



# SAFE JOBS



**EVERY**  
worker's  
**RIGHT**

# WORKERS MEMORIAL DAY TOOLKIT

AFL-CIO

2018



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**M**ore than four decades ago, Congress passed the Occupational Safety and Health Act, promising every worker the right to a safe job. Unions and our allies have fought hard to make that promise a reality—winning protections that have made jobs safer and saved lives.

But our work is not done. Each year, thousands of workers are killed and millions more suffer injury or illness because of their jobs. Workplace fatalities are on the rise again.

After years of struggle, we won new rules to protect workers from deadly silica dust and beryllium, a stronger coal dust standard for miners and stronger anti-retaliation protections for workers who report job injuries.

All of these hard-won gains are now threatened. The Trump administration has launched an all-out assault on regulations. The president has ordered that for every new protection, two existing safeguards

must be removed. President Trump and Republicans in Congress have overturned worker safety rules issued by the Obama administration. Protections against beryllium and coal dust have been targeted for weakening. Agency budgets and enforcement programs are on the chopping block. The safety and health of workers and the public are in danger.

We must fight back. We cannot and will not let them turn back the clock and destroy the progress we have made to make jobs safer and save lives.

On April 28, the unions of the AFL-CIO observe Workers Memorial Day to remember those who have suffered and died on the job and to renew the fight for safe jobs. This year we will come together to stand united against the attacks on workers' rights and protections. We will demand that elected officials put workers' well-being above corporate interests and demand good jobs that are safe and healthy, and pay fair wages. We will defend the right of every worker to a safe job and fight until that promise is fulfilled.

**OBSERVE WORKERS MEMORIAL DAY APRIL 28**

# APRIL 28

## #1uSafety

## AFL-CIO

**MOURN  
FOR THE DEAD  
FIGHT  
FOR THE LIVING**



For additional information or  
to order materials, contact:  
AFL-CIO Safety and Health  
815 16th St., NW  
Washington, DC 20006  
phone: 202-637-5366  
fax: 202-508-6978  
e-mail: [oshmail@afcio.org](mailto:oshmail@afcio.org)  
website: [www.afcio.org/  
WorkersMemorialDay](http://www.afcio.org/WorkersMemorialDay)

# WORKERS MEMORIAL DAY

DECADES OF STRUGGLE by working people and their unions have improved working conditions and made jobs safer. But the Trump administration, the Republican majority in Congress and business groups have launched an all-out assault on workers' rights and protections. We must fight back and continue to push forward. We must:

- defend the OSHA and MSHA laws, safety and health protections, and workers' rights from right-wing and business attacks;
- defend the new OSHA rules on silica, beryllium, injury reporting and anti-retaliation, and the MSHA coal dust rule, and push for full compliance with these safeguards;
- fight any attempts to cut job safety budgets or weaken enforcement;
- increase efforts to protect the safety and health of Latino and immigrant workers, who are at much greater risk of death and injury;
- seek new protections on workplace violence, infectious diseases and combustible dust;
- pass the Protecting America's Workers Act to provide OSHA protection for the millions of workers without it, stronger criminal and civil penalties for companies that seriously violate job safety laws, and improved anti-retaliation protections; and
- ensure workers' right to have a voice on the job, and to freely choose to form a union without employer interference or intimidation.

## WHAT YOU CAN DO ON WORKERS MEMORIAL DAY

- Organize a rally to call for stronger safety and health protections. Demand that elected officials put workers' well-being over corporate interests.
- Hold a candlelight vigil, memorial service or moment of silence to remember those who have died on the job and highlight job safety problems at workplaces in your community.
- Hold a public meeting with members of Congress in their districts. Bring injured workers and family members who can talk firsthand about the need for strong safety and health protections, and the freedom to join a union. Invite local religious leaders and other allies to participate in the meeting.
- Conduct workshops to empower workers to report job safety hazards and exercise workplace rights. Invite union members, nonunion workers and community allies to participate.
- Create a memorial at a workplace or in a community where workers have been killed on the job.
- Invite the press to your Workers Memorial Day events to increase public awareness of the dangers workers face on the job.

## **SAMPLE TALKING POINTS FOR WORKERS MEMORIAL DAY 2018**

- Today—in cities, towns, union halls, at worksites and memorials, and in community after community—we gather to remember our brothers and sisters who have lost their lives and to fight for safe workplaces and good jobs for all workers.
- Each year on Workers Memorial Day, working people throughout the world remember those who were hurt or killed on the job and renew our struggle for safe workplaces.
- Since the job safety laws were passed more than four decades ago, we’ve made great progress in making workplaces safer and protecting workers. Fewer workers are being killed and injured on the job.
- This progress didn’t just happen because laws were passed. It happened because workers and their unions organized, fought and demanded action from employers and their government.
- It is working people, through their unions, who demanded and won stronger standards to protect workers from asbestos, benzene and other hazards.
- After years of struggle, we won new rules to protect workers from deadly silica dust, a stronger coal dust standard for miners and stronger measures to protect workers who report job injuries from retaliation.
- All these hard-won gains are now threatened.
- The Trump administration has launched an all-out assault on regulations.
- President Trump and the Republicans in Congress repealed a rule that required employers to keep accurate injury records, and another rule that holds government contractors accountable for obeying safety laws and labor laws.
- The administration is moving to weaken worker safety protections on beryllium, coal dust and mine examinations.
- President Trump issued an executive order that requires two existing safeguards be removed for every new protection issued, and has proposed to slash the budget for job safety research and eliminate OSHA’s programs for training workers.
- Now more than ever, we have to stand up to protect our hard-won gains and fight to make jobs safer and save lives.
- Nationally, 150 working men and women die each day because of their work, never to return home to their families and loved ones. Here in our state, [##] workers lost their lives at work in one year. Today, we remember all of them. *[Tell a story about the death of a worker from your state or area.]*

