

## Workers' Memorial Day 2009

Each year we observe April 28<sup>th</sup> as Workers' Memorial Day and individually and as part of an organization or community, we organize events to memorialize those who needlessly lost their lives while working to earn a living. This year will be no different. Since 1989, the AFL-CIO and its member organizations have marked this important day with a solemn pledge to remember those who died and to continue the fight for working men and women throughout the nation and in New Jersey.

Since April 28, 2008, New Jersey has lost 40 workers to deaths on the job. An analysis of these deaths is necessary as it points to a direction we must focus our efforts on, so that we succeed in reducing this number further for next year. Out of the 40 workplace deaths in New Jersey, an overwhelming majority of the workers were not unionized; 21 of these 40 deaths occurred in the Construction Industry; 39 were men; 13 of the workers killed were below the age of 40. Eleven of these workers were employed in the public sector; 10 of these fatalities were caused by falls; and, 15 were struck by a moving vehicle or object.

As we remember these individuals, let us renew our pledge to be part of the fight for reduced workplace deaths each year. We can be part of the solution by educating ourselves and our coworkers, initiating dialogue at our workplaces to address workplace safety and health issues, and joining a movement, network or organization that advocates for workplace safety. Our combined strength has made us a force to be reckoned with. Now is the time to test this strength and push forward for a safer, healthier and stronger New Jersey.

View the [Workers' Memorial Day page on Facebook](#).

Organize a Workers' Memorial Day event at your workplace or for your organization. You can download some facts and materials from the [AFL-CIO Workers' Memorial Website](#).

Here are some Workers' Memorial Day events being held throughout the state.

### **The Middlesex County Board of Chosen Freeholders**

Workers' Memorial Day Commemoration  
New Brunswick High School, Route 27, New Brunswick  
Tuesday, April 28, 2009, at 3 p.m.  
RSVP by April 24, 2009  
Contact:  
Leah Lanza  
Middlesex County Administrator's Office  
732-745-3041 or leah.lanza@co.middlesex.nj.us

### **Atlantic/Cape May Central Labor Council Workers' Memorial Day**

Friday, April 24, 2009  
Chelsea Hotel, Chelsea and the Boardwalk  
Beginning at 3:30 p.m.

**Mercer County Central Labor Council and Mercer-Burlington Counties  
Building Trades**

Sixth Annual Workers' Memorial Mass  
Monday, April 20, 2009, at 6: 00 p.m.  
St. Joachim's Roman Catholic Church  
[www.stjoachimchurch.org](http://www.stjoachimchurch.org)  
20-56 Butler Street  
Trenton, NJ 08611

### **Wellness at Any Age**

Studies have shown that exercise provides many benefits to the human body such as, weight control, weight loss, heart health and increased energy. Recently, EHS Today Magazine did an article on the importance of exercise at any age. The article points out that even moderate physical activity can help prevent conditions such as heart disease, diabetes and high blood pressure. Recent studies also point out that exercise improves cognitive function in older adults.

At any age, one of the toughest parts of any exercise routine is getting started. If you are not already active, you should begin slowly. Start with exercises that you are already comfortable doing. Starting slowly makes it less likely that you will injure yourself. Starting slowly also helps prevent soreness from "overdoing" it. Many times, when exercise makes a person extremely sore, it gives them a reason to quit. The saying "no pain, no gain" is not true for older or elderly adults. You do not have to exercise at a high intensity to get most health benefits. In closing, no matter what type of exercise routine you choose, you should always consult with your doctor before you begin.

### **The Challenges Facing OSHA**

Recently, the AFL-CIO submitted comments to the Obama Administration on Federal Regulatory Review process. Comments were focused on the past and present problems that the AFL-CIO has with regulatory review and the regulations designed to protect workers and their workplace rights.

One of the bigger concerns is the way OSHA standards have been delayed in the regulatory process. In the past eight years, under the Bush Administration, OSHA has issued a total of only three significant safety and health standards. Every month or year of delay results in unnecessary exposure by workers to harmful substances, and results in deaths and illnesses that could have been prevented. The Review also points out some of the hazards that are still not regulated. These hazards include silica, cranes, beryllium, metalworking fluids, infectious diseases, glycol ethers, confined space entry in construction, and hearing conservation for construction workers. The Review concludes with suggesting that the Obama Administration revise the existing system of centralized regulatory review and points out that this will help meet the goal of improving protection for American Workers.

The new administration seems to be taking some of these concerns seriously, as worker safety advocates continue to be recruited by the U.S. Department of Labor for key policymaking and administrative positions. On April 8, 2009, Jordan Barab was

appointed as the Acting Head of OSHA. Jordan is well known and respected throughout the occupational safety and health community as a tireless activist and advocate for workers' rights. He was a senior policy adviser for the House Education and Labor Committee before his appointment.

