BY THE NUMBERS
We know that workers are being exposed to the coronavirus at work. What we don’t is how many workers have tested positive and how many have died as a result. By and large, the state of Massachusetts has failed to track the occupation, industry, and employer of those who test positive for COVID-19. This information will help identify outbreaks at particular workplaces. It will also help workers, unions, worker centers, public health officials, healthcare providers, and employers to better understand the role that work plays in spreading this disease - and be better equipped to stop the spread. MA only began recording occupations of people with COVID-19 in XXX after advocacy from MassCOSH and the MA Public Health Alliance’s COVID-19 Equity Task Force.

Nearly 70% of positive COVID-19 cases are missing the individual’s occupation, whether they had worked during the prior two weeks, and in none of the cases did the state record the infected person’s industry and employer.

THE TOLL: WORKPLACE DEATHS, INJURIES, AND ILLNESSES IN MASSACHUSETTS IN 2018

Sixty-nine workers in Massachusetts lost their lives on the job in 2018. Fatal injuries at work killed 59 of these workers. An additional 10 firefighters died from work-related disease. We are able to include firefighter fatalities from work-related illness here because under Massachusetts’ Presumptive Disability Law, certain cancers and heart conditions are recognized as occupational in origin and are eligible for Workers’ Compensation. Not included in this report are the many other workers who die from occupational diseases, which kill an estimated 50,000 workers in the U.S. every year. The government does not comprehensively track occupational illness or the workers that are killed from them.

In the most recent year for which data sets are available, there were more than 73,300 recordable incidents of non-fatal recordable occupational injuries and illnesses in Massachusetts. Of these cases, 40,200 led to workers having to take days away from work, transfer jobs, or experience job restrictions.

In Massachusetts, there are 30 OSHA inspectors, roughly one inspector for every 122,967 workers. It would take 182 years for OSHA to pay a single visit to each workplace in the state.

WHO IS DYING FROM THE WORK?
In 2018, worker deaths in Massachusetts were once again concentrated in the construction industry, with construction deaths accounting for 36% of workers fatally injured on the job. The next highest concentrations of deaths came in the public administration sector, which includes both police, public works, and other government workers (14%, eight workers killed on the job), and then in the transportation and warehousing sector (six workers killed on the job), of whom most were truck drivers. The complete breakdown of worker deaths by sector and industry can be found on page 14.
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ACKNOWLEDGEMENTS

The Massachusetts Coalition for Occupational Safety and Health (MassCOSH) and the Massachusetts AFL-CIO collaborated to produce the “2021 Dying for Work: Loss of Life and Limb in Massachusetts Workplaces” report. The Massachusetts AFL-CIO is the umbrella organization for more than 750 local unions, joint boards and district councils in the state, representing working women and men across the Commonwealth. MassCOSH is a non-profit organization whose members include workers, unions and health and legal professionals. Their mission is to ensure that all workers earn a fair wage, are treated with respect and dignity and return home to their families alive and well.

Work continues to kill and maim workers in alarming numbers, and the COVID-19 pandemic has had a devastating impact in 2020 and into 2021. This report has been compiled to recognize the workers and their families and to highlight these tolls. The saddest aspect of the loss of lives and limbs is that work-related injuries and illnesses are preventable.

The authors of this report are most grateful to all who assisted in collecting and reviewing data, writing and editing, conducting interviews, and providing photographs.

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- Massachusetts Department of Public Health, Occupational Health Surveillance Program
- Occupational Safety & Health Administration Region 1 Office, Boston
- Massachusetts Department of Labor Standards
- Massachusetts Department of Industrial Accidents
- Articles from newspapers throughout Massachusetts
- The International Association of Fire Fighters (IAFF)
- Massachusetts Coalition for Occupational Safety and Health
EXECUTIVE SUMMARY

April 28, 2021 marks the 32nd observance of Workers’ Memorial Day, when we remember workers who were killed, made ill, or injured on the job. Every year at this time, we reflect on the tragedies of the past year and renew our commitment to the fight for safe jobs. However, 2020 was a year like none other.

April 28, 2021 also marks the 50th anniversary of the Occupational Safety and Health Act. The OSH Act and Mine Safety and Health Act promised workers the right to a safe job. For decades, MassCOSH, the Massachusetts AFL-CIO and our allies have fought hard to make that promise a reality—winning protections that have made jobs safer and saved lives. But there is much more to be done before the promise to keep all workers safe on the job can be fulfilled.

With workers still getting sick and dying at alarming rates in Massachusetts, Workers’ Memorial Day carries more weight than ever before. We offer this report as a call to action for allies of the Commonwealth’s working families.

COVID-19 IS AN OCCUPATIONAL DISEASE

Occupational exposure to SARS-CoV-2 has made thousands of workers in Massachusetts sick and likely resulted in hundreds, if not thousands, of fatalities. Because the Commonwealth has failed to accurately track the occupation of those who have tested positive for COVID-19, we may never know the real impact.

Sadly, we therefore cannot list the names of those workers who died from work-related COVID-19 in this report. However, on pages 14 and 15 we do our best to demonstrate the devastating impact this deadly virus has had on Massachusetts workers, and especially low-wage workers and workers of color. What data is available clearly shows that those who worked outside of the home got sick and died at higher rates than those who could stay home.

The pandemic brought the unfulfilled promise to keep all workers safe on the job to a new level. Complaints to OSHA went largely unanswered (see page 18), and workers were largely left to fend for themselves. In Massachusetts, Governor Baker focused more on the role of individual behavior in spreading the virus, while neglecting workplace protections that could have saved lives and reduced spread.

The Reopening Advisory Board of CEOs he convened created COVID-19 Workplace Safety Regulations that failed to protect workers from airborne particles, one of the key means of exposure to SARS-CoV-2, and gave little if any additional resources to local public health departments and the Massachusetts Department of Labor Standards which he tasked with enforcement.

