

Cherry-Picked Workplace Injury Statistics Hides

High Toll of Injuries, Illness and Deaths in California

By Garrett Brown, July 30, 2016

A frequent official response to concerns that California workplace health and safety agency – Cal/OSHA or DOSH – does not have enough field enforcement compliance officers is that “California’s statistics are better than the national stats and other states.” This turns out not to be true, and cannot be used to downplay the fact that California’s Department of Industrial Relations (DIR) has not filled three dozen compliance officer vacancies at Cal/OSHA despite full funding for these positions since July 2015.

The May 13, 2016, issue of the *Cal/OSHA Reporter*, a private trade publication echoed the official party line in an article looking at a carefully selected set of fatality, injury and illnesses statistics. The weekly newsletter concluded: “The accompanying charts show how California performs versus other states and Fed-OSHA. Quite well, actually.”

Fatalities and Fatality Rates

Using the latest available data (2014) from the US Department of Labor’s Bureau of Labor Statistics, *COR* reported that California has a lower fatality rate than the other five states that make up the “top six” states with the highest number of workplace fatalities.

This is true – see Table 1 at the end of this article – and that is a good thing. Of course, no one believes that even all workplace fatalities are actually reported by employers – let alone workplace injuries and illnesses – but that is true for other states as well as California.

But this is not the whole story – even for reported fatalities. The number of California workers killed at work is way too high – and the percentage of Latinos in this death toll is higher than their percentage of the workforce as a whole. See Table 2 for the BLS data.

The latest available stats indicate that 344 workers were killed on the job in 2014 in California. This means that a worker in California is killed on the job every day of the week, Monday through Saturday, and on every other Sunday. Over the years 2012-2014, a worker was killed on the job every day of the year in California.

In 2014, 127 Latino workers in California were killed at work, representing 37% of the state’s death toll. Estimates of Latino participation in the California workforce run between 25% and 30%, meaning a disproportionate number of Latino workers were killed. The year before, 194 Latinos were killed at work, representing 49% of all California worker deaths in 2013.

These are not numbers that indicate “our job is done” in workplace health and safety, or that these deaths are acceptable “collateral damage from a strong economy.”

These are fatalities numbers that show the need for a strong enforcement agency with adequate staffing and resources so that effective safety and health programs are fully implemented by employers. They show the need for more resources to reach out to and involve worker organizations (unions, workers centers, immigrant and community-based organizations) so that workers know the hazards, the hazard controls available, and their rights under the law. They show the need for a strong enforcement approach by Cal/OSHA that will be a deterrent to cutting corners on safety, and to hold all employers accountable, including large employers with political connections.

California Injury and Illness Rates

What the *COR* skipped over, and what the leadership of DIR and DOSH are silent about, is that beyond the fatality rate, California’s statistics for worker injuries and illnesses are worse than national levels and worse than those of other major industrial states. See Tables 3 and 4 for the BLS data.

As indicated in Table 3, California has a higher rate for injuries serious enough that workers are off the job, transferred or work with restrictions, than the national statistics.

California has a higher “DART” rate (cases with days away from work, transfer, or restriction) than the US average for all industry, and has a rate 24% higher than the national one for the private sector as a whole. The California DART rate is significantly higher than the national rate for construction (50%), leisure and hospitality industries (53%) and for public administration (56%). These are key sectors of the California economy – especially construction – for what is now the 6th largest economy in the world with 19 million workers.

It is also notable that for mining and resources, California has a DART rate 35% higher than the national level. This is at a time when Cal/OSHA’s Mining and Tunneling unit’s field staff is at half-strength compared to 15 years ago, and at a time when the M&T unit’s work is exploding because of major tunnel and construction projects throughout the state.

Table 4 indicates the DART rates for California and other major industrial states like Michigan, Ohio and Pennsylvania, as well as the US average rate. California’s DART rate is higher than all, meaning that California workers are suffering higher rates of serious injuries on the job. California also has the highest rate of “total recordable cases” which includes medical treatment beyond first aid as well as the DART cases.

Table 5 shows the number of workplace injuries in California for years 2013 and 2014. There are almost a half-million injuries in the state a year; with more than 265,000 of these involving days away from work, job transfer or job restrictions; and 142,000

injuries serious enough that workers are away from work. Many of these injuries involve temporary or permanent disability.

But the actual number of workplace injuries in California may be significantly higher. The state's Workers' Compensation Information System, run by DIR itself, documented in Table 6 that the total number of reported injuries in 2014 was 586,525 cases – 125,000 more cases than reported in the BLS data.

Again these are not numbers that indicate that “all is well” with workplace health and safety in California. These statistics show that more resources are needed for Cal/OSHA – both the Enforcement and Consultation branches – and that all available resources are needed to prevent worker injuries, illnesses and deaths through strong enforcement and a meaningful deterrent applied to all employers.