- In 2016, nearly 5,200 workers were killed on the job—the highest number of workplace deaths in years. But that is only a part of the deadly toll. Each year, more than 50,000 workers die from occupational diseases caused by exposures to toxic chemicals and other health hazards.
- Here in our state, [##] workers lost their lives at work. *[Tell a story about the death of a worker from your state or area.]*
- Today, we remember all of them.
- These tragedies and deaths could have and should have been prevented. These workers did not have to die.
- We must fight back to defend the protections we have won and push forward to address job hazards that injure and kill—like workplace violence and exposure to toxic chemicals.
- We simply cannot and will not let politicians and corporations put workers in danger, drive down wages, take away our right to have a union and destroy our communities.
- We must educate workers and union members about these threats, and organize to preserve these hard-won gains. We must work to elect candidates who support workers' right to join a union and the right to a safe job and fair pay for a day's work.
- On this Workers Memorial Day, we remember and pay tribute to those who have lost their lives on the job or who have been injured or made sick. We call for an end to the unnecessary deaths of our brothers and sisters, and action to prevent them.
- On this day, we pledge to fight for safe jobs, the freedom to have a union, economic security, opportunity and a better life for all.
- Mourn for the Dead. Fight for the Living!

## **SAMPLE WORKERS MEMORIAL DAY EVENT ADVISORY**

**Media Advisory for [DATE]**

**Contact:** [NAME, PHONE NUMBER]

### **Workers, Labor Leaders and Community Members to Commemorate [STATE] Workers Who Lost Their Lives on the Job**

*[STATE] working families call for further safety measures in all workplaces*

**[CITY, STATE]** — On [DAY], local workers, union officials and community leaders will gather at [LOCATION] for a [VIGIL/CEREMONY] to honor workers who have died or suffered illness or injuries while on the job. [PROVIDE DETAILS ON THE EVENT]

This year marks an especially urgent fight as the Trump administration continues to roll back and weaken protections and rights for working people. These actions have ranged from repealing, weakening or delaying standards on toxic chemicals and safety hazards like workplace violence, to cutbacks in enforcement, and efforts to eliminate key job safety research and training programs.

Injured workers and the relatives of workers who lost their lives on the job will share their stories at the [VIGIL/CEREMONY] and renew the fight for stronger worker protections across the country. [EVENT] attendees will highlight how the administration's aggressive actions against workplace safety are a dangerous slap in the face to working people.

**WHAT:** [EVENT] to Commemorate Workers Memorial Day

**WHEN:** [DATE AND TIME]

**WHERE:** [ADDRESS]

**WHO:** [LABOR LEADERS/LOCAL ELECTED OFFICIALS/WORKERS]

###

## **SAMPLE WORKERS MEMORIAL DAY EVENT RELEASE**

### **For Immediate Release**

**Contact:** [NAME, PHONE NUMBER]

**[STATE] Working Families Honor [#] Local Workers Who Lost Their Lives on the Job on  
[AT] Workers Memorial Day [VIGIL/CEREMONY]**

**[CITY, STATE, DATE]** — Local workers, officials and community members gathered at [LOCATION] on [DATE] for a Workers Memorial Day [VIGIL/CEREMONY] to commemorate workers who have died or suffered illness or injuries while on the job. They also spoke out against the Trump administration’s aggressive actions against workplace safety, calling them a dangerous slap in the face to working people. [PROVIDE DETAILS ON EVENT]

The most recent data from the Bureau of Labor Statistics shows that [#] workers were killed in [STATE] in 2016, and many more suffered from occupational diseases.

This year marks an especially urgent fight as the Trump administration continues to roll back and weaken protections and rights for working people. These actions have ranged from repealing, weakening or delaying standards on toxic chemicals and safety hazards like workplace violence, to cutbacks in enforcement, and efforts to eliminate key job safety research and training programs.

“Every American has the right to a safe and healthy workplace. Hardworking men and women putting in long hours deserve to know that they’re going to make it home at the end of the day,” said [NAME, TITLE]. “Yet, [STATE] families are here mourning their loved ones. We’re here to fight and end this crisis.”

“Our leaders in government and business should be protecting working people’s lives above all else,” said [NAME, TITLE], local community/faith leader. “Instead, they continue to prioritize profits over people. It’s time for change. Working people deserve good, safe jobs now.”

###



## **SAMPLE WORKERS MEMORIAL DAY LETTERS TO THE EDITOR**

To the Editor:

Workplace deaths and injuries that are as common as they are horrific should be the long-gone legacy of a 19th century textile mill. But, they remain a terrifying reality today. Every day, 150 American workers die from on-the-job accidents and illnesses, while thousands more are injured.

Each year on Workers Memorial Day (April 28), working people gather to commemorate our brothers and sisters who have lost their lives and to demand stronger safety protections on the job.

The Trump administration has launched an all-out assault on worker protections. From undermining the enforcement of safety rules, to rolling back and delaying life-saving safety and health protections, to trying to slash funding for safety training, the president has consistently prioritized profits over people.

Now is the time for change. This Workers Memorial Day, [STATE] working families are standing up for safe workplaces. It is time for President Trump and Congress to do what's right by ensuring good, safe jobs for all.

Sincerely,

Name  
Address

To the Editor:

Since passing workplace safety laws more than four decades ago, the United States has made great strides in making workplaces safer and healthier. Because working people and our unions organized, fought and demanded action, fewer men and women are being killed and injured on the job.

However, that hard-won progress is now at risk, as the Trump administration continues to roll back and delay protections from serious safety hazards, toxic chemicals and workplace violence.

The administration's aggressive actions against workers' safety and health are a dangerous slap in the face to working people. At their core is a desire to prioritize corporate profit over all else.

We won't stand by. Workers will continue to organize through our unions to secure the protections we deserve.

Workers Memorial Day is April 28. On this day we will come together to remember workers killed and injured on the job and renew the call for an end to the outrageous, unnecessary deaths of our brothers and sisters.

