the company’s factory in midtown Houston, but he didn't survive his shift. Barrera was fatally injured in an industrial dough mixer. The company did not have proper guards on the machine, and procedures were not in place to ensure the equipment was appropriately turned off when being cleaned or repaired. As a result, a young man who was simply trying to earn a living, lost his life.

The tragedies of work-related fatalities like the death of Elmer Oscar Barrera unfold about a dozen times each day in the US. The US Bureau of Labor Statistics reports that 4,585 men and women were fatally injured on the job in 2013 (most recent data available). On average, that is 12 US workers per day. They were killed on the job from electrocutions, toxic gases, unshored trenches, falls from heights, explosions, toxic gases, motor vehicle incidents, and other causes. Hundreds of thousands more individuals were injured or made ill from hazards on the job. Most of these deaths, injuries and illnesses could have been prevented had the hazards been controlled, proper protections used, and regulations followed.
April Corely, Gilberto Garcia, and Roy Scott are just three names of Houston-area workers who lost their lives on the job in 2014. Behind all of them stand the family and friends who are left behind, and for some, there are aching questions about how and why their loved ones died. Unfortunately, the survivors usually find incomplete answers. Public information about workplace fatalities is scant. The major source of information is simply a “count” of worker deaths, without much information about the person or employer involved in the tragic incident.

Each year, the US Bureau of Labor Statistics (BLS) releases data on the number of workers who died from fatal occupational injuries. Last year, the number in Texas was about 500 workers. But BLS doesn’t disclose the details of those incidents. The agency claims it needs to keep the information confidential.

We disagree. Workers who are killed on the job are not just government statistics—they are not merely a number. Individuals who die from work-related causes have a name, a face, a story, and a family left behind. This important information could help us better understand the gravity of each loss and develop strategies to prevent the next tragedy from happening.

In this report, we set out to honor workers in the Houston area who died on-the-job in 2014. One way to do that is by remembering them by their name, and if possible, with a photo. We used newspaper stories, death notices, and government data to assemble information on 62 individuals who died last year in the Houston area from fatal work-related injuries. It is our best effort to identify the victims of work-related fatalities. We know, however, that our list is not complete. We do not forget the unnamed dead and will strive to make them known to the public.

On-the-job deaths in the Houston area are caused by a host of factors. At least a dozen of the fatality victims were electrocuted, and at least ten died from falls. Gunshots and other violence took the lives of at least seven store clerks, security guards, and taxi drivers. Other factors that contribute to or cause work-related fatalities include pressure from bosses to work too quickly and to cut corners on safety, a company’s failure to follow safety regulations, inadequate training, improper equipment, language barriers, and fatigue.

The “In Memoriam” section of this report shows the toll of work-related fatalities in the Houston area. Among those we are able to recognize by name are Daniel Groover, who was a Houston fire fighter, and Jesse Valdez, III, who was a Harris County deputy sheriff. We also remember the four workers who died on November 15, 2014 while working at DuPont’s chemical plant in La Porte, TX. They are Wade Baker, Gibby Tisnado, Robert Tisnado, and Crystle Rae Wise.

The Houston-area victims of work-related fatal injuries include workers in their teens, as well as a man who was 76 years old. Some of them were new to their jobs, while another had been with his employer for 20 years. Some were working in the City of Houston and others in our surrounding communities, such as Cypress, League City, Sugarland, and Village Mills. Among their similarities and differences, they have one thing in common: they went to work one day, but didn’t return home safely at the end of their shift.
**IN MEMORIAM**

**SHELDON ANTHONY ADAMS, 33**

February 25, 2014: Severely injured by an electrical shock on February 4 while working at Terex Services. The company received OSHA citations for three serious violations and a proposed penalty of $19,000. Terex is contesting the citations.

**RENE ALMEIDA, 51**

April 18, 2014: Shot and killed while working as a security guard at a condominium complex at Leawood Blvd. and Bissonnet. Mr. Almeida was employed by Texas State Security & Patrol Services.

**JOSE ALVAREZ, 55**

November 2, 2014: Suffered fatal injuries at a construction site at SH 99 and Highway 290 while working for Odebrecht USA. OSHA continues to investigate the incident.

**SAMUEL LEE EDWARD ANDERSON, 20**

August 6, 2014: Electrocuted with two other men while working for Pro Steel Building. OSHA issued a citation for failing to have proper clearance between a scaffold and power lines. The company is paying a $7,000 penalty.

**WADE BAKER, 60**

November 15, 2014: Was fatally overcome by toxic gas, along with three other workers, at DuPont's La Porte chemical refinery. His obituary notes: "He loved to be outdoors, hunt and spend vacations with the family. His favorite saying was 'Don't Worry Be Happy.'" OSHA and the Chemical Safety Board continue to investigate the incident.

**JULIAN BALDERAS JR., 50**

December 10, 2014: Fatally injured by a propane tank explosion while working for Durwood Greene Construction. His obituary notes he is survived by his wife and six daughters. OSHA continues to investigate the incident.