Employers were allowed to “self-certify” compliance with minimal masking and social distancing requirements, and workers were instructed to file a complaint to gain protections, even as incidences of retaliation were on the rise. Outside of an on-line form and hotline number created by the Attorney General Office’s Fair Labor Division, all materials were provided in English only, leaving many of the most impacted workers without the information they needed to understand their rights and get their employers to comply with regulations.

Further, many workers continued to work with symptoms, or lost their jobs if they became sick, had to quarantine or take care of sick family members, as efforts to increase paid sick time and expand access to workers’ compensation were stymied at the State House.
THE KNOWN TOLL: WORKPLACE DEATHS, INJURIES, AND ILLNESSES IN MASSACHUSETTS

Seventy-two workers in Massachusetts lost their lives on the job in 2019, and 45 in 2020. Fatal injuries at work killed 65 of these workers in 2019 and 33 in 2020. An additional 7 firefighters died from work-related disease in 2019 and 12 in 2020. The number of workplace fatalities resulting from fatal injuries at work was down in 2020 as the State remained largely closed for business. However, the number of fatalities in the first part of 2021 is on the rise with at least 9 people killed in January – March alone.

We are able to include firefighter fatalities from work-related illness here because under Massachusetts’ Presumptive Disability Law, certain cancers and heart conditions are recognized as occupational in origin and are eligible for workers’ compensation. Not included in this report are the many other workers who died from non-COVID occupational diseases, which kill an estimated 50,000 workers in the U.S. every year. The government does not comprehensively track occupational illness, or the workers that are killed from them.

In the most recent year for which data sets are available, 2019, there were more than 64,700 recordable incidents of non-fatal occupational injuries and illnesses in Massachusetts. Of these cases, 37,900 led to workers having to take days away from work, transfer jobs, or experience job restrictions.

In Massachusetts, there are 33 OSHA inspectors, roughly one inspector for every 87,796 workers. At the rate that OSHA conducted inspections before the pandemic started, it would take 180 years for OSHA to pay a single visit to each workplace in the state.

WHO IS DYING FROM WORK?

In 2020, worker deaths in Massachusetts in the agriculture, forestry, fishing and hunting industry represented 21% of those killed on the job, largely as a result of the tragic loss of one fishing vessel in which four fishermen were killed. After that, fatalities were concentrated in the construction industry, with construction deaths accounting for 18% of workers fatally injured on the job. The next highest concentrations of deaths were in the administrative and support and waste management and remediation services, manufacturing, retail trade, and transportation and warehousing sectors (three workers killed on the job in each).

In 2019, worker deaths in Massachusetts were also concentrated in the construction industry, with construction deaths accounting for 29% of workers fatally injured on the job. The next highest concentrations of deaths came in the transportation and warehousing sector (15%, 10 workers killed on the job) and the administrative and support and waste management and remediation services sector.
The complete breakdown of worker deaths by sector and industry for 2020 and 2019 can be found on pages 12 and 13.

In 2019 and 2020, 91 men and 7 women experienced fatal occupational injuries. Their average age was 51 years. The youngest worker killed was just 14 years old; the oldest was 83 years old.

Thirteen workers were immigrants, hailing from Brazil (three workers), Guatemala, China, Bangladesh, Cape Verde, Ireland, Haiti, Vietnam, Uganda, Portugal, Nigeria, and Lebanon (1 worker each). Their deaths accounted for 13% of all occupational fatalities from injury in 2019 and 2020.

Finally, twelve firefighters died from occupational illnesses in 2020 and 7 in 2019, including from various cancers, asphyxiation, heart attacks, and heart disease.

WHAT IS KILLING THEM?

Transportation incidents, which include motor vehicle crashes and workers struck by vehicles or equipment, were the leading cause of death from injuries in Massachusetts in 2020, contributing to 48% of all worker deaths from injuries. Workers also died from falls, slips, and trips (6 workers), and contact with objects or equipment (5 workers). Violence or injury by another person and being attacked by an animal resulted in the deaths of four workers in 2020.

Falls, slips and trips were the leading cause of death in 2019, contributing to 29% of all worker deaths from injuries. Workers also died from transportation incidents (16 workers), contact with objects or equipment (15 workers), and exposure to harmful substances or environments (8 workers). Violence or injury by another person and being attacked by an animal resulted in the deaths of four workers in 2019.
THE HIERARCHY OF CONTROLS PROTECTS WORKERS FROM COVID-19 AND OTHER WORKPLACE HAZARDS

Sadly, unsafe work conditions are not new. As previous Dying for Work reports have demonstrated, far too many workers in Massachusetts die from preventable injuries each year. However, the COVID-19 pandemic has shone a light on the risks workers face every day, how dangerous -- and deadly -- a lack of appropriate protections can be, and how often employers willfully fail to provide these protections. Now, more than ever, workers need a voice at work. Worker safety and worker voice go hand in hand. And we must return to life-saving basics and re-emphasize the principles of protection at work, starting with the Hierarchy of Controls. We must strive to change the workplace, not the worker.

CLIMATE CHANGE: MAKING WORK MORE DANGEROUS

Climate change has led to the increasing frequency, duration, and severity of extreme weather events. On December 10, 2019, Vidal Bravo Cifuentes, a 34-year-old day laborer, was killed during a tree removal operation at a house in Wakefield. He had been hired for a basic clean-out of the house, but was called out of the house to hold a guide rope. When the tree the rope was connected to snapped, he was thrown against a rock and killed. The landscaping company was hired by the homeowner to remove several trees. However, this company did not have lift trucks or trained tree removal workers, only ladders and ropes and laborers who had not received proper training. Another tree worker was killed in 2019.

Two tree workers were also killed in 2020, including Kevin Pimental, who died after being struck by a falling tree branch on 1/31/2020. Increasing temperatures from Climate change also pose a grave risk, especially for those that work outdoors or in hot indoor environments.