Sincerely,

Name  
Address



# **SAMPLE LATINO WORKERS MEMORIAL DAY EVENT ADVISORY (ENGLISH)**

**Media Advisory for [DATE]**

**Contact:** [NAME, PHONE NUMBER]

## **Latino Workers, Labor Leaders and Community Members to Commemorate [STATE] Workers Who Lost Their Lives on the Job**

*[STATE] Latino working families call for further safety measures in all workplaces*

**[CITY, STATE]** — On [DAY], local Latino workers, union officials and community leaders will gather at [LOCATION] for a [VIGIL/CEREMONY] to honor workers who have died or suffered illness or injuries while on the job. [PROVIDE DETAILS ON THE EVENT]

The Trump administration continues to roll back and weaken protections and rights that have been fundamental in reducing the fatality rate for Latino working people. These actions have ranged from repealing, weakening or delaying standards on toxic chemicals and safety hazards like workplace violence, to cutbacks in enforcement, and efforts to eliminate key job safety research and training programs.

Injured Latino workers and the relatives of workers who lost their lives on the job will share their stories at the [VIGIL/CEREMONY] and renew the fight for stronger worker protections across the country. [EVENT] attendees will highlight how the administration's aggressive actions against workplace safety are a dangerous slap in the face to working people.

**WHAT:** [EVENT] to commemorate Workers Memorial Day with Latino working families

**WHEN:** [DATE AND TIME]

**WHERE:** [ADDRESS]

**WHO:** [LABOR LEADERS/LOCAL ELECTED OFFICIALS/LATINO WORKERS]

###

## **SAMPLE LATINO WORKERS MEMORIAL DAY EVENT ADVISORY (SPANISH)**

**Aviso de prensa para [DATE]**

**Contacto:** [NAME, PHONE NUMBER]

**Trabajadores latinos, líderes sindicales y miembros de la comunidad conmemorarán  
trabajadores de [STATE] que han fallecido en sus lugares de trabajo**

*Familias trabajadoras latinas de [STATE] realizan un llamado para mejorar medidas de salud y  
seguridad en los lugares de trabajo*

[CITY, STATE] — Este [DAY XX de abril], trabajadores latinos locales, líderes sindicales y comunitarios se reunirán en [LOCATION] para una [VIGILIA/CEREMONIA] para conmemorar a los trabajadores que han fallecido en sus lugares de trabajo o sufrido lesiones ocupacionales.

Mientras tanto, el gobierno de Trump continúa eliminando y debilitando a protecciones y derechos que han sido fundamentales para la reducción de la tasa de mortalidad ocupacional para la gente trabajadora latina. Estas acciones van desde el rechazo, la debilitación o el retraso de los estándares de químicos tóxicos a peligros de seguridad como violencia en los lugares de trabajo y recortes en la aplicación de las reglas, como también esfuerzos para eliminar programas de entrenamiento y de investigación en el trabajo que han sido claves.

Trabajadores latinos que han sido lesiones y los parientes de trabajadores que han perdido sus vidas mientras trabajaban compartirán sus historias en la [VIGILIA/CEREMONIA] y renovar su lucha por protecciones laborales más fuertes a través de todo el país. Las personas que asistan al evento enfatizarán como las acciones agresivas de este gobierno en contra de la seguridad en los lugares de trabajo son una ofensa peligrosa para la gente trabajadora.

**QUÉ:** Evento para conmemorar el Día de Conmemoración de los Obreros Caídos con familias trabajadoras latinas

**CUÁNDO:** [DATE AND TIME]

**DÓNDE:** [ADDRESS]

**QUIÉN:** [LABOR LEADERS/LOCAL ELECTED OFFICIALS/LATINO WORKERS]

###

## **SAMPLE LATINO WORKERS MEMORIAL DAY EVENT RELEASE (ENGLISH)**

### **For Immediate Release**

**Contact:** [NAME, PHONE NUMBER]

### **[STATE] Latino Working Families Honor [#] Local Workers Who Lost Their Lives on the Job on Workers Memorial Day [VIGIL/CEREMONY]**

[CITY, STATE, DATE] — Local Latino workers, officials and community members gathered at [LOCATION] on [DATE] for a Workers Memorial Day [VIGIL/CEREMONY] to commemorate workers who have died or suffered illness or injuries while on the job. They also spoke out against the Trump administration’s aggressive actions against workplace safety, calling them a dangerous slap in the face to working people. [PROVIDE DETAILS ON EVENT]

The most recent data from the Bureau of Labor Statistics shows that [#] Latino workers were killed in [STATE] in 2016, and many more suffered from occupational diseases.

The Trump administration continues to roll back and weaken protections and rights that have been fundamental in reducing the workplace fatality rate for Latino working people. These actions have ranged from repealing, weakening or delaying standards on toxic chemicals and safety hazards like workplace violence, to cutbacks in enforcement, and efforts to eliminate key job safety research and training programs.

“Every American has the right to a safe and healthy workplace. Hardworking Latinos and Latinas putting in long hours deserve to know that they’re going to make it home at the end of the day,” said [NAME, TITLE]. “Yet, [STATE] Latino families are here mourning their loved ones. We’re here to fight and end this crisis.”

“Our leaders in government and business should be protecting working people’s lives above all else,” said [NAME, TITLE], local community/faith leader. “Instead, they continue to prioritize profits over people. It’s time for change. Latino working people deserve good, safe jobs now.”

###

## **SAMPLE LATINO WORKERS MEMORIAL DAY EVENT RELEASE (SPANISH)**

**Para Divulgación Inmediata**

**Contacto:** [NAME, PHONE NUMBER]

**Este Día de Conmemoración de los Obreros Caídos las familias trabajadoras latinas de [STATE] honran en una [VIGILIA/CEREMONIA] a [#] trabajadores de la comunidad que perdieron sus vidas mientras trabajaban**

[CITY, STATE, DAY de abril] — Trabajadores latinos locales, oficiales y miembros de la comunidad se reunieron este [DAY de abril] en [LOCATION] para una [VIGILIA/CEREMONIA] para conmemorar a los trabajadores que han fallecido en sus lugares de trabajo o sufrido lesiones ocupacionales. También hablaron en contra de las acciones agresivas por parte del gobierno de Trump en contra de la seguridad en los lugares de trabajo, calificándolas como un insulto para la gente trabajadora.