*We used publicly available data to assemble these workers who suffered fatal on-the-job injuries. We apologize if any of the information is incorrect. Please bring it to the authors' attention at cmonfort@gwu.edu*
MARK G. BENOIT, 55

September 26, 2014: Struck and killed by a forklift he was repairing while working for United Salt Corporation. The Mine Safety & Health Administration issued two citations and proposed a $6,282 penalty.

WILLIAM BERNAL, 45

May 14, 2014: Fatally injured when pinned between an 18-wheeler truck and the loading dock at the Kroger store on South Voss near Middlewood.

ELMER OSCAR BARRERA, 26

April 27, 2014: Fatally injured in an industrial dough mixer at Wonton Food Inc. OSHA cited the company for four serious violations and the company paid a $17,360 penalty.

BOBBY JOE BEALL, 50

August 4, 2014: Electrocuted while working at a Pilgrim’s Pride poultry processing facility. Mr. Beall’s obituary notes: “Bobby loved to meet people. … He would enjoy walking around Wal-Mart meeting new friends and sharing his candy with people at work.” OSHA issued citations for one repeat and three serious violations and proposed a $59,500 penalty.

BARRY BENSON, 61

April 1, 2014: Fatally injured in a fall while employed at Plant Process Equipment. The company received OSHA citations for two serious violations and is paying a $6,300 penalty.

JAMES ANDREW “DREW” BRENEK II, 19

July 27, 2014: Electrocuted by equipment while working for Guichard Operating Company. His obituary notes: “He was a hard worker, intelligent and strong. … Whatever the situation, Drew had fun.” OSHA issued citations for three serious violations and the company is paying a $14,000 penalty.

MARTY CARROLL, 52

September 5, 2014: Shot in the parking lot at his workplace Keith Inc.
**Jeremi Canady, 26**

August 5, 2014: Fatally injured when loading an excavator onto a truck while working for ADT Demolition Services. His obituary notes he “was a loyal friend, son, grandson, brother, and husband.” OSHA cited the company for two serious violations and it is paying an $8,640 penalty.

**William Coffey, 56**

August 5, 2014: Fell 45 feet from an elevated transit track at Bush International Airport. His employer, Bombardier Transportation, was cited by OSHA for two serious violations. The company is contesting the OSHA citations and $14,000 penalty.

**April Corely, 30**

September 24, 2014: Fatally struck by a steel plate while setting up a carnival ride while working for John Ring Entertainment. Her obituary notes she leaves behind a daughter and son. OSHA continues to investigate the incident.

**Mark Duane Dorsey, 30**

August 26, 2014: Fatally injured while working for Katoen Natie Gulf Coast, Inc. OSHA issued a citation for one serious violation and proposed a $7,000 penalty.

**Elvis Edenfield, 76**

June 10, 2014: Fatally injured in fall from elevated platform while working at a Pep Boys store. His obituary notes that he enjoyed the tranquility of the Great Smoky Mountains. OSHA issued a citation for two serious violations and the company paid a $12,000 penalty.

**Redes Funes, 43**

February 26, 2014: Electrocuted while dismantling a scaffold that hit a power line. His employer, Eliseo Castro, was cited by OSHA for three serious violations and is paying an $18,400 penalty in installments.

**Gabriel Garcia, 61**

May 10, 2014: Fatally injured by a suspended load while working for Gulf Stream Marine. The company received an OSHA citation for one serious violation and a proposed $7,000 penalty. The company is contesting the citation.
Gilberto Carda Garcia, 41

October 8, 2014: Fatally injured while working for S.J. Louis Construction Company. OSHA continues to investigate the incident.

Richard Garcia, Jr., 30

July 14, 2014: Electrocuted while doing remodeling work for Kilgore Industries. His obituary notes: “Richard was a strong family man who always put his wife and daughters first.” His employer received a citation from OSHA for one serious violation and a proposed $7,000 penalty. The company is contesting the OSHA citation.

Jimmy R. "Jimmy Mack" Goff, 65

January 25, 2014: Fatally injured in a fall while working for Native Resource Development Co. at NASA offices. Mr. Goff’s obituary notes he was a veteran of the US Army. The company was cited by OSHA for failing to report the fatal injury. The company is contesting OSHA’s proposed $5,000 penalty.

Alegandro Gonzalez, 30

February 24, 2014: Electrocuted, along with another worker, while working on a drilling rig. OSHA cited their employer, Maverick Drilling, for seven serious violations. The company paid a penalty of $27,769.

Harold Lee Gould, Jr, 31

October 9, 2014: Electrocuted while working for Reed Exposition. OSHA continues to investigate the incident.

Daniel Groover, 46

July 9, 2014: Died while battling a fire in a vacant home in Houston’s Kingwood neighborhood. He was a 21-year veteran of the Houston Fire Department. Local and state fire officials continue their investigation into the incident.

