

DYING FOR WORK IN MASSACHUSETTS

*Loss of Life and Limb
In Massachusetts Workplaces*



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Workers' Memorial Day **April 28th, 2011**

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Love Lost But No Lost Love

How do we feel when we find out people have died?
It feels like all types of thoughts running through our mind.
We think, we know, there were ways they could have survived,
A loved one lost but no Lost Love.

Family members working, trying to make a living,
Making money to put food in that fridge in their kitchen, and
put food in the stomachs of their children.
Hoping, wishing, people would just listen, so deaths could've
been prevented instead of sitting back being indifferent,
A loved one lost but no Lost Love.

We need safety regulations to help people survive,
There cannot be people dangerously working trying to survive,
on a thin line
Falls at work caused 10 deaths, there were ways people could
Have prevented this, instead of leaving workers breathless and
thinking, dang I'm regretting this.
Family members, workers, labor leaders, and community
members gather around today to get their thoughts off of
their chest.

Love Lost But No Lost Love

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Introduction

The Massachusetts AFL-CIO, the Massachusetts Coalition for Occupational Safety and Health (MassCOSH) and the Western Massachusetts Coalition for Occupational Safety and Health (Western MassCOSH) collaborated to produce the 2011 *Dying for Work in Massachusetts: The Loss of Life and Limb in Massachusetts Workplaces*. The Massachusetts AFL-CIO is the umbrella organization for more than 750 local unions, joint boards and district councils in Massachusetts, representing working men and women across the Commonwealth. MassCOSH and Western MassCOSH are non-profit organizations whose members include workers, unions and health and legal professionals. MassCOSH and Western MassCOSH provide information, training, education, technical services and advocacy, aimed at helping to improve job safety and health conditions in workplaces throughout Massachusetts. MassCOSH provides services in Worcester and east and Western MassCOSH covers west of Worcester.

This report has been compiled to highlight the fact that work continues to kill and maim workers in epidemic and alarming numbers. The saddest aspect to this loss in lives and limbs is that work-related injuries and illnesses are *preventable*.

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1. Massachusetts Department of Public Health (Bureau of Health Statistics, Research and Evaluation and the Cancer Registry)
2. Massachusetts Department of Public Health (Occupational Health Surveillance Program)
3. Massachusetts Department of Industrial Accidents
4. Occupational Safety and Health Administration, Region 1 Office, Boston
5. Massachusetts Division of Occupational Safety
5. The AFL-CIO, Department of Occupational Safety and Health
6. Articles from newspapers throughout Massachusetts
7. The Professional Firefighters of Massachusetts
8. Massachusetts Coalition for Occupational Safety and Health
9. Bureau of Labor Statistics, U.S. Department of Labor
10. Council of State and Territorial Epidemiologists
11. Massachusetts Occupational Lead Poisoning Registry
12. United States Coast Guard
13. University of Massachusetts at Lowell
14. United States Environmental Protection Agency

Executive Summary

April 28, 2011 marks the 23rd observance of Workers' Memorial Day, when we remember workers who were killed, made ill or injured on their jobs. We reflect on the tragedies of the past year and renew our commitment to the fight for safe jobs.

Who Is dying, being injured or made ill at work in Massachusetts?

Forty-seven workers in Massachusetts lost their lives on the job in 2010—most suffered fatal injuries at work. An average of 0.9 worker deaths occurred each week. Included are three firefighters who died from work-related cancer and heart disease.

For every worker killed on the job, ten more die from occupational disease. An estimated 440 workers died in 2010 in Massachusetts from occupational disease. A conservative estimate of 1,800 workers in Massachusetts were newly diagnosed with cancers caused by workplace exposures, and 50,000 more were seriously injured. This report also includes seven servicemen from Massachusetts who died in the War in Afghanistan in 2010.

Over the past five years, consistent with findings reported in the *Dying for Work* report for the last twenty-five years, Massachusetts has seen a fluctuation in the number worker deaths. There has been no consistent upward or downward trend in the rate of worker deaths (deaths per 100,000 workers) over time. There was a notable drop in the number of fatalities in 2010, but several such drops have occurred at various times over the past 26 years only to find an increase the following year (41 fatalities in 1998 followed by 91 fatalities in 1999; 49 fatalities in 2002 followed by 81 fatalities in 2003).

What are their ages and occupations?

The average age at death was 50 years old, with a range of 18 to 77 years. Fifty-three percent of those who were fatally injured on the job were 50 years old or older (25/47 fatalities). Twenty-three percent of those who were fatally injured were age 40-49 and one-quarter of the total deaths were over the age of 60.

The construction industry remains one of the most dangerous for workers with ten on-the-job fatalities occurring in 2010 (21% of total). Four fishermen died on the job, accounting for 9% of the total workplace deaths. Firefighters suffered 5 (7% of total) line of duty fatalities, all due to work-related cancer and heart disease.

What is killing them?

- **Transportation** related accidents accounted for twelve occupational fatalities. Six of the eleven incidents involved a truck or auto crash. In four of those accidents the driver suffered a fatality. Two incidents involved a worker being struck by a car or truck. Four incidents involved a plane or helicopter; in three of those incidents the operator of the aircraft was killed in a crash.
- **Falls** of all types caused nearly one-fifth (9 out of 47) of all occupational fatalities in Massachusetts in 2010. Five of the nine falls occurred in the construction industry.
- **Commercial fishing** claimed the lives of four Massachusetts fishermen in 2010. From 2000 – 2010 commercial fishing has been the most dangerous single occupation in Massachusetts. 51 fishermen died on the job during the eleven year period.

- **Workplace violence** was responsible for the deaths of three workers who were killed during the performance of their work.

What contributes to work-related fatalities, injuries and illnesses?

On July 30, 2010, William Nichols, an electrician, was working in the basement of an under-construction condominium complex in Norfolk, MA when a 1,000 gallon propane tank exploded, fatally injuring William and seriously injuring seven other workers. The explosion was caused by propane that had leaked from the tank and became ignited. OSHA investigated five companies that were working at the jobsite, issuing initial penalties of \$7,000 to two: Energy USA Propane, the company which supplies gas to the building, and Smolinsky Brothers Plumbing and Heating. William’s employer, Deno Electric, was not cited. The penalty against Smolinsky Brothers was later reduced to \$5,000 and the case against Energy USA is not yet closed.

OSHA lacks funding, staff and tools to deter violations. Fatal and serious workplace injuries in 2010 continued to occur because Massachusetts employers ignored OSHA regulations and failed to institute basic safety measures. Strong government regulations and enforcement – including criminal prosecution – is essential, but often lacking.

- OSHA is still understaffed, underfunded and pursues penalties that are too little, too late:
- It would currently take 115 years for OSHA to inspect each workplace under its jurisdiction in Massachusetts.
- In Massachusetts in 2010, the average fine (based on final penalties) assessed to an employer with OSHA violations resulting in the death of a worker was \$5,854.
- Of the seven investigations resulting in a penalty, all were under \$10,000 and four of the seven employers who were cited paid \$5,000 or under for violations resulting in fatalities. Unfortunately, too many employers determine it to be cheaper to violate OSHA regulations than to comply with them, ignoring the potential human costs.