La información más reciente del Buró de Estadísticas Laborales (BLS, por sus siglas en inglés) muestra que [#] de trabajadores latinos fallecieron en [STATE] en 2016, y muchos más sufrieron de enfermedades ocupacionales.

Mientras tanto, el gobierno de Trump continúa eliminando y debilitando a protecciones y derechos que han sido fundamentales para la reducción de la tasa de mortalidad ocupacional para la gente trabajadora latina. Estas acciones van desde el rechazo, la debilitación o el retraso de los estándares de químicos tóxicos hasta peligros de seguridad como violencia en los lugares de trabajo y recortes en la aplicación de las reglas, como también esfuerzos para eliminar programas de entrenamiento y de investigación en el trabajo que han sido claves.

“Cada estadounidense tiene el derecho a un lugar de trabajo seguro y saludable. Las latinas y los latinos que trabajan tan duro poniendo horas extras de trabajo merecen saber que van a poder regresar a su casa en buen estado de salud al final de su jornada laboral”, señaló [NAME, TITLE]. “Aun así, las familias latinas de [STATE] están aquí lamentando la pérdida de las vidas de sus seres queridos. Estamos aquí para luchar y terminar con esta crisis”.

“La prioridad de nuestros líderes en el gobierno y en el sector empresarial debería ser proteger la vida de la gente trabajadora”, dijo [NAME, TITLE], líder religioso/local. “En vez, continúan poniendo a las ganancias sobre la gente. Es hora para un cambio. La gente trabajadora latina merece trabajos buenos y seguros, ahora mismo”.

###

## **TIPS TO GET LATINO COMMUNITY MEMBERS TO YOUR EVENT**

- Build a solid list of Spanish-language and Latino English-language media outlets in your community.
- Contact reporters/editors/publishers/producers directly. Most Spanish-language journalists speak English.
- Compelling personal stories are a must. Latino media focuses on human emotional stories. You will need to find workers with compelling stories who speak fluent Spanish and are willing to speak in front of TV cameras.
- When pitching the event to your local Latino outlets, make sure to highlight that you will have workers at the event who can give their personal testimony.
- Keep in mind that many Latino community publications are weekly or monthly. If possible, try to find the publication's editorial calendar and deadlines.

## **Trump Administration's Worker Safety and Health Record**

### **Rollbacks and Repeals**

Repealed OSHA rule requiring employers to keep accurate injury records (H.J. Res 83).

Repealed Fair Pay and Safe Workplaces rule to hold federal contractors accountable for obeying safety and labor laws (H.J. Res 37).

Issued Executive Order 13771 requiring that for every new protection, two existing safeguards must be repealed.

Issued Executive Order 13777 requiring agencies to identify regulations that are burdensome to industry that should be repealed or modified.

Proposed FY 2019 budget that would slash the Department of Labor's budget by 21%, cutting coal mine enforcement and eliminating worker safety and health training programs; eliminate the Chemical Safety Board; and cut NIOSH's job safety research by \$100 million.

### **Delaying and Weakening Protections**

Reviewing MSHA's coal dust standard to determine whether it should be modified to be less burdensome on industry.

Proposed to weaken OSHA's new beryllium standard for workers in construction and maritime, after delaying the effective date and enforcement of the rule in all sectors.

Delayed enforcement of OSHA's silica standard in construction for 90 days until Sept. 23, 2017, and full enforcement until Oct. 23, 2017, allowing continued high exposures to deadly silica dust.

Delayed the requirement for employers to submit summary injury data to OSHA and announced the intention to revise or revoke other parts of the electronic injury reporting/anti-retaliation rule.

Delayed MSHA's mine examination rule for metal and nonmetal mines until June 2, 2018, and weakened key provisions in the rule.

Delayed EPA's RMP rule to prevent chemical accidents for nearly two years, until Feb. 19, 2019, putting workers, the public and first responders in danger.

Abandoned work on more than a dozen new OSHA rules including rules on styrene, combustible dust and noise in construction. Suspended work on new OSHA standards on workplace violence, infectious diseases, process safety management and emergency preparedness.

Abandoned work on new MSHA rules for civil penalties and refuge alternatives in coal mines, and suspended work on new standards on silica and proximity detection systems for mobile mining equipment.

Withdrew OSHA's walkaround policy that gave nonunion workers the right to have a representative participate in OSHA inspections.

### **Limiting Access to Information and Input**

Stopped posting information on all worker fatalities reported to OSHA.

Stopped issuing press releases on many significant OSHA enforcement cases.

Refused to make public employer injury data reported to OSHA, even though similar data has been posted on OSHA's website for years.

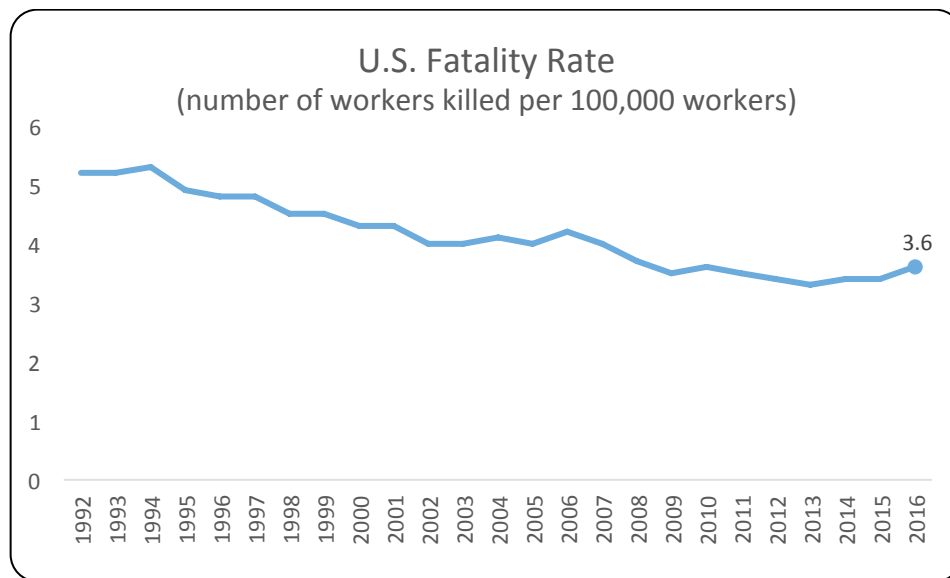
Disbanded OSHA's Federal Advisory Council on Occupational Safety and Health Safety and Health (FACOSH) and Whistleblower Protection Advisory Committee (WPAC).

