

DIRTY DOZEN

2022



COSH

WORKED UP!

CONTENTS

Executive Summary	3
Unsafe Employers, Untold Deaths, and Unnecessary Suffering	4
Dirty Dozen 2022	10
The COSH Network/COSH Groups	35

OUR MISSION

THE NATIONAL COUNCIL FOR OCCUPATIONAL SAFETY AND HEALTH (NATIONAL COSH) and the COSH network are the home of the U.S. worker health and safety activist movement. We are a network of 26 grassroots worker groups across the U.S., focused on supporting worker leadership and organizing for health, safety, and voice on the job.

No one should be killed by work and work-related injuries, illnesses, and fatalities are preventable. National COSH supports workers in speaking up to protect themselves and their coworkers and in claiming their rightful role as essential partners with employers and with policy and decision makers.

NATIONAL COSH TEAM

Jessica E. Martinez, MPH, Co-Executive Director

Marcy Goldstein-Gelb, MS, Co-Executive Director

Marianela Acuña Arreaza, Southern Regional Coordinator

Jessie Cruz, Administrative Systems and Events Logistics Coordinator

Peter Dooley, MS, CIH, CSP, Safety and Health Senior Project Coordinator

Brittney Jenkins, Worker and Network Organizer

Roger Kerson, Communications Consultant

Melissa Moriarty, Communications Manager

Susi Nord, Communications/Conference Administrator

Katelyn Parady, Development and Regional Collaboration Consultant

Thomas Granger, Intern

Sebastián Valenzuela Ureña, Intern

EXECUTIVE SUMMARY

As we observe **Workers' Memorial Week**, the **National Council for Occupational Safety and Health (National COSH)** shines a spotlight on “**The Dirty Dozen**” unsafe employers who put workers, families and communities at risk.

This year's Dirty Dozen, in alphabetical order:

- **Amazon:** Six dead at Bessemer warehouse
- **Atlantic Coast Utilities/Laurence Maloney:** Two dead in Boston
- **Daikin America:** Three dead from toxic exposures
- **Dollar General:** Workers stabbed, shot, punched and pistol-whipped
- **Ernst Nursery and Farms:** Farmworker dies during Oregon heat wave
- **Foundation Food Group/Gold Creek Foods:** 6 workers dead from nitrogen leak
- **Hilton Hotels:** Service cuts create safety risks in high-hazard industry
- **Kingspan Light and Air:** Workers find high levels of indoor air pollution
- **Liox Cleaners/Wash Supply:** No protections from COVID or toxic chemicals.
- **Mayfield Consumer Products:** Nine dead in Kentucky
- **Refresco:** Workers at risk from COVID-19, chemicals and fires
- **Starbucks:** Retail workers infected, exposed to COVID-19

In each Dirty Dozen case, we find egregious behavior by an employer that exposes workers to preventable hazards. The incidents that take workers' lives or expose them to dangerous risks are not “freak accidents”. These events can be foreseen—and prevented—if employers follow proper safety protocols.

COVID-19 and American workers: We are now entering the third year of a global pandemic that has caused the “greatest workplace death toll in modern American history.”

- Insurance executive J. Scott Davidson reports that based on life insurance claims received by his company, “[D]eath rates are up 40% over what they were pre-pandemic” for people aged 18-64, the primary working-age population. “The deaths that are being reported as COVID deaths greatly understate the actual death losses among working age people from the pandemic.”
- **The COVID-19 pandemic also continues to reveal deep inequities based on race, class and income.** Indigenous, Pacific Island, Black, and Latinx people have much higher death rates than White and Asian Americans. Low-income workers and workers of color are also most likely to suffer from the economic impact of the pandemic, including job loss and inability to pay household expenses.
- **Nearly 500,000 working-age Americans have died from COVID-19 so far**, but the policy response from government and employers has been inconsistent and ineffective. The Supreme Court overturned a vaccine and testing standard. There are no specific OSHA COVID-19 safety standards in place—or planned—to protect all workers. And employers are requiring workers to stay on the job despite the absence of uniform safety protocols.

The **WorkedUp** campaign, launched by National COSH and its partners at the start of 2022, will elevate the voices of workers and families who are paying the price for the failure to respond forcefully to COVID-19 and other workplace hazards.

The rallies, vigils and other events during **Workers' Memorial Week** honor and remember workers who have become ill, injured, or lost their lives on the job. This is also an occasion to “fight like hell for the living,” as we advocate together for safer working conditions.

UNSAFE EMPLOYERS, UNTOLD DEATHS AND UNNECESSARY SUFFERING

“If they would have just let him go home, he would be spending Christmas with his family right now.”

—Amazon worker **ISAIAH THOMAS** from Bessemer, Alabama, speaking about the November 2021 death of a co-worker who had been denied permission to go home after telling supervisors he was sick.

Each year during **Workers’ Memorial Week**, workers, activists and allies around the globe honor and remember workers who have become ill, injured, or lost their lives on the job. We recognize as well the impact these preventable events have on family members. Rallies, vigils and other events during Workers’ Memorial Week are also an occasion to “fight like hell for the living,” as we advocate together for safer working conditions.

This year, the **National Council for Occupational Safety and Health (National COSH)** again shines a spotlight on “**The Dirty Dozen**” unsafe employers who put workers, families and communities at risk. We worked in partnership with the **WorkedUp** campaign, a coalition of unions, worker centers, and COSH groups that have raised visibility about grievous working conditions.

In each Dirty Dozen case, we find egregious behavior by an employer that exposes workers to preventable hazards. If proper and well-established safety standards had been followed, the fatalities, injuries, illnesses and exposures identified here could have been avoided—and many more workers could be at home, safely, with their families and loved ones.

The graphic features a dark background with a red splatter effect behind the main text. The title 'DIRTY DOZEN 2022' is in yellow, while 'UNSAFE EMPLOYERS' is in large, white, cracked letters. Below the title is a list of 12 companies in yellow text, arranged in two columns. At the bottom right, there is a logo for 'WORKED UP!' and 'COSH' with a circular emblem containing silhouettes of workers.