FATAL VIOLENCE IN THE WORKPLACE

Violence in the workplace is the 3rd leading cause of workplace deaths, based on 2018 national data. In both 2019 and 2020, four Massachusetts workers died from workplace violence. Deaths caused by firearms accounts for 75% of those. From 2011 to 2019, 39 workers died from gunfire while at work. Across the country, 2021 has already seen an alarming number of mass shootings in workplaces like offices, supermarkets, massage parlors and mailing facilities. These shooters were disgruntled former employees or angry customers, in certain cases, refusing to abide by store/facility COVID-19 policies and protocols meant to ensure worker and customer health and safety. These tragedies make clear that as businesses continue to reopen, more must be done to protect workers.
IN MEMORIAM

Listed below are the dozens of people who died from work-related causes in 2019, 2020 and in the first three months of 2021. Firefighters who died from documented work-related illness are included in this list. For the hundreds more men and women in other sectors who likely died this year from occupational diseases and all workers who died from workplace exposure to SARS-CoV-2, we have no names. No government agency collects comprehensive data about these individuals and no database contains their information. We don’t know who these fallen workers were, or under what conditions they died. We honor them all.

2019

- **Truong Pham**, 63 - Peabody
  Electronic Technician, 1/5/2019
- **William Couto**, 63 - New Bedford
  Machine Repair Worker, 1/6/2019
- **Lucy MacLennan**, 58 - Harvard
  Horse Trainer, 1/23/2019
- **Ronald Corey**, 58 - Somerset
  Property Maintenance Worker, 1/23/2019
- **Christopher Freeman**, 59 - Barnstable
  Shellfish Fisher, 1/28/2019
- **Richard Hill**, 69 - Medford
  1/31/2019
- **Robert Matz**, 64 - Medfield
  Plumber, 1/31/2019
- **Joseph Faria**, 48 - Wareham
  Carpenter, 2/4/2019
- **Daniel McEvoy**, 30 - Salem
  Concrete Construction Worker, 2/15/2019
- **David Marceline**, 46 - Harwich
  Truck Driver, 2/16/2019
- **Robert Epps**, 41 - Blandford
  Truck Driver, 2/21/2019
- **Sydney Miti**, 32 - Mansfield
  Flight Instructor, 2/23/2019
- **Anthony Costa**, 41 - Cambridge
  Construction Foreman, 2/28/2019
- **Stephen Pina**, 64 - Medford
  Firefighter, 3/1/2019
- **Christopher Cornetta** - North Attleboro
  Firefighter, 3/4/2019
- **Russell MacPherson**, 71 - Barnstable
  Plumber, 3/11/2019
- **Gail DeArellano**, 71 - Westfield
  Accounting Clerk, 3/24/2019
- **Antonio Fernandez**, 65 - Springfield
  Carpenter, 4/28/2019
Dying for Work 2021
Sterling Hulett, 49 - Boston
Truck Driver, 4/29/2019
Richard Piercy, 70 - North Andover
Electrician, 5/4/2019
Elvis de Almeida Ribeiro, 49 - Barnstable
Laborer, 5/7/2019
Ryan Hazel, 14 - Dighton
Kennel Helper, 5/9/2019
Joao Ramos, 57 - Sharon
Landscaper, 5/10/2019
Thomas Kurbs, 72 - Berlin
Car Mechanic, 5/15/2019
Edward Howard, 65 - Beverly
Machine Technician, 5/24/2019
Robert Robillard, 69 - Harwich
Shuttle Driver, 5/30/2019
Fernando Brasil, 58 - Mansfield
Warehouse Supervisor, 6/2/2019
Luckinson Oruma, 60 - Boston
Taxi Driver, 6/4/2019
Thomas Kenney, 65 - Hyannis
Firefighter, 6/5/2019
Michael Robidoux, 54 - Auburn
Towing Company Owner, 6/6/2019
Richard Fugere, 48 - Ludlow
HVAC Technician, 6/7/2019
Mark Antone, 41 - Carver
Concrete Casting Worker, 6/10/2019
Emile Gadoua, 51 - Holyoke
Forklift Operator, 6/30/2019
Leroi Rodriguez, 52 - Boston
Firefighter, 7/16/2019
Thomas Szpila, 64 - Easthampton
Firefighter, 7/16/2019
Bradley Grill, 58 - Cambridge
Landscaper, 7/18/2019
Neil Daly, 51 - Boston
Plumber, 7/20/2019
Thomas Kennedy, 46 - Worcester
Firefighter, 7/20/2019
Majid Hamade, 64 - Weymouth
Gas Station Attendant, 7/22/2019
Ahmed Elgeziry, 25 - North Reading
Painter, 7/24/2019
Lisa Domnarski, 50 - Palmer
Stable Operator, 7/24/2019
Paul Germano, 50 - Spencer
Utility Technician, 8/12/2019
Daniel Nacin, 59 - Longmeadow
Postal Worker, 8/22/2019
Robert Grusheski, 52 - Salem
Boat Mechanic, 8/23/2019
Grosvin Mariona, 46 - Boston
Painter, 8/26/2019
James French, 51 - Westfield
Sawmill Manager, 8/28/2019
James Jacobs, 52 - Needham
Elevator Installer, 9/3/2019
Robert Moschetti, 55 - Wenham
Siding Installer, 9/6/2019
Michael Fontaine, 38 - Auburn
Freight Laborer, 9/9/2019
Ricky Clement, 59 - Merrimac
Roof er, 9/17/2019
Taylor Bowen, 28 - Swansea
Tree Trimmer, 9/19/2019
Milton Cantor Nuñez, 31 - New Bedford
Roof er, 9/24/2019
Marc Gautreau, 51 - Marlborough
Truck Driver, 10/3/2019
Lois Ann Johnson, 62 - Orange
Truck Driver, 10/11/2019
Henry Stukuls, 83 - Halifax
Landlord, 10/15/2019
Kevin Welz, 64 - Springfield
Firefighter, 10/17/2019
Michael Sellers - Boston
Tree Trimmer, 11/2/2019
Ronald Stanovitch, 64 - Mansfield
Car Mechanic, 11/6/2019
Dennis Demers, 52 - Chicopee
Painter, 11/5/2019
Ryan Baldera, 32 - Burlington
Restaurant Manager, 11/7/2019
JASON MENARD, 39 - Worcester
Firefighter, 11/13/2019

