Worker Memorial Day

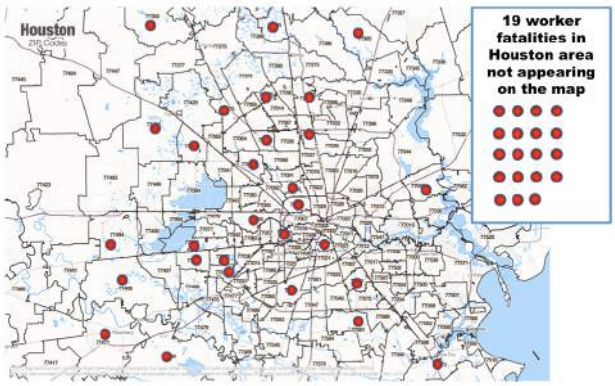
Report: Deaths at Houston Workplaces in 2013

Mourn for the dead, and fight for the living.

Across the globe on April 28 each year, workers, families, faith and justice leaders, and health and safety activists join together to remember individuals who died from a work-related injury or illness. In the U.S. last year, about 5,000 workers died from fatal work-related traumatic injuries. Hundreds of thousands more were injured or made ill from hazards on the job. Nearly, if not all of these incidents could have been prevented.

Workers in Houston are not immune from work-related injuries, illnesses and deaths. The federal Occupational Safety and Health Administration (OSHA)---the agency responsible for enforcing worker safety regulations---investigated 47 incidents in Houston workplaces where a worker was fatally injured on-the-job. In many of these cases, OSHA inspectors cited the employers for violating worker safety standards.

Location of Worker Fatalities in Houston by Zip Code



The Houston workers who were victims of these work-related deaths ranged in age from 19 to 68. Their jobs ranged from machine operators and laborers, to tree trimmers, oil workers, and truck drivers. Some worked at machine shops, warehouses, and constructions sites. Other workers, whose deaths are not investigated by OSHA, succumb to work-related diseases, such as silicosis, leukemia and lung cancer.

Across the whole United States, about 12 workers die each day from traumatic work-related injuries. In 2012 (the most recent year with data available) 531 workers in Texas were fatally injured on-the-job. They left behind families, friends and co-workers. Nearly every week in Houston, a worker is the victim of a work-related fatal injury.

Remembering a husband

Losing my husband, my best friend, my love has left an empty space in my heart. The pain is indescribable. Nothing will ever be the same again. I have to learn how to live again, how to enjoy life, how to smile, how to be happy without feeling guilty, how to deal with this pain, how to deal with lonely nights.

My life completely changed because someone put a price tag on my husband, because they did not do the right thing. I feel empty and broken. What hurts the most is that his death was preventable. I would give everything to hold his hand again, hug him, or just see his smile.

Every day I have to fight a battle. I do not want this to happen to anyone. Although this is a long and difficult journey, I have chosen to fight in his name and for others, and to make a difference in someone's life. My fight…his fight… has just started!

- Adriana Martinez
  (wife of Orestes Martinez, fatally injured in 2009 while working for Vaughn Construction)

Nationally, for every 200,000 full-time workers, seven workers are killed on the job. In Texas, the rate is higher at eight workers. In the 50 States, Texas ranks in the bottom half of the ranking of occupational fatal injury rates.

We honor, by name, the following workers who were killed on-the-job in 2013 in the Houston area. For those workers for whom we do not have a name, we have not forgotten you.

Names and ages of workers killed on-the-job in 2013 in the Houston Area:

Oscar Alfaro, 57
Rafael Alexander Almanza, 2
Mondale Armstrong, 26
Alberto Barcenas, 60
Oscar Chavez, 29
Dustin Creekmore, 24
Jose Manuel Cruz-Mora, 33
Kevin Fairman
Jacob Felps, 37
Drake Floyd, 19
Rafael Guerrero
Juan Hernandez, 40
Mark Honeseyett, 42
Bardomiano Jaimes, 47
Robert Shelby Jones, 22
Josh Kroll, 27
Dustin Kruthaupt, 19
Mr. Kuentz, 30
Eugene Lara, 42
Fred M. Escamilla, 37
Otilio Macedo-Soto, 53
Kerry Marley, 54
James May, 40
Chad McDonald, 29
Jaime Mejia, 32
Jose Munguia, 30
Ronald Newman, 52
Merrill Norphrup, 48
Javier Ortiz
John Parker, 55
Eusebio Reyna, 49
George A. Robertson, 50
Marco Rodriguez, 43
Miguel Rodriguez, 34
Oswaldo Valenti Sanchez, 34
Lincoln Smith, 30
Ismael Lopez Tellez, 43
Feliciano Puerta, 49
Terry Thomas Jr., 29
Antonio Torres, 20
Reginaldo Valdez, 31
Juan Vega, 52
Victor Veillon, 55
Jose Antonio Ventura, 68
Glen White, 31
Arron Williams, 38
Jarrod Wittenhaben, 38

