This webinar is adapted from the training curriculum *Seguridad en las Lecherías: Immigrant Dairy Worker Health and Safety Training* developed by the National Farm Medicine Center and Migrant Clinicians Network.
We will learn

- Rights and responsibilities of workers surrounding safety and health
- Government agency responsible for worker safety and health
- Workers’ Compensation
- Importance of reporting work-related injuries and illnesses
- Role of Community Health Worker

Construction worker dies after falling 53 stories from downtown L.A. high-rise
Veronica Rocha, James Quatralli, Thomas Curwen
Los Angeles Times
March 18, 2016
Los Angeles, CA - An electrician in just his second day of work at the downtown Los Angeles Wilshire Grand construction site fell 53 stories to his death Thursday, kicking off an evacuation of the building.

The man, who was identified Friday as Joseph Rodriguez, 36, of Palmdale, struck the rear of a woman's car on Wilshire Boulevard around 7:30 a.m., according to Sgt. Barry Montgomery, a Los Angeles Police Department spokesperson.

"Top-notch" Hazelton Dairy Employee who Drowned Identified
Alex Riggle
Stack Valley
February 21, 2016
Hazelton, ID - The owner of a dairy where a worker drowned in a waste pond Tuesday said the man was a hard-working father and "top-notch guy."

Ruben Valez-Caceres, 37, of Hazelton was pulled from the waste pond about 4 p.m. Tuesday, about 10 hours after the boy truck pond.

The cause of death was accidental drowning, Adams County Coroner Gerald Grant said.

Report: Farmworker’s death should have been prevented
Maria Perez
Naples Daily News
December 23, 2015
Homestead, FL - The employer of a farmworker who died picking oranges in an Immokalee grove after showing signs of heat exhaustion failed to follow workplace safety regulations, according to the federal agency that investigated the man's death.

The Occupational Safety and Health Administration recently cited the contracted crew leader, Alejandro Garcia Barrosa, for not following heat illness prevention regulations at a recognized hazard site.

Officials identify highway workers, driver involved in fatal accident
KRGB News 13
March 14, 2016
Roy, WY - Authorities say two state transportation workers are dead after being struck by a motorist while working on northeastern Wyoming’s interstate.

State Police say the workers were repairing potholes along State Road 120 in Harding County when they were hit Monday.

Elevator Repair Worker Killed in Shaft at New Jersey High-Rise Building: Authorities
Briana Thomas and Lari Bordemaza
NBC New York
February 2, 2016
Guttenberg, NJ - An elevator repair worker was killed after he was dragged up inside an elevator shaft at a high-rise building in New Jersey, authorities said.

A 44-year-old man from New Windsor was performing monthly maintenance in one of the elevators at the 52-story Galaxy Towers on Broadway in Guttenberg when he somehow got tangled between the elevator door and the top portion of the elevator car, the Hudson County Prosecutor’s Office said.

Employee dies after falling from ladder at local Giant store: Coroner
Eric Veromisk
Pitt Live
February 23, 2016
Shrewsbury, PA - Giant food store employees saw a man fall from a ladder at work in Shrewsbury, the York County coroner’s office said.

Michael Kite, 56, died Sunday of injuries sustained in the fall that occurred on the evening of Feb. 14, according to the coroner’s office.
What agency is responsible for the safety and health of workers?
Occupational Safety and Health Administration

- Ensures working conditions are safe and healthy.
- Enforces work-related health and safety laws.
- Helps employers comply with regulations.
- Helps workers understand their rights.

Does OSHA protect immigrant workers?
Safety and Health:

What are the rights of workers?

