

Worker Safety and the Obama Administration – A Time to Keep Promises

What can workers expect under the Obama Administration? Here is a list of pro-worker proposals supported by Barack Obama while in the Senate and on the campaign trail. We need to encourage the new President to fulfill his promises.

Obama co-sponsored the Protecting America's Workers Act, which would allow felony charges against an employer when an employee dies due to unsafe working conditions. The Act would also increase monetary fines, extend OSHA coverage to public sector workers, and strengthen whistleblower protections.

Obama supports an OSHA ergonomic standard. This is a high priority for worker safety. It could reduce the toll of back injuries, tendonitis, and other repetitive stress injuries suffered by millions of workers every year.

Obama favors increased funding for OSHA inspection activities, which would enable OSHA to have a more meaningful presence in American workplaces.

Other areas important for workers to continue to watch. . . .

- The Employee Free Choice Act (EFCA) would allow employees to form unions by signing cards authorizing union representation, provide mediation and arbitration for first-contract disputes, establish stronger penalties for violation of employees rights when workers seek to form a union, and during first-contract negotiations. (*See article inside.*)
- Expansion of the Family and Medical Leave Act (FMLA) to provide leave for elder care and domestic violence.
- Amending the Worker Adjustment and Retraining Notification Act to expand

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First New Hampshire Worker Center to Open in Manchester

This winter, NH COSH will realize a long-term dream by opening a worker rights center in Manchester. Other organizations cooperating to open the center include Carpenters Local 118, Carpinteros Latinos Unidos (United Latino Carpenters), the Granite State Organizing Project, the Massachusetts Immigrant and Refugee Advocacy Coalition, New American Africans, the NH AFL-CIO, and the NH American Friends Service Committee.

The center will help workers stand up for safe workplaces, workers' compensation, fair pay, the right to union membership, and freedom from harassment and discrimination. This project has been on hold for years because we wanted to put together sufficient funding in advance. But NH COSH's Board recently decided that the need is pressing. With partner groups, we have been doing worker rights organizing for years because we believe it's the right thing to do. So we decided to open a small center in subleased space in Manchester, learning and raising funds as we go along.

Because we're starting small and without extra funding, the worker center can't open to the public on a full-time basis right away. Our first project will be to teach injured workers about their rights under the workers' compensation system. This winter, we'll train volunteers and put together a board of volunteer attorneys to help injured workers. We're also considering sponsoring mutual support groups for unemployed workers. In addition, we'll respond to problems that specific groups of workers want to organize around. Meanwhile, our groups' existing programs on workplace safety, worker



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The Employee Free Choice Act

The best opportunity for working men and women to get ahead economically is by uniting with coworkers to bargain with their employers for better wages and benefits. These are tough economic times with unstable gas and food prices, home foreclosures, unaffordable health care, and shattered retirement security. Wages for working men and women have stagnated while pay and bonuses for CEOs have skyrocketed.

The Employee Free Choice Act is the most important legislative proposal in seventy years because it will remove unfair barriers to union representation and collective bargaining so that workers can get their fair share and improve jobs and benefits for everyone. It will help workers achieve the American Dream by giving them the freedom to choose a union and bargain collectively. It will mean that the economy can work for everyone again.

Current federal labor law—the National Labor Relations Act—has become a barrier to workers' rights. Companies intimidate, harass, coerce and even fire people who try to organize unions. Workers are fired in a quarter of private-sector union organizing campaigns and most workers who try to form unions are subjected to repeated, coercive one-on-one anti-union meetings with their supervisors. Even after workers successfully form unions, 44 percent of the time they can't get a first contract. This is a crisis for workers, blocking their free will and their ability to bargain for a better future.

The Employee Free Choice Act (H.R. 800, S. 1041), supported by a bipartisan coalition in Congress, would level the playing field for workers' freedom to choose a union by:

- Establishing stronger penalties for violation of employee rights when workers seek to form a union and during first-contract negotiations,
- Providing mediation and arbitration for first-contract disputes, and
- Allowing employees to form unions by signing cards authorizing union representation.