A few stories behind the fatality numbers

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Kevin O'Neal Fairman, 27, was killed on-the-job in April 2013 when he was struck by a track hoe at a pipeline installation project. His employer, Sunland Construction Inc. was cited by OSHA for a serious violation. The company paid a $7,000 penalty.

(Continued)

Houston firefighters, Robert Bebee, 41, Robert Garner, 29, Matthew Renaud, 35, and Anne Sullivan, 24 were fatally injured while fighting a five-alarm fire on May 31, 2013. The catastrophic blaze occurred at the Southwest Inn along US 59. The death of these four firefighters is the deadliest event in the history of the Houston Fire Department.

Ismael Lopez Tellez, 43, was a temp worker who was killed on-the-job in July 2013 when he was pulled into a piece of machinery. The jobsite was located on W. 34th Street near the 610 Loop and N. Shepherd. The firm, Consolidated Distributors, is a recycling facility. Following an OSHA inspection of the scene, the agency issued citations for four serious violations, including those related to machine guarding and de-energizing equipment (lock-out/tag-out). OSHA proposed a penalty of $13,800. Consolidated Distributors and OSHA settled the case and the employer agreed to pay a $9,660 penalty. (Press reports indicate the firm did not have workers compensation insurance.)

Rejinaldo Valdez, 31, was killed on-the-job in August 2013 when he fell 11 floors down an elevator shaft. The jobsite was located at 2929 Weslayan Street in Houston. His employer, United Forming, failed to ensure that a scaffold was erected properly, and that it was not overloaded. Following OSHA's inspection of the scene, the agency issued citations for four serious violations and proposed a penalty of $21,000. United Forming and OSHA settled the case and the employer paid a $14,000 penalty.

Drake Floyd, 19, was killed on-the-job in August 2013 when he was struck by a forklift. His employer, McCoy's Building Supply, failed, among other things, to ensure the forklift was in proper working order. Following OSHA's inspection of the scene, the agency issued citations for three serious violations and proposed a penalty of $19,000. McCoy's Building Supply is contesting the citations and penalty.

Trends of Risk and Hazards

Workers at risk: tree trimming, roofing, road construction

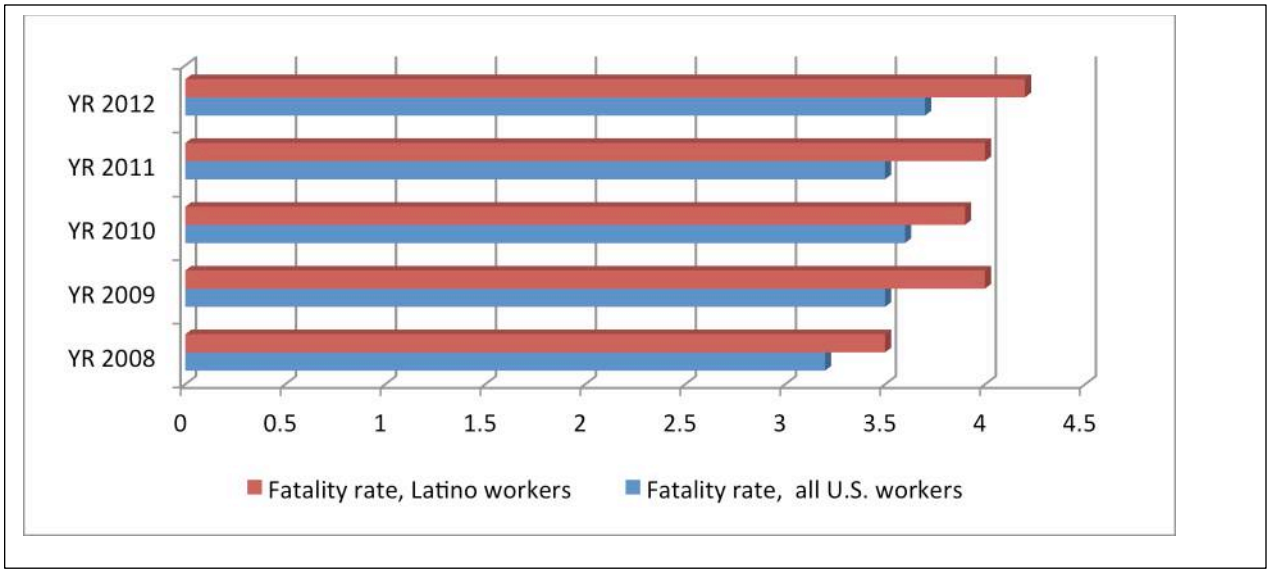
Health and safety hazards exist in all occupations. Unguarded machinery can cause amputations and death. Rickety scaffolds can cause disabling injuries and deaths from falls. The fumes from cleaning chemicals and solvents can adversely affect workers' health and be fatal in high concentrations.

