Family’s grief lingers five years after worker’s death

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Coming in the June issue of Resource:
Standing on the shoulders of giants
The Oregon safety story

In honor of the state sesquicentennial, this special collector’s edition will feature the historical stories that shaped Oregon OSHA. Look back on the people, practices, and events that have made an impact on workplace safety and health today.

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Later this month many of us will acknowledge Worker Memorial Day, as we do on April 28 every year. This year’s ceremony also will see the dedication of the Fallen Worker Memorial on the Capitol Mall here in Salem. The memorial, made possible by private donations through the Oregon AFL-CIO, will provide a physical reminder of those whose lives ended on the jobsite, cutting short their hopes and plans for the future, whatever they may have been.

**Administrator’s message:**

**Remember, but fight for the living**

By Michael Wood

As we remember, and as we grieve, we cannot allow ourselves to be defeated. Because we have a job to do, and we have the ability and the tools to make that list shorter. Can we ever completely solve the problem? Perhaps not. But that doesn’t really matter, because it is a story of individuals, not statistics.

The story is told of a young boy who walked along the beach after a storm, tossing stranded starfish back into the waves before they could dry out and die. An older and wiser adult asked him why he bothered, since as they looked down the beach they could see hundreds, perhaps thousands, of stranded starfish. “What difference can you make? How can what you’re doing really matter?” the adult asked the boy. The boy hesitated just a moment to think. Then he picked up a starfish, flung it into the waves, and said quietly, “It matters to that one.”

The lives whose loss we commemorate this month were individuals, each with his or her own story. And the lives we saved yesterday and last week and last month – as well as those we will save tomorrow and next week and next year – are individual victories. We need to remember yesterday’s failures, but we must also fight for tomorrow’s victories.
Family’s grief lingers five years after worker’s death

By Melanie Mesaros

Katy Becker wears a special gold ring on a chain around her neck. It’s the wedding band that once belonged to her husband of 23 years. Dan Becker, 43, was found dead in their Mollala home by their son in 2003 after a chemical exposure on the job.

“He was a salesman,” said Katy. “Who thinks a salesman does something dangerous?”

It turns out, what Dan Becker was doing was dangerous. His week was spent at the Nooksack Hydro-electric plant in Bellingham, Wash., where he was demonstrating how to use his company’s thermal spray equipment. During the process, objects are coated with various metals to provide corrosion or abrasion resistance.

During the test application, Dan wore shaded glasses and a painter’s mask, which wasn’t a snug fit around his beard. The Wednesday before he died, Dan applied base coating for four hours to impellers at the plant. On Thursday, he finished the demonstration with a hard coat, spending another two hours inside the plant.

Katy said when he returned home on Friday, he wasn’t feeling good and complained of flu-like symptoms. He even cancelled a hunting trip with his 20-year-old son.

“He felt tired and basically wanted to go to bed,” she said. “I talked to him Saturday afternoon and he said he was having a hard time going up and down the stairs. He thought he had bronchitis but he wasn’t coughing.”

Dan Becker performs the thermal spray equipment demonstration. While Dan applied the coating at the plant in Bellingham, Wash., he was videotaped so the process could later be shown in a sales video.
Katy left home that weekend to visit her two daughters away at college, leaving her husband home to rest. When she called to check in again on Sunday morning, there was no answer. A short time later, their son Scott found Dan lifeless in bed. CPR efforts failed and emergency responders assumed it was a heart attack. It wasn’t until an autopsy was performed that it was discovered Dan’s lungs were contaminated by metal dust from the test applications. His exposure to nickel was four times the permissible limit. Chromium and carbon monoxide were also present in his system.

The company Dan worked for was issued $22,725 in penalties by Oregon OSHA for violations related to the fatality.

“I was angry,” said Katy. “It could have been prevented. The company should have done more. He should have done more. I should have pushed more. He was always under the impression that using the painter’s mask was sufficient.”

Talking about the tragedy is still difficult for Katy and her 24-year-old daughter Marissa, who can’t help but tear up by the memories of her father.