## SAFETY AND HEALTH FACTS, 2018

### ***MILLIONS OF WORKERS ARE KILLED, INJURED OR DISEASED ON THE JOB***

- More than 579,000 workers' lives have been saved since the passage of the Occupational Safety and Health Act in 1970, but many workers remain in serious danger.
- In 2016, 5,190 workers lost their lives from job-related traumatic injuries and an estimated 50,000–60,000 died from occupational diseases.
- Traumatic workplace deaths increased from 2015.

On average, 150 workers died each day from job-related injuries and illnesses.



- In 2016, employers reported 2.9 million injuries and illnesses in private-sector workplaces and 752,600 injuries and illnesses in state and local public-sector workplaces.
- Workers suffered 285,950 musculoskeletal disorders (MSDs) that resulted in days away from work in 2016. MSDs account for 32% of serious workplace injuries and illnesses, and remain the largest type of job injury.
- Private-sector employers reported injuries at a rate of 2.9 per 100 workers.

Each day, more than 10,000 workers were made ill or injured because of unsafe working conditions.

*The Bureau of Labor Statistics survey, which reports this data, undercounts workplace injuries and illnesses. Research indicates the true toll of job injuries may be two to three times greater than the numbers and rates reported by BLS.*

## ***WORKERS NEED MORE SAFETY AND HEALTH PROTECTION***

- Some groups of workers are at increased risk.

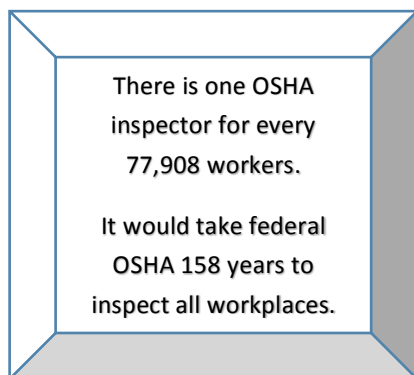
<b>Industry Sector</b>	<b>Fatality Rate 1992</b>	<b>Fatality Rate 2016</b>
<b>All Industries</b>	<b>9.0</b>	<b>3.6</b>
Agriculture, Forestry, Fishing and Hunting	24.0	23.2
Transportation and Warehousing	13.0	14.3
Mining, Quarrying, and Oil and Gas Extraction	27.0	10.1
Construction	14.0	10.1

- Fatality rates in the mining industry have dropped significantly over time, but mining still is very dangerous and, after years of progress, mining deaths are increasing. In 2016, there were 26 mining fatalities—nine in coal and 17 in metal and nonmetal mines, the lowest ever. In 2017, the number of miners killed on the job increased to 28—15 in coal and 13 in metal and nonmetal mines.
- Latino workers are at high risk of job-related deaths, with a fatality rate of 3.7 per 100,000 workers. The fatality rate for Latino workers declined significantly from its peak fatality rate of 6.0 in 2001, but is still greater than the national rate of 3.6. In 2016, there were 879 Latino worker deaths, compared with 903 Latino worker deaths in 2015 and 804 in 2014. The majority (67%) of Latino workers who died on the job in 2016 were immigrant workers.
- A total of 970 foreign-born workers died on the job in 2016. Immigrant workers have a disproportionate rate of injuries, illnesses and fatalities in the workplace largely because they work in dangerous industries, may be particularly vulnerable due to their immigration status and may be subject to employer exploitation.
- In 2016, 36% of all fatalities (1,848 deaths) occurred in workers ages 55 years or older, with 688 of these deaths occurring in workers ages 65 years or older. Workers 65 or older have nearly three times the risk of dying on the job than the overall work population, with a fatality rate of 9.6 per 100,000 workers. Workers ages 55–64 also have an increased fatality risk, with a fatality rate of 4.7 per 100,000 workers.
- There currently is no federal workplace violence standard, with only a few states addressing the problem. In 2016, there were 500 workplace homicides and 291 workplace suicides—the largest number of workplace suicides ever reported by BLS. This is a 20% and 27% increase from 2015, respectively, and the largest increase in workplace suicides since 2008, the year of a major recession. In 2016, employers reported 27,450 serious nonfatal workplace violence injuries, with women workers in health care and social assistance facing the greatest risk of injury.



- Nearly 8 million state and local public employees still lack OSHA protection. The injury and illness rate for state and local public employees was 4.7/100 workers—62% higher than the injury and illness rate for the private-sector workforce (2.9/100 workers).

### ***OSHA IS UNDERFUNDED AND UNDERSTAFFED; PENALTIES ARE TOO LOW***



Federal OSHA now has only 764 safety and health inspectors and state OSHA plans have a combined 1,057 inspectors.

OSHA's current budget (FY 2018) of \$553 million amounts to \$3.61 per worker.

OSHA penalties increased under the Obama administration, but still are too low to be a deterrent.<sup>1</sup>

#### **Penalty for a Serious Violation of the OSH Act**

- In FY 2017, the average penalty for a serious violation of the OSH Act was only \$3,553 for federal OSHA and \$1,849 for OSHA state plans combined.

#### **Penalty for a Worker Death: Slap on the Wrist**

- In FY 2017, the median total penalty in fatality cases investigated by federal OSHA was only \$9,080, reduced to \$7,500 after settlements.