Public sector workers lack OSHA protections

Civil Engineer Gregory Vilidnitsky was inspecting a roadway repaving project on Route 9 in Framingham on the night of Tuesday September 14, 2010 when a red pickup truck hit him and then smashed into an oil truck. Gregory was pronounced dead at the scene. Because Gregory was a Massachusetts state employee, OSHA did not have the jurisdiction to conduct an investigation to determine whether any health and safety standards possibly could have prevented this tragedy.

350,000 public sector workers in Massachusetts who work for the Commonwealth or its political subdivisions lack the protections afforded to their counterparts under the federal Occupational Safety and Health Act.

Latino Workers are disproportionately at risk of fatality

On November 13, 2010, Juan Alvarado, a roofer, was struck in the head and killed by a 60-pound bag of gravel that fell from a four-story building where he was working. Alvarado was part of a roofing crew that was removing gravel from the roof of a building in Salem, MA. OSHA investigated the worksite following the tragedy and cited the employer, Victor Sosa Construction, \$9,780 for three serious OSHA violations that contributed to the tragedy.

Poor working conditions provided by unscrupulous employers continue to plague Latino and other immigrant workers in Massachusetts. The fatality rate for Hispanic workers has consistently been higher than white, non-Hispanic workers over the last five years. Foreign-born workers also tend to have higher fatality rates than American born workers in Massachusetts: 2.7 foreign-born deaths per 100,000 workers compared to 1.9 American-born deaths per 100,000 (DPH data from 2000 – 2007). Language barriers, lack of training, employer exploitation, coupled with fear of retaliation for speaking out about hazards contribute to workplace deaths among immigrant workers.

Temporary Workers Often Work in Dangerous Settings Without Proper Safety Training

Richard Tyson was hired through a temporary employment agency to work at the Yankee Candle Company's Warehouse in Deerfield, MA. On Thursday, August 19, 2010, Richard was working on a high lift rider truck elevated 25 feet above the ground when a second truck struck the lift, knocking it over. Richard fell 25 feet to the ground, striking his head, and died from his injuries later that day. The Yankee Candle Company was fined \$7,000 by OSHA for safety violations that led to the accident. The company has decided to contest the fine.

Many Massachusetts employers use temporary workers to do dangerous work that requires knowledge of known safety hazards as well as proper safety training and equipment. Unfortunately, many temp workers never receive this information. Far too often, employers will hire fly-by-night temporary agencies which fail to provide workers with so much as the name of their employer; making it impossible for workers to pursue workers compensation should they become injured on the job.

Employers increase hazards with work restructuring, then blame workers for resulting injuries

Employers across all sectors on the economy continue to restructure work in ways that are harming workers and making jobs increasingly unsafe. Downsizing, understaffing, work overload, extended hours of work, job combinations, contracting out, lack of training and an overall push for production have been linked with increases in injuries, illnesses, stress and death. Many employers hide the resulting injuries and illnesses by implementing “blame-the-worker” safety programs (e.g. behavior-based safety and injury discipline policies) that discourage workers from reporting injuries and allow hazardous conditions to remain unaddressed. Workplace fatalities, however, are difficult to hide.

Workers are at risk of workplace violence

Stephanie M. Moulton, 25, an assistant manager at a North Suffolk Mental Health residential home, was abducted and killed by a client while at work on January 20, 2011.

In 2010, three workers in Massachusetts were the victims of work-related homicides. In the first three months of 2011, another two workers – both social workers – lost their lives to workplace homicide. According to the U.S. Department of Justice, Federal Bureau of Investigation, of great concern is the likely under-reporting of violence and a persistent perception that assaults are part of the job. This may also be due to lack of employers' violence prevention policies and reporting procedures. Without these violence prevention controls in place, workers who are victims of workplace assault may also fear that they will be blamed for employee negligence or poor job performance.

What is Needed?

There is much that continues to threaten the safety and health of workers. The Massachusetts AFL-CIO, MassCOSH and Western MassCOSH are part of a growing coalition seeking:

At the federal level:

- Strengthened OSHA regulations and enforcement, including use of criminal prosecution to deter employers who recklessly endanger workers' lives.
- Expanded efforts to protect immigrant workers, including increasing the number of bilingual investigators and strengthening whistleblower protections.

At the state level:

- Two years ago on Workers Memorial Day, Governor Patrick issued an executive order establishing health and safety committees in state agencies throughout the Commonwealth. We applaud the Governor for doing so and the Department of Occupational Safety for its tireless efforts to effectively implement Executive Order 511. We encourage the Commonwealth to continue the full implementation of the Executive Order and move as quickly as possible to requiring that all agencies comply with national health and safety standards.
- Improve the Massachusetts Workers Compensation to make it just, fair and accessible to all injured workers.
- Pass 'An Act Updating and Streamlining Employment Agency Law' (House Bill 1393) which requires agencies to provide written notice of key details of job assignments, including, the worksite employer, the type of work to be done, the wages, the right to workers' compensation, as well as a receipt for any charges paid by the applicant.
- Pass 'An Act to Promote the Public Health through Workplace Safety for Social Workers,' (House Bill 592, Senate bill 1206) which would require employers of social workers and human service providers to create safety plans for their workplaces and perform annual risk assessments relative to factors which may put social workers at risk of workplace assault.

At the worksite:

- Staffing levels, workloads and working hours that do not promote workplace injury, illness and death.
- Comprehensive worksite safety programs that focus on identifying and eliminating or reducing hazards.
- A strong, protected and collective voice of workers, through their unions, involved in all aspects of these comprehensive worksite health and safety programs.

In Memoriam

Following are the names of workers in Massachusetts who died from work-related causes in 2010 and through March 31, 2011. The towns and cities listed below are where the workers were injured/made ill. This list also includes fire fighters who died from work-related cancer or heart disease in 2010. The majority of workers who died from occupational *disease* are not listed – no database collects their names. We estimate that for every worker who dies from an acute, traumatic on-the-job injury, ten more die from occupational diseases. We will never know most of their names and faces, but we honor them all. This year, we have once again included a list of servicemen and women from Massachusetts who lost their lives in 2010 and through March 31, 2011 as a result of the wars in Iraq and Afghanistan.

