



Mass. jobs report urges tougher safety rules

48 workers in the state died on the job in 2013

By [Dan Adams](#)

| Globe Correspondent April 27, 2014

A new report by labor and workplace safety advocates says that 48 Massachusetts workers died on the job in 2013 and calls for increased regulation.

The report, titled "Dying for Work," was prepared by the Massachusetts AFL-CIO, an umbrella group of unions; and the Massachusetts Coalition for Occupational Safety and Health, a nonprofit that advocates for improved working conditions in the state.

The two groups released their annual report Sunday in anticipation of Workers Memorial Day, a yearly remembrance of workers killed, disabled, or injured by their work, as well as those who suffer chronic illnesses because of their jobs. Workers, the families of victims, advocates, and state officials were expected to gather at noon Monday at the State House to mark the day, which is observed on April 28 in more than a dozen countries.

According to the report, falls were among the most common causes of worker deaths in Massachusetts last year, accounting for nine of the 48 deaths. Another nine workers were crushed, struck, or caught between machines and equipment, while five were killed in truck or auto crashes. The total also includes nine firefighters who died from work-related cancer and heart disease, and three members of the military killed in Afghanistan.

The data come from government statistics and media accounts, the authors of the report said.

The report names construction work, firefighting, and commercial fishing as among the most dangerous jobs.

The rate of workplace fatalities has remained relatively steady over the past six years, ranging from a low of 1 death per 100,000 employees in 2010 to a high of 2.1 per 100,000 in 2008, according to the report.

But Marcy Goldstein-Gelb, a spokeswoman for the Massachusetts Coalition for Occupational Safety and Health, said many workplace deaths are preventable. She called for more stringent regulations.

“When a worker dies, it’s often called a freak accident, meaning it has never happened before and is unlikely to happen again, so there’s no reason to investigate,” she said. “But our report shows that there are patterns.”

Goldstein-Gelb said the federal Occupational Safety and Health Administration is underfunded and understaffed and rarely levies significant fines on employers who violate safety regulations.

The Massachusetts coalition is also calling for the Legislature to pass bills that would extend safety and health protections to public employees and increase the workers compensation burial allowance.

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New union report claims deaths at work preventable

Monday, April 28, 2014

By:

[Priyanka Dayal McCluskey](#)

The number of Massachusetts workers killed on the job climbed last year, and their deaths should have been prevented, according to a new union-sponsored report.

Most of those workers died after falling from ladders or getting stuck in or crushed by equipment. Most were men, and five — a teacher, a clerk, a livery driver, a police officer and a shop owner — were murdered on the job.

“Many of these fatalities could have been prevented with safety measures that are well known and essential,” said Marcy Goldstein-Gelb, executive director of the Massachusetts Coalition for Occupational Safety and Health, which published the report with the Massachusetts AFL-CIO.

“If employers know that they’re putting workers in harm’s way ... the very last thing they should be doing is skimping on safety,” she said.

Work-related deaths increased to 48 last year from 32 in 2012. There were 58 in 2011, 47 in 2010 and 60 in 2009. Workplace fatalities have dropped in the past few decades, but the fact they’re still happening demonstrates that government agencies responsible for protecting workers aren’t doing enough, Goldstein-Gelb said.

The Occupational Safety and Health Administration lacks the funding, staff and tools to deter violations, the report states. It would take OSHA more than 100 years to inspect every Massachusetts workplace in its jurisdiction.

Another finding: the average penalty for OSHA violations that resulted in a worker death was just \$6,577.

Immigrants were disproportionately represented in worker deaths, the report stated. Nineteen percent of the 48 killed in 2013 were immigrants. Immigrants are about 14 percent of the state’s population.

Fallen workers will be remembered at a State House ceremony today with labor leaders, state officials and the mother of Victor Gerena, who lost his life at a fish-processing plant.

The Patriot Ledger

‘Dying for work:’ Service, report to highlight workplace deaths



Hundreds of DPW employees from throughout the state line the street at St. Patrick's Church in Natick in early February for the funeral procession of Michael McDaniel, the Natick DPW worker killed on the job at a road excavation site.
Daily News Staff File Photo / Allan Jung

By Jonathan Phelps
Daily News Staff

Posted Apr. 28, 2014 @ 12:01 am
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Michael McDaniel was just doing his job as public works foreman, trying to fix a water main break when he was struck and killed by a backhoe in February.

The 48-year-old worked for the Natick Department of Public Works for 26 years. Co-worker Scott Spurling was injured in the accident.

