

# Honor Recycling Workers

## Fix the System Behind Their Deaths

In this report, we honor the life of Eva Macias, who was tragically crushed to death at a San Leandro Waste Management facility in June 2012 (see page 26). Another recycling worker, 34-year-old Eduardo Martinez Baraja, was also crushed to death in November, at Super Link Plastics in Oakland.

These deaths remind us why workers in the waste management industry need stronger protections. Waste treatment and disposal workers have the fourth highest occupational injuries and illness rates in the state. They are more than double those of private industry overall, at 7.5 incidents per 100 full-time workers.

As we strive toward increased recycling, zero waste, and a green economy, our society cannot ignore employers' obligations to protect the lives of the workers who generate their profits and do the dirty work.

Our 2012 report featured the story of Karla Campos, a 25-year-old single mother of 2 who worked at a waste sorting facility in Los Angeles. She and her American Reclamation co-workers were paid minimum wage with no benefits, through a temporary staffing agency. Despite hazardous working conditions, workers had no health and safety training and inadequate personal protective equipment to prevent some harm.

When Karla and several other workers decided to complain to Cal/OSHA, the company immediately targeted her. A few months later, she reported finding an improperly-disposed bucket of used medical syringes. The next day, she reported fracturing her tailbone at work; she was fired within hours. It is clear that the company retaliated against Karla for exercising her right to report hazardous working conditions and a work-related injury.

Last year, Cal/OSHA issued citations against American Reclamation, its subsidiary, and its

temporary staffing agency; proposed fines totalled nearly \$40,000. The companies have appealed, denying the serious hazards ever existed. Waste Management also appealed the proposed fines of \$50,750 for hazards related to Eva Macias' death.

American Reclamation workers still face almost all the same hazards, yet they continue to tirelessly fight for their basic health and safety rights. Their struggle for healthy, safe, and dignified jobs is not an isolated case. It is symptomatic of a system in which industries routinely exploit and endanger workers' lives to cut costs and increase profits.

How can we ensure that workers' rights are a significant part of the discussions about municipal Zero Waste goals and growing the green economy? How will employers be held accountable for worker health and safety when they violate regulations, and reduced fines and minimal "fixes" absolve them of responsibility?

How can workers be expected to use their right to act when retaliation is so common and whistleblower protection is inadequately enforced? High road competition within the waste industry is possible. So is eliminating work-related fatalities and many hazards.

All it takes is a stronger enforcement mechanism to incentivize employers to obey Cal/OSHA's life-saving regulations. We also need more inspectors in Cal/OSHA's Enforcement Unit and DLSE's Retaliation Complaint Unit, with a streamlined referral system between the two units. And we need more occupational health and safety advocates in the community and organized labor to monitor and shape this accountability system, standing behind workers who may be afraid to speak up.

Truly green jobs are good for the environment and the people doing them. We need a system that respects both.