“You get past the point of missing and you remember the good things,” Marissa said. “In the beginning, no one would talk about it. You couldn’t even mention his name.”
Family’s grief lingers five years after – continued

The ultimate outdoorsman, Dan loved fishing, hunting, and camping and was a regular at his kids’ softball games, Marissa recalls. “My senior year, he drove me all the way to Sisters once just so I could make my softball game,” she said. “He was very involved and volunteered with the team. I don’t think he ever missed a game.”

“If it can prevent someone else’s death, I can live it. Dan wouldn’t wish this on any other family.”

Katy said losing her husband was life-changing on many levels. She was forced to sell the family’s 20-acre property because the upkeep became overwhelming. Not having a life partner remains an emotional struggle.

“We grew up together,” she said. There is also guilt and second guessing.

“I was in such a state of shock, when I look back, I think, did I really pay close attention?” she said. “We had very little information on the process (spray coating). Dan had only been working with it for a year off and on.”

“We paid a very heavy price but because of that circumstance, we opened the door on a process that could have hurt more people,” Katy said. “If it can prevent someone else’s death, I can live it. Dan wouldn’t wish this on any other family.”
Fallen workers memorial to be dedicated April 28

A permanent worker memorial will be dedicated on the Capitol Mall in Salem on Tuesday, April 28, which coincides with Workers’ Memorial Day. A mounted bronze plaque flanked by benches, flowering cherry trees, and other landscaping will honor workers killed on the job.

The Oregon AFL-CIO signed a contract with the Oregon Parks and Recreation Department to construct the permanent memorial adjacent to the Labor and Industries Building. A formal dedication ceremony is slated for noon on April 28, which will include a reading of the names of Oregon workers who died on the job in 2008.

This memorial will be dedicated on April 28, 2009, outside the Labor and Industries Building on the Capitol Mall in Salem.
2008 workplace deaths announced

Construction deaths down, trucking fatalities up

Forty-four people covered by the Oregon workers’ compensation system died on the job during 2008. The Department of Consumer and Business Services compiled the data.

The 2008 total is a significant increase from 2007’s total of 35 fatalities. However, the 2008 figure includes eight workers killed in a firefighting helicopter crash in the Northern California wilderness. Seven of those eight workers were among 15 who died in the agriculture, forestry, and fishing industry (the eighth was the pilot). The second highest concentration of deaths was in truck transportation, which accounted for six deaths. Overall, 12 of the deaths – more than 27 percent of the total – were the result of motor vehicle crashes.

Oregon is one of just a few states that requires workplace motor vehicle accidents to be reported to Oregon OSHA for possible investigation. Since 2007, Oregon OSHA has been analyzing data from the collisions and from employers about use of vehicles for business and driver safety procedures.

The numbers show a dramatic improvement in construction, where there were 12 deaths in 2007. In 2008, five workers died on construction jobs.

“I am pleased to see the upward trend in construction deaths didn’t continue,” said Michael Wood, Oregon OSHA administrator. “But five deaths are still too many and I know we can do more to reduce those risks.”

Historically, the lowest number of workers killed on the job was in 2005, when 31 fatalities claims were accepted. There was an average of 55 Oregon workers’ compensation fatality claims per year in Oregon in the 1990s and 81 per year in the 1980s.

“We have made great strides in recent decades in reducing deaths as well as workplace injuries and illnesses,” said Cory Streisinger, DCBS director. “But, there are still Oregonians who don’t get to go home to their families. We must work harder to ensure their safety every day.”

DCBS compiles fatality statistics from records of death claim benefits paid by Oregon workers’ compensation insurers during the calendar year. The data reported may exclude workplace fatalities involving self-employed individuals, city of Portland police and fire employees, federal employees, and incidents occurring in Oregon to individuals with out-of-state employers. These workers are either not subject to Oregon workers’ compensation coverage requirements or are covered by other compensation systems. Most such fatalities don’t fall under Oregon OSHA jurisdiction. Similarly, Oregon workers’ compensation claims for fatalities occurring outside the state do not fall under Oregon OSHA jurisdiction.

Deaths that occur during a prior calendar year may appear in the compensable fatality count for a later year because of the time required to process a claim.