Carlton Soper, 73, Arborist, Georgetown	2/04/10	Michael Urban, 57, Fire Fighter, Framingham	1/07/11
David Zolendziewski, 53, Police Officer, Holyoke	2/11/10	Paul Silveria, 60, Police Lieutenant, Mattapoisett	1/14/11
Geraldo Serrano Sr., 71, Butcher, Boston	2/21/10	Stephanie Moulton, 25, Counselor, Revere	1/20/11
Marcelino Santiago, 47, Truck Driver, Mendon	3/16/10	Giuseppi Cracchiolla, 47, Fisherman, New Bedford	1/28/11
John Liston, 49, Business Proprietor, Middleton	3/17/10	Jose Roldan, 34, Shelter Attendant, Lowell	1/29/11
Kevin Bell, 52, Operations Officer, Fitchburg	3/27/10	Laurent Millville, 55, Cleaner, Belmont	2/05/11
John Boardman, 70, Truck Driver, Newton	3/25/10	Luis Tenezaca Palaguachi, 25, Roofer, New Bedford	2/16/11
Charles Cantave, 36, Mechanic, Boston	3/29/10	Jimi Lee Gibb, 24, Landscaper, Springfield	2/19/11
David Galloway, 42, Fire Fighter, Boston	4/02/10	Victor Vargas, 42, Taxi Cab Driver, Lynnfield	3/04/11
Herbert Pratt, 59, Stock Clerk, Taunton	4/09/10	Daniel Martinez, 33, Auto Detailer, West Springfield	3/23/11
Adolfo Resendes, 64, Machine Operator, Taunton	4/20/10	Raymond Lillstrang, 69, Lead Custodian, Pepperell	3/27/11
John Zuzick, 53, Fisherman Captain, Harwich	4/24/10		
Douglas Jacob, 43, Electrician, Somerset	5/05/10		
Russell West, 49, Project Manager, Erving	5/17/10		
Michael Wheeler, 58, Pilot, Boxboro	5/26/10		
Anthony Viera, 68, Carpenter, Nantucket	6/04/10		
Douglas Loyd, 65, Teacher, Fitchburg	6/04/10		
Gerardo Salvati, 65, Building Manager, Boston	6/17/10		
Douglas Weddleton, 52, State Police Trooper, Mansfield	6/18/10		
Kurt Ward, 35, Railway Worker, Deerfield	7/13/10		
Kevin Turner, 39, Fire Fighter, Worcester	7/19/10		
David Sullivan, 70, Volunteer Fire Fighter, Tolland	7/25/10		
William Nichols, 48, Electrician, Norfolk	7/30/10		
Jakub Murcina, 23, Roofer, Marlborough	8/03/10		
Bryen Brown, 22, Landscaper, Bourne	8/04/10		
David Bennett, 41, Fire Fighter, Amherst	8/13/10		
Richard Tyson, 24, Warehouse Worker, Deerfield	8/19/10		
Michael Costales, 30, Flight Instructor, Beverly	8/27/10		
Viktor Yumatov, 65, Pizza Delivery Driver, Revere	8/28/10		
Richel Nova, 58, Pizza Delivery Driver, Boston	9/01/10		
Greg Misodoulakis, 18, Groundskeeper, Lakeville	9/03/10		
Duane Rine, 51, Fisherman, Gloucester	9/14/10		
Gregory Vilidnitsky, 57, Civil Engineer, Framingham	9/14/10		
Felipe Macias, 49, Roofer, Springfield	9/16/10		
John Woods, 55, Fisherman, Provincetown	10/28/10		
Luis Torez, 42, Fisherman, Gloucester	10/31/10		
Melville Dill, 73, Pilot, Fitchburg	11/06/10		
Juan Alvarado, 39, Roofer, Salem	11/13/10		
Brian LaBonte, 42, Roofer, South Hadley	11/17/10		
Paul Marshall, 77, Farmer, Clarksburg	11/24/10		
Kenneth Marshall, 33, Volunteer Fire Fighter, Rehobeth	11/25/10		
Keith Bonome, 45, Carpenter, Duxbury	11/29/10		
Paul Ciochini, 56, Company Officer, West Yarmouth	11/30/10		
Joseph Wormwood, 38, Carpenter, Everett	12/09/10		
Gregg Andrews, 50, Flight Instructor/Mechanic, Spencer	12/22/10		
John Maguire, 60, Police Officer, Woburn	12/26/10		
Joseph Ferrick, 54, Snow Plow Driver, Boxford	12/26/10		

U.S. Troops from Massachusetts Who Died as a Result of the War in Afghanistan in 2010

Sgt. Robert John Barrett, 21, Army National Guard, Fall River	04/19/10
Sgt. Joshua David Desforges, 23, US Marines, Ludlow	05/12/10
Spc. Scott Anthony Andrews, 21, U.S. Army, Fall River	06/21/10
Spc. Jonathan Michael Curtis, 24, US Army, Belmont	11/01/10
1 st Lt. Scott Francis Milley, 23, US Army, Sudbury	11/20/10
Sgt. James Anthony Ayube II, 25, US Army, Salem	12/08/10
Spc. Ethan Louis Goncalo, 21, Army National Guard, Fall River	12/11/10

A Face Behind the Numbers

Gregory Vilidnitsky



Gregory Vilidnitsky

Civil Engineer Gregory Vilidnitsky was inspecting a roadway repaving project on Route 9 in Framingham on September 14, 2010, when a red pickup truck hit him and then smashed into an oil truck.

Several construction workers chased the individual that fled from the pickup after the accident while the passenger slid into the driver's seat and attempted to drive away. For a short time Vilidnitsky went unnoticed until a truck driver delivering asphalt to the site noticed him lying in the breakdown lane and alerted police and workers. He was struck so hard by the pick-up that he was knocked out of his boots and hard hat which lay next to him on the road.

Greg, who would have turned 58 the next day, was pronounced dead at the scene. The two men in the pickup have been charged with operating under the influence (OUI) and Motor Vehicle Homicide.

Gregory Vilidnitsky had worked for the Massachusetts Department of Transportation (MDOT) for five years. A member of the Massachusetts Organization of State Engineers and Scientists (MOSES), he worked primarily in the field inspecting the construction and reconstruction of highways and bridges. On this particular project Greg was the primary field inspector moving between crews as necessary. Also on this job, he was training several newer MDOT employees on inspecting various construction activities.

“Greg was very well liked and highly respected by his co-workers,” said MOSES President Joe Dorant. “He was highly intelligent, educated and had vast experience in the field of civil engineering.”

There has been speculation that the “moth effect”, where drivers (especially drunk drivers) are drawn to bright lights like moths to a flame, may have been a factor in the Vilidnitsky fatality. The Massachusetts State Police are investigating whether new brighter emergency lights on cruisers or the “moth effect” are to blame for the recent increase in the number of troopers being struck by other vehicles. Seven state troopers were hit while standing outside their cruisers last year and one was killed.

“Greg had an excellent work ethic, a great attitude was always smiling, and was a wonderful role model for younger engineers,” Dorant added. He leaves behind a wife and two sons.

Falls from Heights

In 2010, 19% of all Massachusetts workers who died on the job (7 out of 47) died from a fall. Between 2000 and 2010, 120 workers died as a result of falling from a higher level to a lower level. Of these 120 fatalities, at least 44 involved workers falling from a ladder, scaffold, or girder. Construction workers had the highest number of workers killed, 86 from 2000 – 2010.¹

Workers who lost their lives falling from heights

On September 7, 2010, Felipe Macias, a roofer, fell 30 feet from the roof of a Springfield home. He was installing plywood panels when he lost his balance and fell. He was hospitalized and died 9 days later. An OSHA inspection found that there was inadequate fall protection and that the scaffold was too close to power lines. The company was assessed an initial fine of \$4200. Two years earlier the company was cited for similar fall protection violations.