Each week an average of 28 municipal workers in Massachusetts suffer injuries serious enough to be out of work for five or more days, according to data from the Massachusetts Department of Industrial accidents.

Being crushed in machines or struck by equipment were the leading causes of workplace deaths, accounting for nine worker fatalities in Massachusetts in 2013 and up until March this year.

The statistics are compiled in the report "Dying for Work in Massachusetts: The Loss of Life and Limb in Massachusetts" developed by the Massachusetts AFL-CIO and the Massachusetts Coalition for Occupational Safety and Health. The most recent report will be released today.

The memory of McDaniel, along with 59 other workers who died from work-related causes in 2013 and 2014, will be honored at the Workers' Memorial Day on the steps of the Statehouse today starting at noon.

The report calls for improved enforcement of worker protections and tougher penalties for breaking them. It also says the U.S. Occupational Safety and Health Administration (OSHA) is understaffed and underfunded.

The average OSHA fine was \$6,577 in 2013.

"This report looks at both the human element about those who lost their lives and also looks beyond the headlines, which often view fatalities on the job as freak accidents," said Marcy Goldstein-Gelb, executive director for MassCOSH.

Goldstein-Gelb said she views a "freak accident" as a one-of-a-kind tragedy.

"We look into and investigate to see if these types of accidents can be prevented in the future," she said. "We ask 'is this part of a pattern that requires changes?'"

Besides McDaniel, the report names five workers killed on the job in MetroWest.

Ryan Hopkins, 26, a Norfolk resident, died in August after he was shocked and severely burned when the chainsaw he was using to trim trees on Shaw Farm Road in Holliston hit a power line.

He started working at the Concord Street business as part of his co-op program at Norfolk County Agricultural High School.

Police Chief John Moore said at the time what happened that day wasn't something for which firefighters, police or paramedics can really prepare. Hopkins' rescue was delayed because workers couldn't approach him until the power was shut off.

"You can do as much training and get as much education as you want, (but you can't prepare) for something like that," Moore said. "It is so out of the ordinary and so horrific."

The other workers with ties to MetroWest who will be honored today are:

Feliz Piedade, 59, of East Providence R.I., died of injuries at UMass-Memorial Medical Center in April 2013 after the tractor-trailer truck he was driving rolled over on the Massachusetts Turnpike.

David Nangle, 52, a New Hampshire roofer, died in 2013 from a prolonged illness brought on by complications from a disabling fall in 1996 at a job site on Pierce Street in Hudson.

Joseph Slattery, a Natick firefighter, died after a 13-month battle with sarcoma.

The construction industry remains one of the top on-the-job fatalities accounting for 11 deaths in the statewide report.

The major causes for all workplace deaths are falls, heat illness, machines, vehicle accidents and workplace violence. There are also concerns over cancer and heart diseases.

For every worker killed on the job, 10 more die from occupational disease, the report says. An estimated 480 workers died in 2013 in Massachusetts from occupational disease, according to the report.

Goldstein-Gelb said today's service will bring together those affected and call for stronger measures to prevent further work-place accidents and deaths.

"The report clearly indicates there is more that needs to be done," she said.

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Event To Honor Mass. Workers Hurt, Killed

By [The Associated Press](#) April 26, 2014

BOSTON — Massachusetts workers who were killed, injured or made ill on their job in 2013 will be honored at a special workers memorial event at the State House.

Monday's event will highlight some of the leading causes of death in the workplace, including falls, being crushed in machinery or being struck by equipment.

The memorial is also meant to spotlight what critics say is the relatively low fines assessed to employers hit with workplace safety violations from the Office of Occupational Safety and Health Administration.

Among those scheduled to participate in the event are state Labor Secretary Rachel Kaprielian and Ada Garcia, mother of Victor Gerena, who died at a fish processing plant.

The memorial and the release of a new report on workplace fatalities in Massachusetts will take place at noon at the State House.



Fish worker advocates push for 'code of conduct' for SouthCoast companies

By SIMÓN RIOS

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April 25, 2014 12:00 AM

NEW BEDFORD — To improve safety in industries dominated by immigrant workers, a local group will try to recruit city companies to sign a workplace code of conduct.

"We want the fish companies to take measures so there are no more deaths, no more accidents," said Adrian Ventura, director of Centro Comunitario Trabajadores.

The campaign was announced at CCT's Acushnet Avenue office on Thursday, with more than two dozen people present along with state workplace safety advocates. In addition to fish houses, recycling companies and temp agencies also will be approached.