Complete data on all deaths caused by injuries in Oregon workplaces, regardless of whether they are covered by workers’ compensation insurance, are computed separately and reported in the annual Census of Fatal Occupational Injuries (CFOI) administered by the U.S. Bureau of Labor Statistics. The 2008 CFOI report is not expected for release until the fall of 2009.
2008 Fatal Claims by County of Injury

Oregon workers:
- 0 fatalities
- 1 fatality
- 2 fatalities
- 3 fatalities

Out-of-state workers = 13

Total fatalities = 44

Data is preliminary as of 03/11/2009
Source: Oregon Department of Consumer and Business Services, Information Management Division, Research and Analysis
A three-person crew was installing sewer lines under a new street under construction in a subdivision expansion project. The trench had been cut approximately 14½ feet deep with a hydraulic excavator (track hoe). A two-section manufactured trench shield was in use to protect the pipe layer from possible cave-ins. A wire rope sling attached between a latch-type hook on the bottom of the boom of the hoe and shield was being used to advance the trench shield as work progressed. The access ladder had been removed. The pipe layer remained in the trench.

As the 14,000-pound shield was being advanced in the trench, the hook and shackle connecting the wire rope sling broke loose from the excavator hook. The tight wire rope acted like a slingshot, catapulting the 31-pound hook and shackle through the shield. The victim was struck in the head.
Applicable standards:

1926.652(d)(2)
Manufactured materials and equipment used for protective systems were not used in a manner to prevent employee exposure to hazards.

The trench shield containing the pipe layer was being advanced in the trench using a wire rope sling attached to one of the spreader bars on the shield. This method is not consistent with the trench shield manufacturer’s instructions.

1926.21(b)(2)
Employees were not instructed on recognition or avoidance of the unsafe conditions. Movement of the trench shield in the trench in a manner inconsistent with the manufacturer’s recommendations; movement of the trench shield in the trench using a latch-type of hook attaching to the excavator’s quick coupler inconsistent with the quick coupler manufacturer’s recommendations; welding the hook’s latch in a closed position inconsistent with the hook recommendations; movement of the trench shield in the trench with the load on the tip of the hook inconsistent with the hook manufacturer’s specifications. Movement of the trench shield in the trench using the quick coupler while the bucket was attached and movement of the trench shield in the trench with the pipe layer inside without a ladder or other means of safe egress.

1926.651(c)(2)
The pipe layer was in a trench approximately 14 feet deep. When a ladder was removed, there was no other safe means of egress.
Oregon GOSH Conference wraps up with awards, Governor appearance

The 2009 Oregon Governor’s Occupational Safety and Health (GOSH) Conference attracted close to 1,500 attendees at the Oregon Convention Center in Portland in March. The event also drew nationally known speakers, offered 115 workshops and sessions, and featured more than 150 booths showing the latest safety and health products and services.

One of the highlights of this year’s conference was the March 11 awards ceremony, which featured a visit by Oregon Gov. Ted Kulongoski.

“Workplace safety matters ... to the workers who stay clear of injuries, to the employers who avoid loss, disruption and tragedy,” Kulongoski told a packed ballroom during his opening remarks at the ceremony. “And it matters to the families who escape seeing a loved one in pain, or losing that loved one altogether.”

The Governor also praised the 14 individuals, companies, and associations receiving awards for their commitment to safety and health.

“As we look toward the future, we face new challenges to join the old,” Kulongoski said. “Sustainability, nanotechnology, new manufacturing techniques, and changes in the composition of the workforce will demand creativity and a genuine commitment to workplace health and safety.”

Employers encouraged to celebrate Safety Break for Oregon on May 13

Employers across Oregon are encouraged to promote workplace safety and health with award programs, barbecues, or training events during the seventh-annual Safety Break for Oregon on Wednesday, May 13, 2009. Oregon OSHA coordinates the one-day event, which is designed to be flexible to meet an employer’s needs.

“My hope is for businesses to use Safety Break for Oregon to celebrate their safety and health achievements,” said Michael Wood, Oregon OSHA administrator. “It’s also a great time to talk with employees about ways to create safer workplaces.”