Juan Manuel Mendoza Guerrero, 18

July 23, 2014: Electrocuted during the installation of a light post while working for Pascual Cortes Consultants. OSHA cited the company for two serious violations and proposed a $5,600 penalty.
Christopher Hunt, 22

September 28, 2014: Fatally injured in a fall from a boom while working for Sorrells Tree & Lawn Service. His obituary notes that he was a fun-loving young man who was looking forward to the birth of his first child. His employer received an OSHA citation for one serious penalty and paid a $1,400 penalty.

Padrick Dirck Jordan, 51

December 18, 2014: Fatally injured from a fall from a ladder while working for Malin International Ship Repair. OSHA continues to investigate the incident.

D.L. Kinkindall, 43

February 12, 2014: Fatally struck by a log at a sawmill. His employer, Tanner Timber, received citations for three serious violations and one willful violation. The company is making payments on a $91,300 penalty.

Charles Wayne Kovar, 56

May 30, 2014: Died from injuries sustained in the April 26, 2014 explosion and fire at a Georgia-Pacific Plywood plant. A co-worker also died from the incident. Mr. Kovar’s obituary notes that he was a member of the Corrigan Volunteer Fire Department. The company is paying a $14,000 OSHA penalty.

Felipe DeJesus Lopez, 38

June 8, 2014: Fatally injured in a fall from a refuse truck while working for Waste Management. His obituary notes he was born in Wisconsin and was a lifetime Green Bay Packer fan. OSHA investigated but did not issue any citations.

Francisco Torres Meza, 32

February 7, 2014: Fatally injured in a trench cave-in. His employer, Interfacing Company, was cited by OSHA for three serious violations. The company is contesting the citations and $21,000 penalty.

Kenneth W. “Kenny” Morris, 58

June 6, 2014: Died from injuries sustained in the April 26, 2014 explosion and fire at a Georgia-Pacific Plywood plant. A co-worker also died from the incident. His obituary notes that he had been an electrician at this company for 20 years. The company is paying a $14,000 OSHA penalty.
**Samuel Palacios**

April 1, 2014: Fatally injured in fall while working for Sam’s Roofing. The company has previously been cited by OSHA for failing to provide proper fall protection for workers at heights. The company is contesting OSHA’s penalty of $15,400 for a repeat violation.

**Satish Patel, 58**

June 1, 2014: Shot and killed by robbers while he worked at a Phillips 66 gas station. His friends say he often worked 7 days a week, and wanted to bring his son and daughter to the USA from India to continue their education.

**Edgardo Perez-Suarez, 64**

March 19, 2014: Fatally struck by a truck while he was working at Ingram Ready Mix. The company is contesting OSHA’s citation and $7,000 penalty.

**Grant Pesak, 43**

December 6, 2014: Fatally injured while working for MP Technologies. His obituary notes that he was a journeyman electrician. OSHA continues to investigate the incident.

**Quy Pham, 46**

January 15, 2014: Fatally injured while working at H&W Manufacturing. OSHA issued a serious violation for unguarded machinery. The company paid a $5,000 penalty.

**Rueben Portillo, 53**

March 27, 2014: Shot and killed while working as a security guard at the Lucky Star Game Room in SW Houston off of Bissonnet. Suspects of the crime were arrested.

**Timoteo Ramirez**

April 29, 2014: Fatally injured from fall off pipe rack. His employer, Womble Company, paid a $5,600 penalty from OSHA for one serious violation.

**Jacob Aaron Reed, 30**

July 3, 2014: Fatally injured when struck by tractor trailer while working for Holt’s Heavy Hauling. OSHA investigated but did not issue any citations.
Eldon Reich, 64

March 19, 2014: Succumbed to injuries sustained on February 25 while unloading a semi-flatbed truck near LaPorte, TX. He was a truck driver for Minot Builders. His obituary notes that he served in the US Navy from 1968-1972. OSHA investigated but did not issue any citations.

Donalvon Rhyne, 52

February 21, 2014: Shot in his taxicab by robbers near the Camden Vanderbilt apartments on Brompton. Mr. Rhyne worked for United Cab. Those suspected of the crime were arrested.

Trevor James Riddick Sr., 27

August 6, 2014: Electrocuted with two other men while working for Pro Steel Building. OSHA issued a citation for failing to have proper clearance between a scaffold and power lines. The company is paying an OSHA penalty of $7,000. Mr. Riddick’s obituary notes that he was an ironworker, and that he “was full of life, making everyone around him laugh.”

Patrocinio Rocha, 49

August 13, 2014: Fatally injured while working for PM Construction Rehab LLC. OSHA issued citations for three serious violations and proposed a $14,700 penalty.

Thomas Romo, Jr., 22

February 24, 2014: Electrocuted, along with another worker, while working on a drilling rig. OSHA cited their employer, Maverick Drilling, for seven serious violations. The company paid a penalty of $27,769.

Shamsuddin “Sam” Sadruddin

March 24, 2014: Shot and killed during a robbery at the Z-P Mart convenience store and Shell service station. During a community vigil to mourn him, one person told a reporter: “Sam was the most awesome man … He would give you the shirt off his back.”