Ventura's organization is collecting testimonies of those injured at SouthCoast companies, where he says unsafe conditions sometimes prevail as employers fail to take responsibility for those injured on the job.

The code of conduct would guarantee that companies will abide by federal and state health and safety regulations, providing training and safety equipment to all employees, CCT said in a news release.

The campaign will play out over the coming months, Ventura said, presented by the workers to their employers.

"I know they will be retaliated against, but it doesn't matter — we need to face this situation," he said.

Jim Kendall, executive director of New Bedford Seafood Consulting, advocates for worker safety in the fishing industry. He said the best way for immigrants to protect themselves is by fixing their immigration status, which can make them vulnerable.

"They're their own worst enemy by being in the positions where they're always going to be taken advantage of," Kendall said.

"A code of conduct doesn't mean anything if (a company) doesn't follow a code."

New Bedford's immigrant community is no stranger to workplace trauma. The last worker killed was Victor Gerena, who died in a clam-shucking accident in January. At the news conference, a portrait of a smiling Gerena stood on a table covered with roses, as a family member sat in attendance. The Occupational Safety and Health Administration is still investigating his death.

In 1998, 40-year-old Antonio Ajqui was crushed while cleaning a piece of machinery in a fish processing plant — a death that brought to light the city's growing Mayan population.

The Massachusetts Coalition for Occupational Safety and Health will soon release its annual survey looking at workers killed on the job in Massachusetts in 2013. Nineteen percent of workers killed were immigrants, or nine of 48 total deaths. The average fine for an employer with OSHA violations resulting in a worker death was \$6,577.

"Each year we see the same thing, workers being forced to do work faster and faster, no information about the dangers they're facing, and little training if any," said Marcy Goldstein-Gelb, executive director of MassCOSH, at Thursday's event.

Asked what can be done if an undocumented immigrant loses his job for bringing forward a workplace injury, Goldstein-Gelb said it is very important to report any retaliation.

"You don't have to mention your status," she said. "OSHA should go through the process and help you address your retaliation and no discussion about your (status)."

Domingo Osorio worked at a tire company for three years. He said he suffered a stomach injury in 2012 after lifting a 300-pound tire. The company told Osorio not to tell doctors he'd been injured on the job.

"If I were billed, they said it would be my responsibility," he said at Thursday's event.

When he returned to work, still not fully healed, Osorio said he was put to work and injured himself again.

Still not fully healed, Osorio said he approached the CCT — who linked him up with an attorney — to bring his case forward.



Workers' Memorial Day: There Are No 'Freak' Workplace Accidents

Apr 28, 2014 [Josh Cable](#)

A new report, produced by the Massachusetts AFL-CIO and the Massachusetts Coalition for Occupation Safety and Health (MassCOSH), details how Massachusetts workers lost their loves on the job in 2013 and discusses what must be done to keep workers safe.



When math teacher Colleen Ritzer was murdered at Danvers High School on Oct. 22, 2013, she became the 40th Massachusetts worker to die on the job in 2013. By the end of the year, eight more workers lost their lives, bringing the total to 48.

A new report, produced by the Massachusetts AFL-CIO and the Massachusetts Coalition for Occupation Safety and Health (MassCOSH), details how Ritzer and other Massachusetts workers lost their lives on the job in 2013 and discusses what must be done to keep workers safe.

[“Dying for Work in Massachusetts.”](#) released to coincide with Workers’ Memorial Day, points out that Ritzer was one of five workers who died in 2013 as a result of job violence. Nine workers – six in the construction industry – died from falls, while nine other workers were crushed in machines or struck by equipment, according to the report.

“Too often, workplace fatalities are called ‘freak accidents,’” said Marcy Goldstein-Gelb, executive director of MassCOSH. “Calling it ‘freak’ means that it has never happened before and will never happen again, so there is no need to change anything. This report confirms that most workplace deaths can be prevented if proper safety measures are implemented.”

The report also highlights the startling rate at which occupational illnesses are killing workers. In 2013, an estimated 480 Massachusetts workers died from occupational disease, while at least 1,800 workers were newly diagnosed with cancers caused by workplace exposures.

According to the report, 19 percent of the state’s fallen workers in 2013 were

immigrants (nine out of 48), a 9 percent increase from the previous year and greater than their representation in the state's population (14.4 percent in 2012).

The report asserts that OSHA lacks the funding, staff and tools to deter violations, noting that it would take over a century for OSHA to inspect each workplace under its jurisdiction in Massachusetts. When OSHA cited Massachusetts employers for safety violations that led to workplace fatalities, the average fine (based on final penalties) was \$6,577.

