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## DEADLY DUST OSHA's new silica rule will save lives

The silica rule, covering 2 million construction workers, is OSHA's most significant workplace health intervention in decades

By Don McIntosh  
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Starting June 23, American workers will have the right to a workplace where they don't have to breathe tiny particles of glass that cut their lungs.

The new "silica standard" — announced March 24 by the Occupational Safety and Health Administration (OSHA) — will cover as many as 2.3 million workers. They're in construction, on road crews, in shipyards, and in foundries, glass-making and fracking — all those who use sand or who saw, drill, blast and crush rock, brick, or cement. Those activities generate airborne microscopic crystalline silica particles 100 times smaller than ordinary sand. The particles aren't caught by the body's filter mechanisms and instead go right into the lungs. Over time, they can cause crippling and fatal lung diseases like silicosis, chronic obstructive pulmonary disease, and lung cancer. The new rule will require employers to control silica dust using vacuums or water, or have workers wear respirators when those other methods aren't feasible.

AFL-CIO workplace health expert Peg Seminario — who has fought for better silica protections since today's construction apprentices were in diapers — calls it the most important new OSHA rule since the agency got serious about asbestos in 1986.

"In the construction industry, it's very simple. You wet it down. You suck it up. If you control the dust at the source, you're done. You don't have to do anything else."

— Chris Trahan, worker safety expert for North America's Building Trades Unions

### Industry fights back

Within weeks of OSHA's announcement, industry groups filed multiple lawsuits to try to stop it. They may try to stop it in Congress as well.

"We know they're up on the Hill asking their Republican friends to put riders in appropriations bills, ordering OSHA not to enforce it," Seminario said.

But President Barack Obama has pledged to veto any attempts to undo the silica rule, and the law that created OSHA is very

clear about the agency's authority to write rules protecting workers health. Seminario is confident the silica rule will hold up in court.

Each year, an estimated 600 workers die from the effects of breathing silica dust, and thousands more are short of breath and in pain after decades of hard work. To prevent that, the new rule sets a "permissible exposure limit" of 50 micrograms of respirable crystalline silica per cubic meter of air. That limit was first recommended by the National Institute for Occupational Safety and Health (NIOSH) — in 1974.

"Unfortunately, it has taken over 40 years for the politics to catch up with the science," said Labor Secretary Thomas Perez at the March 24 press conference announcing the rule.

When OSHA sets a limit for hazardous chemicals, it normally requires employers to collect air samples and send them to a lab to show the workplace is under the limit. But because construction industry groups argued that would be too expensive, North America's Building Trades Unions worked with OSHA to come up with a better way. The new rule for the construction industry contains a list of tasks, along with what can be

## Workplace deaths rising

Job-related deaths are on the rise in Oregon and throughout the United States.

A preliminary total of 4,679 fatal work injuries were recorded in 2014, an increase of 2 percent over the final count of 4,585 fatalities in 2013 — and the highest since 2008, according to the Census of Fatal Occupational Injuries (CFOI) conducted by the U.S. Bureau of Labor Statistics. Final data for 2014 won't be released until later this spring.

Work-related fatalities in Oregon increased by 20 over that same time period — from 49 in

2013 to 69 in 2014. Two categories accounted for over half of the deaths; 29 resulted from transportation incidents and 13 from contact with objects and equipment.

Fatal occupational injuries in Oregon have ranged from a high of 88 in 1992, to a low of 43 in 2012.

Nationally, increases in job-related deaths were highest among older employees, contract workers, and the self-employed. The number of workers 55 years and over who were

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## Workers Memorial Day: April 28

**OREGON WORKERS WHO DIED ON THE JOB LAST YEAR WILL BE REMEMBERED AT CEREMONIES IN SALEM AND PORTLAND** The Oregon AFL-CIO and Northwest Oregon Labor Council will hold memorial services the last week of April to honor workers who were killed on the job in Oregon in 2015. Both services are part of the national AFL-CIO's Workers Memorial Day, which recognizes the thousands of U.S. workers who die each year and the more than 1 million who are injured at work. The Oregon AFL-CIO's observance will be at noon, Thursday, April 28, at the Fallen Workers Memorial outside the Labor and Industries Building, 350 Winter St. NE, on the Capitol Mall in Salem. The service will feature the reading of the names of the Oregon workers who died on the job in 2015. On Monday, April 25, the Northwest Oregon Labor Council will hold a memorial service at its monthly delegates meeting. Delegates will raise an American flag in honor of each Oregon worker who died on the job last year. The meeting starts at 7 p.m. at the IBEW Local 48 Hall, 15937 NE Airport Way, Portland. For a listing of Oregon workers killed on the job, see Page 6.

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