Gilberto Salas, Jr., 37

February 14, 2015: Fatally injured while operating a forklift at Rexel Holdings USA. OSHA issued a citation for one serious violation. The company paid a $5,000 penalty.
Pedro Sanchez

March 1, 2014: Fatally injured in a fall from a ladder while employed by Renee LaPaz. The company received OSHA citations for two serious violations and is paying a $9,800 penalty in installments.

Roy A. Scott, 52

August 21, 2014: Fatally injured in an explosion at Madden Bolt Corp. OSHA issued citations to the company for five serious violations and proposed a $44,800 penalty.

Russell Soltani, 66

June 11, 2014: Shot and killed at his car dealership on Long Point Drive in NW Houston. Suspects of the crime were arrested.

Glenn Eugene Thorpe, Jr., 62

September 16, 2014: Struck by rigging equipment being loaded onto a flatbed truck. Mr. Thorpe was self-employed.

Manuel Gilbert “Gibby” Tisnado, 48

November 15, 2014: Was fatally overcome by toxic gas, along with his brother and two other workers, at DuPont’s La Porte chemical refinery. His obituary notes: “He served in the Air Force with pride and love for his country. OSHA and the Chemical Safety Board continue to investigate the incident.

Robert Joseph Tisnado, 39

November 15, 2014: Was fatally overcome by toxic gas, along with his brother and two other workers, at DuPont’s La Porte chemical refinery. His obituary notes: “His passion was golfing. He taught his young son and nephew and beginning to teach his young daughter.” OSHA and the Chemical Safety Board continue to investigate the incident.

Deputy Sheriff Jesse Valdez, III, 32

October 29, 2014: His patrol car was struck head-on by a vehicle that crossed into the oncoming traffic. The driver was charged with driving under the influence. A friend told the Houston Chronicle: “He had a smile that would brighten the room.” Valdez was the single father of his 10-year old son.
Lucio Vasquez, 39
January 22, 2014: Fatally struck by a 20-foot section of tree. His employer, Linn Dale Logging, was cited by OSHA and is paying a $4,000 penalty.

Walter Dewayne Warner, 53
November 20, 2014: Fatally injured while working as a contractor at ExxonMobil’s Olefins plant. He was employed by Group Contractors LLC. His obituary notes that he is buried in his hometown, Sandy Hook, MS. OSHA cited his employer for one serious violation and proposed a $7,000 penalty.

William J. Washington, 33
September 11, 2014: Fatally injured when an oxygen cylinder exploded while he was working for Precision Blend Gases. OSHA continues to investigate the incident.

Connor Dale Wilson, 32
August 12, 2014: Was fatally injured when a mulcher struck a natural gas line while he was working for Thunderhorse Mid-Stream Services. OSHA investigated but did not issue any citations.

Crystle Rae Wise, 53
November 15, 2014: Was fatally overcome by toxic gas, along with three other workers, at DuPont’s La Porte chemical refinery. Her obituary notes: “She loved to travel, eat out and spend time with her two dogs, Sadie and Mabel.” OSHA and the Chemical Safety Board continue to investigate the incident.

Gary Edward Wortman, Jr., 31
August 6, 2014: Electrocuted, along with two other men, while working for Pro Steel Building. OSHA issued a citation for failing to have proper clearance between a scaffold and power lines. OSHA proposed a $7,000 penalty for the serious violation.

We know there are many other workers from the Houston area who died in 2014 from work-related causes. We regret that we do not know who they are so we can remember them by name.
Texas: A Dangerous Place for Workers

During 2014, more than 500 workers in Texas died from work-related injuries, according to the Bureau of Labor Statistics. The US Department of Labor’s Occupational Safety and Health Administration (OSHA) investigated 188 of the fatal-injury incidents. Another five were investigated by the Mine Safety and Health Administration. Four on-duty deaths of firefighters were investigated by the Texas State Fire Marshall.

• Workplace hazards affect Texas workers of all ages. Of the fatal injuries investigated by OSHA, they were evenly divided among workers in their 20’s through their 50s. About 20 percent occurred in each age category of the 20’s, 30’s, 40’s and 50’s.

• Of the fatalities in Texas investigated by OSHA in 2014, about 45 percent involved being struck by or caught in equipment, vehicles, tools or other objects. Twenty-three percent involved falls, such as a fatal fall from a roof, ladder, or scaffold. Another 13 percent were electrocutions.

• Of the work-related fatalities investigated by OSHA and MSHA, 76 percent resulted in citations, fines, and other penalties. The employers in these cases ignored the law and did not responsibly address workplace hazards and comply with safety and health regulations.

• The majority of work-related fatal injuries, however, are not investigated by an independent agency. Nationwide and in Texas, about 40 percent of work-related fatalities are transportation-related incidents. This includes motor vehicle crashes involving workers (e.g., truck drivers, construction or farm workers) and rollovers of farming equipment, but these are typically not investigated by OSHA.

