

## Statements for Launch of Heat Protection Campaign, 7/17/18

### Members of Congress

#### **Statement by U.S. Senator Patty Murray (D-Wash.)**

“Without a federal heat stress standard, far too many workers’ health and safety are put at risk when they are forced to work in extreme heat without rest or water breaks. One death from heat stress is too many so I’m proud my home state of Washington is leading the way in protecting workers from excessive heat, and I will continue to push the Administration to ensure every worker, in every state, is afforded protections from heat stress.”

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#### **Statement by U.S. Representative Judy Chu (D-Calif.)**

“Workers, including farmworkers who endure difficult labor and long hours to put food on our tables, are vulnerable to dangerous working conditions. I’ll never forget the stories of people like Asuncion Valdivia, who died after picking grapes for 10 hours straight in 105 degree temperatures. After Asuncion’s death, I fought to pass a new California law to require water, shade, and rest periods for workers. Now it is time we extend this protection nationally. No job should be worth your life. I’m grateful to Public Citizen United Farm Workers, and Farmworker Justice for their leadership on this issue.”

### Workers and Family Members

#### **Statement by Raudel Felix Garcia, brother of Audon Felix García, a California farmworker who died from heat, United Farm Workers Foundation**

“Good morning. My name is Raudel Felix Garcia. I will never forget Wednesday July 9, 2008. It was the day I received a call telling me my brother passed away at work for lack of heat protections and safe working conditions.

My brother, Audon Felix García, had just arrived from Zacatecas, Mexico Friday July 4th. He flew in to California to work in the field as he had done every other summer. But, just two days after starting work, burning temperatures and negligence to properly care for him caused his death.

My brother and his coworker were in charge of loading grape boxes on the company’s truck and of transporting them to the warehouse, taking turns driving the truck. That day, temperature records were somewhere in between 112 to 115 degrees and my brother and his coworker loaded up 750 boxes of grapes weighing 25 pounds each.

My brother and his coworker finished loading up the truck with boxes, and it was my brother’s turn to drive the truck. But, Audon told his coworker know he was not feeling well, and the coworker offered to drive while my brother rested with his sunglasses on, appearing to be falling asleep.

They were driving when the coworker heard a noise coming from my brother, like a snore. Then he heard that same snore again and again, and on the third time, he tried waking him up but noticed that he was already unconscious. Audon’s coworker called 911 and tried following the

emergency dispatcher's instructions to perform first aid on my brother. His efforts were unsuccessful. When the emergency vehicle arrived, they confirmed that Audon had already lost his life.

Then I received that phone call. I still remember it so clearly. They said my brother was dead. At first, I thought it was a bad joke. Until I realized, it was the truth. It was hard to believe that he was simply gone. I had seen Audon five days before his death, he was healthy and ready start another harvesting season.

My brother and his coworker had no heat safety trainings or protocol for heat illness. That is unacceptable. If a job consists of being out in the sun working long shifts in the worst conditions, employers need to protect their workers.

In 2005, California was the first state in the nation to issue comprehensive heat standards. And in 2015, California strengthened those regulations, but the rest of the country has yet to follow.

A decade after my brother's death, workers continue losing their lives from heat illness. I don't want any more families to go through the pain that my family went through. I am here to demand safe working conditions for the ones who lift up this country with all the hard work they do laboring under a fireball in the sky. We cannot lose more lives. Thank you for your time."

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**Statement by Arthur Fatu, airline catering truck driver, United Airlines, Houston, UNITE HERE leader**

"My name is Arthur Fatu, and I am a transportation driver for United Airlines Catering in Houston. I work on the airport ramp, exposed to extreme heat. It is really exhausting. United Airlines is a company that makes billions of dollars in profit, but the trucks I work in do not have air conditioning. I call my truck a 'traveling sauna.'

This month, I have been getting heat rashes. I get them while working in the summer, usually when it gets above 90 degrees. I have them on my head and both of my elbows right now. I just have to deal with that while I'm working. I have no choice.

