

Chairman Woolsey and other distinguished members of this Subcommittee, thank you for the opportunity to testify today. I hope this opportunity is another step towards making a positive change out of my family's tragedy.

I am Emmanuel Torres, the son of Eleazar Torres, who was tragically killed on March 6, 2007 at the Cintas plant in Tulsa, Oklahoma. On behalf of my mom and three younger brothers, it is my family's hope that this hearing results in the passage of legislation that makes workplaces across America safer and prevents tragedies like my father's death from happening to others. It has been over a year since my father's death, but laws ensuring safer workplaces still do not exist at the level they should be. I hope that future legislation will make OSHA stronger, and finally hold companies like Cintas really accountable for repeated violations by imposing stiffer penalties. No one should have to endure what my family has over the past year.

My father began working at the Cintas Plant in Tulsa, Oklahoma in August of 2000. He worked hard to support our family so we could live decently and even own a home. On March 6, 2007, my father was filling in a different position for another employee who was on vacation. While my father was attempting to un-jam clothes stuck on the shuttle, he was dragged into an operating industrial dryer where he was trapped for over 20 minutes as it continued to spin, and as a result, was killed. I will be haunted forever imagining the terror and pain he must have felt. Despite CEO Scott Farmer's statement that blamed my father for not following Cintas' safety policies, OSHA's investigation, which included review of security cameras' tapes, revealed over 30 similar instances over a two week period prior to my father's death in which other employees climbed on wash floor machinery. Any one of them could have been hurt or

killed. OSHA even said these violations were “willful”. Based on the OSHA investigation, we know the procedures my father followed were not merely an isolated occurrence but were happening routinely. That is why there were several willful violations for failing to train my father and three other employees who were responsible to perform procedures to clear jams. Later, we learned OSHA found similar violations in other states. The fact that Cintas blamed my father for what truly is a company wide problem is wrong. More important, Cintas knew about the danger and should have fixed the machines so they could not turn on while workers like my father were on them.

OSHA fined Cintas approximately \$2.78 million in penalties after their investigation of my father’s death, but Cintas is appealing. It is my understanding that a settlement between OSHA and Cintas has not been reached. It is important that any settlement sends Cintas and other companies a strong message that things must change. Part of this change must include company wide investigation to ensure that all of their facilities make changes to protect workers and not only say they are in compliance with all safety standards and procedures but actually practice these procedures. One way this can be done is through more random investigations, stronger enforcement, and more training. Also OSHA should use the punishment allowed by law. While this will never bring my father back, hopefully this process will make sure that all of the other workers, like my father, at other Cintas plants are protected.

As I have stated previously, I feel that my father’s death was preventable and Cintas failed to do everything in their power to protect him. This is why I respectfully request that this Subcommittee adopt strong measures, including ones I have mentioned. I further respectfully request that Congress begin to investigate employers

who fail to institute strong safety polices and procedures and/or fail to enforce them internally. If this does not occur, repeated violations will continue to occur at companies like Cintas and more lives will be lost.

Thank you.