![Graph: Work-related Fatal Injury Rate per 100,000 Workers, All Industries, US and Texas](image)

![Graph: Construction Industry, US and Texas Work-related Fatal Injury Rate per 100,000 Workers](image)

![Graph: Types of Fatalities Investigated by OSHA in Texas, 2014](image)

![Graph: Work-Related Fatal Injury Rates in Ten Most Populous US States](image)

(Source: BLS, CFOI, Most recent data available)
Texas Localities with Work-Related Fatal Injuries

In 2014, the US Department of Labor (OSHA and MSHA) investigated fatalities in each of the following Texas cities, with big cities like Houston and Dallas/Fort Worth being the subject of dozens of workplace fatality investigations:

| Amarillo | Channelview | Garden City | Laredo | Orla |
| Andrews | Colorado City | Garland | League City | Ozona |
| Angleton | Converse | George West | Liberty | Point Comfort |
| Argyle | Coppell | Grand Prairie | Lubbock | Pollok |
| Arlington | Corpus Christi | Greenville | Magnolia | Port Arthur |
| Austin | Corrigan | Haltom City | Manvel | Ranger |
| Baytown | Cypress | Harlingen | McGregor | Rankin |
| Bedford | Dallas | Hebronville | McCamey | Rowlett |
| Big Spring | De Leon | Hockley | Mertzon | Saginaw |
| Brownfield | Decatur | Hooks | Mesquite | San Angelo |
| Brownsville | Denton | Houston | Miami | San Antonio |
| Brownwood | Denver City | Humble | Midland | San Marcos |
| Bullard | Dickinson | Irving | Midlothian | Seagraves |
| Burleson | El Paso | Italy | Missouri City | Sequin |
| Caddo | Elmendorf | Junction | Mt. Pleasant | Seminole |
| Canton | Farmers Branch | Keller | Nacogoches | Shady Shores |
| Canutillo | Forney | Kenedy | New Boston | Shamrock |
| Canyon Lake | Fowlerton | Kountze | New Braunfels | Sherman |
| Carrizo Springs | Galveston | La Porte | North Richland Hills | Sinton |
| | | | | Waco |
| | | | | Waxahachie |
| | | | | Tyler |
| | | | | Vernon |
| | | | | Victoria |
| | | | | Village Mills |
| | | | | Waco |
| | | | | Wylie |

Worker Memorial Day Report 2015: Workplace Fatalities in the Houston Area
International Worker Memorial Day: April 28

Each year across the globe, workers, families, faith and justice leaders, government officials, and health and safety activists join together to remember individuals who died from a work-related injury or illness. Worker Memorial Day is commemorated in more than 50 countries. They remember more than 2.3 million workers worldwide who die from work-related causes. Each year, about 14 percent of the deaths were caused by traumatic injuries, while 86 percent occurred because of cancers, infectious diseases, respiratory conditions, and other work-related illnesses.
OSHA Update of the Houston Area: Work-related Fatalities

By James Shelton, MS, Compliance Assistance Specialist, Houston North OSHA Area Office

The Houston OSHA North and South offices investigated 47 workplace fatalities under OSHA’s jurisdiction in fiscal year 2014 (ending Sept. 30) – two fewer than the 49 fatal incidents during the previous fiscal year. Although on-the-job fatalities appear to be slightly down, the agency investigated three incidents with multiple fatalities, bringing the actual count to 51 in FY 2014.

What can we learn from these tragedies? These worker deaths are preventable. Worker fatalities can be prevented by implementing simple, basic safety precautions that follow OSHA standards. A summary of our fatality investigations in general industry and the construction sector for fiscal year 2014 include:

Fourteen of the 47 fatality incidents occurred in construction; overall, these appear to be decreasing each year. The fatality incidents included three falls, two deaths from excavation collapses, and four electrocutions – including two from overhead power lines. Three workers moving a scaffold were injured when the scaffold made contact with an overhead power line. Half the fatal incidents in the area involved electrical shock and falls.

In general industry, there were 33 incidents, and fatalities in this sector appear to be increasing. The causes of the fatal workplace incidents varied – they included five incidents of a worker caught between stationary and moving objects, three deaths from being struck by falling objects, and three occasions where a worker died from being struck by powered vehicles (such as forklifts). Fatal falls increased slightly and electrical incidents increased from two to five – including contact with an overhead power line that resulted in the death of two workers. An explosion caused by combustible dust in the workplace led to multiple fatalities at one workplace.

In previous years, “vehicles” were involved in a significant portion of the incidents; in FY 2014, ten fatalities were related to a “vehicle.” Employers must take precautions to prevent further workplace deaths involving “vehicles,” along with falls and electrocutions.

In recent years, forklift-related fatalities were prevalent as well as workplace deaths in the tree care industry. Every year we see many preventable deadly falls—including falls not only from heights—but on the same level.

To find information on how to prevent worker fatalities on the job, go to OSHA’s website at www.osha.gov and use the A-Z index and other tools to help you find the information you need.

Some Houston employers gamble with workers’ lives. One firm, Evergreen Plastics Inc. located in south Houston racked up more than a dozen serious OSHA violations during inspections in 2013 and 2014. OSHA’s area director for Houston South, Mark Briggs, said:

“OSHA will not tolerate an employer compromising the safety and health of its workers.”