JULIO DA SILVA COSTA, 45 - Braintree
Cleaner, 11/14/2019

KEVIN O’ROURKE, 66 - West Bridgewater
Driver, 11/15/2019

GARY GAUDETTE, 39 - Chicopee
Arborist, 11/21/2019

MARK CORMIER, 35 - Martha’s Vineyard
Fisher, 11/24/2019

GERALD BRETAL, 51 - Martha’s Vineyard
Fisher, 11/24/2019

XAVIER VEGA, 29 - Martha’s Vineyard
Fisher, 11/24/2019

DENNIS ROBERTSON, 44 - Haverhill
Construction Worker, 11/27/2019

VIDAL BRAVO CIFUENTES, 34 - Wakefield
Construction Worker, 12/10/2019

IOANNIS ASARIDIS, 57 - Stoughton
Gas Station Operator, 12/12/2019

SEGUNDO AGUISA, 28 - Wakefield
Roofer, 12/28/2019

BRANDON MCSWEENEY, 34 - Boston
Rigger, 12/28/2019

2020

MICHAEL FURTADO, 50 - Taunton
Exterminator, 1/3/2020

LYNN HENRY, 61 - Springfield
Clinical Dietician, 1/7/2020

GEORGE LANGEVIN, 67 - Andover
Storekeeper, 1/15/2020

MARCOS “Tony” ANTONIO RUIZ, (below)
52 - Lawrence
Motor Equipment Operator, 1/15/2020

PAUL SAYWARD, 36 - Nantucket
Fisher, 1/21/2020

CHRISTOPHER STILL, 51 - Weymouth
Firefighter, 1/22/2020

RUSSELL HORN, 55 - New Bedford
Firefighter, 1/27/2020

KEVIN PIMENTAL, 38 - Falmouth
Tree Worker, 1/31/2020

SCOTT CASSON, 55 - Gardner
Plant Manager, 1/31/2020

FRANK TROMBETTA, 63 - Saugus
Auto Mechanic, 2/7/2020

ROGER TETREAULT, 73 - Stockbridge
Logger, 2/9/2020

SANYI HARRIS, 45 - Quincy
Bus Driver, 2/9/2020

WILLIAM MONTANA, 68 - Springfield
Taxi Driver, 2/28/2020

ANTHONY THOMPSON, 57 - Boston
Firefighter, 3/10/2020

BRADFORD SMITH, 55 - Framingham
Firefighter Deputy Chief, 4/1/2020

MARVIN SALAZAR FUENTES, 42 - Framingham
Roofer, 4/11/2020

NICOLÒ VITALE, 49 - Gloucester
Fisher, 4/19/2020

ARMIN BURDICK, 27 - Millis
Landscape Architect, 4/29/2020

SUI-TAK CHAN, 60 - Lowell
Auto Mechanic, 5/4/2020

WILLIAM CAHILL, 64 - Somerville
Firefighter/EMT, 5/16/2020

JEANNE ROSS, 76 - Stoughton
Home Health Aide, 6/4/2020

MICHAEL MCLAUGHLIN, 39 - Mansfield
Firefighter/Paramedic, 6/13/2020

DAJEE SANTOS, 28 - New Bedford
Chef, 6/30/2020

LEO “Skip” CHILDS III, 69 - Provincetown
Groundskeeper, 8/7/2020

EDWARD SUAREZ, 47 - Fitchburg
Firefighter Lieutenant, 8/9/2020
WE ALSO HONOR THE MEMORY OF ALL THOSE WORKERS LOST TO THE COVID-19 PANDEMIC
NUMBERS BEHIND THE FACES

Forty-five workers lost their lives to work-related injury or documented occupational illnesses in Massachusetts in 2020. The total number and rate of work-related deaths decreased in 2020 due to the pandemic’s impact on the economy. However, this rate does not reflect the true number of workers’ lives lost to COVID-19, a toll we may never truly know. The COVID-19 section of this report describes the impact of the pandemic on workers.

In addition to the 33 men and women who lost their lives from fatal injuries, twelve firefighters died from occupational illness in 2020. Other workers who died from occupational illnesses (other than COVID-19) are unaccounted for in this report. Even before the pandemic, work-related illnesses have been estimated to kill 50,000 people in the United States every year. Despite the magnitude of that number, there is no comprehensive documentation of these workers or the illnesses that kill them. Fatal overdoses and suicides on the job claimed 20 lives in 2019.

HOW ARE WORKERS DYING? WORKER DEATHS BY EVENT OR EXPOSURE

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<td>OCCUPATIONAL ILLNESS (FIRE FIGHTERS ONLY)</td>
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*Workers killed by fatal injuries as well as firefighters who died from non-COVID occupational illness. Includes only fatal workplace injuries, not occupational illnesses.
# Fatal Injuries by Sector/Industry