DIRTY DOZEN 2022

UNSAFE EMPLOYERS

AMAZON	HILTON HOTELS
ATLANTIC COAST UTILITIES/ LAURENCE MOLONEY	KINGSPAN LIGHT AND AIR
DAIKIN AMERICA	LIOX CLEANERS/ WASH SUPPLY LAUNDROMAT
DOLLAR GENERAL	MAYFIELD CONSUMER PRODUCTS
ERNST NURSERY AND FARMS	REFRESCO
FOUNDATION FOOD GROUP/ GOLD CREEK FOODS	STARBUCKS

WORKED UP! 

The **Dirty Dozen** are selected by the National COSH team, with nominations from our network of WorkedUp partners, workers, safety activists, union members, health and safety professionals and academic experts from across the country. Criteria include:

- Severity of safety risks to workers;
- Repeat and serious violation of safety standards and applicable laws;
- The position of a company within its industry and the economy and its ability to influence broader workplace standards;
- Presence of a campaign by workers and/or allies to correct health and safety problems.

In the United States, employers frequently retaliate against workers who exercise their right to join together to improve their working conditions. Retaliation is illegal and is also in itself a serious safety problem. If workers are disciplined or fired for speaking out about safety issues, then others are less likely to do so. Fear of speaking out about hazards on the job strips the workplace organization of the most important tool it has for prevention: the opportunity to learn from incidents and gather worker insights about dangerous conditions and the methods needed to control and eliminate those hazards.

Untold Deaths

We are now entering the third year of a global pandemic that has caused the “greatest workplace death toll in modern American history,” according to Jordan Barab, former deputy assistant secretary of OSHA and editor of Confined Space. But we still lack crucial information about the impact of COVID-19 in the workplace. Overall death rates, testing results, vaccine uptake and other data are tracked for cities, states and nations. But we are still unable to answer a basic question: **Exactly how many people in the U.S. have become ill and died from workplace exposure to COVID-19?**

Since the disease is airborne and present wherever people gather, every workplace presents a serious potential risk for workers and their communities. But the Bureau of Labor Statistics, which tracks annual deaths from workplace trauma, does not include deaths from COVID-19 in its annual Census of Fatal Occupational Injuries.

The Occupational Safety and Health Administration, which investigates fatalities in workplaces under its jurisdiction, has identified 1,945 workplace deaths from COVID-19 in 2020 and 2021. This is just a tiny fraction of the more than 494,000 working-age Americans, between 18 and 64, who died from the disease during roughly the same time period, between January 2020 and March 19, 2022.

What we do know is frightening

This past December, **J. Scott Davidson**, CEO of Indianapolis-based One America Insurance, addressed an online webinar sponsored by the Indiana Chamber of Commerce and the Indiana Hospital Association. Davidson shared data about actual deaths—not estimates or projections—based on claims submitted for life insurance policies. According to Davidson:

- “[D]eath rates are up 40% over what they were pre-pandemic” for people aged 18-64, the primary working-age population.
- “The deaths that are being reported as COVID deaths greatly understate the actual death losses among working age people from the pandemic.”
- “It may not all be COVID on their death certificates, but deaths are up just huge, huge numbers... What we’re seeing is that people get COVID, they kind of recover and then they die from some sort of disease mechanism that was impacted by the fact that they got COVID in the first place.”

U.S. DEATHS FROM WORKPLACE EXPOSURE TO COVID-19

UNTRACKED, BUT HUGE LOSS OF LIFE

“It may not all be COVID on their death certificates, but deaths are up in just huge, huge numbers.”

J. Scott Davidson
CEO, One America Insurance

WHAT DO WE KNOW?

40% Increased claims for working-age deaths since 2020

DIRTY DOZEN 2022
Source: One America Insurance

WORKED UP! COSH

The sharp increase in *actual* deaths reported by One Insurance exceeds an *estimate* of increased deaths among working-age Californians projected by researchers at the University of California, San Francisco. They found mortality increases for California workers, attributed to COVID-19, ranging from 19 percent among health and emergency workers to 39 percent among food and agriculture workers.

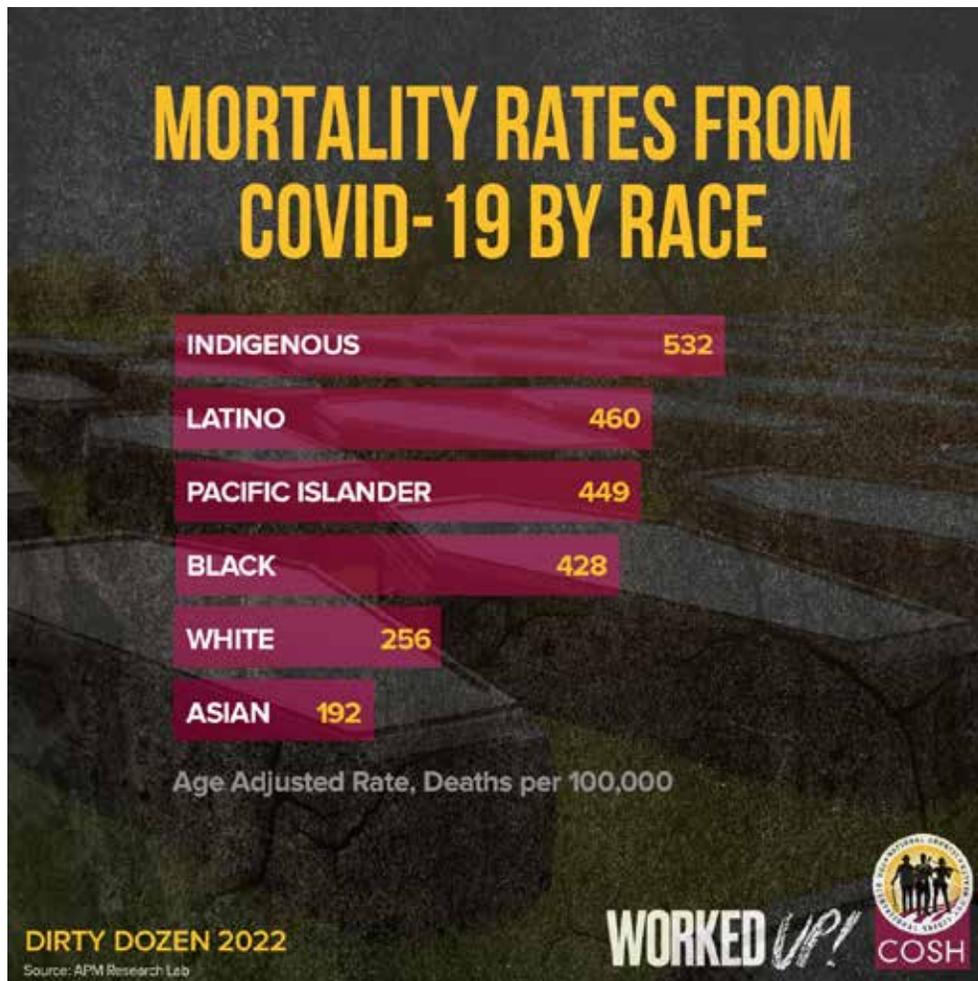
In Ontario, the Toronto-based Institute for Work and Health has estimated “a nontrivial 20 percent of infections among working-age adults in Ontario can be attributed to workplace transmission.” In the U.S., there are more than 48.7 million COVID-19 cases among people aged 18 through 64 as of March, 2022. If 20 percent of these cases are a result of workplace transmission, that would account for more than 9.7 million infected adults.