(OSHA News Release January 7, 2014)
Hidden Toll of Work-Related Illnesses

On average, 12 workers in the US die each day on-the-job from a traumatic injury, such as from a roof fall, electrocution, or being struck by a piece of equipment. The US Bureau of Labor Statistics (BLS) assembles data on each of these fatal injury cases and publishes the information each year in the Census of Fatal Occupational Injuries. There’s a big gap, however, in the BLS data.

Thousands of US workers (and those who are older and retired from work) suffer from work-related diseases, such as lung cancer, asbestosis, chronic obstructive pulmonary disease, silicosis and leukemia.

Each year, an estimated 53,000 individuals in the US die from occupational illnesses. The diseases may develop over time and may not be diagnosed until a worker has left employment. Physicians have little reason to figure out what caused a disease. They are focused on treating it, not investigating it. In most cases, the treatment recommended by a physician will be the same whether the illness was caused by an exposure at work or not.

There is no government agency or coordinated system to track deaths related to occupational illnesses. Because of that, we cannot acknowledge and recognize by name those who died from work-related illnesses. Several worker health and safety organizations, including the National Council for Occupational Safety and Health, are calling on governmental agencies to develop a new system to make this information public and timely.

The best estimate of the numbers behind this shroud of death is an analysis by J. Paul Leigh, PhD of the University of California, Davis, which was published in 2011 [footnote or endnote.] Leigh used health services, workers compensation and other data to estimates an annual toll of fatal work-related illnesses. His calculation totaled more than 53,000 deaths per year in the US. This includes 18,000 work-related fatalities from chronic obstructive pulmonary disease (COPD) and 20,000 from lung cancer which can be caused by asbestos, diesel exhaust, silica, radiation, certain metals and other chemicals.

Workers in Texas suffer about 11 percent of all work-related fatal injuries in the U.S. If we presume workers in Texas suffer the same percentage of occupational illnesses, the tally would be more than 5,800 deaths. There are 62 names in this report. If we had the names of all workers killed by job-related injuries in 2014, there would be more than 500. If we added the names of those who died from occupational illness, there would be 6,362 names.

<table>
<thead>
<tr>
<th>Causes of Work-related Deaths In US per Year</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Pulmonary Diseases</td>
<td>18,000</td>
</tr>
<tr>
<td>Lung Cancer</td>
<td>15,000</td>
</tr>
<tr>
<td>Mesothelioma</td>
<td>2,200</td>
</tr>
<tr>
<td>Circulatory Diseases</td>
<td>12,000</td>
</tr>
<tr>
<td>All Other Diseases</td>
<td>4,200</td>
</tr>
<tr>
<td>Bladder Cancer</td>
<td>1,600</td>
</tr>
<tr>
<td>Fatal Injuries*</td>
<td>4,500</td>
</tr>
</tbody>
</table>

Most work-related fatalities are not reported in the press. Those that are reported often do not identify the worker who was killed. The victim becomes someone who is nameless and faceless with the label “worker not identified.” In this report, we’ve done our best to research and identify by name as many of the people who died on the job in the Houston-area as possible. There are many, however, who we have not been able to identify. Here’s just one example:

On the night of Wednesday, August 20, 2014, two criminals robbed several Houston-area restaurants. The robbers targeted Houston’s popular La Hacienda Mexican restaurant located on Memorial near Dairy Ashford. A dishwasher was standing outside in the alley behind the restaurant. The criminals shot him, entered the establishment, and shot two more workers. One of the injured workers died. Reporter Deborah Wrigley of KTRK reported the human tragedy:

“A co-worker, who did not want to be identified or speak on camera, said the man had been a dishwasher at the restaurant for 26 years. The man had family, but they live out of the country. La Hacienda opened on Thursday, but some of the employees, after hearing a co-worker had died, were understandably upset. The restaurant has been a fixture on Memorial Drive for 41 years... [One patron] brought flowers to the restaurant with a sympathy note attached. ‘My parents eat here once a week. A lot of us are heartbroken about what happened.’

We regret that we cannot provide the name of this worker or the names of dozens of others. They are counted in government statistics, but the government keeps them secret.

*My husband was not a statistic. He was more than just one number in the thousands of workers killed on the job each year. He was Orestes Martinez. He was my best friend, my love. Losing him has left an empty space in my heart. We should do our best to remember each worker fatality by their name. They are not just a number.

Adriana Ortega, wife of Orestes, who was fatally injured in 2009 while working for Vaughn Construction.

“Focusing on statistics to talk about fatalities isn’t enough. The stories, names, and faces of deceased workers show us the human consequences of failing to address dangerous working conditions.”