These are your basic rights!
#1 A safe place to work

#2 Access to information:

- Injuries and illness that happened at work
- Results of medical tests
- Results of tests done in the workplace to measure hazards
#3 Information about chemicals

- Safety Data Sheets (SDS)
- Labels on chemical containers

#4 Personal Protective Equipment
Protection from hazards

• Safety belts
• Rollover Protective Structures (ROPS)

#5 Ask for a safe workplace without being discriminated against or punished
#6 Health and Safety Training

#7 File a complaint with OSHA
#8 Request an OSHA inspection

Exceptions to OSHA coverage
Domestic Workers

Miners

Some truck drivers

Transportation workers who are covered by other government departments

Local or state government workers
Immediate family members of a farm owner that does not employ outside workers

OSHA can enforce health and safety laws on farms that:

- Have 11 or more workers
- Offer housing for workers
EPA’s Worker Protection Standard for agricultural workers - reduce the risk of pesticide poisoning

WPS requires farm owners/employers to:

- Train about safe pesticides use
  - In 2017, training will be required annually.
- Prohibit teens under 18 from applying pesticides
- Protect workers against possible pesticide exposure
- Provide mitigation measures in case of exposure
Summary

Workers have the right to work in a place that is safe, healthy, that does not injure or make them sick.

Workers can ask about and receive information about previous injuries, medical exam files and results of tests. Workers have a right to know about the chemicals they work with.

Workers can receive certain personal protective equipment FOR FREE.

Workers cannot be discriminated against or punished for filing a complaint with OSHA or asking for an OSHA inspection.

Workers must receive training about chemicals and other dangers and how to protect themselves.

Trainings must be in a language the workers understand.

Immigrant workers or undocumented workers have the same rights.

There are certain exceptions. For example, OSHA can only enforce the law in farms with 11 or more employees or in farms that provide housing for workers.
If a worker gets hurt on the job who should they inform immediately?
It’s the worker’s responsibility to report

What to report?
✓ Any injury or illness that occurred at work

To whom should they report?
✓ Report to the supervisor as soon as possible

What should workers report?
✓ Type of injury or illness
✓ Details of the incident
✓ Origin or cause of the injury or illness
✓ Date and time
The employer is responsible for documenting:

- Deaths that occur at work
- Incidents that cause loss of consciousness or fainting
- Injuries or illnesses that require medical attention beyond first aid
- Days of work lost
- Restricted work activities from injuries or illness

2015- employers required to report any severe work related injury: hospitalization, amputation, or loss of an eye within 24 hours.
Employers must report a **fatality** that occurred at work within **8** hours

Employers reported **10,388 fatal injuries** in 2015. In the majority of cases, OSHA assisted the employer to identify and eliminate risks.
Why is it important to report?

It’s the law
To make changes and eliminate dangers at work

To train workers
For workers to receive workers’ compensation

What is Workers’ Compensation?
Benefits

1. Workers receive certain benefits when:
   ✓ They are injured
   ✓ They are sick

2. The family receives benefits if the worker dies

It is not health insurance
What medical costs are covered by Workers’ Compensation?

**Medical Costs**

- Costs of medical care and hospital bills
- Costs of transportation for medical visits
- Costs of medicines, lab tests, and therapy
Temporary Disability

Receive part of your salary:

• While you recover
• If injuries prevent you from doing your usual job

Permanent Disability

Workers receive payment when they can no longer work
In case of death

The spouse, children, or other dependents can receive payment

It’s the responsibility of the worker:

- Report to the supervisor
- Seek medical attention
- Notify the medical personnel that the injury occurred at work
- Inform the supervisor about “return to work” instructions
Workers’ Compensation

• The requirements for compensation are different for each state

• To learn about the regulations in your state you can go to workerscomphub.org/navigating-system
You can do it!

- Community Health Workers can make a difference in helping workers to stay safe and healthy at work
- Know the rights and responsibilities
- Think safety in their community
Please answer the four questions that appear on the screen

Other Resources

• Safety and Health on the Farm: It’s your right and It’s the Law
• OSHA webpage- Rights of Workers
  (t) 800-321-6742
• National Council for Occupational Safety and Health (NCOSH)
Thank you for your participation!

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References


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