A few weeks ago, I was removing all of the food and trash from a plane that had arrived at the George Bush Intercontinental Airport in Houston. It was so hot. In the middle of cleaning the plane, I started getting dizzy and my head started aching from the heat. I realized I needed water, but the water I had to drink was in my truck below. I felt like I was in a dangerous situation. I didn't feel like I had time to go down and get the water, because I feel a lot of pressure from management to work fast. All day, they are telling us, 'hurry, hurry, hurry.'

We need stronger protections for workers exposed to heat on the job. Working in extreme temperatures can put us at risk of heat exhaustion and heat stroke."

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**Statement by Beau Easter, telecommunications worker, McKinney, Texas, Communication Workers of America Local 6210, member and shop steward**

"In August, 2017, I participated in a CWA-conducted heat stress training program. This is an outstanding training provided by the CWA. I learned all the symptoms of heat stress and heat

stroke as well as the key points of how to handle situations that arise from heat illness and steps to take to handle situations that arise.

After the training, I returned to my AT&T Premise Technician job. We have a crew text bridge for my crew and a fellow premise tech had asked if nausea, dizziness, and chills were symptoms of heat stress. I immediately called the tech and advised him to get some cool water and to get in a cool place and slowly drink water and not do any work activity until he felt like he was back to normal. Two hours after his initial text my boss texted on the bridge and asked what was going on. He then called the tech and said to continue to work inside the house.

After I completed my job I was on, I called my boss and told him I was going to go help the tech. When I arrived on-site, I texted and advised the tech I was there. He came outside with his hard hat on. I could tell by looking at him that he wasn't right. I immediately called 911. The ambulance arrived and started IV and transported him to the hospital. The whole time during this incident a company supervisor never showed up on the job to check on the tech and had advised the tech not to mention anything to the customer. The whole thing was handled incorrectly by the company official. It is very important that we as CWA members take care of our union brothers and sisters. Hopefully, one day the company will make better judgement in handling situations that arise from heat illness. CWA will work to ensure this.”

### **Organizations**

#### **Statement by Dr. Sidney Wolfe, founder and senior advisor of Public Citizen’s Health Research Group**

“It is inhumane and inexcusable that despite the long record of success of Cal/OSHA in preventing heat-induced worker death and illness, an estimated 260,000 U.S. at risk workers continue to work, unprotected by any heat standard. Our coalition of workers, groups advocating for workers and former government regulators with expertise in the life-threatening dangers of unprotected worker heat exposure can overcome this long history of neglect.”

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#### **Statement by Arturo S. Rodriguez, president, United Farm Workers of America**

“We went to the funerals of too many California farm workers who needlessly died from extreme heat—and aided their families. I will always remember being at the service and consoling the family of Maria Isabel Vasquez Jimenez. She was only 17 and pregnant when she collapsed into her fiancé’s arms at a vineyard near Stockton—and the farm labor contractor delayed getting her medical treatment for more than an hour and a half. Her death was totally avoidable.

Another farm worker heat death we endured was Audon Felix Garcia. His brother, Raudel Felix Garcia, just completed his testimony. Thank you, Raudel. After a spate of heat fatalities of California farm workers, in 2005 the United Farm Workers helped convince then-Republican Governor Arnold Schwarzenegger to issue the first comprehensive standards in the nation to prevent heat death and illness by farm and other outdoor workers. We worked with Democratic Governor Jerry Brown to strengthen the regulations and their enforcement in 2015.

Some heat deaths still persist even in California, although our state heat rules have saved thousands of farm and outdoor workers from being stricken. They have saved countless lives. We use our UFW contracts to enforce government protections at unionized farms. Farm workers benefiting most from the state heat standards labor on non-union farms.

Deaths and injuries from extreme heat are still too common in states without any protective standards. UFW Foundation organizers recently went to Georgia to investigate the troubling fatality of an H-2A farm worker.