Adolfo Resendes, a machinist age 64, fell from a ladder on April 20, 2010 at a textile company in Taunton. Three years earlier OSHA cited the company for several violations, with an initial total fine of \$4725.

Hazards and Prevention

Without the proper selection and worker training in the use of ladders, scaffolding, fall protection and other equipment that involves work at heights, workers are at risk of a fall. In the case of ladders, numerous factors contribute to falls including improper setup, ladder slip (top or bottom), overreaching, user slipping on rungs/steps, defective equipment, and improper selection for a given task. There are appropriate uses for stepladders and for extension ladders, but the choice of the wrong ladder for a particular job can put the user at risk for a fall. Important factors to be considered before using or climbing a ladder are placement, securing or tying down, climbing style, angle of inclination, three-point contact, and tasks to be performed.²

What's Needed

Employers must provide workers with the proper equipment, safety training in recognizing the hazards of dangerous work, designate competent persons with control over safety, and allow sufficient time to test equipment and to practice safety procedures. OSHA must be strengthened to expand its efforts to target these dangerous activities that result in falls, and have the capacity to sufficiently penalize employers who require workers to work at an increased, unsafe pace, and to forgo safety measures in order to complete the jobs on an unsafe timetable.

In May, 2010, the US Secretary of Labor announced a new initiative to work with and train local building inspectors on hazards associated with the four leading causes of death at construction sites, including falls. Under this program, building inspectors would notify OSHA when they observe, during the course of their work, unsafe work conditions. OSHA, in turn, would send a federal agency compliance officer to that workplace for a safety inspection. This program, which was piloted in 11 cities (none in Massachusetts), should be evaluated for its effectiveness and replicated in Massachusetts, if shown to have a positive impact.

¹ Dying for Work in Massachusetts - 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010 Mass. AFL-CIO, MassCOSH and Western MassCOSH,

² Falls from Ladders – Safety Alert for Employers and Employees in Massachusetts, Occupational Health Surveillance Program, Massachusetts Department of Public Health

Workplace Violence

Stephanie M. Moulton, 25, an assistant manager at a North Suffolk Mental Health residential home, was abducted and killed by a client while at work on January 20, 2011. She aspired to become a nurse and always wanted to help people, according to her family. She was survived by her fiancé, mother, father, and brother.

In Massachusetts in 2010, three workers were killed as a result of workplace homicide. In the first three months of 2011 along, another two workers – both human service workers – lost their lives to workplace homicide. The loss of life is the most extreme and tragic result of workplace violence, and it is the fourth-leading cause of fatal occupational injury in the United States (NIOSH, 2004).

Hazards and Prevention

While no one is immune from violence at work, certain groups of workers are at increased risk, including health and social service workers, retail workers and taxi drivers (OSHA, 2002). Even healthcare facilities known as "caring places", and once considered immune, now frequently experience workplace violence. Factors that increase risks are: exchanging money with the public, working in the community or in people's homes, working alone and especially at night.

According to the U.S. Department of Justice, Federal Bureau of Investigation, of great concern is the likely under-reporting of violence and a persistent perception that assaults are part of the job. This may also be due to lack of employers' violence prevention policies and reporting procedures. Without these violence prevention controls in place, workers who are victims of workplace assault may also fear that they will be blamed for employee negligence or poor job performance.

Teachers, social workers, and health care workers are also at particular risk; working with people suffering from a variety of problems and living in environments where violence is more likely to occur puts these workforces at increased risk. According to a 2000 U.S. Bureau of Labor Statistics report, 48% of all non-fatal injuries from assaults and violent acts in an occupational setting took place in health care and social services settings. Social workers had an incidence rate of 15 per 10,000 full-time workers for injuries resulting from assaults and acts of violence. Ringstad (2005) reported the results of a national study of 1,029 NASW members, finding that 62% had been subject to psychological aggression in the past year, with 85.5% experiencing this at some point in their careers; additionally, 14.7% had experienced physical assault perpetrated by clients in the past year, with 30.2% having experienced this at some point in their careers.

Just like dangers elsewhere in society, violence and homicide in the workplace occur in a community context. The availability of guns, the criminal justice system, and the prevalence of violence in the community are some of the factors that can also affect workplace violence. Because incidents and hazards associated with actual or potential violence and abuse differ from one facility to another, each employer must develop an individualized plan.

Safe-staffing levels have become an increasingly important factor in assessing risk and deterring violence at work. For social workers and human service workers, appropriately funded and staffed social services are important to keeping both clients and social workers safe. In the context of the current economic crisis, which puts additional strains on people and communities, cuts to Department of Mental Health and Department of Child and Family mean less services for people in need, weakened ability for our social workers and human service workers to fulfill their missions, and potential impacts to the safety of clients and workers alike.

What's Needed

Stephanie's tragic death has devastated her family, friends and co-workers. But, it has also inspired significant attention to worker safety at the Department of Mental Health, which has created a task force to address employee and client safety. This effort also joins others in the field such as the Maximizing Social Worker Safety Task Force that was created in 2008 in response to the murder of social worker Diruhi Mattian by her client.

The Task Force includes private and public social and human service agencies, Massachusetts Schools of Social Work, representatives of Service Employees International Union local 509, and the Massachusetts Chapter of the National Association of Social Workers (NASW-MA). The Department of Children and Families recently completed a safety conference and has an active safety committee stressing training, human resource development and research. The groups have come together in joint efforts to prevent violence and create a safe working environment for social workers and human service workers across the state.

The NASW-MA filed legislation in the 2011-2012 legislative session that addresses workplace violence in mental health settings. An Act to Promote the Public Health through Workplace Safety for Social Workers (H592, S1206) would require employers of social workers and human service providers to create safety plans for their workplaces and perform annual risk assessments relative to factors which may put social workers at risk of workplace assault, including case loads, working with clients with a history of violence, and working high crime areas. The bill also requires agencies to have a crisis plan in place in the event of an incident. By addressing both prevention and crisis response, this bill holistically addresses workplace violence for all employees that provide these vital social services.

The Mass Nurses Association has also been active in responding to the high incidence of workplace violence and recommends that all healthcare employers implement a Workplace Violence Prevention Program that is consistent with OSHA *Guidelines for Preventing Workplace Violence to Health Care and Social Service Workers*. MNA bargaining units are also encouraged to address workplace violence and abuse prevention in contract language with their employers. Last year, the MNA passed into law An Act Relative to Assault and Battery on Health Care Providers, Chapter 151 of the Acts of 2010. In addition, the MNA has filed An Act requiring health care employers to development and implement programs to prevent workplace violence (SB 1237).

Massachusetts Fatal Injuries 2006 - 2010

The past five years, consistent with findings reported in *Dying for Work* for the last twenty five years, have seen a fluctuation in the number worker deaths. There has been no consistent upward or downward trend in either the rate of worker deaths (deaths per 100,000 workers) over time. There was a notable drop in the number of fatalities in 2010, which some occupational health experts attribute to a reduction in residential construction employment and an increase in lay-offs of newer, less experienced workers who are at greater risk of fatal injury.