In a recent effort to address some of the concerns outlined by the AFL-CIO regarding regulatory review and rulemaking, OSHA has submitted a proposed rule for Occupational Exposure to Diacetyl and Food Flavorings Containing Diacetyl.

Additionally, OSHA has revised its Field Operations Manual to provide OSHA compliance officers with a single comprehensive resource of updated guidance in implementing the agency's mission to more effectively protect employees from occupational injuries, illnesses and fatalities. The manual is available online at: [http://www.osha.gov/OshDoc/Directive\\_pdf/CPL\\_02-00-148.pdf](http://www.osha.gov/OshDoc/Directive_pdf/CPL_02-00-148.pdf).

A new book titled the OSHA Fact Book outlines the positive impact of the agency since its creation. This book is available online at: <http://www.osha.gov/as/opa/OSHAfact-book-stohler.pdf>

### **Construction Worker Dies After Fall in New York City**

On March 14, 2009, a 28 year old construction worker died after he fell from the 10<sup>th</sup> floor of a hotel under construction on Park Avenue South. The police said the worker, Anthony Paino, of Staten Island, fell around 11:15 a.m. from the construction site of the Ganesvoort Park Hotel at 420 Park Avenue South, at 29<sup>th</sup> street. Mr. Paino fell from a plywood mold and landed on top of a sidewalk shed. He was taken to Bellevue Hospital in cardiac arrest, when he reached the hospital later, the police pronounced that he had passed.

It appears that Mr. Paino was not wearing a harness, which is used to tether workers to buildings and prevent long falls. According to reports, the Buildings Department was likely to issue citations later in the day. The department also issued a stop-work order shortly after the incident. OSHA Regulations for fall protection with construction is 6 feet. Mr. Paino was the second in the city this year, compared with 12 construction related fatalities at the same time last year, including a crane accident where seven people were killed.

According to reports, Edwin Ortiz a shop steward with Local 20 of the Laborers International Union said, "He climbed on the outside of the rail." "The rail is there to let you know it's a dangerous zone. He was told not to step over the rail. He did." Mr. Paino was supposed to be working on a column inside of perimeter protection, but nobody saw what happened.

### **What Parents Should Know About Teen Workers**

Parents of teenagers have many concerns in today's society. Among them is allowing your teenager to enter the work environment. Every year about 70 teens in the United States die from work injuries, and another 70,000 get hurt badly enough to require emergency room treatment. Teens are often injured on the job for various reasons like

unsafe equipment or stressful conditions that may demand they work too quickly. Teens may not receive adequate safety training and supervision and are more likely to be injured when working on jobs that they are not allowed to do by law.

The Occupational Safety and Health Administration and other enforcement agencies have protective measures in place to protect all of America's workers and especially young workers. Parents, as well as teenagers, should be aware of the child labor laws for the specific state they live in as well as the Fair Labor Standards Act (FLSA). The FLSA sets 14 as the minimum age for most non-agricultural work. Teens may also work in businesses owned by their parents except for mining, manufacturing or other hazardous jobs, such as, but not limited to, roofing work, excavation operations, or the operation of power driven machinery. The complete list is posted on the OSHA website at <http://www.dol.gov/elaws/esa/flsa/docs/haznonag.asp>.

There are also requirements regarding the number of hours a teen can work. During the school year, teens under the age of 16 are not permitted to work during school hours. They are also not allowed to work before 7 a.m. or after 7 p.m. between Labor Day and June 1. During summer season they can only work between 7 a.m. and 9 p.m. When school is in session teens aren't permitted to work more than 18 hours per week. When not in session, teens are prohibited from working more than 40 hours per week or eight hours per day. The FLSA does not limit the number of hours or times of day for workers 16 years or older.

Some steps that you as an active parent can take are:

- Knowing exactly where your teen is working and tasks he/she is assigned to do
- Asking your teenager to discuss any problems or concerns related to job activities
- Taking an active role in the job hunting process

Some questions you may ask regarding the process are the following:

- What are the tasks you will be doing?
- What type of training is being provided?
- What type of PPE will be provided?
- What are the hours of work?
- Is there a safe means of travel to and from work?
- Is your teen physically strong enough to perform the task required?
- What is the name and contact information for the direct supervisor?
- Will your child be working alone?

Parents also have a right to make a workplace complaint to OSHA on behalf of their teen. For additional information on youth safety please visit the OSHA Teen Worker Page at <https://www.osha.gov/SLTC/teenworkers/index.html>, or call 1-800-321-OSHA (6742).