Farm workers are not agricultural implements. They are important human beings who sweat and sacrifice to feed millions of people across America and the world. They shouldn't risk death or illness just by going to work when temperatures soar.

Thirteen years ago we got a Republican governor to take action. Three years ago we worked with a Democratic governor to beef up the heat standards. Republicans and Democrats can take action today to stop these unnecessary deaths by creating national standards such as those we won in California.”

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**Statement by Jeannie Economos, pesticide safety and environmental health project coordinator, Farmworker Association of Florida**

“Climate change is real, and the people who harvest our food are feeling its impacts on their bodies every day. Temperature trends in Florida are rising each year, and the men, women and children who slave under the burning sun in high humidity are risking their health and their lives so the rest of us can have food to eat. Six, eight, ten, and more hours a day in the fields and greenhouses in our state can leave farmworkers weary, dizzy, nauseated, with headaches and vomiting. Worse yet, it can lead to heat stress, heat stroke, and even death. Over the past several years, at least three farmworkers have died from heat stroke in Florida, while another is permanently disabled by the effects of working outside under very hot conditions. And these are just the ones we know about.

Many cases go underreported or undiagnosed. Even more insidious is the fact that many farmworkers are chronically dehydrated from daily work in agriculture and risk long-term kidney damage and kidney disease. This is a public health issue; this is a justice issue. The people who feed us deserve strong protections from the escalating effects of climate change. We need national heat regulations now!”

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**Statement by David LeGrande, former director of occupational safety and health, Communications Workers of America**

“Good afternoon. I am David LeGrande, former CWA Director of Occupational Safety and Health and presently representing the Communications Workers of America (CWA) in this important heat stress initiative/campaign. CWA represents some 700,000 U.S. workers employed within the telecommunications; manufacturing; public, healthcare, and education; airline; and media and broadcasting sectors.

CWA welcomes the opportunity to join with Public Citizen, other unions, and public health and allied organizations in calling for federal OSHA to establish a long-overdue federal heat stress standard. CWA has been a leader among labor organizations in promoting and establishing heat stress materials; conducting member heat stress education programs; bargaining with key employers to ensure members are provided heat stress protections; and working with OSHA, other unions, and public health organizations to establish a federal heat stress standard.

In 2000, CWA began to identify represented telecommunications employers were backtracking on their obligations required by the Occupational Safety and Health Act as well as negotiated collective bargaining agreements with CWA to provide their employees/CWA members with safe and healthful working conditions. Workplace heat stress protections were included among these backtracking activities. During the first decade of the 21st century, CWA lost two members to heat stress health problems. Following a 2008 member fatality, the Union's Occupational Safety and Health Department initiated a national heat stress campaign. This campaign focused upon needs assessment; education and training; collective bargaining; regulatory, legislative, political and coalition-building activities. Our last member heat stress fatality occurred in 2011. Since that time, the Union's efforts have ensured represented employers- now including telecommunications, manufacturing, public, airline, and media and broadcasting employers- are providing working conditions that do not result in heat stress fatalities.

CWA continues to remain active and vigilant towards preventing member heat stress health problems. As I noted, the Union has not witnessed a member heat stress fatality since 2011. However, we do witness employer negligence which results in serious, but not fatal, member heat stress health problems. Mr. Beau Easter a member and shop steward with CWA Local 6210, McKinney, Texas will present his life-saving heat stress experience involving a co-worker.”

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**Statement by David Arkush, managing director of Public Citizen’s Climate Program**

“There is an undiagnosed epidemic of heat-related illness and death in this country, and the problem will get much worse very quickly because of global warming. Some of our most vulnerable workers are at the highest risk. We need to protect them right away, and we need aggressive action to halt greenhouse gas pollution and stop climate change.”