Bethany Boggess, National Center for Farmworker Health, and founder of Global Worker Watch http://www.globalworkerwatch.org
Developing an Injury Prevention Program for Latino Day Laborers in Houston

The University of Texas Health Science Center at Houston and the Fe y Justicia Worker Center are working together to develop a pilot program to prevent work-related injuries among Latino day laborers (LDL) in the Houston area. Towards this end, in 2014, a Community Advisory Board (CAB), consisting of LDL, academic researchers, and community members, guided the development of a corner survey. A team of LDL and community members were trained to conduct the interviews at the corners where LDL gather to find work. The team interviewed over 300 LDL across 15 different corners between November of 2014 and February of 2015. LDL were asked questions about their experiences on the corner, their jobs, and injury events, as well as personal concerns and stressors. The survey revealed that over 70 injuries were reported by LDL in the last year, and that exploitation, mental health, job conditions, and self-efficacy were important topics for LDL. The CAB reviewed this information and realized that in addition to job conditions, an emphasis should be placed on the mental health of LDL if we are to make an impact on injury prevention. The pilot program is currently being developed, and we look forward to returning to the corners for its implementation.

Survey team members for the Houston Latino Day Labor injury prevention research project.
OSHA Update: New Injury Reporting Requirements for Employers

By James Shelton, MS, Compliance Assistance Specialist, Houston North OSHA Area Office

Beginning Jan. 1, 2015, there is a change to what covered employers are required to report to the OSHA. Employers will now be required to report all work-related fatalities within 8 hours and all in-patient hospitalizations, amputations, and losses of an eye within 24 hours of finding about the incident.

Previously, employers were required to report all workplace fatalities and when three or more workers were hospitalized in the same incident.

The updated reporting requirements are not simply paperwork but have a life-saving purpose: they will enable employers and workers to prevent future injuries by identifying and eliminating the most serious workplace hazards.

There are three key elements to keep in mind regarding the OSHA’s new reporting requirements:

1. An amputation is the traumatic loss of a limb or other external body part. It includes a part, such as a limb or appendage that has been severed, cut off, amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; and amputations of body parts that have since been reattached.

2. In-patient hospitalizations only for diagnostic testing or observation do not have to be reported.

3. If the death occurs after 30 days of the incident it is recorded if it meets the criteria for record ability but not reported. It’s always important to keep in mind that ‘record ability’ and ‘report ability’ are two separate issues.

Employers have three options for reporting these severe incidents to OSHA. They may call their nearest area office during normal business hours (call 281-591-2438 for the Houston North OSHA office, or 281-286-0583 for the Houston South office); they may call the 24-hour OSHA hotline at 1-800-321-OSHA (1-800-321-6472); or they may report online at www.osha.gov/report_online. Links to more information and resources, including a new YouTube video, are available on OSHA’s webpage at www.osha.gov.

Starting January 1, 2015:

All employers must report to OSHA:
- All work-related fatalities within 8 hours

Within 24 hours, all work-related:
- Inpatient hospitalizations
- Amputations
- Losses of an eye
Through Action and Collective Bargaining: Righting a Wrong at AT&T

By Dave LeGrande, RN, MS, Occupational Safety & Health Director, CWA

Thirteen Communication Workers of America (CWA) Ohio members/AT&T technicians were disciplined by AT&T in 2011 for sustaining and seeking medical treatment for work-related injuries. The company charged that the workers had violated AT&T’s new accident/injury discipline policy, which claimed all work-related accidents and injuries are preventable and, thus, the fault of the workers.

The technicians had reported their accidents/injuries to their supervisor and later sought medical treatment (making these OSHA-recordable injuries.) The company then disciplined the workers for incurring a preventable accident/injury. The employees were also placed on suspension from one to five days. Moreover, they were put into a five-year probationary period. If another preventable accident/injury occurred during the next five years, the workers were going to be terminated.

Grievances and, lacking their resolution, OSHA complaints were filed by the affected CWA Ohio local unions. While grievances were put on hold, Federal OSHA found the company in violation of the anti-discrimination provisions (Section 11(c) of the Occupational Safety and Health Act) and the US Department of Labor filed suit against AT&T.

As a result of the grievances filed by the Union, Section 11(c) violations identified by Federal OSHA, and lawsuit filed by the U.S. Department of Labor against AT&T, the company changed their policy in 2014. The new policy requires an investigation and review of each accident/injury to determine if the employee is at fault. If the investigation determines the worker is not at fault, no disciplinary action is taken. AT&T also agreed to fully compensate all affected CWA Ohio members/technicians and remove all references to related disciplinary action from their personnel files.

Twenty additional CWA local unions from Michigan to Florida and Connecticut to California took action to protect local members. All members have been made whole by AT&T and all references related to disciplinary action have been removed from their personnel files.

This is the broadest mobilization effort ever to protect workers under the anti-discrimination provisions of the Occupational Safety and Health Act. CWA’s efforts show how union workers mobilizing to secure safe working conditions can and did change a major policy at the employer.

Some Houston employers gamble with workers’ lives. One firm, Dimensional Machine Works in northwest Houston was cited by OSHA in August 2014 for seven repeat violations. OSHA’s area director for Houston North, David Doucet, said: “By failing to guard machinery properly, Dimensional Machine Works continues to put workers in harm’s way. Unguarded machinery has the potential to amputate body parts and, even more devastating, end a worker’s life. This continued lack of adherence to OSHA standards will not be tolerated.”