Race, class and income are crucial factors in life-or-death health outcomes

The COVID-19 pandemic also continues to reveal deep inequities based on race, class and income. Although infection rates do not vary greatly among different population groups, Indigenous, Pacific Island, Black, and Latinx people have much higher death rates than White and Asian Americans, indicating significant disparities in access to health care and other resources that can mean the difference between life and death.

Low-income workers, often doing essential jobs that require working in person regardless of COVID risks, continue to experience the most severe impacts of the pandemic. According to recent data from the Kaiser Family Foundation, low-income workers (those with incomes less than \$40,000) are less likely to get paid time off from work and more likely to go to work despite symptoms from or exposure to COVID-19.

The Kaiser data also show that Black and Latinx adults were more likely than Whites to have difficulty paying household bills during the recent Omicron surge. A January, 2022 study published in the *Journal of Racial and Ethnic Health Disparities* shows that Black workers were the group most likely to lose their jobs during the onset of the pandemic in the first quarter of 2020.



A stalled policy response: Despite the enormous and deadly impact of COVID-19 on workers and people of color, both government and the private sector have responded in fits and starts, failing to provide and enforce protections that can reduce and save lives.

- **In January of this year, the U.S. Supreme Court overturned** a proposed vaccine and testing standard which would have offered tens of millions of workers protection from workplace infections.
- **Three years into the pandemic, OSHA does not have a standard to protect all workers** from COVID-19 infections—and there are no plans to create one.
- **Employers have required workers to stay on the job** despite the absence of protocols and standards which can reduce risk, such as vaccine and testing standards, paid sick leave for illness and quarantine, employer-provided personal protective equipment (PPE), social distancing and other measures.

The WorkedUp campaign, launched by National COSH and its partners at the start of 2022, elevates the voices of workers and families who are paying the price for the failure to respond forcefully to COVID-19 and other workplace hazards.

Unnecessary suffering

Tragic events that injure, maim or kill workers—referred to as “incidents” by safety professionals—are often described as “freak accidents” in media reports. This is doubly misleading. The word “freak” suggests that such events happen rarely, but more than 4,700 workers were killed due to sudden trauma on the job in 2020, and an estimated 95,000 workers die each year from long-term exposure to asbestos, silica, and other toxic substances.



Use of the word “accident” suggests an event which is “unforeseen” with a “lack of intention.” But in nearly all cases, the events that take workers’ lives or leave them with painful illnesses or injuries can be foreseen—and prevented—if employers follow proper safety protocols. A few examples from this year’s Dirty Dozen:

ROBERT WOODS, 42, a Dollar General worker in St. Louis, is murdered during a store robbery in 2018. Is there anything his employer could have done to prevent this random shooting?

YES, because workplace violence is very often not a random event. Dollar General stores, typically understaffed, are often located in economically challenged communities and have become known as “magnets for crime.”

After many violent crime incidents at Dollar General stores, company executives are aware of the problem and could have acted. Violence prevention strategies for retail workplaces include proper staffing, security guards, security systems, enhanced lighting and proper shift scheduling so no person works alone.

If Dollar General executives had decided to make prevention of workplace violence a top priority, Robert Woods might be alive today.

NINE PEOPLE DIE when a tornado struck Mayfield Consumer Products in Mayfield, Kentucky in December 2021. Is there anything an employer can do to prevent harm from a natural disaster?

YES. It is imperative for employers to prepare in advance for tornadoes and other natural disasters, especially in an era of rapidly accelerating climate change and extreme weather. Responsible employers have an emergency plan in place and follow safety protocols to reduce risk for workers.

Several workers have reported that Mayfield managers ordered workers to stay on the premises when the first tornado warnings happened, or risk being fired. The tornado—and a preventable tragedy—struck when the tornado tore apart the factory hours later.

After the incident, National COSH shared our perspective with the [Louisville Courier Journal](#):

Jessica E. Martinez, co-executive director of the worker safety advocacy organization National Council for Occupational Safety and Health, said the fact that workers were debating whether to leave and some based their decisions on whether to risk lost wages means there either wasn't a preparedness plan or it wasn't being followed.

"Were they thinking about their wages or survival? If there was a plan in place, those discussions would not have been taking place," she said.

JORDAN ROMERO AND JUAN CARLOS FIGUEROA GUTIERREZ, construction workers for Atlantic Coast Utilities in Boston, are killed when a truck hit them and knocked them into an excavation ditch in February 2021. Can an employer prevent a traffic accident?

YES. Managing traffic at a busy construction site is a core safety function for any responsible employer. Excavation ditches are also hazardous environments which can be properly managed to reduce risk for those who enter them for any reason, even as the result of an unforeseen event.

Atlantic Coast Utilities and its owner, Laurence Maloney, are extreme examples of irresponsible behavior. Maloney has been cited for numerous safety violations in the past and lied about them to obtain a construction permit from the city of Boston.