Workers doing tree trimming, roofing, and highway, street and bridge construction are at particular risk of death on-the-job. In recent years, OSHA has investigated the deaths of more than 400 incidents nationwide involving workers killed while doing these jobs. Nearly three dozen of these deaths occurred among workers in Houston.

The fatalities among tree trimmers and other landscaping workers were dominated by falls. Sixty-one

Workplace Fatality Rate, U.S.

Source: Bureau of Labor Statistics



Remembering a father

I think that as we get older, the child-like mentality of our parents being invincible, fearless and indestructible stays with us. With that being said, you can imagine the horror we felt when our father succumbed to injuries sustained in a workplace incident on November 12, 2004. It was the first, and also the worst life changing moment for us. For the first time in our lives, something was out of our control. None of us will ever forget that feeling of being so scared you were just numb.

We are forever grateful to have been blessed with such an amazing father/role model, even if it was not for as long as we would have liked. His words and actions will live on through us and his grandchildren. We think about him every day and will continue to do so for the rest of our lives.

Worker's Memorial Day is a day to honor him and all others who have lost their lives in the workplace. It is a time to remember and honor them, but also a time to educate everyone on the thousands of workers who are killed or injured on the job every day. Even though it may be in the media for a little while, some families live with the aftermath forever. No family should have to go through what ours has."

For you, Daddy,

Katherine Rodriguez, Ann Kelley, Jennifer Ornelas and Joanna Knape (Daughters of Ray Gonzalez, fatally injured in 2004 while working for British Petroleum (BP))

percent of the falls were from trees. The deaths in the street and bridge construction industry most often involved the worker being struck by a vehicle. This included motor vehicles that traveled into the work zone, and by construction vehicles operating in the work zone itself. Among the deaths in the roofing industry, nearly 74 percent of the fatalities were from falls, mostly from roofs. Other fall-related deaths among roofers included falls from ladders and scaffolds, and falling through skylights.

Stories from workers who have been injured on-the-job

When the Occupational Safety and Health Act was passed by Congress in 1970, it gave workers an explicit right to a safety and healthy workplace. The law places responsibility on employers to comply with all worker safety regulations and to fix recognized hazards. It is the employers duty to provide safety training and hardhats, safety goggles, respirators and other protection equipment to workers at no cost.

A worker dying on the job is the gravest event arising out of unsafe workplaces. But many workers are also seriously injured or made ill because of on-the-job hazards. Here are just too examples:

Marcos Vasquez Membreño had worked for six years for American Bor and Trench (now called D & B Cable.) While working on a project for Center Point Energy, his hand was pulled into a machine that he was trying to repair. His hand was severely damaged and one finger was amputated. Mr. Membreño's life was changed forever. His employer did not pay his medical expenses and he accumulated more than $40,000 in medical related expenses.

Rodolfo Elisalde was working to remodel houses for B & C Homes. In February 2013, he fell about 8 feet from scaffold. He suffered a broken arm. His employer said they would pay for his medical bills and continue to pay part of his salary until he recovered. But what they said and what they did was a different story. They asked him to work with one arm or otherwise they wouldn't pay him. He could not do his job well with his broken arm and the company told him they didn't need him any longer.