### ***SIGNIFICANT HEALTH AND SAFETY PROBLEMS REMAIN***

- Most chemical hazards are unregulated. Since its creation, OSHA has issued comprehensive standards for only 32 toxic chemicals. Industry groups have attacked OSHA's recent comprehensive standards to protect workers from silica and beryllium exposure. The Trump administration delayed implementation of both of these rules and proposed to weaken the beryllium standard. OSHA's permissible exposure limits (PELs) for chemical hazards remain outdated, and many other chemicals lack regulation altogether, leaving millions of workers at risk of disease and death from workplace chemical exposures. There are new opportunities to

<sup>1</sup> OSHA's penalty policy implemented in FY 2011 increased average OSHA penalties for serious violations from about \$1,000 to \$2,000. Under the OSH Act, the maximum penalty for a serious violation of the law had been only \$7,000. In 2015, Congress passed a law that adjusted OSHA penalties for inflation. The maximum penalty for a serious violation is now \$12,934, and the maximum penalty for a willful or repeat violation is \$129,336.

protect workers from chemical exposure under the new Toxic Substances Control Act reforms passed by Congress in 2016.

- Employers are contracting out more and more work, seeking to reduce costs and shift responsibility. Temporary workers and other contract workers often work in dangerous jobs, with no safety and health protections or training. Contractors accounted for 16% of all worker deaths in 2016.
- Other major safety and health concerns facing workers today include issues of work organization, such as increased hours of work, intensification of work due to downsizing, increased pace of work and inadequate staffing.

### ***THREATS AND CHALLENGES***

- The Trump administration has launched an all-out assault on regulations. The president has ordered the removal of two existing safeguards for every new protection issued. President Trump and Republicans in Congress have overturned a worker safety rule that required employers to keep accurate injury records, and another rule to hold government contractors accountable for obeying safety laws and labor laws.
- The Trump administration has delayed or abandoned the development of important new safety rules. They put protections on workplace violence, infectious disease, process safety management and silica in mining on hold, and entirely abandoned new rules on combustible dust, noise in construction, styrene and other toxic chemicals.
- President Trump is threatening funding for job safety agencies and programs, proposing a 21% cut to the Department of Labor's budget and proposing to eliminate OSHA's worker safety and health training program and the Chemical Safety Board. The president also proposed to cut NIOSH's job safety research budget by \$100 million—a 30% cut in current funding.
- President Trump has appointed pro-industry corporate officials to head OSHA and MSHA.
- The Occupational Safety and Health Act is 47 years old and is out of date. Millions of workers lack coverage, penalties are weak, and worker and union rights are very limited.
- Thousands of workers still face retaliation by their employers for raising job safety concerns or for reporting injuries. The OSH Act's whistleblower and anti-retaliation provisions are too weak to provide adequate protection to workers who try to exercise their legal rights.
- Without a strong commitment by the Trump administration and Congress to worker safety and health protections, employers may reduce their safety and health efforts, turn back the clock and put workers in danger.

**AFL-CIO Safety and Health, April 2018**

# WORKERS MEMORIAL DAY FATALITY DATA GUIDE: HOW TO IDENTIFY WORK-RELATED FATALITIES IN YOUR AREA

## OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

Landing page:

[www.osha.gov/dep/fatcat/dep\\_fatcat.html](http://www.osha.gov/dep/fatcat/dep_fatcat.html)



This OSHA resource provides detailed information on worker fatalities and catastrophes reported to OSHA, such as the date, workplace name/city/state, description of the event, associated inspection number and whether OSHA issued any citations. (The Trump administration removed the workers' names from this list.) This list only includes workplace deaths that OSHA has investigated, which is approximately only one-third of workplace deaths each year. OSHA lists these fatalities by fiscal year (FY); for example, FY 2017 includes fatalities from Oct. 1, 2016, through Sept. 30, 2017. You can use the inspection number to look up more detailed information about the inspection and any related citations here: [www.osha.gov/pls/imis/inspectionNr.html](http://www.osha.gov/pls/imis/inspectionNr.html).

## BUREAU OF LABOR STATISTICS (BLS)

Landing page:

[www.bls.gov/iif/oshstate.htm](http://www.bls.gov/iif/oshstate.htm)

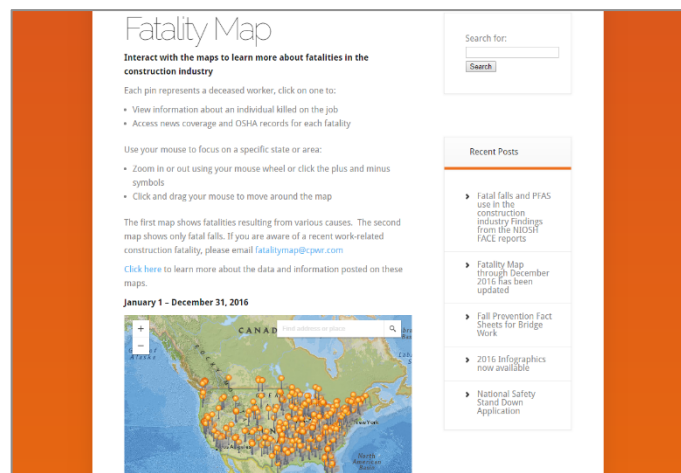


This BLS resource will not provide detailed information about each worker death, but will help you find the total number of work-related fatalities in your state (including deaths not investigated by OSHA). BLS issues data every December from the previous calendar year; for example, in December 2017, BLS released fatality data for calendar year 2016. Click on a state or scroll down the page to find your state and click on the "CFOI" file for fatality counts and fatality rate for each year. This resource produces a table that describes worker deaths by employee status, gender, age, race, source, industry, occupation, location, activity, etc.

## ***CENTER FOR CONSTRUCTION RESEARCH AND TRAINING***

Landing page:

<http://stopconstructionfalls.com/fatality-map/>



This CPWR resource maps individual worker deaths in the construction industry. Each pin on the first map represents a construction worker fatality from any cause and each pin on the second map represents a construction worker who suffered a fatal fall. Click on the pin to find out more demographic details. Find out more about this mapping project, which is part of the Campaign to Prevent Falls in Construction, here: <http://stopconstructionfalls.com/fatality-map/fatality-mapping-project/>.