“Unfortunately, too many employers determine it to be cheaper to violate OSHA regulations than to comply with them, ignoring the potential human costs,” the report asserts.

The report emphasizes that OSHA needs tougher regulations and more enforcement muscle – including the use of criminal prosecution to deter employers – and that OSHA's protections should be extended to public employees.

The report was unveiled during a Workers' Memorial Day event on the steps of the state house in Boston.

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Memorial service shines light on workplace deaths

The 61 workers killed on the job in Massachusetts since January 2013 are remembered at a service at the State House.



Gerry Tuoti/Wicked Local Douglas Sheff, president of the Massachusetts Bar Association, at a ceremony at the State House on Monday, April 28, 2014, honoring workers killed on the job.

- [Gerry Tuoti](#)
[Wicked Local Newsbank Editor](#)
[Posted Apr. 28, 2014 @ 5:05 pm](#)
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BOSTON – Workers’ advocates and labor officials gathered Monday on the steps of the State House to call for stricter workplace safety standards and to mourn the 48 people who died on the job in 2013.

“While some of these were unavoidable tragedies, others were the result of shameful negligence,” Massachusetts AFL-CIO president Steven Tolman said.

Of the 48 work-related deaths in 2013, falls resulted in nine. Another nine workers were crushed to death in machinery. Work-related car and truck crashes killed five. Workplace violence also killed five. The list includes nine firefighters who died from work-related cancer or heart disease.

“One is too many,” said Rachel Kaprelian, the state’s secretary of Labor and Workforce Development. “We know the majority of the workplace accidents were preventable and were caused by avoidable hazards.”

Kaprelian called for a crackdown on employers who pay workers under the table or misclassify them to avoid the cost of implementing required safety standards.

Several speakers at the Workers Memorial Day ceremony also called for more funding for OSHA, which would allow the federal safety regulator to conduct more inspections and investigations.

They also advocated for stiffer fines for violators. According to the “Dying for Work” report the AFL-CIO and MassCOSH released Sunday, the average fine imposed on a Massachusetts employer with OSHA violations resulting in a workplace death was \$6,577 in 2013.

“This day serves as a somber reminder that all of us have to push even harder for stronger health and safety standards at the state and federal level and through our collective bargaining rights,” said Rich Rogers, executive secretary of the Greater Boston Labor Council.

The workers’ advocates spoke in support of several pending pieces of state legislation, including proposals to increase funeral benefits to families of workers who die on the job, raise safety standards for state employees and create new protections for domestic workers.

“We need to pledge to redouble our efforts,” said Marcy Goldstein-Gelb, executive director of MassCOSH, the Massachusetts Coalition for Occupational Safety and Health.

Massachusetts Bar Association president Douglas Sheff also backed the legislation. His organization is observing 2014 as “the year of the worker,” he said.

Massachusetts Teachers Association vice president Tim Sullivan paused to remember Danvers High School teacher Colleen Ritzer, 24, who was murdered last year, allegedly at the hand of a student.

“The grief brought on by the loss of Colleen Ritzer last October spread far and wide from Danvers High School, where Colleen was fulfilling her dream of being a teacher...” Sullivan said. “As a result, our profession has taken a hard look at improving safety.”

In addition for strengthening security at schools, Sullivan also called for an expanding youth mental health services.

THE DAILY FREE PRESS

The Independent Student Newspaper at Boston University

Workers Memorial Day honors those killed during work

- Written by Stephanie Pagones

To honor workers who have been injured or killed on the job, over one hundred workers, union, government representatives and residents gathered in front of the Massachusetts State House on Monday.

The memorial event, part of the Workers Memorial Day Commemoration, was organized by the Massachusetts Coalition for Occupational Safety and Health. It honored those who had been killed or injured in the workplace in 2013.

In attendance were representatives of labor unions, such as Building Trades Council and Immigrant Worker Center Collaborative, as well as Massachusetts Sen. Ken Donnelly and other representatives of the state legislature.

“In 2013, we lost almost 50 workers, almost 50 employees of workplace related death, and countless more undocumented cancer and illnesses,” said Steven Tolman, president of The American Federation of Labor and Congress of Industrial Organizations.

It is imperative people fight to give Occupational Safety and Health Administration the ability to properly penalize and investigate worker safety violations and workplace conditions, Tolman said, which is something that must be done at the federal level.