Sources: Economic Policy Institute, Confined Space, Dec. 16, 2021 and March 31, 2022; U.S. Bureau of Labor Statistics, U.S. Occupational Safety and Health Administration, Fatality Inspection Data and Jan. 25, 2022; U.S. Centers for Disease Control, Indiana Chamber of Commerce, PLOS ONE, Institute for Work and Health, Statista, APM Research Lab, Kaiser Family Foundation, Journal of Racial and Ethnic Health Disparities, U.S. Supreme Court, Politico, Louisville Courier Journal

NATIONAL COSH DIRTY DOZEN—2022

AMAZON, Alabama and nationwide: Six dead at Bessemer warehouse; Injury rates more than twice the industry average.

ATLANTIC COAST UTILITIES/LAURENCE MOLONEY, Boston: Two workers dead; Company lies to get construction permits.

DAIKIN AMERICA, Decatur Alabama: Three dead from toxic exposures.

DOLLAR GENERAL, nationwide: Workers stabbed, shot, punched and pistol-whipped.

ERNST NURSERY AND FARMS, St. Paul, Oregon: Farmworker dies during heat wave; Company tells OSHA: “Employee [should] be accountable for how they push their body.”

FOUNDATION FOOD GROUP/GOLD CREEK FOODS, Gainesville Georgia: Six Foundation Food (FFG) workers dead from nitrogen leak; Company (FFG) tries to block OSHA investigation, intimidates survivors.

HILTON HOTELS, nationwide: Service cuts create safety risks for workers and guests in high-hazard industry.

KINGSPAN LIGHT AND AIR, Santa Ana, California: Workers monitor indoor air at “green manufacturer,” find high levels of pollution.

LIOX CLEANERS/WASH SUPPLY LAUNDROMAT, New York City: No COVID safety protocols, no ventilation, no protections from toxic chemicals; When workers organize, company shuts facility and fires workers.

MAYFIELD CONSUMER PRODUCTS, Mayfield, Kentucky: Nine dead when company keeps workers on the job during tornado.

REFRESCO, Wharton New Jersey: Bottling plant workers at risk from COVID-19, chemicals and fires at firm with repeat OSHA violations.

STARBUCKS, nationwide: Retail workers infected, exposed to COVID-19; Corporate giant fires workers organizing for better safety conditions.

AMAZON

ALABAMA AND NATIONWIDE



**SIX WORKERS DEAD
AT BESSEMER WAREHOUSE**

INJURY RATES more than
twice industry average



WORKED UP!



DIRTY DOZEN 2022

Sources: More Perfect Union, Washington Department of Labor and Industry, Seattle Times, Washington Post, Reuters, The Verge, National COSH

AMAZON

- **Two Amazon workers in Bessemer, Alabama die within a six-hour period on November 28 and 29, 2021.**
- **Isaiah Thomas**, an Amazon worker at Bessemer, tells [More Perfect Union](#) that one of the workers who died “had gone to HR and said “I’m not feeling so well can I please go home.” He was told to return to work because he did not have enough Unpaid Time Off credits for a day off.
- **Six workers from the Bessemer facility have died since it opened in 2020.** At the request of their families, the names of the deceased have not been released.
- **The state of Washington cites Amazon four times within the past year** for putting workers at risk with relentless demands for heavy lifting at high speeds. [The company appeals](#) and is “unwilling to take any meaningful steps to reduce its high injury rate,” says Washington Attorney General Bob Ferguson.
- **Nationwide, Amazon workers suffer serious injuries nearly twice as often** as other workers in the warehouse industry, according to [the Washington Post](#).
- **The National Labor Relations Board (NLRB) is seeking a court order requiring Amazon to rehire Gerald Bryson**, a warehouse worker from New York, who was fired after leading a protest in April, 2020 calling for better protections from COVID-19.
- **Amazon workers are standing up for safe working conditions.** On April 1, workers at the company’s JFK-8 warehouse on Staten Island voted in favor of forming their own union, despite an intense anti-union campaign. The results of a union election in Bessemer, Alabama are still unknown due to challenged ballots; at this writing, a vote is underway at a second warehouse on Staten Island.
- **Amazon was also a Dirty Dozen company** in [2019](#) and [2020](#).

Sources: [More Perfect Union](#), [Washington Department of Labor and Industry](#), [Seattle Times](#), [Washington Post](#), [Reuters](#), [The Verge](#), [National COSH](#)

“This employer... has shown a total disregard for the safety of its employees.”



LAURENCE MOLONEY AND ATLANTIC COAST UTILITIES BOSTON



JUAN CARLOS
FIGUEROA GUTIERREZ

JORDAN ROMERO

**TWO WORKERS
KILLED
IN A TRENCH**

**Company lies to get city
construction permit**

DIRTY DOZEN 2022

Sources: Boston Globe, US OSHA, Patriot Ledger, Boston.com, Tribute Archive

WORKED UP!



LAURENCE MOLONEY AND ATLANTIC COAST UTILITIES

- **Jordan Romero, 28, and Juan Carlos Figueroa Gutierrez, 33**, employees of Atlantic Coast Utilities, are killed in February 2021 when a truck plows into them and knocks them into an excavation ditch. Romero, a newlywed, leaves behind his wife and two children, who live in El Salvador. Gutierrez is also survived by his wife and two children.
- **U.S. OSHA proposes \$1.3 million in penalties** in August of 2021. “[T]his employer has ignored safety violations, failed to pay fines and shown a total disregard for the safety of its employees.” The company had ignored previous safety violations and refused to pay fines and penalties.
- **Laurence Maloney is indicted for perjury** in December 2021, for lying about past safety violations to falsely obtain a Boston construction permit.
- The city of Boston ordinance requiring disclosure of past safety violations was passed following the preventable deaths of construction workers Kelvin Mattocks and Robert Higgins. It was proposed by Marty Walsh, then mayor of Boston and now U.S. secretary of labor, and enacted with support from labor unions, safety advocates and National COSH affiliate MassCOSH.