## ***NATIONAL COUNCIL FOR OCCUPATIONAL SAFETY AND HEALTH***

Landing page:

[www.coshnetwork.org/fatality-database](http://www.coshnetwork.org/fatality-database)



This U.S. Worker Fatality Database is a volunteer effort to document and map the annual toll of workers who die on the job, using government data, such as public sources as news articles and individual reports. This database represents approximately only one-third of worker deaths each year but provides details surrounding each fatal event, where available. You can browse or search the data, view interactive maps of the data and help by reporting a work-related fatality to the database.

## Total, Latino and Foreign-Born Worker Fatalities by State, 2016<sup>1</sup>

Fatalities				Fatalities				Fatalities			
State	Total	Latino	Foreign-born	State	Total	Latino	Foreign-born	State	Total	Latino	Foreign-born
Alabama	100	5	5	Louisiana	95	10	15	Ohio	164	10	10
Alaska	35	--	--	Maine	18	--	1	Oklahoma	92	10	13
Arizona	77	21	25	Maryland	92	14	19	Oregon	72	12	12
Arkansas	68	4	8	Massachusetts	109	10	18	Pennsylvania	163	7	12
California	376	148	151	Michigan	162	7	13	Rhode Island	9	--	1
Colorado	81	23	16	Minnesota	92	6	8	South Carolina	96	9	12
Connecticut	28	4	9	Mississippi	71	--	5	South Dakota	31	3	3
Delaware	12	--	2	Missouri	124	5	6	Tennessee	122	11	12
Florida	309	91	104	Montana	38	--	3	Texas	545	211	156
Georgia	171	16	31	Nebraska	60	--	5	Utah	44	10	11
Hawaii	29	--	4	Nevada	54	14	16	Vermont	10	--	--
Idaho	30	6	6	New Hampshire	22	--	--	Virginia	153	20	34
Illinois	171	27	30	New Jersey	101	26	39	Washington	78	13	13
Indiana	137	3	9	New Mexico	41	16	8	West Virginia	47	--	3
Iowa	76	4	6	New York	272	47	62	Wisconsin	105	4	7
Kansas	74	7	4	North Carolina	174	19	28	Wyoming	34	4	3
Kentucky	92	7	8	North Dakota	28	--	1	Total <sup>2</sup>	5,190	879	970

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

<sup>1</sup>Latino includes both foreign-born and native-born.

<sup>2</sup>Total includes fatalities that may have occurred in the District of Columbia.

Note: Dashes indicate no data reported or data that do not meet BLS publication criteria.

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2016 <sup>1</sup>			Injuries/Illnesses 2016 <sup>2</sup>		Penalties FY 2017 <sup>3</sup>		Inspectors <sup>4,5</sup>		Years to Inspect Each Workplace Once <sup>6</sup>	State or Federal Program
	Number	Rate	Rank <sup>7</sup>	Number	Rate	Average (\$)	Rank <sup>8</sup>	Federal	State		
<b>Alabama</b>	100	5.2	39	35,400	2.7	3,583	15	20	0	123	Federal
<b>Alaska</b>	35	10.6	49	7,300	3.6	1,288	41	3	7	67	State
<b>Arizona</b>	77	2.6	8	53,000	2.9	1,083	45	2	20	117	State
<b>Arkansas</b>	68	5.3	41	20,500	2.4	3,254	24	7	0	293	Federal
<b>California</b>	376	2.2	3	360,100	3.3	7,326	1	6	231	176	State
<b>Colorado</b>	81	3.0	12	N/A	N/A	2,725	30	26	0	170	Federal
<b>Connecticut</b>	28	1.6	1	38,200	3.3	2,824	29	14	5	122	Federal <sup>5</sup>
<b>Delaware</b>	12	2.6	8	8,000	2.6	4,701	2	4	0	219	Federal
<b>Florida</b>	309	3.6	22	N/A	N/A	3,681	13	59	0	270	Federal
<b>Georgia</b>	171	3.9	25	82,300	2.7	3,805	10	42	0	176	Federal
<b>Hawaii</b>	29	2.4	4	13,700	3.5	2,129	33	3	15	48	State
<b>Idaho</b>	30	4.1	28	N/A	N/A	3,202	26	8	0	195	Federal
<b>Illinois</b>	171	2.9	11	111,600	2.7	3,571	17	44	5	146	Federal <sup>5</sup>
<b>Indiana</b>	137	4.5	34	72,400	3.4	1,235	42	2	34	177	State
<b>Iowa</b>	76	4.8	35	40,300	3.7	1,362	39	2	22	108	State
<b>Kansas</b>	74	5.2	39	31,800	3.3	3,016	28	26	0	139	Federal

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2016 <sup>1</sup>			Injuries/Illnesses 2016 <sup>2</sup>		Penalties FY 2017 <sup>3</sup>		Inspectors <sup>4,5</sup>		Years to Inspect Each Workplace Once <sup>6</sup>	State or Federal Program
	Number	Rate	Rank <sup>7</sup>	Number	Rate	Average (\$)	Rank <sup>8</sup>	Federal	State		
Kentucky	92	5.0	37	40,600	3.2	3,333	21	0	27	155	State
Louisiana	95	5.0	37	25,700	1.9	3,811	9	12	0	278	Federal
Maine	18	2.4	4	19,000	4.7	4,303	3	19	3	137	Federal <sup>5</sup>
Maryland	92	3.2	15	48,400	2.8	640	49	6	46	98	State
Massachusetts	109	3.3	19	64,300	2.6	3,752	11	29	0	204	Federal
Michigan	162	3.5	21	97,000	3.3	1,131	44	2	57	53	State
Minnesota	92	3.4	20	62,900	3.3	993	48	0	41	86	State
Mississippi	71	6.3	43	N/A	N/A	3,306	22	10	0	171	Federal
Missouri	124	4.3	30	52,700	2.8	3,645	14	13	0	156	Federal
Montana	38	7.9	48	12,200	4.2	2,149	32	7	0	221	Federal
Nebraska	60	6.3	43	22,400	3.4	3,903	8	8	0	232	Federal
Nevada	54	4.2	29	33,900	3.7	1,133	43	3	40	62	State
New Hampshire	22	3.2	15	N/A	N/A	3,370	20	7	0	154	Federal
New Jersey	101	2.4	4	72,500	2.6	4,205	4	43	13	114	Federal <sup>5</sup>
New Mexico	41	4.9	36	16,900	3.2	1,025	47	0	9	173	State
New York	272	3.1	13	139,500	2.3	3,707	12	65	36	134	Federal <sup>5</sup>