The Employee Free Choice Act was introduced by Senator Edward Kennedy (D-Mass.) and Representatives George Miller (D-CA) and Peter King (R-NY). It passed the U.S. House of Representatives, 241-185, on March 1, 2007, and gained majority support in the U.S. Senate on June 26, 2007, but was blocked by a Republican filibuster. For more information visit www.aflcio.org.

Adapted for NH COSH Workers Safety News from AFL-CIO fact sheets and web-site information.

Many NH Jobs Don't Pay a Livable Wage

According to a recent report released by the Carsey Institute at the University of New Hampshire, 79 percent of the jobs in New Hampshire do not pay a wage sufficient for a single parent with two children to provide the basic needs such as housing, food, transportation, child care and health care. The report found that Carroll County has the lowest percentage of livable wage jobs, only 13 percent of the jobs paying a livable wage for a single parent with two children.

The report examines livable wages – the wage sufficient to pay for basic needs – by county and by seven family types. The report found that in every county in the state, well over half of all jobs pay a livable wage for a two-parent family with one child (both parents working) or for a single-person household. In contrast, no more than a quarter of all jobs in any county pay a livable wage for a single person with two young children.

Livable wages vary by region, with rural Coos County having the lowest livable wages and Hillsborough and Rockingham counties, home to three of the state's largest cities (Manchester and Nashua in Hillsborough and Portsmouth in Rockingham) having the highest livable wage. The lowest estimated livable wage is \$8.49 for a two-parent family with one child (both parents working) in Coos County, while the highest livable wage estimate is \$22.24 for a single person with two children in Rockingham County.

One out of three New Hampshire workers are employed in one of 65 job types – primarily service positions – in the state with a median hourly wage below \$11.07, the estimated livable wage for a single-person household. To the extent New Hampshire continues in its transition from a production-based to a service-based economy, the proportion of livable wage jobs is expected to decline.

“It's important to understand that just because people have jobs, they may not be doing O.K.,” says report author Daphne Kenyon, an economist and policy fellow at the Carsey Institute. Kenyon also noted that workers not making a livable wage may go without basic needs like health insurance or may work more than 40 hours per week.

To download a copy of the report, go to <http://carseyinstitute.unh.edu/publications/IB-NHLivableWage08.pdf>.

Adapted for NH COSH's Worker Safety News from UNH Media Relations press release October 21, 2008.

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protections for employees during plant closures or layoffs.

- Increase the federal minimum wage to keep up with inflation, and increase the Earned Income Tax Credit.

These are just some of the issues what will be facing the new administration in January.

Disaster Plans for U.S. Cities Are Deficient

The U.S. Conference of Mayors recently released a 183-city survey on the nation's disaster preparedness nearly five years after September 11 attacks and almost one year after Hurricane Katrina.

The survey results cite that eight in ten cities say their emergency responders still can't communicate with each other or area towns, 44% have not created or updated their evacuation plans, and nearly three-quarters say they're not prepared to handle a flu pandemic outbreak.

The survey includes responses from cities with populations as small as 30,000 to major cities like New York City with a population of 8 million. Among the findings are:

- Most cities have not received enough money to get police and firefighters the radios and communication equipment necessary to be able to talk with each other during a crisis.
- The number of cities that have not created or updated evacuation plans since last year's Gulf Coast hurricanes is 4 in 10.
- The federal Emergency Management Agency received a mixture of reviews on how much confidence cities have that the agency would respond quickly after a major disaster. The average response on a scale of 1 to 10, was 5.2.

The Department of Homeland Security has given more than \$18 billion in grants to communities since 2003, including more than \$2 billion for improved communications. Most experts on preparedness still feel that the country is not where we need to be if a catastrophe were to strike the United States. Most cities have bought equipment but are not trained on the equipment and more emphasis needs to be placed on training and exercises.

(Copies of the survey are available at www.usmayors.org or you could phone The Conference on Mayors at 202-293-7330.)

Adapted for NH COSH Worker Safety News from The New England Consortium's Quarterly newsletter.