The fatality rates for public and private sector workers have fluctuated from year to year as well– with public sector rate exceeding that for the private sector in some years and vice versa. Given the similarity in fatality rates among public and private employees, it should be noted that only private sector workers in Massachusetts are covered under the federal Occupational Safety and Health Act.

Some important findings, however, stand out as being constant over time: the high rate of deaths among Hispanic workers compared to non-Hispanic whites and the high rate of deaths among construction workers compared to the overall rate for the state. (See chart below). While these annual rates are based on small numbers and must be interpreted with caution, they are consistent findings for the nation and with increased hazards to which construction and low wage Hispanic workers are commonly exposed. In most years, foreign-born workers have also had higher fatality rates than American born workers in Massachusetts: 2.7 foreign-born deaths per 100,000 workers compared to 1.9 American-born deaths per 100,000 (DPH data from 2000 – 2007). This is in part explained by the fact foreign-born workers tend to have fewer job options and thus are more likely to be employed in higher risk jobs, afraid to speak up for fear of losing their jobs and – too often – are exploited by their employers.

Deaths	2006	2007	2008	2009	2010
All deaths	66	75	68	62	42
Hispanic	7	11	10	5	7
White non-Hispanic	57	61	49	48	33
Public sector	5	6	10	7	7
Private	61	69	58	55	35
Construction	18	24	17	12	12

Rates (deaths per 100,000 employees)	2006	2007	2008	2009	2010
Overall	2.1	2.3	2.1	2.0	1.3
Hispanic*	3.7	5.5	5.7	2.5	3.5
White non-Hispanic	2.1	2.3	1.8	1.8	1.2
Public sector*	1.4	1.7	2.3	1.7	1.8
Private	2.2	2.4	2.1	2.0	1.2
Construction*	8.7	11.8	9.2	7.6	6.9

Employment counts	2006	2007	2008	2009	2010
Overall, MA residents employed in MA	3,190,465	3,250,623	3,243,966	3,160,005	3,213,414
Hispanic	191,606	199,862	176,969	197,050	202,373
White non-Hispanic	2,664,247	2,673,232	2,671,568	2,615,460	2,647,043
Public sector	358,277	355,135	432,895	421,258	396,734
Private	2,832,188	2,895,487	2,811,070	2,738,747	2,816,680
Construction	205,919	204,088	185,756	157,532	173,550

*These rates are based on small numbers and should be interpreted with caution.

Chart provided by the Massachusetts Department of Public Health, Occupational Health Surveillance Program.

Occupational Injuries and Illnesses in Massachusetts

Work-related fatalities are just the most tragic tip of the iceberg. It is hard to document the true extent of work-related injuries and illnesses. In many cases, the data are simply not collected; in other cases, the data collected are far from complete. What we *do* know, however, is cause for much concern.

Massachusetts Employers' Reports of Work-Related Injuries and Illnesses

The Bureau of Labor Statistics (BLS) collects annual statistics on occupational injuries and illnesses in Massachusetts based on a sample of employer records. Studies have shown that these employer injury and illness logs seriously underestimate the extent of job-related injuries and illnesses. In addition, the BLS data does not include injuries and illnesses suffered by public sector workers, household workers or the self-employed in Massachusetts – thousands of workers who are at high risk for on-the-job injuries and illnesses. In fact, each year from 2000-2008, the rate of these more serious cases have been consistently higher in Massachusetts than in the nation as a whole.

A Focus on Health Care Workers in Massachusetts

Healthcare is the largest industry in the state, employing close to 15% of the workforce. According to the BLS Survey described above, healthcare workers in Massachusetts are at higher risk for a variety of injuries and illnesses resulting in lost work time compared with workers in other industries such as construction and manufacturing. Strikingly, the rate of musculoskeletal disorders among Massachusetts hospital workers was double the rate reported for hospital workers nationwide.

Hospital workers are also vulnerable to blood borne disease resulting from injuries with contaminated needles and other sharp devices. 2010 marked the ten year anniversary of the state and federal laws^{3,4} requiring the use of devices with engineered sharps injury prevention features and the involvement of direct care providers in the selection and evaluation of those devices. MDPH regulations have an added surveillance component, requiring MDPH licensed hospitals to submit data on sharps injuries among workers to MDPH annually. Accordingly, the MDPH Sharps Injury Surveillance System has collected information on over 25,000 injuries between 2002 and 2009. The MDPH regulations have helped to decrease the rate of sharps injuries among Massachusetts hospital workers from 19.1 injuries per 100 licensed beds in 2002 to 15.8 injuries per 100 licensed beds in 2009. Despite this progress, nearly half of these injuries involved the use of sharps without safety features, a practice in violation of the 2001 legislation referenced above. This finding highlights the heightened vigilance needed to convert to the use of devices with sharps injury prevention features. Employee involvement in selecting devices, training, as well as evaluation of the various mechanisms will help reduce sharps injury rates further.

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³ General Laws of Massachusetts, MGL Chapter 111 Section 53D. An Act Relative to Needlestick Injury Prevention. Available at: <http://www.mass.gov/legis/laws/seslaw00/si000252.htm>

⁴ Code of Federal Regulations, 29 CFR 1910.1030. OSHA Bloodborne Pathogen Standard. Washington, D.C.: US Printing Office, Office of the Federal Register.

Lead Poisoning: Lead can cause serious health problems in adults as well as in children. Workers in a number of Massachusetts workplaces and industries continue to be exposed to dangerous levels of lead. In 2010, workers aged 15 years or older with high blood lead levels (greater than or equal to 25 µg/dl) were reported to the Massachusetts Occupational Lead Poisoning Registry. Many more may be affected but are never tested despite OSHA regulations that may require such testing, particularly workers in small businesses such as house painters. The majority of Massachusetts workers with high lead levels work in construction (primarily housepainters and de-leaders). Latino workers are at high risk for occupational lead poisoning, and immigrant workers continue to be at increased risk as well.

New EPA legislation may improve protection for children in residences with lead and the workers who do renovation or other construction on those homes. EPA, with enforcement by the Division of Occupational Safety, requires persons whose work disturbs paint in pre-1978 housing and child-occupied facilities be licensed by the state, receive accredited training and certification, and comply with certain work practice requirements. Employers affected by the legislation include residential rental property owners/managers, general contractors, painters, plumbers, carpenters, and electricians. Information on how to comply with the Lead, Renovation, Repair and Painting Rule can be found at: www.mass.gov/dos/lead.

Occupational Health & Safety and Worksite Wellness

In 2008, the MDPH Wellness Division surveyed close to 900 employers in Massachusetts about the policies and programs in place at the worksite to promote the health and well-being of workers. There has been growing recognition locally and nationally of the need to include the protection of workers from on-the-job hazards as part of worksite wellness programs that focus on healthy eating, physical activity, smoking cessation, and stress reduction. So when MDPH conducted the survey, questions about out policies and practices related to occupational safety and health were included. Findings provide new information about occupational health and safety practices in Massachusetts.