A Safety Break celebration is also planned on the Capitol steps in Salem at noon on May 13. The event will feature remarks from Wood, Oregon legislators, and an Intel representative.

Companies planning to participate in any aspect of Safety Break for Oregon are encouraged to sign up online. For ideas on hosting an event, to download graphics or for more information, go to the Safety Break for Oregon link on the Oregon OSHA Web site, www.orosha.org/subjects/safetybreak.html.

If you are a Comcast subscriber, you will soon see the Safety Break for Oregon TV spot airing April 6. Comcast, a Safety Break participant, produced the public service announcement, which will run statewide through May 12.
Eagle Creek students win safety video contest

Two Eagle Creek students took home first-place honors and $400 for their public service announcement promoting young worker safety and health. Dane Vandewiele and Israel Kamerman, both homeschooled, created the 30-second spot “Not that Knot.” Making use of special effects, the video depicts a window-washer plummeting to the ground after he disregards his friend’s safety advice.

The second-place prize of $300 went to Carson Wright of Hood River Valley High School in Hood River. His spot, “If You Wouldn’t Do It At Home,” also made use of production effects. For third place, a group from Douglas High School in Roseburg produced “Kitchen Safety,” which tied with students from Grants Pass High School in Grants Pass who created the PSA “Lend a Hand or Two.”

In June, the first-place PSA will air on the big screen at the following theaters across the state: Cedar Hills Crossing in Beaverton, Century 16 Eastport in Portland, Clackamas Town Center in Clackamas, Lancaster in Salem, Valley River in Eugene, Tinseltown in Medford, and Old Mill Stadium in Bend.

ConocoPhillips celebrates its VPP “Star” honor

Oregon’s latest VPP “Star” site, ConocoPhillips lubricants plant in Portland, was presented with a flag and plaque at a ceremony on March 4. Oregon OSHA Administrator Michael Wood told employees even though the company has VPP sites in other states, “Oregon OSHA grades tough” and the accomplishment shouldn’t be taken lightly.

The ConocoPhillips Portland Lubricants Plant blends, packages, and distributes lubricant oils, which include automotive, commercial, and industrial oils, and gear lubricants. The plant employs 24 people and is the first major oil company to receive VPP Star recognition in Oregon.
Congratulations to the following new SHARP employers:

- Gates Furniture, Grants Pass
- Precision Wire Components, Tualatin
- General Sheet Metal Works Inc., Clackamas
On-the-job safety must improve, say panelists

Published in the Daily Journal of Commerce March 13, 2009
By Justin Carinci

The construction industry has grown safer over the years. But workers are still injured and killed from falls on job sites. That’s unacceptable, said Dan Johnson, vice president of operations for Skanska USA.

“All of our organization has said, ‘This has to end,’” Johnson said. “We’re going to conduct business without hurting people, period.”

Johnson spoke on a panel during the Oregon Governor’s Occupational Safety and Health Conference on Wednesday at the Oregon Convention Center. He was joined by senior management from GE Security, Intel and Boeing Portland.

The conference started with some good – or at least better – news about the construction industry. Five workers died on construction jobs in 2008, down from 12 deaths in 2007, according to data compiled by the state Department of Consumer and Business Services and announced by Oregon OSHA administrator Michael Wood.

For Johnson, the displays of safety equipment at the conference’s exhibition hall served as a reminder of how much the approach to falls needs to change.

“Do you know what struck me?” he said. “Everything is about that stuff you use after you fall, or to fix yourself after the fall.

“That speaks to where we are right now,” Johnson said, “which is a bad, bad place.”

Skanska USA does much of its work in a negotiated environment, allowing it to use a commitment to safety as a selling point. However, even in a bid environment, Johnson believes companies should start including costs for fall prevention in their bid packages.

“Somebody has to be the first to do that,” he said. “Then everybody knows they’ve got to put it in.”

Glenn Schulze, construction project manager for Intel, said companies’ investments in safety shouldn’t be negotiable. Ergonomics doesn’t go out the door with budget cuts, he said.