Sources: [Boston Globe](#), [US OSHA](#), [Patriot Ledger](#), [Boston.com](#), [Tribute Archive](#)

DAIKIN AMERICA DECATUR, ALABAMA

THREE WORKERS

DEAD

FOLLOWING TOXIC EXPOSURES



WESLEY RUSK WILL DELASHAW
NOT PICTURED: DARBY DOCKERY

**“With Daikin, it’s about the money.
It’s not about anyone’s safety.
That’s why people keep dying there.”**

–Attorney Randy Ferguson

DIRTY DOZEN 2022

Sources: Hartselle Enquirer, WAFF TV, WAAY TV, WHNT-TV, US OSHA, Tribute Archive

WORKED UP!



DAIKIN AMERICA

- **Wesley Rusk** and **Will Delashaw**, workers at Daikin America, are exposed to toxic fluorocarbons from a tower outside the company's Decatur, Alabama chemical plant in July of 2021.
- **Rusk dies from lung failure** caused by chemical exposure in August, 2021. He worked at Daikin for twenty years, and leaves behind his wife, a son and a daughter.
- **Delashaw dies in September, 2021** after severe lung injuries due to exposure to a "mysterious chemical." He is survived by his wife and two daughters.
- **Darby Dockery**, a contract worker at Daikin who was exposed to toxic chemicals in 2019 and left with weakened lungs, dies from "COVID-19 complications" in September 2021. She is survived by her husband and three children; attorney Randy Ferguson represents the family in a wrongful death lawsuit.
- **U.S. OSHA proposes \$232,000 in penalties** for the July 2021 chemical leak which claimed two lives, citing failure to follow proper safety procedures.

Sources: [Hartselle Enquirer](#), [WAFF TV](#), [WAAY TV](#), [WHNT-TV](#), [US OSHA](#), [Tribute Archive](#)



ROBERT WOODS, 42, a Dollar General worker in St. Louis, is murdered during a store robbery in 2018.

DOLLAR GENERAL NATIONWIDE

RETAIL WORKERS ARE VICTIMS OF WORKPLACE VIOLENCE

\$3.6 million in OSHA fines and penalties since 2016

“Employees say they have been stabbed, shot, held at gunpoint, punched and pistol-whipped on the job.”

DIRTY DOZEN 2022

Sources: KSDK-TV, Capital and Main, NBC News, US OSHA, EHS Today

WORKED UP!



DOLLAR GENERAL

- **Dollar General retail stores “are generally understaffed and have become magnets for crime,”** reports Capital and Main.
- **Workers say “they have been stabbed, shot, held at gunpoint, punched and pistol-whipped on the job,”** according to NBC News. Yet Dollar General, with more than 17,000 stores in 46 states, has not effectively addressed security risks.
- **In addition to the company’s failure to respond effectively to the high risk of violent crime,** U.S. OSHA finds a persistent pattern of uncorrected safety violations at Dollar General stores.
- **Since 2016, OSHA has conducted inspections at 55 Dollar General stores, finding repeat violations and proposed more than \$3.6 million in penalties** for hazards including “blocked electrical panels, obstructed exits, forklift, housekeeping and sanitation violations.”
- **“Exit route access,” reports EHS Today, “has been a foundational safety issue** since the 1911 Triangle Shirtwaist factory fire.”
- On April 1, **Dollar General fired Mary Gundel,** a store manager who has posted concerns about her working conditions on TikTok, including an assault she suffered in a Dollar General parking lot, cluttered aisles, blocked exits, and working long hours with no overtime.

Sources: KSDK-TV, Capital and Main, NBC News, US OSHA, EHS Today, New York Times

ERNST NURSERY AND SUPPLY ST. PAUL, OREGON



SEBASTIAN FRANCISCO PEREZ dies in June 2021 while laying irrigation pipe during an extreme heat wave in Oregon

FARMWORKER

DIES

DURING OREGON
HEAT WAVE

Company tells OSHA: *“Employee [should] be accountable for how they push their body.”*

DIRTY DOZEN 2022

Sources: Rolling Stone, Oregon OSHA, WorldWeatherOnline.com, The Oregonian, Portland Tribune

WORKED UP!



ERNST NURSERY AND SUPPLY

- **Sebastian Francisco Perez, a 38-year-old immigrant from Guatemala, dies at work on June 26, 2021.** He was laying irrigation pipe at Ernst Nursery and Farms in St. Paul, Oregon on a day when the temperature reached a high of 105 degrees.
- **The initial cause of death is listed as cardiac arrest.** Following a request from Oregon OSHA, an autopsy determines the actual cause as “hypothermia and dehydration.”
- **Oregon OSHA finds that workers at Ernst Farm and Nursery were last trained about the hazards of extreme heat in April—but Perez did not begin work until May.**
- **Ernst Farm and Nursery is cited for failure to train workers,** and failure to provide protections from extreme heat, with total proposed fines of \$4,200.
- **Ernst Farm and Nursery has appealed the proposed penalties.** During a closing conference with Oregon OSHA, company official Kim Stone “tried to argue that ‘common’ sense be considered, that employee be accountable for how they push their body.”
- **The same company was cited by Oregon OSHA** in 2014 for failure to provide water and toilets to farmworkers.
- **Responding to workers and environmental groups, the state of Oregon is now finalizing standards to protect workers from excessive heat and wildfire smoke.** “We believe these are the strongest rules in the country,” says **Ira Cuello Martinez** from **Pineros y Campesinos Unidos del Noroeste (PCUN)**. “There are some areas that can be improved, but this is going to be a model for other states and the federal government.” PCUN is a member of Safe Jobs Oregon, a National COSH affiliate.

Sources: [Rolling Stone](#), [Oregon OSHA](#), [WorldWeatherOnline.com](#), [The Oregonian](#), [Portland Tribune](#)

FOUNDATION FOOD GROUP/ GOLD CREEK FOODS GAINESVILLE, GEORGIA

SIX FOUNDATION FOOD (FFG) WORKERS DEAD FROM NITROGEN LEAK

JOSE DEJESUS ELIAS-CABRERA, SAULO SUAREZ-BERNAL, COREY ALAN MURPHY, EDGAR VERA-GARCIA
NOT PICTURED: NELLY PEREZ-RAFEAL, VICTOR VELLEZ



DECEASED

Company (FFG) tries to block OSHA
investigation, intimidates survivors

DIRTY DOZEN 2022

Sources: Gainesville Times, Jan. 28, 2021, June 8, 2021 and Oct. 29, 2021; Associated Press; WABE, U.S. OSHA, July 23, 2021 and Sept. 14, 2021; Atlanta Journal Constitution

WORKED UP!