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<tr>
<th>Sector/Industry</th>
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<tr>
<td>Agriculture, Forestry, Fishing &amp; Hunting</td>
<td></td>
<td></td>
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<tr>
<td>(e.g. fishing)</td>
<td></td>
<td></td>
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<tr>
<td>Construction</td>
<td></td>
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<tr>
<td>(residential and commercial)</td>
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<tr>
<td>Administrative, Support, Waste Management &amp; Remediation Services</td>
<td></td>
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<tr>
<td>(e.g. temporary help, landscaping)</td>
<td></td>
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<tr>
<td>Manufacturing</td>
<td></td>
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<tr>
<td>Retail Trade</td>
<td></td>
<td></td>
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<tr>
<td>(e.g. food delivery, retail stores)</td>
<td></td>
<td></td>
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<tr>
<td>Transportation &amp; Warehousing</td>
<td></td>
<td></td>
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<tr>
<td>(e.g. taxi services)</td>
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<tr>
<td>Health Care &amp; Social Assistance</td>
<td></td>
<td></td>
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<tr>
<td>Professional, Scientific, &amp; Technical Services</td>
<td></td>
<td></td>
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<tr>
<td>Accommodation &amp; Food Services (e.g. catering)</td>
<td></td>
<td></td>
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<tr>
<td>Other Services (Except Public Administration)</td>
<td></td>
<td></td>
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<tr>
<td>(e.g. vehicle repair)</td>
<td></td>
<td></td>
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<tr>
<td>Arts, Entertainment, &amp; Recreation</td>
<td></td>
<td></td>
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<tr>
<td>(e.g. music, outdoor recreation)</td>
<td></td>
<td></td>
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<tr>
<td>Public Administration</td>
<td></td>
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<tr>
<td>(e.g. police work, public works)</td>
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<tr>
<td>Real Estate, Rental &amp; Leasing</td>
<td></td>
<td></td>
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<tr>
<td>Wholesale Trade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e.g. wholesale seafood sales)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Firefighters Occupational Illness</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Fatalities 2019:** 72

**Total Fatalities 2020:** 45
THE DEVASTATING IMPACT OF COVID-19 ON MASSACHUSETTS WORKERS

Occupational exposure to SARS-CoV-2 has made thousands of workers in Massachusetts sick and likely resulted in hundreds of fatalities. Because the Commonwealth has failed to comprehensively track the occupation of those who test positive for COVID-19, we may never know the real impact. However, a recently published study on COVID-19 deaths by occupation in Massachusetts from March 1 to July 31, 2020 demonstrated that those working in jobs that cannot be done from home, and therefore have elevated risk of exposure, died from COVID-19 at higher rates than other workers.

The study also confirmed well-documented racial disparities in COVID-19 deaths. Hispanic and Black workers had mortality rates nearly five times those of white workers. The study found this true even within the same occupation group. For instance, Hispanic food preparation and serving workers had a mortality rate 8 times that of white workers in the same occupation. According to the Department of Public Health’s COVID-19 Community Impact Survey, a survey of over 35,000 Massachusetts residents, over half of those who could not socially distance listed work-related factors as a primary reason for their inability to properly distance themselves from others. Adults who worked outside the home were more than two times as likely to report testing positive compared to those who worked from home.

There is a strong correlation between the likeliness of working outside the home during the pandemic and the COVID-19 mortality rate, by major occupation category. In other words, the numbers back up what workers and advocates have been saying since the beginning of the pandemic: “essential,” in-person workers are being exposed to a deadly virus with little to no life-saving protections.

Massachusetts residents working outside the home during the pandemic in 2020 were more than twice as likely to report testing positive for COVID-19, compared to those working from home.

From March 2020 to March 2021, 11,243 workers’ compensation reports were filed of workers missing five or more days of work due to what the worker believed was a work-related case of COVID-19.

COVID-19 mortality rates for Hispanic and Black workers were nearly 5 times that of white workers in Massachusetts. Within food service, Hispanic workers died at more than 8 times the rate of white workers.
Workers in the following 10 occupations died of COVID-19 at a higher rate than the average working population. The eight occupation groups with the highest mortality rates were more likely to work outside the home than the average worker and less likely to work in settings with social distancing. Workers in eight of the top 10 deadliest occupations were less likely to be provided, or know how to access, paid sick leave during the pandemic.

### 10 Occupation Groups Had Above-Average Mortality Rates from COVID-19

<table>
<thead>
<tr>
<th>Occupation Group</th>
<th>COVID-19 Mortality rate* per 100,000 MA workers, Mar-Jul 2020</th>
<th>Working outside home**</th>
<th>Social distancing was not implemented at work**</th>
<th>Not provided or did not know about paid sick leave**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healthcare Support Workers</td>
<td>44.1</td>
<td>89%</td>
<td>43%</td>
<td>26%</td>
</tr>
<tr>
<td>Transportation &amp; Material Moving Workers</td>
<td>37.2</td>
<td>98%</td>
<td>49%</td>
<td>35%</td>
</tr>
<tr>
<td>Food Preparation &amp; Serving Related Workers</td>
<td>31.6</td>
<td>97%</td>
<td>45%</td>
<td>48%</td>
</tr>
<tr>
<td>Building, Grounds Cleaning &amp; Maintenance Workers</td>
<td>31.1</td>
<td>93%</td>
<td>66%</td>
<td>51%</td>
</tr>
<tr>
<td>Production Workers</td>
<td>29.6</td>
<td>83%</td>
<td>40%</td>
<td>32%</td>
</tr>
<tr>
<td>Construction &amp; Extraction Workers</td>
<td>28.3</td>
<td>89%</td>
<td>42%</td>
<td>35%</td>
</tr>
<tr>
<td>Protective Service Workers</td>
<td>25.4</td>
<td>89%</td>
<td>39%</td>
<td>11%</td>
</tr>
<tr>
<td>Personal Care &amp; Service Workers</td>
<td>23.6</td>
<td>88%</td>
<td>54%</td>
<td>39%</td>
</tr>
<tr>
<td>Arts, Design, Entertainment, Sports, &amp; Media Workers</td>
<td>23.5</td>
<td>56%</td>
<td>36%</td>
<td>35%</td>
</tr>
<tr>
<td>Community &amp; Social Service Workers</td>
<td>18.7</td>
<td>35%</td>
<td>26%</td>
<td>14%</td>
</tr>
<tr>
<td>Average for all workers</td>
<td>16.4 deaths per 100,000</td>
<td>53%</td>
<td>33%</td>
<td>20%</td>
</tr>
</tbody>
</table>


THE HIERARCHY OF CONTROLS: WORKERS’ KEY TO PREVENTING INJURIES & COVID-19 INFECTIONS AT WORK

During the COVID-19 pandemic, front line workers, such as healthcare providers, bus drivers and grocery store employees, have faced a deadly infectious disease every day on the job. This hazard, like any workplace hazard, can be reduced or eliminated with practical controls. Workers and their unions and organizations can help bring about these protections. An important tool for making sure that workers aren’t maimed, killed or made sick is the “Hierarchy of Controls”.