## Profile of Workplace Safety and Health in the United States

State	Fatalities 2016 <sup>1</sup>			Injuries/Illnesses 2016 <sup>2</sup>		Penalties FY 2017 <sup>3</sup>		Inspectors <sup>4,5</sup>		Years to Inspect Each Workplace Once <sup>6</sup>	State or Federal Program
	Number	Rate	Rank <sup>7</sup>	Number	Rate	Average (\$)	Rank <sup>8</sup>	Federal	State		
North Carolina	174	3.7	24	71,500	2.5	1,594	37	2	100	96	State
North Dakota	28	7.0	46	N/A	N/A	3,582	16	8	0	105	Federal
Ohio	164	3.1	13	98,300	2.7	3,907	7	52	0	124	Federal
Oklahoma	92	5.6	42	N/A	N/A	3,299	23	13	0	143	Federal
Oregon	72	3.9	25	50,000	4.0	547	50	4	71	37	State
Pennsylvania	163	2.8	10	138,000	3.3	3,454	19	54	0	150	Federal
Rhode Island	9	1.8	2	N/A	N/A	3,215	25	6	0	132	Federal
South Carolina	96	4.4	32	32,800	2.5	1,042	46	2	18	227	State
South Dakota	31	7.5	47	N/A	N/A	4,176	5	2	0	284	Federal
Tennessee	122	4.3	30	60,200	2.9	1,510	38	0	34	87	State
Texas	545	4.4	32	185,300	2.2	3,481	18	85	0	176	Federal
Utah	44	3.2	15	27,800	2.9	1,315	40	0	19	96	State
Vermont	10	3.2	15	9,300	4.6	1,698	36	0	6	67	State
Virginia	153	4.0	27	63,200	2.5	1,871	34	3	42	107	State
Washington	78	2.4	4	89,200	4.3	1,866	35	3	106	59	State
West Virginia	47	6.6	45	14,700	3.2	3,102	27	6	0	172	Federal



## Profile of Workplace Safety and Health in the United States

State	Fatalities 2016 <sup>1</sup>		Injuries/Illnesses 2016 <sup>2</sup>		Penalties FY 2017 <sup>3</sup>		Inspectors <sup>4,5</sup>		Years to Inspect Each Workplace Once <sup>6</sup>	State or Federal Program
	Number	Rate	Number	Rate	Average (\$)	Rank <sup>8</sup>	Federal	State		
Wisconsin	105	3.6	72,400	3.7	4,068	6	28	0	140	Federal
Wyoming	34	12.3	6,000	3.4	2,188	31	0	6	110	State
<b>Total or National Average:</b>	<b>5,190</b>	<b>3.6</b>	<b>2.9 Million</b>	<b>2.9</b>	<b>2,633<sup>9</sup></b>		<b>1,821<sup>10</sup></b>		<b>126<sup>11</sup></b>	

<sup>1</sup>The state fatality rates are calculated by BLS as deaths per 100,000 workers.

<sup>2</sup>Bureau of Labor Statistics, rate of total cases per 100 workers. Number and rate are for private sector only and include Guam, Puerto Rico and the Virgin Islands.

<sup>3</sup>U.S. Department of Labor, OSHA, OIS Inspection Reports, FY 2017. Penalties shown are average current penalty per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, Maine, New Jersey and New York, averages are based only on federal penalty data.

<sup>4</sup>Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections and does not include supervisory CSHOs. Federal CSHOs provided by OSHA's Directorate of Enforcement Programs, CSHO Count By State as of December 2017. State plan CSHOs provided by OSHA's Directorate of Cooperative and State Programs and includes "on board" safety and health CSHOs from the FY 2018 State Plan Grant Applications as of July 1, 2017. The number of "on board" CSHOs may not accurately reflect the true number of CSHOs actually hired and conducting enforcement inspections due to possible budgetary issues in any particular state.

<sup>5</sup>Under the OSHAct, states may operate their own OSHA programs. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers. Connecticut, Illinois, Maine, New Jersey and New York have state programs covering state and local employees only.

<sup>6</sup>Years to inspect is based on the number of establishments in 2016 and the number of OSHA inspections in FY 2017. The number of establishments in OSHA's jurisdiction includes private-sector establishments (except mining) and federal establishments. For any state with a plan that covers public-sector employees, state and local establishments also are included.

<sup>7</sup>Rankings are based on best-to-worst fatality rate (1–best, 50–worst).

<sup>8</sup>Rankings are based on highest-to-lowest average penalty (\$ per serious violation (1–highest, 50–lowest).

<sup>9</sup>National average is the per citation average for federal OSHA serious penalties and state OSHA plan states' serious penalties combined. Federal serious penalties average \$3,553 per citation; state plan OSHA states average \$1,849 per citation.

<sup>10</sup>Total number of inspectors includes 764 federal OSHA inspectors and 1,057 state OSHA inspectors, including two inspectors in the Virgin Islands and 46 inspectors in Puerto Rico.

<sup>11</sup>Frequency of all covered establishments for all states combined. Average inspection frequency of covered establishments for federal OSHA states is once every 158 years; inspection frequency of covered establishments for state OSHA plan states is once every 102 years. States with their own OSHA program for public employees only (Connecticut, Illinois, Maine, New Jersey and New York) are considered federal states for these averages.

[aflcio.org/WorkersMemorialDay](https://aflcio.org/WorkersMemorialDay)

**AFL-CIO**

RICHARD L. TRUMKA  
President

ELIZABETH H. SHULER  
Secretary-Treasurer

TEFERE GEBRE  
Executive Vice President