FOUNDATION FOOD GROUP/GOLD CREEK FOODS

- **A leak of deadly liquid nitrogen kills six workers** and injures others at a Foundation Food Group (FFG) poultry processing plant in Gainesville, GA in January 2021.
- The workers who died are **Jose DeJesus Elias-Cabrera**, 45; **Corey Alan Murphy**, 35; **Nelly Perez-Rafael**, 28; **Saulo Suarez-Bernal**, 41; **Edgar Vera-Garcia** and Victor Vellez, 38.
- **Less than two months later, in March 2021, there is a release of toxic ammonia** at the same plant. There are no fatal injuries from this incident.
- **Georgia Familias Unidas and Sur Legal Collaborative are providing ongoing assistance** to victims, survivors and families and describe the plant as an “imminent danger” to workers.
- **In July 2021, U.S. OSHA proposes penalties of nearly \$1 million against FFG** and three other companies for the deadly nitrogen leak, finding that the deaths were preventable. In September, the agency proposes an additional \$154,000 in penalties for the ammonia leak in March.
- **Foundation Food Group contests the penalties and attempts to prevent OSHA from inspecting the plant where workers died.** Corporate attorneys and managers interfere with worker interviews, reports an OSHA inspector, “looming over and intimidating the employees as we spoke to them.”
- **Gold Creek Foods purchases “the assets but not the liabilities”** of Foundation Food Group in October of 2021. OSHA will still have jurisdiction over the “worksites... rather than the owner or operator,” according to U.S. District Court Judge Richard W. Story.
- **In March 2022, four workers are evaluated for injuries after an unplanned release of bleach** at the Gainesville plant, the third chemical leak in the past 14 months.

Sources: *Gainesville Times*, [Jan. 28, 2021](#), [June 8, 2021](#) and [Oct. 29, 2021](#); *Associated Press*; *WABE*, *U.S. OSHA*, [July 23, 2021](#) and [Sept. 14, 2021](#); *Atlanta Journal Constitution*

HILTON HOTELS NATIONWIDE

Service cuts create
SAFETY RISKS
for workers and guests
in high-hazard industry



“We’re cleaning almost only checkout rooms, and they’re much dirtier than they used to be... I don’t have time to stop and use the bathroom. My body is in pain every day. I don’t think there’s anyone whose body could withstand this.”



—Rosa León,
Housekeeper at Hilton Americas-Houston, TX, 17 years

DIRTY DOZEN 2022

Sources: Forbes, American Journal of Industrial Medicine, UniteHere, Traveler’s United

WORKED UP!



HILTON HOTELS

- **After massive industry job losses during the pandemic**, Hilton Hotels announces permanent service cuts in July 2021. CEO Chris Nassetta is aiming for **“businesses [that] will be higher margin and require less labor.”**
- **Hilton will no longer provide daily room housekeeping**, unless specifically requested, except at its “luxury” brands. But daily cleaning is no luxury for workers or guests.
- **Hotel housekeeping is a strenuous job** which requires heavy lifting, exposure to toxic chemicals, the risk of sexual harassment and other hazards. U.S. hotel workers have injury rates 40% higher than overall injury rates in the service sector.
- **Rooms that are not cleaned daily become more difficult and hazardous** to clean when guests check out. In a survey by the UNITE HERE union, seventy-two percent of housekeepers reported pain, stress, or injury after cleaning these rooms.
- **Traveler’s United, a consumer advocacy group**, questions whether Hilton’s new policy will expose hotel guests to security risks, citing an incident in Chicago where “an alert member of the housekeeping staff... may have prevented a mass shooting.” Lack of daily cleaning, Traveler’s United says, may also expose guests to rodents and other unsanitary hazards when trash piles up in rooms and hallways.

Sources: *Forbes*, *American Journal of Industrial Medicine*, *UniteHere*, *Traveler’s United*

KINGSPAN LIGHT AND AIR SANTA ANA, CALIFORNIA

**WORKERS MONITOR INDOOR AIR AT
“GREEN” MANUFACTURER**

**FIND HIGH LEVELS OF
POLLUTION**

“We started this campaign first and foremost for worker safety. We’ve been without proper ventilation for some time.”

–Israel Maldonado, Kingspan worker

DIRTY DOZEN 2022

Sources: Orange County Daily Pilot, Masri Consulting, Voice of OC, Kingspan.com, Clean Up Kingspan

WORKED UP!



KINGSPAN LIGHT AND AIR

- **Workers at Kingspan Light and Air**, who manufacture skylights in Santa Ana, California, are exposed to severe indoor air pollution, a dangerous hazard in many workplaces. Safety is a key factor in a worker campaign to organize a union at Kingspan, supported by the **Sheet Metal, Air, Rail and Transportation Workers (SMART)** union.
- **In August 2021, seven Kingspan workers wear portable air monitors for three days during their work shifts**, and place stationary monitors inside the factory, to get an independent expert opinion of what they were breathing daily.
- **In October 2021, Dr. Shahir Masri, an air pollution scientist at University of California, Irvine, reports on findings from indoor air monitoring at Kingspan.** He finds high levels of small particulates in several locations.
- **Small particulate pollution is linked to respiratory, circulatory and neurological diseases.** The levels observed inside Kingspan are **25 percent higher** than found in outside air during a fierce outbreak of wildfires in California in 2020.
- **“Those were levels that were causing public health agencies to warn people to stay indoors and avoid exercise,”** says Dr. Masri. Kingspan workers are breathing air that is even dirtier, eight hours or more each day.
- **Kingspan workers file complaints with CAL/OSHA** about indoor air quality, and with the State Water Resources Board about excess levels of zinc discharged from the Santa Ana factory.
- **Kingspan describes itself as “planet passionate,”** committed to reducing greenhouse gas emissions. In March 2022, 45 environmental organizations call on the green building community to “reconsider partnerships” with Kingspan, due to ongoing concerns about unsafe practices.