This approach, supported by OSHA and the CDC’s National Institute for Occupational Safety and Health, identifies the most effective ways of eliminating and reducing workplace hazards. The Hierarchy of Controls shows that the most effective prevention steps address hazards related to the work, not the worker. This model can be applied to safety, chemical and infectious disease hazards.

The upside-down triangle focuses on five steps that matter most: elimination substitution, engineering controls, administrative controls and personal protective equipment.

Elimination may mean changing a process to end the use of a toxic substance, and it could mean allowing work from home to prevent COVID contagion. Substitution means replacing a dangerous process with a safer one — like drive-thru services — or replacing a bad chemical with a safer one, such as switching from bleach to alcohol sanitizers. Engineering controls means using ventilation to pull dangerous dusts like silica or lead away from the person doing the work, and adding ventilation and filtration to remove virus in the air.

Any one control is often insufficient on its own. This is especially true when dealing with a highly infectious disease. Each control method should be layered with others that cover the limitations. Administrative controls are an essential step in the Hierarchy. These are workplace policies such as limiting time spent doing a dangerous task, staggering break times to limit the number of people in a room, and implementing a timely, sensitive contact tracing system combined with paid sick leave so sick workers do not infect others. Another important administrative control is a vaccination program with sufficient paid time off for vaccine appointments and to recover from any side effects.

While PPE is the least effective defense, it can be crucial to protecting workers’ health. For COVID-19, having the correct respirators is necessary.

By issuing an Emergency Temporary Standard to protect workers from COVID-19, OSHA can strengthen workplace protections and enforcement, and help workers win the protections on the job that will prevent disease transmission.
The COVID-19 pandemic needs the same approach:

**Elmination**
Physically remove the hazard
- Work from home

**Substitution**
Replace the hazard
- Drive thru-service.
- Take-out food

**Engineering Controls**
Isolate people from the hazard
- Improve ventilation, add portable air cleaners with HEPA filters, use barriers for workers who are in close contact with multiple customers

**Administrative Controls**
Change the way the people work
- Paid sick leave, time off for vaccination, fewer people in a space, more breaks for handwashing, monitor customers for face coverings

**PPE**
Protect the worker with personal protective equipment
- Supply proper respirators (N95s), face coverings

Most effective

Least effective
ENFORCING WORKPLACE COVID-19 PRECAUTIONS: A TALE OF TWO AGENCIES

In Massachusetts, two agencies were primarily responsible for enforcing workplace health and safety during the pandemic: the federal Occupational Safety and Health Administration (OSHA) and the state Department of Labor Standards (DLS). Both agencies received hundreds of complaints from workers concerned about being exposed to COVID-19 on the job.

2.4% of the 956 complaints that workers made to OSHA in 2020, only 23, led to workplace inspections. OSHA handled the remaining complaints as inquiries, directly contacting employers to ask for the issue to be addressed, rather than make unannounced inspections.

31 of OSHA’s 54 COVID-19 inspections in Massachusetts in 2020, or 44%, found a violation. Seven of those inspections were spurred by worker complaints, while 24 were in response to 17 worker deaths.

Average final penalty for closed COVID-19 inspections:
▶ in response to a complaint was $3,003. This was a 58% decrease from the average proposed penalty of $7,169.
▶ in response to a fatality was $10,330. This was a 34% decrease from the average proposed penalty of $15,733.

45% (658 out of 1463) of DLS COVID-19 cases in 2020 found a violation.

56 cease-and-desist orders were issued in 2020 by DLS to stop unsafe working conditions. 4% of inspections led to a cease-and-desist, the most powerful enforcement tool the agency has used to enforce COVID-19 safety regulations.

WORKERS CALL OUT DANGEROUS CONDITIONS DURING THE PANDEMIC (2020)

FEBRUARY 1
First COVID-19 case in MA

MARCH 2 - DECEMBER 31
956 complaints made to OSHA

MARCH 26 - MAY 14
707 complaints made to MA DLS during “essential business” phase

APRIL 20
Worst day of first wave: 2,685 new cases

MAY 18
Reopening Phase 1 starts

MAY 18 - DECEMBER 31
1,463 complaints made to MA DLS during Reopening

MAY 19 - AUGUST 28
2,954 complaints made to the MA Attorney General

JUNE 22
Reopening Phase 2

DECEMBER 7
Worst day of second wave: 6,211 new cases
OSHA ENFORCEMENT ACTIVITY IN 2019 & 2020

JANUARY 1ST TO DECEMBER 31ST, 2019

1,314
# OF CLOSED CASES OUT OF 1,571 INSPECTIONS CONDUCTED IN 2019

$10,094
AVERAGE PROPOSED PENALTY (CLOSED CASES)

$5,041
AVERAGE FINAL PENALTY (CLOSED CASES)

50%
REDUCTION IN PENALTIES

JANUARY 1ST TO DECEMBER 31ST, 2020

532
# OF CLOSED CASES OUT OF 881 INSPECTIONS CONDUCTED IN 2020

$12,401
AVERAGE PROPOSED PENALTY (CLOSED CASES)

$6,209
AVERAGE FINAL PENALTY (CLOSED CASES)

50%
REDUCTION IN PENALTIES
**OSHA Penalties Issued for Employers of Workers Who Died on the Job in Massachusetts**