“It’s a hard, fixed cost,” Schulze said. “I sat across from the director and said, ‘I can’t cut that cost.’

“The pressure is still there,” he said. “It doesn’t go away. But they recognize they don’t want to hurt anybody.”

Boeing Portland General Manager Jenette Ramos said the company is looking beyond preventing injuries to promoting employee health. There’s a fine line between advocating for workers’ well-being and meddling in their personal lives, she said.

That’s a distinction Boeing navigated when it banned smoking from its property, Ramos said. “How do you balance compassion with a long-term liability?”
Fourteen leaders in safety and health were honored with awards at the 2009 Oregon Governor’s Occupational Safety and Health (GOSH) Conference, held March 11 at the Oregon Convention Center in Portland. A panel of industry professionals judged the awards, which honor extraordinary contributions to the field of workplace safety and health.

Gov. Ted Kulongoski referenced the Mahonia Hall Reforms in his awards ceremony speech, remarking on the great gains that have been made in workplace safety overall.

“We knew then, as we know today, that workplace safety and health could be a reality only if employers and workers tackled the hazards in the workplace together,” he said. “And so we included employee involvement — the safety committees of the sort we honor here today — as part of the new Oregon OSHA strategy.”

**Association**

**Individual**

Associated General Contractors Oregon-Columbia Chapter, Wilsonville

Jeff Schanze of Cintas Corp., Portland

*Note:* Michael Wood, administrator of Oregon OSHA, and Clark Vermillion, ASSE president, are pictured with the award winners.
Congratulations to all the award winners!

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Congratulations to all the award winners!

continued on page 19
The 2011 GOSH Awards nomination application packet will be available May 2010 on the site.
Ask Technical

Oregon OSHA’s Technical Section answers more than 500 questions a month about safety and health issues. In this feature, we’ll share frequently asked questions with readers.

Q: An employee is struck in the knee while performing his regular work. As a result of the blow, his knee swells considerably. The worker is taken to a medical facility where the fluid is drained from his knee with a needle. The worker was not given any prescribed medicine to deaden the area prior to the fluid being removed. Does this procedure qualify as medical treatment and make this a recordable injury?

A: The treatment of the injury as you described it, draining fluid from a swollen, injured knee (with or without medication), would be considered medical treatment and not first aid. It meets one of the general criteria for being “recordable.”

This injury also sounds like it meets the other requirements for being “recordable”:

- an employee experienced an injury or illness
- it was work-related
- it was a “new case”

Based on your information, this injury should be recorded.

Oregon OSHA’s recordkeeping and reporting rule is found in Division 1: OAR 437-001-0700, available on the Oregon OSHA Web site, under “Rules” at www.orosha.org/subjects/recordkeeping.html

437-001-0700(8)(d)-(8)(f) defines “medical treatment” and provides a complete list of all treatments (in Table 6) that are considered to be “first aid” for the purpose of determining whether to record it.
Tell me about your background and safety philosophy?

I began my career at Reese Electric in 1989, working the front counter and answering the phones. I worked my way through the office, performing all of the accounting duties from payroll to accounts receivables and payables. I also earned a business degree from Eastern Oregon University.

When I started at Reese Electric we had about five electricians and we steadily grew to about 20 by 2004. Because I am the type of personality that needs constant change and a challenge, the owners decided to give me the opportunity to work out the increasingly complicated work schedule and let me organize and design a dispatch position. I worked with the contractors and crew for more than 12 years as the business expanded to more than 20 electricians.
In 2004, the business was sold and the economy took a big jump. We immediately experienced a manpower increase of more than 250 percent, bumping our crew to the 60 people we have today. I moved from the dispatching position into the director of operations role. I am in charge of all human resource issues, and the proper execution, direction, and operation of the head office and the satellite offices. I am also in charge of company education and grants, as well as the safety director. I have always been extremely interested in the health and well-being of our crew and office staff and have been the head of the safety department for more than 10 years. The focus of my job is to make sure each employee reaches their professional potential and to listen to their important thoughts and ideas.

What are some of the biggest challenges you face?

