

**Statement
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Stepson, Raul Figueroa, Waste Management Inc. Mechanic
Before the
Workforce Protection Subcommittee
House Committee on Education and Labor
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Chairwoman Woolsey, Representative Price, members of the Committee: Thank you for inviting me here today to talk about accountability for workplace safety.

My name is Jesus Rojas. I live in West Palm Beach, Florida. I am the stepson of Raul Figueroa, who was a mechanic at Waste Management. On January 3rd, 2008, my stepfather died in a gruesome accident at Waste Management's facility in North Broward, Florida.

The company told me and my family what happened. They said a hydraulic arm on a truck malfunctioned and pinned my stepfather against the cab. His body was severed.

But that is not the whole story.

Companies like Waste Management need to be held accountable for workers' deaths that could have been prevented.

After my stepfather's death, my family and I spoke with his co-workers. We learned other disturbing details.

We learned that my stepfather began working on the truck, a front loader, around 5:30 a.m. He was told the hydraulic arms on the truck were not working.

My stepfather was very safety conscious. To make sure the repair job was safe, he went to his supervisor and asked for a ladder. He was told there was no ladder or that the ladder was broken.

Later, he went back to the supervisor and asked for a second mechanic to help with the repairs. Having a ladder or a second person was necessary for safety reasons. But he was told they didn't have a second person to help him.

The supervisors are supposed to check on the mechanics every half hour to make sure things are OK. But that didn't happen in the case of my stepfather.

Instead, at around 8:30 or 9 a.m., his coworker came by and saw my stepfather. The coworker pulled the alarm and the supervisors came to the scene.

Instead of cutting the line that powered the hydraulic arms, the supervisors started pulling at my stepfather to free his body. As a result we will never know for sure what exactly happened because the accident scene was compromised.

We also learned that a ladder was pictured in the photos of the accident scene. Since my stepfather's coworkers told us he wasn't able to get a ladder for the repair job, we believe supervisors placed the ladder near the truck after the accident.

For some time before his death, my stepfather complained about safety problems at the facility.

He complained about the long hours he and his coworkers had to work. Often they didn't have adequate help when they needed it. He complained that the company didn't provide the proper parts for the trucks. He said they were forced to patch the trucks, but weren't given the parts they needed to repair them properly and make them safe. My stepfather heard that the less money the company spent on parts, the more bonus money the managers received.

My stepfather was repeatedly told by his supervisors, "You need to get the trucks out on the roads." They said they didn't care how he fixed them.

After the accident, we found out that company officials backdated the service records on the truck my stepfather was working on when he was killed. My brother-in-law spoke to the person assigned to do the backdating of records.

Companies need to keep up-to-date safety records, and they need to be punished for backdating safety records. We can't just rely on the company's word when it comes to safety.

Waste Management did get fined in the case of my stepfather. I'm not sure about the specific violations. OSHA told us that they investigated the accident and cited the company for two different safety violations. I believe the fine was between \$9,000 and \$10,000.

Thankfully, my mother received money from my stepfather's life insurance, which she used to pay off her home. However, after the accident, my mother had to stop attending English classes and began working two jobs to make ends meet. She still works two jobs. One is at a Publix supermarket, the other as a janitor at night.

Because my mom had to discontinue studying English, she cannot work as a medical assistant, which is the profession she has a degree in.

My stepfather left behind my mother, me, and my 24-year-old sister. He also left two daughters in Cuba and a grandson there who will never meet his grandfather.

Companies like Waste Management should not be allowed to cut corners and compromise safety. They need to provide enough staff to make sure workers are safe on the job. They need to be punished when they backdate safety records to cover up flaws in their safety procedures.

A lot of people know that Dr. Martin Luther King Jr. was killed in Memphis in 1968. What they don't know is that Dr. King traveled to Memphis to support striking sanitation workers. They were striking because two sanitation workers were killed on the job.

Forty years after Dr. King was assassinated is time enough to hold companies accountable for practices that kill and injure workers.

Thank you for your time.