MDPH found that about almost one third (31%) of employers did not conduct audits to identify health and safety hazards; and 22% did not have a policy in place for workers to report unsafe working conditions. The survey also revealed that one in five employers had neither a worksite health and safety committee nor a designated person responsible for addressing health and safety hazards. These findings highlight critical gaps that need to be addressed to create safe work environments free of hazards – the benefits of which may include not only decreased rates of on-the-job injuries but also improvements in workers' health, morale and participation in health promotion activities.⁵ A full report of findings can be found at http://www.mass.gov/Eeohhs2/docs/dph/mass_in_motion/worksite_survey_report.pdf. Employers and others interested in worksite assessments can access the survey tool at: http://www.mass.gov/Eeohhs2/docs/dph/mass_in_motion/worksite_survey.pdf.

Occupational Disease

It is even more difficult to document the true scope of work-related disease. Many occupational diseases are never diagnosed as work-related for a variety of reasons, including the fact that the onset of the illness may be many years after exposure to the substance/hazard. There are several tracking systems in Massachusetts that collect data on certain occupational diseases:

Mesothelioma is a rare yet highly fatal cancer of the lining of the lung caused by inhalation of asbestos, nearly always at work. In 2007 (the latest year for which statistics are available), 102 Massachusetts residents were diagnosed with mesothelioma, and the rate of mesothelioma in Massachusetts was consistently higher than that for the nation for the last several years. Mesothelioma takes many years to develop so cases identified today are due to asbestos exposure in the past. High rates of mesothelioma are

⁵ Sorensen G, Stoddard AM, La Montagne AD, Emmons K, Hunt MK, Youngstrom R, McLellan D, Christiani DC. A comprehensive worksite cancer prevention intervention: behavior change results from a randomized control trial. *J Public Health Policy*. 2003. 24(1):5-25.

in large part a legacy of Massachusetts' shipbuilding industry, but concern remains about the presence of asbestos in schools and exposures in the asbestos abatement industry.

Occupational Cancer: In 2007, there were 36,372 newly-diagnosed cancer cases in Massachusetts. Occupational exposures contribute substantially to the burden of cancer, and thousands of cancer cases could be prevented each year in Massachusetts if workers' exposures to cancer-causing agents such as asbestos, silica, the dry-cleaning solvent "perc" or x-rays, were eliminated or reduced.

Work-related Asthma: Workplace exposures can also cause asthma or make asthma worse. According to recent findings from the Massachusetts BRFSS, 40% of adults with asthma report that their asthma was either caused or made worse by exposures at work. Work-related asthma is a reportable condition in Massachusetts, and the Occupational Health Surveillance Program tracks cases reported to the MDPH by health care providers and hospitals. While only a small fraction of all cases are reported to MDPH, they provide important information about industries and occupations where workers are at risk, as well as hazards that need to be corrected. Between 1995 and 2008, health care work in Massachusetts was the most frequently reported occupation among people with job-related asthma followed by work in manufacturing and offices and schools. Over half of all the persons with confirmed work-related asthma worked in the service sector. Commonly reported exposures linked with asthma included cleaning products, poor indoor air quality, dust, chemicals, mold, solvents, smoke, and isocyanates.

Source: Occupational Health Surveillance Program, Massachusetts Department of Public Health, <http://www.mass.gov/dph/ohsp>.

Job Deaths Investigated by OSHA
 (January 1 – December 31, 2010)
 (City and town names indicate where fatality took place)

	Proposed	Actual
3/29/2010 Creative Biomass, Inc. , Fitchburg Kevin Bell, 52, was electrocuted.	\$24,000	Employer contesting fine
4/21/2010 Harodite Industries, Inc. , Taunton Adolfo Resendes, 64, fell from a height.	\$3,600	\$3,600
5/17/2010 C.D. Davenport Inc. , Irving Russell West, 49, was struck by a pipe.	\$3,600	\$2,850
6/17/2010 Ajax Management Partners, LLC , Boston Gerardo Salvati, 65, fell from a ladder.	\$9,000	\$6,750
7/30/2010 EnergyUSA Propane Inc. , Norfolk Smolinsky Bros. Plumbing and Heating , Norfolk William Nichols, 48, was killed in a gas explosion.	\$7,000 \$7,000	Case not closed \$5,000
8/3/2010 A. Jacevicius & Co., Inc. , Marlborough Jakub Murcina, 23, was electrocuted.	\$16,000	\$10,000
8/19/2010 Yankee Candle Co. , South Deerfield Richard Tyson, 24, fell from a high lift rider truck.	\$7,000	Employer contesting fine
9/3/2010 Back Nine club, LLC , Lakeville Greg Misodoulakis, 18, was pinned underwater by a riding lawnmower.	\$4,900	\$3,000
9/16/2010 Lebron Construction , Springfield Felipe Macias, 49, fell from a roof.	\$4,200	Case not closed
11/13/2010 Victor Sosa Construction, Inc. , Salem Juan Alvarado, 39, was struck by roofing debris.	\$12,600	\$9,780
11/17/2010 TLC Exteriors, LLC , South Hadley Brian LaBonte, 42, fell from a height.	Open Investigation	
11/30/2010 Advanced Imaging Technologies , Duxbury Paul Ciochini, 56, fell from an unguarded mezzanine	Open Investigation	
12/9/2010 Shawn Smith Contracting , Everett Joseph Wormwood, 38, fell from a roof.	Open Investigation	

Why OSHA Must Be Strengthened: Examples of Employers Who Knowingly and/or Repeatedly Risky Workers' Lives in Massachusetts

Note: the following are but a few examples of OSHA enforcement actions in 2010 representing cases of egregious employer misconduct in Massachusetts

Multiple Employers Hit With Fines for Putting Workers at Risk of Death or Injury from Falls

Falls are the leading cause of fatalities in the construction industry, accounting for one-third of all workplace fatalities in construction. OSHA enforces regulations that prevent fall hazards in the workplace, or in the event that a fall should occur, can prevent workers from being injured or killed. In 2010, OSHA levied substantial fines on many Massachusetts firms who willfully ignored those regulations, putting their workers at serious risk of falling from a height.

USA Demolition Inc. of Woburn was issued a citation for \$86,950 for multiple violations related to fall hazards at a job site in Burlington. Workers at the site were exposed to falls of 10-20 feet while working on the roof of a building with no fall protection. Additionally, workers were entering and exiting aerial lifts without fall protection, standing on the railing of a scissor lift, and working on an aerial lift without being tied off to the boom or basket.

Jeffrey A. Erskine, OSHA's area director for Middlesex and Essex counties, described the seriousness of the violations, saying, "Basic fall protection safeguards were disregarded at this worksite, thus exposing workers to potentially serious or deadly injuries. This danger was intensified by the employer's failure to train its workers to recognize and avoid such hazards, and by its failure to conduct a competent inspection that would have spotted and eliminated these hazards."

OSHA investigated a jobsite in Brookline after a worker fell 30 feet from a scaffold that he was climbing. **Misdea Enterprises LLC**, a Weymouth masonry contractor, was issued \$61,600 in proposed fines for failing to issue fall protection to workers and for the lack of a ladder on the upper levels of the scaffold.