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**Statement by Shanna Devine, worker health and safety advocate of Public Citizen’s Congress Watch division**

“There is no reason for workers to be denied basic protections against heat, including access to water, rest, and shade. As demonstrated by the petition, labor, public health and environmental groups are united in addressing this occupational hazard. With rapidly rising temperatures, OSHA has a duty to implement a robust national heat stress standard without delay”

**Former Officials**

**Statement of Eula Bingham, PhD, former OSHA Director, 1977-1980**

California has led the way in protecting workers in that state from heat-caused illnesses and death. This summer has seen record heat across the country. Our rapidly changing climate, and

the increased heat stress encountered through the U.S., underscore the urgency of a federal workplace heat standard, to save lives of workers and prevent illnesses. As a former assistant secretary of labor for Occupational Safety and Health, I encountered numerous workplace hazards and was involved in developing standards for many of these. Heat is a deadly hazard and it is high time OSHA issued a standard to protect workers. I am proud to join Former OSHA Director David Michaels, former CalOSHA Director Ellen Widess public health researcher Marc Schenker, Public Citizen and 130 organizations, many representing affected workers in this petition for an OSHA heat standard.

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**Statement by David Michaels PhD, MPH, former OSHA Director, 2009-2016**

Heat kills dozens of workers every year, and with climate change, the risk of serious illness or death from outdoor work increases. Although employers have a general duty under the OSHA law to protect workers from heat, unlike California, there is currently no federal workplace heat exposure standard. Therefore OSHA generally does not conduct inspections for heat, and only issues citations after a worker is killed or hospitalized.

We learned from the Deepwater Horizon cleanup operation that even in high heat conditions, using the correct precautions can save lives. BP and their contractors voluntarily followed the work/rest guidelines for the tens of thousands of workers they employed to remove the oil that reached the gulf shores. Not a single worker was killed.

I ran OSHA during the Administration of President Obama. When Public Citizen and other groups concerned about worker protection petitioned OSHA for a heat standard in 2011, I could not grant the petition because the OSHA health standards staff was working on new rules to protect workers from silica, beryllium, and infectious diseases.

Now that two of those standards have been completed, it is time for OSHA to apply the lessons learned in the Deepwater Horizon cleanup and CalOSHA and issue a rule that will protect all workers from heat.

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**Statement by Ellen Widess, former Chief of Cal/OSHA, 1997-1980**

“As Chief of Cal/OSHA, heat illness prevention was a high priority given the millions of workers at risk of serious illness and death from heat exposure throughout California. As the first state to set an outdoor heat standard, California relied on a common sense, practical and uncomplicated approach --- Rest, Water, and Shade. These, coupled with training both workers and supervisors on the signs and symptoms of heat illness, and emergency procedures, have ensured that workers are protected in agriculture, construction, landscaping, oil and gas extraction, and related transportation industries. California’s experience proves that a heat standard is effective and easily implemented without any significant burden on employers and with proven, measurable benefits to workers. Given rising temperatures and the fact that all parts of California are experiencing longer periods of high heat, the heat standard saves countless lives. This approach should be adopted nationally to prevent needless serious illnesses and worker deaths across the country.”

**Expert**

**Statement by Marc Schenker MD, MPH, University of California at Davis. Expert in health and safety of agricultural workers**

“I have worked at UC Davis since 1983 to improve the health and safety of agricultural workers. During this time the hazardous exposures and adverse health outcomes of agricultural work have varied with changing work practices and environmental conditions. Probably the most dramatic change has been the increase in heat-related mortality and morbidity, such that it now surpasses pesticides as a cause of worker fatalities. Fortunately, California was the first state to implement an outdoor heat standard, and this has contributed to a lower rate of heat fatalities in California than elsewhere in the country. It is time to have a national heat standard to provide the same protection to workers across the country. Ambient temperatures are increasing, and agricultural workers are at a greatly increased risk of heat stress illnesses. The adverse effects of heat exposure are completely preventable with the very basic tools of rest, water and shade.”