New Comprehensive US State Chemicals Policy Database at UMass Lowell Center

The Lowell Center for Sustainable Production at the University of Massachusetts Lowell has launched a new State Chemicals Policy Database for legislators, policy makers, researchers and advocates that houses more than 700 state and local legislative and executive branch policies from all 50 states from 1990 to the present. The 15-month research was driven by the recent reform efforts in many states and the mounting scientific studies revealing new evidence of the buildup of some chemicals in ecosystems and people, and the rising public concern about toxic chemicals in everyday products.

"With all of the recent evidence uncovering links between hazardous chemicals and disease, more and more state legislators and agencies are eager to know what other states have done on chemicals policies so that they can avoid past mistakes and learn from successes," said Adam Schafer of the National Caucus of Environmental Legislators. "Before this database, this was no easy task. I believe this tool removes a major roadblock to spearheading new legislation and hopefully creating models for updating future federal policies."

For each policy, the online search tool at <http://chemicalspolicy.org/uslegislationsearch.php> provides a brief description, the policy type, specific chemicals and products addressed by the policy, the status and a link to the full text of the policy.

"In the absence of any federal action to overhaul the 30-year-old federal chemicals policy system, state and local governments have stepped up to the plate and become vital laboratories for shaping innovative chemicals policies," said Joel Tickner, associate professor at UMass Lowell and director of the Chemicals Policy Initiative for the Lowell Center for Sustainable Production. "With centralized access to these policies, more states can now move at a thoughtful yet faster pace that will hopefully lead to an eventual breakthrough at the national level to secure a safer and economically viable life for all."

Adapted for NH COSH Workers Safety News from a UMass Lowell news release on October 17, 2008

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rights, immigrant rights, and economic justice will be accessible through the worker center.

If you would like to volunteer to teach workers their rights or to support the center financially, please contact NH COSH at 226-0516.



Safe Jobs - Workers' Rights

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TNEC Hazardous Waste and Emergency Response Training

The New England Consortium (TNEC) based at the University of Massachusetts Lowell is sponsored by the National Institute of Environmental Health and Safety's Worker Education Training Program (NIEHS/WETP) to provide health and safety training relating to hazardous materials. TNEC is a New England regional partnership between the University of Massachusetts Lowell (UML), Western MASSCOSH, MASSCOSH, RICOSH, CTCOSH, and NH COSH. TNEC also collaborates with the OSHA New England Training Institute Education Center at Keene State College, Manchester, New Hampshire.

Training programs available

[Check out the TNEC website]

- Emergency Response to All Hazards Awareness Course – 8-hour
- Emergency Response Awareness Level – 8-hour
- Emergency Response Refresher – 8-hour
- Emergency Responder – 24-hour
- Hazardous Waste Site Worker – 40-hour
- Hazardous Waste Site Refresher – 8-hour
- Supervisor – 8-hour

TNEC will design customized courses delivered on-site anywhere in New England or at TNEC's training center in Lowell. All courses meet or exceed the requirements of the OSHA 1910.120 HAZWOPER standard.

For more information contact TNEC at UMass Lowell, 1 University Avenue, Lowell MA 01854, 978-934-3257, t nec@uml.edu or www.uml.edu/t nec.

In The News. . .

OSHA Issues Rule on Protective Equipment

OSHA issued ruling on "Clarification of Employers' Duty to Provide Personal Protective Equipment and Train Each Employee" on December 12 in the Federal Register. The rule clarifies OSHA standards for employers to pay for personal protective equipment (PPE) and hazards training.

Each employee not protected may be considered a separate violation and penalties assessed accordingly. The rule will take effect on January 12, 2009.

Dover – Wheels in Motion to Save AT&T Jobs

Gov. John Lynch and U.S. Rep. Carol Shea-Porter are working to save 300 jobs at the AT&T call center in Dover, which has been marked by the State Department to close. These workers belong to CWA 1298. Both officials emphasized that the nearly 350 employees provide expertise, backed by training and security clearances, and that the jobs are vital to the local economy.

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SUPPORTED AND FUNDED THROUGH MEMBER CONTRIBUTIONS AND GRANTS FROM: TNEC/UMass Lowell, OSHA, NH Department of Education, Verizon Foundation, Endowment for Health.