Because of our diversity in the industry, our crews are exposed to a variety of hazards. For example, the North Bend railroad bridge is an ongoing maintenance project. There are weather and wind factors, fall issues, and water and electrical exposures. We have been involved in replacing the underwater cable running to the railroad bridge and are facing yet another upgrade, which includes the dangerous coordination of divers, tugboats, and our electricians.

Our crew has worked in hospitals and surgery centers where bloodborne pathogens are present and continuous power is essential so surgeries and patient care can continue.

The McCullough Bridge is another project site that is particularly hazardous and we are responsible for changing the fog lights on the top of the bridge and electrical maintenance. Reese Electric also services the local rock and mining quarries and several tugboats in our area, along with chip and log-loading facilities such as the Oregon Chip Terminal and Georgia Pacific. These sites incorporate moving machinery exposures, tower climbing, working from a dock location, and motor and electrical exposures. Cell tower generators in remote locations on logging roads are another serious exposure. These remote locations present special problems in regard to safety coordination and preparation.

Reese Electric has the challenge of working in new residential homes and remodels, where it is a challenge to keep work areas safe due to repetitive tasks. We also maintain a variety of

Shelley Nasby conducts a review of a jobsite in Newport with electrician Brian Gilfillan.
equipment such as auger and ladder trucks that require specialized training and operator certification.

Because our vans are continually on the road, our crews log more than 500,000 miles per year. I am proud to report that we have not had an accident in the last 3 million miles that we have logged. Our crew managers keep each other safe because they are always looking out for each other. Their concern also flows to other trades on the jobsite, as one can only be as safe as the weakest link.

**How has your safety program adapted to the growth of your business?**

Our safety program has gone from a once a month safety talk in our shop to an all-inclusive and interactive program. We hold new employee orientations, in-house equipment training, CPR and first-aid training, on-site job training (as required), and a yearly all-team meeting where safety issues can be discussed openly.

Our safety committee consists of employees from every aspect of our business — the warehouse, apprentices, and estimators. This allows for a more comprehensive picture of what is really going on with jobsites and our crews. Over the past several years, I have particularly focused on outsourcing and building partnerships with what we call our “resource team.” The team consists of the Associated General Contractors, the National Electrical Contractors Association, SAIF, and Oregon OSHA. By utilizing their resources and expertise, we are able to educate our team on the day-to-day safety measures and the human and financial impact of workplace accidents. Our crew understands the basics of mod rates, how they work, how accident frequency affects the rates, and how much hard work it takes to keep a clean safety record.

One of the reasons I feel that Team Reese has been so successful these past years in maintaining safety is our excellent employee retention. A quarter of our crew has been with Reese Electric 10 to 15 years or more. Each of our leaders has had extensive training and re-training, resulting in an established culture of teamwork and cooperation. From day one, each employee is also empowered to stop work, if necessary, to take care of safety issues or to speak up if he or she needs help with a task. Of course, management has also played a huge role in making sure employees work safely.
Being a small business, how do you budget for safety needs?

We don’t have a budget, per se, for safety. If we need to purchase safety equipment or do training, we take care of it. If an issue crops up during the day and someone needs our assistance, we jump right in. The sooner we can tackle a problem, the better for everyone involved and the more productive that they can be in their work and that is what it’s all about.

In September of each year, we hold a special safety recognition dinner and incentive awards are given based on the number of years with the company. Each employee at the completion of five accident-free years with Reese Electric is awarded the coveted Reese safety jacket. Management has worked hard these past couple of years to make sure the team is recognized for their excellent safety record by applying for safety awards. So far our team has been honored with the Associated General Contractor’s ROSE Award in 2007 and 2008, a 2009 Oregon Governor’s Occupational Safety and Health Conference Employer Award, and the Construction Safety Excellence Award, which recognized Team Reese as the No. 1 specialty contractor less than 100,000 hours.

What advice do you have for other safety managers in small companies?

If I had any advice for other safety managers, it would be to take the time to make sure that you quantify your accomplishments, recognize your crew and let your industry recognize your work. The excellent public perception, the pride that our crew has in their individual work and the team atmosphere developed from the recognition are things that one cannot put a price on. Yet, they are the most valuable.