

EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

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**Chairwoman Woolsey Statement at Subcommittee Hearing On
“Workplace Tragedies: Examining Problems and Solutions”**

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. Lynn Woolsey(D-CA), chairwoman of the Subcommittee on Workforce Protections, for a committee hearing on “Workplace Tragedies: Examining Problems and Solutions”.*

Good Afternoon.

It is a pleasure to be in Linden today and I want to welcome all of our witnesses and attendees.

In particular, I want to thank Representative Donald Payne for suggesting this hearing and for all of his great work on behalf of working people.

I am delighted that Representative Wilson, the ranking member of the Subcommittee is present today.

And I also want to welcome Representatives Rob Andrews and Rush Holt, members of the full Education and Labor Committee, who are [or will be] joining us.

While it is nice to visit the Garden State of New Jersey, I wish this hearing was not necessary, especially when these workplace deaths could have been avoided.

On December 1, Victor Diaz and Carlos Diaz---employees of North East Linen Company---were killed as they were power-washing a 20,000-gallon dilution tank at an industrial laundry facility located here in Linden.

They were working in a confined space but without the protective gear and precautions required by OSHA’s confined space standard.

There was no attendant present to ensure their safety and no harnesses to haul them to safety when they got in trouble.

And so Victor and Carlos Diaz suffocated to death from exposure to toxic chemicals. Like many workers in this country, Victor and Carlos Diaz worked in the industrial laundry industry where employees are largely forgotten and the hazards of that industry go unnoticed.

Yet these workers who clean the linens and uniforms for hospitals and other institutions face serious hazards: deadly chemicals, machinery that can kill and maim, carelessly discarded contaminated needles and painful back injuries.

Unfortunately, what happened to Victor and Carlos Diaz was not an isolated incident in the laundry industry.

For example, in March of last year, Eleazar Torres-Gomez, an employee at Cintas Corporation's industrial laundry facility in Tulsa, Oklahoma died after being caught in machinery and dragged into a dryer, where he was killed.

Victor and Carlos Diaz were also working in a confined space, and deaths and injuries in these conditions are all too common as well.

In fact, this was the third multi-worker confined space fatality in the U.S. in the last 4 months.

More than 5,700 workers died in the workplace last year.

This amounts to almost sixteen deaths every day

But this number doesn't even come close to accurately counting deaths resulting from work-related illnesses.

In fact, the National Institute for Occupational Safety and Health estimates that between 50,000 to 60,000 workers die every year as a result of workplace illnesses.

And the sad fact is that most of these deaths and illnesses could have been prevented had OSHA standards and other well-recognized safe working procedures been followed.

The members of this Subcommittee, and the full Education and Labor Committee chaired by Representative George Miller, have made worker health and safety one of our top priorities, and this hearing will supplement our ongoing investigations into why American workers today are not protected.

Unfortunately, what we have established thus far is that the current Administration has failed to keep the promise to send workers home at the end of each day alive and in good health.

Instead, OSHA has bowed to the requests of employers and has relied on companies' voluntary compliance, when it should have been enforcing the law and issuing new, protective standards to address new and old hazards.

This Congress has been forced to move forward to compel OSHA and other agencies at the Department of Labor to live up to the responsibility given them under the law.

So, Mr. Andrews and I have legislation pending to protect the 8.6 million public employees who are currently without OSHA coverage.

This legislation also raises civil penalties on employees and makes felony charges available against employers who commit willful violations.

And the House is about to take up crucial mine legislation to force the Mine Safety and Health Administration to keep miners safe.

Last fall, the House passed a bill I had introduced---the Popcorn Lung Workers Disease Prevention Act---that would require OSHA to develop standards to protect workers exposed to diacetyl.

This legislation was necessary because popcorn and flavoring workers who work around the chemical are contracting "popcorn lung"---a irreversible and life-threatening respiratory disease--at an alarming rate, and OSHA has simply failed on a timely basis to protect them.

In addition, and in response to the health and safety hazards at Cintas Corporation that have been killing and injuring its workers, we are examining why OSHA cannot or will not do corporate-wide investigations when a national company such as Cintas has a record of ignoring worker safety.

The bottom line is that when OSHA fails to act, it is American workers who pay the price, often with their lives.

This hearing will look at a tragedy that occurred in this City, taking the lives of two innocent workers, Victor and Carlos Diaz.

And what I want to hear from all of our witnesses is how to keep these heartbreaking events from happening.

How do we ensure that OSHA fulfills its mission to protect workers from unsafe and unhealthful workplaces?

The deaths of Victor Diaz and Carlos Diaz were a tragedy – for their families, for their friends and co-workers and for their communities.

What we must do is learn from this tragedy so that we honor these fallen workers by preventing workplace injury and death in the future.

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