Sources: [Orange County Daily Pilot](#), [Masri Consulting](#), [Voice of OC](#), [Kingspan.com](#), [Clean Up Kingspan](#)

LIOX CLEANERS/ WASH SUPPLY LAUNDROMAT NEW YORK CITY



No COVID safety protocols

No ventilation

No protections from toxic chemicals

Company shuts facility and fires workers

***“All the
workers there,
we get sick”***

–Maribel

Wash Supply employee



DIRTY DOZEN 2022

WORKED UP!

Sources: NY Independent, Next City, Documented, National Labor Relations Board

LIOX CLEANERS/WASH SUPPLY LAUNDROMAT

- **At Wash Supply Laundromat, owned by Liox Cleaners on the Upper West Side of Manhattan**, a hazardous job becomes even more dangerous during the COVID-19 pandemic.
- **Liox does not provide masks, gloves or other personal protective equipment** to laundry workers, with no social distancing and no protocols to disinfect the workplace.
- **Wash Supply workers, like many others in the laundry industry, work in crowded back rooms, exposed to toxic cleaning chemicals with no adequate ventilation**, no heat in the winter and no air conditioning in the summer.
- **In response to unsafe conditions, low pay and long hours with no overtime**, workers at Wash Supply begin an organizing campaign in 2020 with support from the Laundry Workers Center.
- **A majority of workers vote in favor of forming a union.** Their election is certified by the National Labor Relations Board (NLRB) on February 9, 2021. These eight workers would be the first unionized retail laundry in New York City.
- **On February 19, 2021, Liox Cleaners closes the Manhattan Wash Supply location and fires everyone who works there.**
- **On February 8, 2022, the NLRB finds that Liox/Wash Supply** has violated federal labor law and orders the company to re-open its Upper West Side location, rehire all fired workers, and pay them for wages lost since they were illegally fired.

Sources: [NY Independent](#), [Next City](#), [Documented](#), [National Labor Relations Board](#)

MAYFIELD CONSUMER PRODUCTS MAYFIELD, KENTUCKY

JEFF CREASON, JILL MONROE, LANNIS "JOE" WARD, ROBERT DANIEL, ANINE JOHNSON WILLIAMS, DEVIN BURTON, ELIJAH BLAZE LEWIS
AND KAYLA SMITH. NOT PICTURED: IVAN LOMEZ



NINE DEAD

WHEN TORNADO STRIKES KY FACTORY

Workers pleading to leave are told
to stay or lose their jobs

"If you leave,
you're more than
likely to be fired."

Sources: NBC News, Scientific American, Louisville Courier Journal,
Johnson vs. Mayfield Consumer Products, LLC

DIRTY DOZEN 2022

WORKED UP!



MAYFIELD CONSUMER PRODUCTS

- **A massive tornado, driven by unseasonably high temperatures,** strikes Missouri and three other states on December 10 and 11 2021, staying on the ground for “a stunning four hours.”
- **Workers on the night shift at Mayfield Consumer Products (MCP),** a candle factory in Mayfield KY, hear warning sirens and ask to leave the building at 5:30 pm. Five workers tell NBC News that managers order them to stay on the job or be fired. MCP executives deny this and say emergency protocols were followed.
- Later in the evening, the deadly tornado strikes the building and nine people are killed. Those who died are Mayfield workers **Devin Burton, 21; Jeff Creason, 57; Elijah Blaze Lewis, 35; Ivan Lopez, 51; Jill Monroe, 52; Kayla Smith, 30; Lannis “Joe” Ward, 36; and Janine Johnson Williams, 50.** Also killed was **Robert Daniel,** a jail custody supervisor for prisoners working at Mayfield Consumer Products.
- **Surviving workers file a class action lawsuit** against Mayfield Consumer Products, citing orders from management to remain on the job despite tornado warnings.

Sources: NBC News, Scientific American, Louisville Courier Journal, Johnson vs. Mayfield Consumer Products, LLC

REFRESCO WHARTON, NEW JERSEY

BOTTLING PLANT WORKERS AT RISK FROM

COVID-19

CHEMICALS

FIRES

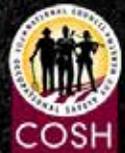
“Refresco does not care about our well-being. They made us continue working during the pandemic with a lack of appropriate protection... They force us to work while we are ill and have a fever and are clearly sick.”

–Diana Acevedo, machine operator

DIRTY DOZEN 2022

Sources: United Electrical Workers, Bergen Daily Record, Private Equity Stakeholder Project, U.S. OSHA, Walla Walla Union Bulletin

WORKED UP!



REFRESCO

- **When COVID-19 erupts in March 2020**, executives at a Refresco bottling plant in Wharton refuse to provide workers with Personal Protective Equipment and maintained a punitive attendance policy that penalized workers who need to quarantine. Refresco is the world's largest independent bottling company.
- **Faced with these hazards and other poor treatment, a majority of 250 Refresco workers at Wharton, many of them immigrants**, vote in favor of union representation in June of 2021. But the company refuses to negotiate or address ongoing safety issues.
- **Workers file a complaint with federal OSHA** in November 2021, reporting fires at the plant, standing pools of chemical water, and noise hazards resulting in hearing loss.
- **Refresco worker Anthony Sanchez tells investors the company refused to allow him time off for medical care** after he was hurt on the job. "The months I worked with an injury," he said, "made everything so much worse and I had to get a more serious surgery."
- **Federal OSHA has assessed tens of thousands of dollars in fines against Refresco** since 2018 for multiple serious safety violations at bottling plants in Georgia, California, Texas and New Jersey. The citations include a penalty of \$3,511 for an incident involving an amputation in San Antonio, Texas in December 2020.
- **Refresco has also been fined \$393,000 for dozens of illegal pollution discharges** from its plant at the Port of Walla Walla, Washington.

Sources: [United Electrical Workers](#), [Bergen Daily Record](#), [Private Equity Stakeholder Project](#), [U.S. OSHA](#), [Walla Walla Union Bulletin](#)

STARBUCKS NATIONWIDE

RETAIL WORKERS **INFECTED** EXPOSED TO COVID-19

Corporate giant
fires workers
organizing for better
safety conditions



WORKED UP!