Miranda Roofing Inc., a Fall River roofing contractor, was issued a citation for failing to provide fall protection at a Portsmouth, RI jobsite where a worker was injured after falling 15 feet from a ladder. An OSHA inspection found several other workers who were working at heights up to 15 feet with no fall protection. Miranda Roofing is a repeat offender, having been cited five times prior to this occasion for failing to provide fall protection at several Massachusetts and Rhode Island job sites. In Chelmsford, another worker was injured after falling 10 feet from a roof. The contractor, **Centimark Corp.**, was issued a citation for \$40,000 for failing to provide adequate fall protection. Centimark has also been cited for similar violations at other job sites.

Star Service Corp. of Braintree was cited \$54,250 for repeatedly exposing workers to fall hazards as they repointed brick from a makeshift 26 foot high work platform comprised of an extension ladder laid horizontally across a scaffold. The workers also lacked proper fall protection gear. **James J. Welch & Co. Inc.** of Salem and **O'Keefe Roofing** of North Reading were issued citations of \$46,500 and \$41,580, respectively, after multiple fall hazards were discovered on their job sites, as well as workers without adequate fall protection.

New Bedford Seafood Processor Fined \$279,000 for Failure to Address Chemical Hazards

American Seafoods International LLC was issued a citation of \$279,000 for failing to address safety and health hazards at their New Bedford processing facility. The plant lacked an adequate Process Safety Management (PSM) program to deal with the many potentially hazardous chemicals used in the plant. The New Bedford plant had experienced a dangerous ammonia leak in the past and proper steps were not taken to prevent a similar leak from reoccurring.

"The requirements of OSHA's PSM standard are stringent and comprehensive because an ammonia leak could have a severe or catastrophic effect on the plant's workers," said Brenda Gordon, OSHA's area director for Boston and southeastern Massachusetts. "In this case, American Seafoods International knew that aspects of its PSM program were incomplete or inadequate and did not take steps to address those deficiencies. It is imperative that this employer scrutinize, update and properly maintain each element of the process to minimize hazards and protect its workers' safety and health."

Six Massachusetts Employers Issued Fines of Over \$60,000 for Cave-In Hazards

Trenching and excavation is recognized as one of the most hazardous operations in the construction industry. According to OSHA, the fatality rate for excavation work is 112% higher than the rate for general construction. Cave-ins are perhaps the most feared trenching and excavation hazard, and several employers in Massachusetts were issued citation and proposed fines for failing to protect their employees from this hazard.

L. Perrina Construction Co. Inc. of Methuen was cited \$166,950 for 23 safety violations due to hazardous working conditions at two worksites in Quincy and Lynnfield. Employees at both sites were exposed to cave-in hazards while working in trenches more than six feet deep that were not protected against the collapse of their sidewalls and lacked a safe means of exit. In addition to other hazards, workers were also exposed to struck-by hazards from material stored at a trench's edge. OSHA inspectors found employees to be improperly trained to recognize and avoid such hazards.

Joseph P. Cardillo & Sons Inc. of Wakefield, **Majestic Mechanical Contractors Inc.** of Tewksbury and **Domenick Zanni Sons Inc.** of Reading were cited \$154,700 in fines when an OSHA inspector found employees working in an unprotected eight foot deep excavation that lacked a ladder or other safe means of exit. Another Massachusetts company, **Telsi Builders** was cited \$91,200 for, along with other safety violations, failing to protect from collapse the sidewalls of excavations up to 14 feet deep at a work-site in Newton. For willfully neglecting to provide cave-in protection on trenches with depths exceeding eight feet, **Welch Corp.** of Brighton received a citation of \$61,000.

Paul Mangiafico, OSHA's area director for Middlesex and Essex counties explains the gravity of the willful risk these contractors were taking: "An unguarded excavation is a tomb in waiting. Its walls can collapse in moments, crushing and burying workers beneath tons of soil before they have a chance to react or escape." All of these instances could have resulted in a potentially devastating cave-in had OSHA not intervened. OSHA requires that excavations five feet or deeper be protected against collapse.

How Much is a Worker's Life Worth?

OSHA Penalties Issued For Employers of Workers Who Died on the Job in Massachusetts 1/1/2010 – 12/31/2010

Year	Number of Settled Cases	Average Proposed Penalty	Average Final Penalty	Percent Reduction in Penalties
2010	7	\$8,100	\$5,854	28%

Note: The dollar amount in the “average proposed penalty” and the “average final penalty” categories do not include cases that are not yet settled, in which employers are contesting their OSHA citations/fines, or are in the 15 day period during which they must decide whether to pay or contest their OSHA citations/fines.

Source: OSHA data from OSHA Region I

What Your Body Is Worth According To the State Workers Compensation System*

Loss of hearing
In one ear: \$31,553.74
In both ears: \$83,780.63

Loss of major arm: \$46,786.58
Minor arm: \$42,434.34
Loss of both arms: \$104,453.76

Loss of leg: \$42,434.44

Loss of foot: \$31,553.74



Loss of sight
In one eye: \$42,434.34
In both eyes: \$104,453.76

Loss of taste: \$17,408.96

Loss of major hand:
\$36,994.04

Loss of sexual function:
\$10,880.60

10” scar on your leg: \$0

*The rates quoted apply to losses following a work-related
Injury occurring after October 1, 2010
Source: Massachusetts Department of Industrial Accidents (DIA)

Deaths from Workplace Injuries in Massachusetts (1986-2010)

During the 24-year period, 1986-2010, 310 out of the Commonwealth's 351 cities and towns have had a worker killed on the job from acute traumatic injuries. This represents over three-quarters of all communities in our Commonwealth.