<table>
<thead>
<tr>
<th></th>
<th>January 1st to December 31st, 2020</th>
<th>January 1st to December 31st, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspections Opened</td>
<td>41</td>
<td>35</td>
</tr>
<tr>
<td>Average Proposed Penalty</td>
<td>$20,830</td>
<td>$29,190</td>
</tr>
<tr>
<td>Average Final Penalty</td>
<td>$17,666</td>
<td>$23,342</td>
</tr>
<tr>
<td>Closed Inspections, and 16 Ongoing &amp; Open Inspections</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Closed Inspections Led to Some Penalty for the Employer</td>
<td>14</td>
<td>23</td>
</tr>
<tr>
<td>Reduction in Penalties</td>
<td>15%</td>
<td>20%</td>
</tr>
</tbody>
</table>
TREE WORKER DEATHS
MAKE IT CLEAR:
WE’RE NOT PREPARED
FOR CLIMATE CHANGE

Like many places around the country, climate change has led to the increasing frequency, duration, and severity of extreme weather events in Massachusetts. During storm recovery, clean-up workers comprise a key workforce of “second responders” who take on demanding – and often dangerous – work helping residents and business owners with the removal of debris, the demolition of damaged structures, and rebuilding. Storm and flood cleanup activities can be hazardous. From 2018-2020, 4 workers died shoveling snow during severe snow storms and eleven more were killed while performing tree work.

On December 10, 2019, Vidal Bravo Cifuentes, a 34-year-old day laborer, was killed during a tree removal operation at a house in Wakefield. He had been hired for a basic clean-out of the house, but was called out of the house to hold a guide rope. When the tree the rope was connected to snapped, he was thrown against a rock and killed. The landscaping company was hired by the homeowner to remove several trees.

However, this company did not have lift trucks or trained tree removal workers, only ladders and ropes and laborers who had not received proper training. Another three tree workers were killed in 2019. Two tree workers were also killed in 2020, including Kevin Pimental (picture above), who died after being struck by a falling tree branch on 1/31/2020.

THE PROBLEM

While tree work is inherently dangerous and injuries are common, safety protections can be extremely effective at preventing injuries. When serious injuries occur, generally we find that well-known protective actions didn’t happen: proper equipment wasn’t used, training didn’t happen, safer ways of doing the work were set aside in favor of shortcuts. Steps like clearing brush, staying well-away from energized power lines, using bucket trucks instead of ladders are all basic safety strategies. Professional arborists and certified tree management companies are more likely to follow the ANSI and OSHA standards and best practices to protect employees.

Yet many companies and individuals perform tree work without the experience, skills, knowledge, and equipment needed to do it safely, with deadly consequences. Increasing demand for tree work creates an opportunity for less experienced contractors to get in on the work. To save money, contractors and homeowners may hire companies or contractors referred to as “buzzies” or “storm-chasers”.

These crews, often composed of immigrant day laborers, are handed a chainsaw and sent off with little to no training or protective gear.

The 4th National Climate Assessment points out that “Changing climate threatens the health and well-being of people in the Northeast through more extreme weather, warmer temperatures... expected to lead to health-related impacts and costs, including additional deaths...”
As a professional arborist, it’s my job to recognize and manage risk. Through training and by following proper work practices, we can minimize that risk.

- Trumbull Barrett
Barrett Tree Service East
WORKPLACE VIOLENCE DEATHS PERSIST THROUGHOUT THE PANDEMIC

THE PROBLEM: COVID-19 INTENSIFIES WORKPLACE VIOLENCE FOR ALREADY AT-RISK WORKERS

Violence in the workplace is the 3rd leading cause of workplace deaths based on 2018 national data.

In both 2019 and 2020, four Massachusetts workers died from workplace violence. Deaths caused by firearms accounts for 75% of those. From 2011 to 2019, 39 workers died from gunfire while at work.

Across the country, 2021 has already seen an alarming number of mass shootings in workplaces like offices, supermarkets, massage parlors and mailing facilities. These shooters were disgruntled former employees or angry customers, in certain cases, refusing to abide by store/facility COVID-19 policies and protocols meant to ensure worker and customer health and safety.

These shootings make clear that as businesses continue to reopen, more must be done to protect workers.

WHAT NEEDS TO BE DONE

Currently, there is no federal OSHA standard to protect workers from workplace violence. However, in 2019 and 2021, the US House of Representatives approved Workplace Violence Prevention for HealthCare & Social Service Workers Act bill HR 1309 (now HR 1195) which requires OSHA to promulgate a new standard, investigate acts of violence in the workplace, provide training and education and prohibits discrimination and retaliation for workers reporting concerns. As of today, the bill is in the Senate and has been referred to the Committee on Health, Education, Labor, and Pensions for next steps.

OSHA released unenforceable guidelines to prevent workplace violence in 1996. Those guidelines were updated in 2014. In 2019, the U.S. House of Representatives passed a law requiring OSHA to create a workplace violence standard for healthcare and social service workers, but the Trump administration prevented it from being passed. The latest iteration of that bill, HR 1195 may be the best chance for this much-needed standard to become reality.

The Massachusetts Nurses Association introduced an Act Requiring Health Care Employers to Develop and Implement Programs to Prevent Workplace Violence which would require health care facilities to adopt a prevention program including, but not limited to, training, reporting and creation of worksite teams to prevent early stage escalation and respond to violent situations.
Since 2008, the rate of workplace violence injuries in the human services sector has increased. No one is witnessing or responding to these incidents over time, since OSHA cut the number of inspections related to workplace violence. There were 124 in 2016, 85 in 2017, and only 78 in 2019, even as violent incidents have generally been increasing over time.

Workplace violence is now the third leading cause of job deaths, and results in more than 30,000 serious lost-time injuries each year. Nurses, medical assistants, emergency responders and social workers face some of the greatest threats, suffering more than 70% of all workplace assaults. Women workers particularly are at risk, suffering two out of every three serious workplace violence injuries.

- William Samuels
  Director of Government Affairs-AFL-CIO
Each year on Worker Memorial Day we rededicate ourselves to the fight for safe jobs and healthy communities to ensure that all workers can go to work, earn a fair wage, be treated with respect and dignity, and return home to their families alive and well.