“We need to ensure that our public employees are protected on the job sites and without the resources OSHA needs, we run the risk of losing more workers each year to occupational tragedies,” he said. “We need to change the mindset so that the number one priority of all employees is making sure that all workers are able to get home safely.

Rachel Kaprielian, secretary of Massachusetts Labor and Workforce Development, said any workplace death is unacceptable, and we should not fight to for less workplace incidents, but for no workplace incidents.

“It is a solemn day to be here to commemorate 48 workers in Massachusetts who lost their lives on the job,” she said. “As has been said, one death is too many. We know that the majority of workplaces accidents were preventable, caused by preventable hazards. We must recommit ourselves to support, encourage and require that employers institute proven safety measures at the workplace.”

Kaprielian has been working with Massachusetts Gov. Deval Patrick to establish Patrick’s Executive Order 511, which established the Massachusetts Employees Safety and Health Advisory Committee to improve worker health and safety.

“On any given day in Massachusetts, over 3 million residents report to a job,” she said. “I will stand with you and fight so that none of our three-and-a-half million workers has to sacrifice their health or safety for their paycheck.”

While several attendees were there to show respect to friends and family who had lost their lives while at work, others were in attendance to show support for the cause.

David Graham, 67, of Natick, was there to mourn the loss of a friend, Michael McDaniel, whom he had known for more than 23 years.

“We worked together at the Town of Natick Water Department,” he said. “He and my friend Scott Sperling were injured in an accident involving a backhoe truck. There’s no rhyme or reason to it. It’s something we are forced to deal with every day.”

Melissa King, 31, of Boston, was there to pay respect to her father, who lost his life while working at Logan International Airport in 2005. She is advocating for the Family Burial Benefit Bill, which will give more money to families of workers who had died on the job in order to be able to provide funeral services.

“This is the ninth year since my father died,” she said. “He was electrocuted while working at Logan Airport. It’s important to try and make a change. Right now, \$4,000 is provided to families, but that doesn’t begin to cover the cost of a funeral. More money would make a difference at a time when a family doesn’t want to worry about costs.”

Andrea Sheldon, 22, of Boston, was there to learn more to show support for a cause that she works for every day.

“I do research in construction health and safety,” she said. “Right now we’re focusing on total worker health and safety in order to teach workers how to be as safe and as healthy as possible while on the job. Everyone wants to be able to enjoy their retirement, but at the end of the day, if they’re not healthy, they might not make it there.”



Colleen Ritzer among those honored on Workers Memorial Day



At a Workers Memorial Day commemoration, MTA Vice President Tim Sullivan emphasized the need for more mental health services in our schools. He is flanked by MassCosh staffer Mirna Montano and Mass AFL-CIO President Steve Tolman.

Danvers High School teacher [Colleen Ritzer](#) was among the 48 men and women honored at the Workers Memorial Day commemoration held outside the State House on April 28. The program was a solemn reminder of the tragedies that can happen in the workplace.

The Massachusetts Coalition for Occupational Safety and Health organized the tribute, which drew a large crowd of workers, labor leaders and legislators. Family members of those who died on the job in the past year also attended and placed pink roses on and around a banner bearing the names of the workers.

Members of Colleen Ritzer's family could not attend, but sent a photo of the popular 24-year-old math teacher. Rich Butters of United Auto Workers Local 470, who regularly attends the annual Workers Memorial Day tribute, held a photograph of Ritzer. Marla Levenson, president of National Association of Government Employees Local R108, read the teacher's name during the roll call of those being remembered. Ritzer was slain inside the school on Oct. 22, 2013. A student from the school is being tried in connection with the killing.



UAW Local 470 member Rich Butters was among the large crowd outside the State House to remember the 48 men and women, including Ritzer, who died on the job during this last year.

“It still seems unbelievable that Colleen died doing the only job she ever wanted to do: helping students succeed,” said MTA Vice President Tim Sullivan as he spoke to those gathered for the ceremony.

In pressing for ways to make schools safer for both educators and students, Sullivan made the case for increasing mental health services for young people. He noted that on average, there is only one school psychologist for every 1,200 students across the nation.

“If we truly want to honor those who have lost their lives on the job, it’s not enough to ask if we are making things better. Rather, we must commit ourselves to doing all that we can every single day to create safe schools and job sites of all types,” Sullivan said.

Part of the service was devoted to advocating for three pieces of legislation: One bill seeks to increase burial benefits available through workers' compensation; another aims to extend federal safety protections to state employees; and one would

ensure that domestic workers would be covered by state and federal labor standards.

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