Summary List of Cities/Towns and Number of Deaths

Abington:	1	Burlington	4	Grafton:	3
Acton:	3	Brookfield:	1	Great Barrington:	5
Acushnet:	5	Cambridge:	33	Granville	1
Adams:	1	Canton:	4	Granby:	3
Agawam:	5	Carver:	1	Greenfield:	3
Amesbury:	1	Centerville:	1	Groton:	2
Amherst	2	Charlton:	8	Hadley:	4
Andover:	7	Chatham:	11	Halifax:	2
Arlington:	3	Chelmsford:	7	Hamilton:	1
Ashburnham:	3	Chelsea:	15	Hancock:	2
Ashland	1	Cheshire:	1	Hanover:	2
Ashby	1	Chester:	1	Hanson:	1
Assonet	1	Chicopee:	11	Hampden:	1
Athol:	4	Chilmark	1	Harvard:	1
Attleboro:	10	Clarksburg:	3	Harwich:	4
Auburn:	3	Clinton:	3	Hatfield	1
Avon:	1	Cohasset:	47	Haverhill:	9
Barnstable:	8	Colrain:	1	Hingham:	4
Barre:	2	Concord:	5	Hinsdale:	3
Beckett:	1	Cummington:	1	Holbrook:	4
Bedford:	8	Dalton:	2	Holden:	4
Belchertown:	3	Danvers:	7	Holland:	1
Bellingham:	4	Dartmouth:	6	Holliston:	2
Belmont	1	Dedham:	1	Holyoke:	16
Berkley:	2	Deerfield:	7	Hopedale:	3
Berlin	1	Dennis:	2	Hopkinton:	3
Bernardston:	1	Dighton:	5	Hudson:	4
Beverly:	9	Dracut:	5	Hull:	3
Billerica:	5	Dunstable	1	Huntington:	2
Blackstone	2	Duxbury:	5	Hyannis:	10
Boston *:	228	E. Bridgewater:	1	Hyde Park	2
Allston:	4	E. Falmouth	1	Ipswich:	4
Charlestown:	4	E. Longmeadow:	1	Irving	1
Dorchester:	28	Easton:	3	Kingston:	4
East Boston**:	72	Eastham:	1	Lakeville:	4
Jamaica Plain:	1	Edgartown:	3	Lancaster	1
Roslindale:	2	Egremont:	1	Lawrence:	8
Roxbury:	9	Erving:	2	Lee:	3
South Boston:	9	Everett:	12	Leicester:	2
W. Roxbury:	1	Fairhaven:	8	Leominster:	14
Bourne:	9	Fall River:	25	Leyden:	1
Boxford:	3	Falmouth/N Falmouth:	10	Lexington:	8
Boxborough:	4	Fitchburg:	12	Lincoln:	5
Braintree:	10	Florida:	1	Littleton:	5
Brewster	2	Foxboro:	3	Longmeadow	2
Bridgewater:	8	Framingham:	8	Lowell:	17
Brighton:	2	Franklin:	7	Ludlow:	6
Brimfield:	2	Freetown:	4	Lunenburg:	1
Brockton:	25	Gardner:	3	Lynn:	16
Brookline:	13	Gay Head:	1	Malden:	7
		Georgetown	1	Manchester:	2
		Gloucester:	31	Mansfield:	8

Marblehead	1	Oxford:	2	Stow	1
Marlborough:	14	Palmer:	8	Taunton:	13
Marshfield:	4	Paxton:	1	Templeton	1
Martha's Vineyard:	2	Peabody:	5	Tewksbury:	6
Mashpee:	2	Pembroke	4	Truro	1
Mattapoissett:	2	Pepperell:	1	Tisbury:	1
Medford:	7	Petersham:	2	Townsend:	2
Medfield	1	Pittsfield:	10	Tyringham	3
Medway:	2	Plainville:	3	Tyngsboro	1
Melrose	3	Plymouth:	23	Upton:	1
Mendon:	3	Princeton:	1	Wakefield:	17
Methuen:	9	Provincetown:	8	Walpole:	10
Middelboro:	2	Quincy:	14	Waltham:	11
Middlebury:	1	Randolph:	5	Ware:	2
Middlesex	1	Raynham:	3	Wareham:	7
Middleton:	2	Reading:	2	Warren	1
Milford:	4	Rehoboth:	5	Watertown:	2
Millbury:	4	Revere:	8	Wayland:	3
Millis:	2	Rochester:	4	Webster:	4
Monson:	1	Rockport:	2	Wellesley:	4
Monterey:	1	Rowley	1	Wellfleet:	1
Nahant *:	1	Rutland	1	Wenham:	1
Nantucket:	19	Russell:	1	West Bridgewater:	4
Natick	2	Salem:	17	West Brookfield	1
Needham:	3	Salisbury:	3	West Chatham:	1
New Bedford*	47	Sandsfield	1	West Falmouth:	2
Newbury:	2	Sandwich:	1	West Springfield:	11
Newburyport:	6	Saugus:	6	West Stockbridge:	1
Newton:	25	Saxonville:	1	West Wareham	1
Norfolk:	2	Scituate:	5	Westborough:	4
North Adams:	9	Seekonk:	5	Westfield:	12
North Attleboro:	6	Sharon:	3	Westford:	8
North Andover:	7	Shelburne:	1	Westminster:	5
North Billerica:	3	Shirley:	1	Westport*:	6
North Chelmsford:	1	Shrewsbury:	10	Weston:	3
North Dartmouth:	1	Somerset	1	Westwood:	5
North Dighton:	1	Somerville:	17	Weymouth:	5
North Grafton:	1	South Dartmouth:	1	Whately:	2
North Reading	3	South Hadley:	5	Whitman:	1
Northampton:	7	South Lee:	1	Wilbraham:	3
Northboro:	4	Southborough:	2	Williamsburg:	2
Northbridge:	1	Southbridge:	3	Williamstown:	7
Northfield:	1	Southwick:	1	Wilmington:	2
Northington:	2	Spencer:	6	Winchendon	1
Norton:	4	Springfield:	24	Winchester:	3
Norwell:	1	Sterling:	1	Windsor:	3
Norwood:	2	Stockbridge:	2	Winthrop:	2
Oak Bluff:	1	Stoneham:	2	Woburn:	17
Orange:	2	Stoughton:	4	Worcester:	52
Orleans	2	Sturbridge:	2	Woods Hole:	3
Otis:	1	Sudbury:	4	Wrentham:	5
Oxbridge:	2	Sutton:	2	Yarmouth:	7
		Swampscott:	1		
Blank Death Certificate:	3			Unknown Homeport:	8

*Some of the fisherman deaths had these cities as home ports. **65 of the 72 deaths from East Boston are attributed to workers who died as part of the 9/11/01 terrorist attacks. Sources: Mass Department of Public Health, OSHA, and newspaper articles.

**Summary of OSHA 11(c) Complaints (Anti-discrimination/retaliation Complaints)
Filed in Massachusetts for Calendar Years 1999-2009**

[Note: Workers file OSHA 11(c) complaints when they have been discriminated against, disciplined or fired for raising health and safety concerns, calling OSHA and/or for exercising other legal rights covered by the Occupational Safety and Health Act. Section 11(c) of the Occupational Safety and Health Act is supposed to protect workers who have suffered such illegal discrimination.]

	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Total number of OSHA 11(c) complaints filed in Massachusetts:	56	66	38	47	43	32	24	25	35	30	31
Number of these complaints that involved job loss:	34	48	37	44	42	28	23	21	29	27	24
Number of these complaints dismissed by OSHA as not having merit:	23	35	30	36	30	22	13	12	20	7	5
Number of these complaints withdrawn by complainant:	7	5	4	4	4	0	1	2	4	4	4
Number of these complaints determined by OSHA to have merit:	9	14	3	10	4	3	4	0	0	9	8
Number of these complaints involving job loss which were settled by OSHA:	8	10	4	9	9	6	7	12	11	9	6
Number of these complaints where complainant sought job reinstatement:	2	12	24	22	28	13	12	9	1	27	24
Number of settlements involving job reinstatement and back pay:	0	0	1	2	2	2	0	3	1	0	2
Number of settlements involving back pay but no reinstatement:	7	9	3	6	3	3	8	6	10	9	5
Number of 11(c) complaints in which the Solicitor of Labor sought punitive damages:	2	0	0	0	1	0	0	0	0	0	0
Number of OSHA staff in Massachusetts in devoted to investigating 11(c) complaints:	3	3.25	3	3	3	3	4	2.5	4	4	4

Source: OSHA Region I Office