WE NEED A COVID-19 EMERGENCY TEMPORARY STANDARD!

On January 21, 2021 President Joe Biden issued an Executive Order on Protecting Worker Health and Safety, recognizing that frontline essential workers are in grave danger due to the enhanced workplace risks posed by the COVID-19 pandemic. The Executive Order directed OSHA to assess the need for and, if necessary, issue an Emergency Temporary Standard (ETS) by March 15, 2021. This deadline passed over six weeks ago, and essential frontline workers continue to work in conditions that put them, as well as their families and communities, at grave risk of this dangerous disease.

The COVID-19 pandemic is not over. Since last month’s deadline for the ETS determination, the national rates of new cases and hospitalizations are going up; all while recommended safety guidelines are being relaxed by governors in multiple states. Although vaccination rates are increasing, the vast majority of those who have been vaccinated are not essential workers, and we are not yet close to reaching herd immunity levels. The spread of new variants of the coronavirus will continue to put the lives of workers in danger. In order to save workers’ lives now, and prevent further community spread of COVID-19 and variants, OSHA must immediately issue and enforce the Emergency Temporary Standard workers and their advocates have demanded, for far too long.

TAKE ACTION AT THE STATE HOUSE

CREATE WORKER-CENTERED PROTOCOLS TO TRACK, PREVENT & PROTECT AGAINST COVID-19 AND ITS IMPACT

▶ Workers’ Compensation Occupational Presumption: Workers who get sick from the highly contagious SARS-CoV-2 from exposure at work must receive the workers’ compensation benefits they are due to ensure they don’t have to use their own paid time off or sick time to quarantine, treat or recover from COVID-19.

▶ Resources to Enforce COVID-19 Worker Health & Safety Protections: Enforcement of the COVID-19 Workplace Safety Regulations is given to Local Boards of Health (LBOH) and the Department of Labor Standards (DLS). Neither of these has the staff or resources to enforce these protections on the scale necessary.

▶ Emergency Paid Sick Time: To ensure that all those who feel sick or may have been exposed to COVID-19 stay home and avoid exposing others to the virus, all workers must have the ability to miss work to care for themselves or their family, without losing the pay they need to make ends meet.

▶ Hazard Pay for Workers: This pandemic has laid bare how intertwined public health and the economy are – and how absolutely vital working people are to keeping every family safe, secure, healthy, and fed. There are currently tens of thousands of Massachusetts workers reporting to the job outside of their homes, putting their health and the health of their families on the line each day. These workers we all depend on are on the front lines of exposure to this virus, in too many cases without the adequate personal protective equipment they so desperately need, and many are still struggling to pay their bills.

▶ Vaccine Access and Equity: We must take action to overcome disparities in COVID-19 vaccination rates rooted in historical and current racism; biases based on ethnicity, income, primary language, immigration status, or disability; geography; or transportation access, language access, or internet access.
STRENGTHEN & ENFORCE WORKER SAFETY LAWS & REGULATIONS

- **Employers that Fail to Protect Workers should not get Public Contracts of Permits**: Require that contractors that do business with the Commonwealth of Massachusetts and/or are involved in excavation work and will require companies seeking to do business with the Commonwealth, or seeking a trenching permit to report their record of safety violations.

- **Expand funding for Enforcement of the Massachusetts Public Sector OSHA Law**: Expand the budget for the Department of Labor Standards by increasing the State budget line item and by approval of our OSHA Public Sector State Plan to bring in federal dollars.

- **Healthy, Safe Schools**: Establishes new state ventilation requirements that current and future public school facilities must meet under both normal and pandemic conditions, mandate that school districts conduct assessments of school ventilation systems to ensure compliance, and create a mechanism for state funding to support needed repairs and upgrades to school ventilation systems.

- **Protect Workers from Workplace Bullying**: Workplace bullying is the most serious form of employee mistreatment left largely unaddressed by current law. Most targets of severe workplace bullying have little or no recourse under Massachusetts law.

DON’T LET EMPLOYERS SILENCE WORKERS

- **Protect Injured Workers from Retaliation**: Strengthens anti-retaliation law to provide for an administrative complaint and investigation mechanism for enforcement, and otherwise addresses employer misconduct that prevents workers from receiving timely medical care and benefits. The law to protect report or seek care for a work-related injury or report or seek care for any COVID-19-related illness or report any exposure to COVID-19 and take appropriate measures as a result, including self-quarantining.

GUARANTEE FAIR & JUST COMPENSATION FOR WORKERS

- **Stop Wage Theft**: Clarify responsibility for upholding labor standards and provide the Attorney General and workers with additional tools for holding violators accountable and recovering money wrongfully taken from workers and the Commonwealth.

- **Provide One Fair Wage**: In the pandemic, service workers have become more vulnerable than ever. Tips are down by 50%, and workers are at the frontlines of enforcing public safety measures. We need to eliminate the tipped subminimum wage and raise ALL workers’ minimum wage to $15 an hour plus.

SAFE WORKPLACES FOR ALL, REGARDLESS OF IMMIGRATION STATUS

- **Provide Drivers’ Licenses Regardless of Immigration Status**: Enable all qualified state residents to apply for a standard Massachusetts driver’s license regardless of immigrant status while keeping out Commonwealth in full compliance with REAL ID requirements.

CONFRONT THE WORKPLACE EFFECTS OF CLIMATE CHANGE

- **Protect workers from heat stress and the impact of rising temperatures both indoors and outdoors, especially in schools**: Increasing temperatures from climate change also pose a grave risk, especially for those that work outdoors or in hot indoor environments.
MassCOSH bring together workers, unions, community groups, and health, safety and environmental activists to organize and advocate for safe, healthful jobs

masscosh.org - (617) 825-7233

The Massachusetts AFL-CIO empowers and supports workers in their effort to promote justice, educate the public about the value of unions, and improve the economic stability and security of working families and communities throughout the Commonwealth.

massaflcio.org - (781) 324-8230