The failure of DIR to fill all of the fully-funded field enforcement compliance office positions at Cal/OSHA cannot be justified by simply saying “California stats are better.” They are not better overall, although the fatality rate is lower, a good thing. But there is still a worker dying every work day in California, and tens of thousands are injured every year seriously enough to be off the job, many with permanent injuries.

One especially adverse aspect of the continued under-staffing is that Cal/OSHA conducts few “health” inspections to enforce regulations to prevent occupational illnesses caused by exposures to chemicals, noise, bloodborne pathogens, and ergonomic hazards. This means that tens of thousands of occupational illnesses continue to develop and remain essentially “under the radar” for the state's workplace health and safety enforcement agency.

As of July 6th, there were 38 unfilled, but fully funded, field enforcement positions at Cal/OSHA – see the attached summary chart on compliance officer staffing. This represents a vacancy rate of 15.6% for field enforcement at a time when all available resources should be put to use, and when there are too many workers dying, made ill and injured on the job.

No reasonable explanation has been offered by DIR or DOSH about why these positions remain unfilled when full funding for them has been available since July 2015.

Table 1

**Comparison of California and Other “Top Six” Selected States, 2014 data (latest available);
Number of fatalities and fatality rate**

State	Number of Fatalities	Fatality Rate
Texas	531	4.5
California	344	2.0
New York	241	2.8
Florida	228	2.7
Ohio	185	3.6
Pennsylvania	179	3.1

Fatality rate per 100,000 full-time workers

Source: <http://www.bls.gov/iif/oshcfoi1.htm#2014>

Table 2

California fatalities (total and Hispanic) and fatality rates, 2012, 2013 and 2014 data (latest available)

Year	Total number of all fatalities	Fatality Rate	Number of Hispanic fatalities	Hispanic fatalities as percentage of total fatalities
2014	344	2.0	127	37%
2013	396	2.4	194	49%
2012	375	2.3	137	37%

Fatality rate per 100,000 full-time workers

Source: <http://www.bls.gov/iif/oshstate.htm> and <https://www.dir.ca.gov/dosh/cfoi/fatalities-hispanic-latino-workers-in-california-2009-2013.pdf>

Table 3

**Comparison between California and the United States, 2014 data (latest available);
Incidence rates of nonfatal occupational injuries and illnesses:
“DART” – Cases with days away from work, job transfer, or restriction**

Sector	CA	US	Comparison
All industry, state and local government	2.2	1.8	California higher
Private industry	2.1	1.7	California higher by 24%
Goods producing	2.5	2.2	California higher
Natural resources and mining	3.1	2.3	California higher by 35%
Agriculture, forestry, fishing and hunting	3.4	3.3	California higher
Construction	3.0	2.0	California higher by 50%
Manufacturing	2.1	2.2	US higher
Service-producing	1.9	1.6	California higher
Trade, transportation, and utilities	2.5	2.2	California higher
Education and health services	2.2	2.0	California higher
Leisure and hospitality	2.3	1.5	California higher by 53%
Other services, except public administration	1.6	1.2	California higher
Public administration	3.6	2.3	California higher by 56%

Incident rate per 100 full-time workers

Source: <http://www.bls.gov/iif/oshwc/osh/os/ostb4343.pdf> and <http://www.bls.gov/iif/oshwc/osh/os/pr146ca.pdf>

Table 4

**Comparison between California, the United States, and selected other major industrial states, 2014 data (latest available);
Incidence rates of nonfatal occupational injuries and illnesses, all industries, including state and local government:
Total Recordable Case and
“DART” = Cases with days away from work, job transfer, or restriction**

State	Total Recordable Cases	DART
California	3.8	2.2
Michigan	3.7	1.9
Pennsylvania	3.6	1.8
United States	3.4	1.8
New York	3.1	1.7
Ohio	2.9	1.5
Texas	2.6	1.4

Incident rate per 100 full-time workers

Source: <http://www.bls.gov/iif/oshstate.htm>

Table 5

**Number of nonfatal occupational injuries and illness cases, California, 2013 and 2014 data (latest available)
Total recordable cases; DART cases; and Days away from work cases**

Year	All Recordable Cases	DART Cases	Cases with days away at work
2014	460,700	265,100	142,800
2013	468,400	265,000	146,800

Source: <http://www.bls.gov/iif/oshstate.htm> and
<http://www.bls.gov/iif/oshwc/osh/os/pr147ca.pdf> and
<http://www.bls.gov/iif/oshwc/osh/os/pr137ca.pdf>

Table 6

**California Department of Industrial Relations, Division of Workers' Compensation
California Workers Compensation Information System (WCIS)
Total Reported Injuries**

Year	Men	Women	Total Reported Injuries (including unknown gender)
2014	331,314	249,985	586,525
2013	329,676	250,243	583,703

Source: http://www.dir.ca.gov/dwc/wcis/WCIS_tables/TABLE5-6/2014/Table_6.pdf