DIRTY DOZEN 2022

Sources: Buffalo News, Restaurant Opportunities Center, In These Times, CNN, New York Times

STARBUCKS

- **Workplace safety is a major issue for workers organizing at more than 200 Starbucks stores across the U.S.** Union supporters have won more than two dozen union representation elections as of this writing, most by overwhelming majorities.
- **After 10 of 30 workers test positive or are exposed to COVID-19** at the Starbucks Elmwood location in Buffalo—the first store to unionize— workers go on strike for five days in January of this year.
- **The Buffalo strike takes place after the company refuses worker demands for better safety.** These include closing the store so workers can safely quarantine, company-provided masks and COVID-19 testing, and the right to refuse service to customers who ignore local and state mask mandates.
- **“There was no social distancing, people would still talk and spit and cough loudly right in front of people,”** says Mason, a Starbucks worker. “I had a lady hit me and I was really shaken up about it.”
- **Nikki Taylor, a former Starbucks worker in Memphis, joins the union organizing effort** after she contracts COVID-19 on the job. In February 2022, Starbucks fires Taylor and six other worker/organizers for alleged infractions of company rules.
- **In March and April, the National Labor Relations Board files complaints** against Starbucks, stating the company has mistreated and illegally fired workers because they participated in union organizing efforts.

Sources: Buffalo News, Restaurant Opportunities Center, In These Times, CNN, New York Times, Phoenix Business Journal

THE COSH NETWORK

National COSH serves as a convener and clearinghouse for the COSH Network, which includes local worker health and safety coalitions in communities across the United States. We work together to coordinate and share information about workplace safety, provide training for workers and advocate for the elimination of preventable hazards in the workplace.

COSH GROUPS

Border Workers United

1317 E Rio Grande Ave., El Paso, TX 79902
BorderWorkersUnited.org
915-257-5255

Cincinnati Interfaith Workers' Center

215 East 14th Street, Cincinnati, OH 45202
www.cworkers.org
(513) 621-5991

Connecticut Council on Occupational Safety and Health

(ConnectiCOSH)
683 N. Mountain Rd., Newington, CT 06111
860- 953- 2674
www.Connecticosh.org

Central New York Occupational Health Clinical Center

6712 Brooklawn Parkway, Syracuse, NY 13211
315-432-8899
Ohccupstate.org

Equality State Policy Center

419 S 5th St. Suite 1, Laramie, WY 82070
307-228-4163
equalitystate.org

Fe y Justicia Worker Center (Houston COSH)

1922 Common Street, Houston, TX 77009
713-862-8222
www.houstonworkers.org

Knox Area Worker Memorial Day Committee

865-573-0655

Maine Labor Group on Health (MLGH)

PO Box 5197, Augusta, ME 04332
207-622-7823
www.mlgh.org

Massachusetts Coalition for Occupational Safety and Health (MassCOSH)

1532B Dorchester Ave., Dorchester, MA 02122
617-825-7233
www.masscosh.org

Mid-State New York COSH

701 W. State St., Ithaca, NY 14850
607-275-9560

The Mississippi Workers' Center for Human Rights

PO Box 1223, Greenville, MS 38701
662-334-1122
<https://www.msworkrights.org>

New Hampshire Coalition for Occupational Safety and Health (NHCOSH)

161 Londonderry Turnpike, Hookset, NH 03106
603-232-4406
www.nhcosh.org

New Jersey Work Environment Council (NJWEC)

7 Dunmore Ave., East Ewing, NJ 08618
609-882-6100
njwec.org

New York Committee for Occupational Safety and Health (NYCOSH)

50 Broadway, 28th floor, NY, NY 10004
212-227-6440 (o)
nycosh.org

Northeast NY Coalition for Occupational Safety and Health (NENYCOSH)
PO Box 38098, Albany, NY 12203
Nenycosh.org

Northwest Arkansas Workers' Justice Center
210 S Thompson St., Springdale, AR 72764
479-750-8015

Philadelphia Area Project on Occupational Safety and Health (PhilaPOSH)
3001 Walnut St., 5th Floor, Philadelphia, PA 19104
215-386-7000
philaposh.org

Rhode Island Committee on Occupational Safety and Health (RICOSH)
741 Westminster St., Providence, RI 02903
401-751-2015

Safe Jobs Oregon/NW Workers' Justice Project
812 SW Washington St., Portland, Oregon 97205
503-525-8454
nwjp.org/safejobsoregon

Southern California Coalition for Occupational Safety and Health (SoCalCOSH)
1000 N Alameda St., Los Angeles, CA 90012
310.435.1423
www.socalcosh.com

South Florida Interfaith Worker Justice
13727 SW 152 St, PMB 256, Miami, FL 33177
305-598-1404
www.sfiwj.org

We Count!
PO Box 344116, Florida City, FL 33034
305-247-2202
<https://www.we-count.org>

Western North Carolina Workers' Center
PO Box 3, Hickory, NC 28603
828-575-3830
<https://wncworkerscenter.org>

Western New York Council on Occupational Safety and Health (WNYCOSH)
2495 Main St., #438, Buffalo, NY 14214
716-833-5416
<https://wnycosh.org>

Wisconsin Committee on Occupational Safety and Health (WisCOSH)
3427 W. St. Paul Ave., Milwaukee, WI 53208
414-933-2338
<http://www.wiscosh.org>

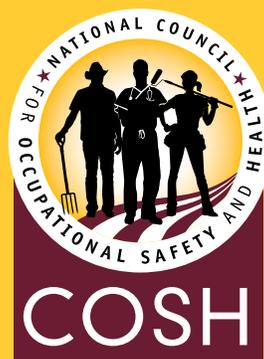
Workers Dignity (Nashville, TN)
335 Whitsett Road, Nashville, TN 37210
615-669-6679
<https://www.workersdignity.org>

Workers' Safety and Health Coalition of Central New York
6712 Brooklawn Parkway, Suite 204
Syracuse, NY 13211
315-432-8899 Ext. 127
<http://ohccupstate.org>

Worksafe
1736 Franklin St., Suite 500, Oakland, CA 94612
510-922-1444

WORKED UP!

<https://workedup.us>



www.nationalcosh.org