Local occupational safety and health initiatives

Houston workers are launching into action to defend their livelihood, to ensure jobs provide a ladder out of poverty rather than an all too hasty ride to the hospital or the grave. Here we highlight three of the many innovative safety and health initiatives in Houston.

If it's silica, it's not just dust.

Jose Granados and Santos Edilberto Almendares, members of the Fe y Justicia Worker Center, traveled to Washington, DC in March 2014 to talk about dust. Not just any dust, but respirable crystalline silica to which they have been exposed on-the-job. Thousands of workers in Houston are exposed to it when they cut bricks or cement, saw or polish granite, do foundry work, and many other jobs.

Silica dust (also called quartz) is one of the oldest occupational hazards. Exposure to it causes the disabling and deadly disease silicosis, and is also associated with lung cancer, chronic bronchitis, kidney disease and auto-immune disorders. Despite the severity of the hazard, there is currently no OSHA regulation to protect workers who are exposed to silica dust. In September 2013, OSHA proposed to adopt one and that led Jose and Santos to the nation's capital.

Their path began when Fe y Justicia developed a popular-education based workshop for members to learn about silica's health effects, available controls and discuss their on-the-job experience and exposure to the deadly dust. Houston workers began sharing their vision for an OSHA regulation that would respond to the needs of construction workers, defining worker health as the bottom line. Fe y Justicia members collected over 100 comments on OSHA's proposed rule.

Moved by the stories and convictions of their peers, Jose and Santos went to testify before OSHA in support of its proposed rule, and met with officials on Capitol Hill to explain why the regulation should be adopted and improved.

"They [our employers] only care that the construction project will be completed on time.

They don't care that we work long hours, and we are exposed all those hours, they don't give us any protective equipment, do not use water or any equipment to vacuum away the dust.

Some coworkers are afraid to report what happens, because the first thing the company tells us that if we do not want to work in that conditions, if we do not like, we have to go to work somewhere else."

– Jose Granados

OSHA hears from low-wage immigrant workers so infrequently that their testifying what the first time in the organization's history that workers have testified in Spanish. This points to a historic disenfranchisement of the most vulnerable workers in the conversations and rule-making process that affect their daily lives.

Opposition from many in the business community is fierce. A silica rule will not be put in place without a fight.

Promoting long-term health for temp workers

The safety of temporary workers employed by staffing agencies is an initiative by OSHA both nationally and locally in the Houston area. The local Houston North OSHA offices held several workshops in the past months to explain the joint responsibility for the safety of the temporary employee by both the staffing agency and the Host employer.

Going forward in 2014 the Houston North office is looking at ways to reach temporary employees themselves and through worker groups to ensure they understand that OSHA requires temporary employees to be trained on the hazards of the job and ways to protect themselves.

When it comes to safety and health temporary employees must be trained just like everyone else. Employees exposed to hazards or who have not received required OSHA training can contact the local OSHA offices to file a complaint. Names are kept confidential and employees are protected from discrimination for exercising their rights under 11(c) of the Act.

Green cleaning in domestic and janitorial industries

Statistics. While many workers know toxic chemicals are present in cleaning products, the key questions how to know what toxic chemicals are in which products and how do they affect workers' health; information workers too often to not have access to.

Fe y Justicia Worker Center's Domestic Worker Program "La Colmena" developed a participatory training for workers with the goal of empowering house cleaners (and other domestic workers like nannies and caregivers whose responsibilities include cleaning) and janitors with information on the health risks of popular cleaning products and alternative options and strategies.

Domestic and janitorial workers at a green cleaning workshop at Fe y Justicia Worker Center

The training generates consciousness around the impact of chemicals on the environment and exposes the human health dangers of mixing certain products together especially in unventilated spaces. Women participating in these trainings had experienced symptoms such as asthma, eyesight problems, rashes, and chemical burns, but assumed their health problems were caused by something else. Participants also discuss the economic impact of associated healthcare costs from longterm health effects of harsh cleaning chemicals. On the flip-side they also discuss the advantage of the lower costs of making ones own liquids, practicing mixing natural ingredients and testing them out.

Finally, and perhaps most importantly, these workshops are empowering cleaning workers with negotiation and communication skills to educate their employers about green cleaning options, and defend their rights.

Sponsoring Organizations

The following organizations helped commemorate this year's Worker Memorial Day activities in Houston, TX

For media inquiries, volunteer opportunities or additional resources contact fjwc@houstonworkers.org or call 713-862-8222.