



Assembly Labor and Employment Committee Hearing:  
“Latino Worker Health and Safety Issues: Exploring Causes and Potential Solutions”  
SoCalCOSH’s Written Comments

November 19, 2015

Jorge Cabrera, Director, SoCalCOSH

Good morning and thank you for the opportunity to weigh in on this issue of utmost importance to our constituency and us. My name is Jorge Cabrera and I am the Director of the Southern California Coalition for Occupational Safety and Health (hereafter SoCalCOSH). We are a regional coalition and we educate, advocate, and mobilize workers and policymakers to create safe and healthy workplaces in Southern California and beyond. We do this through trainings, advocacy, research, and organizing at the local, state and federal levels. We are affiliated with the National Council for Occupational Safety and Health.

I would like to start off by putting into context the demographics of the workforce of Los Angeles County. We are home to 6.6 million workers. This figure translates into 60% of the entire workforce in California. Out of these 6.6 million workers, one million of them work in highly precarious and hazardous jobs day in and day out. They are overwhelmingly Latino, immigrant, and undocumented.

We have some particular challenges related to Latino worker H&S here in Southern California. For instance, we have seen higher number of workplace fatalities among Latino workers in Los Angeles in recent years. In fact, just three days ago, we had another fatality in our area. Mr. Oswaldo Mineros Jr fell to his death at a construction site in the Westlake neighborhood of Los Angeles. Mr Mineros's death represents the problem we are trying to comprehend and solve: the work-related harms faced by Latino workers in California.

In addition to the above, we have also seen limits to Cal/OSHA's enforcement efforts in Southern California. First, we have lower ratio of health and safety inspectors than in other parts of the state and the United States. For instance, the Federal OSHA inspector to worker ratio is 1 to 59,999. Here in California, the ratio is 1 to 100,000. Here in Southern California, this ratio is worse, currently at 1 to 162,240. This current staffing ratio at the Government Agency tasked with the responsibility of keeping workers safe adds to the causes of Latino immigrant workers dying unnecessarily. In addition, we would like to point out two important factors. First, California OSHA, as a state OSHA program, is supposed to perform equally, or preferably better than Federal OSHA. Second these statistics are accurate as of September of 2015, roughly two months ago.

#### Recommendations:

Based on the facts and figures mentioned in the section above, we make the following recommendations that will help keep all workers safe, including those most vulnerable, including those who are Latino, immigrant and undocumented.

- Cal/OSHA should hire more inspectors, preferably those who have the cultural and linguistic capacity to interact with the target population. An example of this is speaking Spanish and having previous experience working with Latino, immigrant and undocumented workers.
- The California State Personnel Board should update its hiring criteria so that Cal/OSHA is able to specifically demand the cultural and experience-based qualifications from new hires.
- Cal/OSHA should increase the number and frequency of agency inspections, both targeted and non-targeted, specifically in workplaces where workers are most at risk of dying and getting injured.

- Cal/OSHA and the California legislature should increase the penalties and punishments for employers who are responsible for worker fatalities and injuries.
- Cal/OSHA and the California legislature increase funding for worker centers, community organizations, and other grassroots organizations providing direct services to undocumented, immigrant, and Latino workers.
- Cal/OSHA, California Legislature, Unions, and Occupational Safety and Health experts, advocates and allies should expand and replicate Southern California strategies that have shown success in the past and that actively engage participation of non-union workers

Regarding the last recommendation, we would like to point out that we have had previous success in partner with worker centers and advocates in Southern California to support non-union workers in doing the following:

- 1) Identifying H&S violations in their workplaces
- 2) Providing information to Cal/OSHA inspectors during worksite investigations
- 3) Monitoring hazard abatement, and (in some cases) participating in appeals hearings

These partnerships have been in industries with high concentration of Latino workers, such as carwashes in Los Angeles, warehouses in Santa Barbara and Riverside Counties, airport services at LAX, and waste recycling facilities throughout the region. They were successful in part because of supportive Cal/OSHA inspectors at the local level and also because workers were empowered with knowledge and tools to learn and exercise their rights. We encourage Cal/OSHA to formalize mechanisms statewide for deputizing worker center representatives to participate in the enforcement process. We also encourage Cal/OSHA, the California Legislature and other decision makers to equip grassroots and community-based organizations with funding to do this type of work.

### **Need and Support for Occupational Health and Safety Organizing and Advocacy**

For many years, SoCalCOSH has convened quarterly Southern California OSH Activist Meetings to bring together individuals from labor unions and worker centers conducting Health & Safety campaigns or otherwise focused on Health & Safety issues. On average, we have between 20 and 30 people participating in these meetings from various organizations in Southern California. Many if not all of these organizations engage with largely Latino workforces. In addition, we would like to point out that these meetings have also included participation from local Cal/OSHA officials, which as helped spark interest, discussion and feedback from workers and their advocates. These meetings, as well as the numerous trainings we conduct demonstrate a clear need for information and support around Health and Safety issues at the local level, which is an area that is vastly underfunded, understaffed, and most vulnerable to injury and fatality.

Based on the above, we encourage Cal/OSHA and the California Legislature to make resources available for targeted training and capacity building for exclusive focus on Health and Safety issues for Latino workers and their rights under state law. Such models have shown success in the past. For instance from 2011-2013 Cal/OSHA supported a heat illness prevention campaign to reach community organizations and small businesses impacted by the Cal/OSHA Heat Illness Standard. This campaign had an immediate and long lasting effect, as DLSE is currently conducting a similar style campaign around enforcement of wage theft laws in Los Angeles. It would be very valuable to replicate that model statewide with a broader focus on Health & Safety for Latino workers

To conclude we would like to point out that workplace fatalities and injuries are preventable with the right approach and right amount of resources.

On behalf of the workers and their families, we thank you Assemblymember Roger Hernández, Mr. Ben Ebbinks and everybody for their time and resources paid to this urgent matter.

Sincerely,

Jorge Cabrera

SoCalCOSH