(OSHA News Release August 4, 2014)
The Economic Toll of Work-Related Injuries

A report issued earlier this year by the US Department of Labor entitled *Adding Inequality to Injury*, points to workplace injuries as a cause of income inequality. A hundred years ago, the workers’ compensation system was established to help workers when they are injured or made ill by work, but today, the system is failing workers and their families. Workers’ compensation only covers a fraction of the cost of work-related injuries, with injured workers bearing about 50 percent of the costs out of their own pockets.

Source: US Department of Labor/OSHA, *Adding Inequality to Injury* (March 2015.)
“My Dad would have been out there on the picket line.”

Katherine Rodriguez and her family play a special part in the Houston Worker Memorial Day event. For the last five years, she and her husband Randy have helped organize it. Their personal experience of suffering the pain of a work-related death make them effective allies in the fight for safer working conditions. Katherine’s father, Ray Gonzalez, 54, died in November 2004 from injuries suffered while he was working at BP’s Texas City refinery. She’s been a strong advocate for stronger workplace safety standards, and a supporter of other families who’ve suffered the same loss.

Reporter Dianna Wray of the Houston Press caught up with Katherine Rodriguez to hear her thoughts about the strike by members of the United Steelworkers union (USW) at 15 chemical plants and refineries around the U.S. The walk-out began on February 1 and many of the facilities were in and around Houston. The workers’ key concerns involve safety issues, including forced overtime and schedules that lead to serious fatigue and contribute to injuries. Katherine told the reporter about her father:

“He would have loved this. He would have been out there on the picket line with them if he was still here.”

Dianna Wray’s story continues:

“She couldn't attend the USW rally held at the Shell building in downtown Houston the first week of the strike, but her husband, Randy Rodriguez, took her father's picture and went to the rally to march for her and the family. Since then, she and her husband have taken their daughters to the local USW hall in Texas City to drop off food and see how else they can help – the strikers aren't getting paid or receiving any benefits as long as the strike lasts, so USW halls are setting up food banks and other aid.”

“Rodriguez wants her daughters to see the picket lines and to understand what being part of a union means. Her dad was a lifelong union member. ‘People forget that this is happening, and that we live right next to these incredibly dangerous places. Stories like my father’s are in the news one day and forgotten the next,’ she says. ‘My dad believed in unions, and he taught us to believe in unions. Unions are the only thing that stand a chance of keeping these workers safe.”

“Over the past decade, states have slashed workers’ compensation benefits, denying injured workers help when they need it most and shifting the costs of workplace accidents to taxpayers.” Those were some of the findings from recent reporting “The Demolition of Workers’ Comp” [http://bit.ly/1w2CiGm] by ProPublic and National Public Radio. Reporters Michael Grabell and Howard Berkes write:

- “Since 2003, legislators in 33 states have passed workers’ comp laws that reduce benefits or make it more difficult for those with certain injuries and diseases to qualify for them.”

- “The changes, often passed under the banner of ‘reform,’ have been pushed by big businesses and insurance companies on the false premise that costs are out of control?”

- “In fact, employers are paying the lowest rates for workers’ comp insurance since the 1970s. And in 2013, insurers had their most profitable year in over a decade, bringing in a hefty 18 percent return.”

Grabell and Berkes’ reporting examines the huge disparities between states in compensation for workers who lose body parts. Texas lawmakers have pushed the Lone Star State into a race to the bottom when compared to other states. Texas workers suffer as a result. In Georgia, the maximum compensation for a worker who loses an eye is $78,750, but in Texas, the maximum is only $43,344. The maximum compensation for a worker in Texas who loses a hand is $97,524, but in Nebraska it can be as high as $133,175. Lose a leg on the job in Texas and your maximum compensation will be $72,240; in Michigan, it would be $176,300.

State Representative Armando Walle of Houston has introduced legislation to improve workers’ compensation coverage for Texas workers. One of his bills (HB 689) would require building and construction contractors to carry workers’ compensation insurance.

Six steps to improve workplace safety:

1. Workers should have access to information about their rights to a safe workplace.
2. Employers should implement programs to identify and control hazards, each and every day, on each and every shift.
3. Workers should wear required safety equipment and follow safety rules.
4. Employers should ensure that production goals and scheduling do not compromise workers’ safety.
5. Workers should be provided safety training and materials in a language they understand.
6. Employers should comply with all health and safety regulations, and seek assistance when they are unsure about their safety responsibilities.
Contributors

Dave LeGrande  
(Communication Workers of America)

Celeste Monforton, DrPH, MPH  
(Milken School of Public Health, George Washington University)

Cecilia Montano, PhD, MA  
(School of Public Health, University of Texas Health Science Center at Houston)

Jim Shelton  
(OSHA Houston-North Area Office)

Published: April 2015

Graphic Design: TheresaWellingDesign.com