



Occupational Health News

SOCALCOSH - Together We Can Create Safer and Healthier Workplaces!

March 2005

COSH in 2005

This is the first issue of SoCalCOSH's new quarterly newsletter: Occupational Health News. For those of you who may be unfamiliar with SoCalCOSH we are a coalition of worker advocates in Southern California working to improve the health and safety of workers in the region through education and advocacy work. For those of you already familiar with our work we are happy to announce that SoCalCOSH received the long-awaited non-profit status at the end of 2004.

In 2005 we are looking towards expanding the coalition and establishing it as an important resource for the community. This newsletter is one of the vehicles by which SoCalCOSH will attempt to keep the community informed about current issues that are likely to have an impact on the health and safety of workers in Southern California.

Other projects we will be working on in 2005 include the creation of an occupational health and safety library, development and implementation of occupational health and safety curriculum for ESL classes, and as usual, regular meetings presenting a variety of health and safety related topics. So, we thank you for your continued support for COSH and we look forward to continue working together in the future!

Protect Your Right to a Lunch Break!

From the California Federation of Labor's website at: www.calaborfed.org

Governor Schwarzenegger is trying to bully California workers out of their lunch breaks! The Governor was forced to rescind the "emergency" status of his rule changes, but he is still attacking the guaranteed right to a lunch break for California workers.

The rule changes announced by the Governor would weaken workers' rights to meal breaks and would shorten the amount of time that employers can be held liable for refusing to provide them. Companies like Wal-Mart that are being sued for cheating their workers out of lunch breaks could be off the hook if Gov. Schwarzenegger's changes go into effect.

Worker health experts testified at public hearings about the effects of limiting workers' rights to a break. Fatigue, physical and mental strain can lead to repetitive strain injuries and an increased rate of accidents in high-stress occupations such as firefighter, pilots, health care workers – threatening the health of workers and public safety.

Because the proposed rule changes are no longer classified as emergency regulations, the public has 120 days to comment on them. Tell Governor Schwarzenegger how you feel about losing the guaranteed right to a lunch break.

To send a fax to the Governor on this issue through the California Labor



Federation, go to:
<http://www.calaborfed.org/>.

To read the California Labor Federation press releases, go to <http://www.calaborfed.org/>.

Garment Workers Celebrate End of Campaign Against Forever 21

Thirty-three garment workers who labored in 21 different Los Angeles sweatshops announced a settlement of their state court lawsuit against the popular clothing retailer Forever 21. The settlement marked the conclusion of the accompanying three-year long national boycott against the retailer. The boycott was launched by the Garment Worker Center (GWC) and the low-wage workers in September of 2001 after numerous workers who made clothes bearing the "Forever 21" label claimed that they were mistreated in their workplace. The garment workers, represented in their legal case by the Asian Pacific

American Legal Center (APALC), a non-profit civil rights organization, consistently reported that they were denied their lawful wages and exposed to dangerous and filthy working conditions, including rats and cockroaches in the factories and no drinking water or bathrooms.

"The courage of low-wage workers standing up for their rights ... reminds all companies to examine the impact of their business practices on workers who make their profits possible."

Though the terms of settlement are not public, the disputes between the parties have been resolved to the parties' mutual satisfaction.

"We are very happy that the campaign has ended. The GWC and the workers who were involved in this public campaign want to thank all our supporters for their energy and spirit and encourage them to stay involved in the fight for workers' rights," stated Kimi Lee, Executive Director of the GWC. Lee added, "We look forward to working with Forever 21 to find ways to protect workers. We hope other retailers will join us to make the Los Angeles garment industry a productive and positive place to work."

"We're pleased that Forever 21 has agreed to take steps to promote positive change in the industry, and that it has stated the company remains committed to ensuring that the clothing it sells in its stores is made under lawful conditions," commented Christina Chung, Staff Attorney at APALC. "The courage of low-wage workers standing up for their rights is not only inspirational, but also reminds all companies to examine the impact of their business practices on workers who make their profits possible. We challenge all retailers to become industry leaders by working together with garment workers to implement

responsible business practices in order to eliminate sweatshops," added Chung.

Guadalupe Hernandez, another garment worker who led the campaign and lawsuit, and now an organizer at the GWC, concluded: "Now that the campaign against Forever 21 is over, I am looking forward to a new beginning, to helping more and more workers. My fight to improve working conditions in the garment industry has only just begun."

Labor Department to Warn Wal-Mart Before Inspections

The U.S. Department of Labor made an agreement with Wal-Mart that gives the world's largest retailer 15 days notice before investigations of child labor law violations. As Wal-Mart agreed to pay more than \$135,000 to settle federal child labor law charges involving young workers' use of dangerous equipment, the Labor Department gave the retailer the authority to police itself—a deal made Jan. 6 that only became public when *The New York Times* disclosed it Feb. 12.

"I am very concerned about this secret agreement between Wal-Mart and the Bush administration," says Rep. George Miller (Calif.), senior Democrat on the House Education and the Workforce Committee. Miller has asked the Labor Department's inspector general to investigate whether the arrangement is a sweetheart deal and also has requested more information from Secretary of Labor Elaine Chao.

Most of the 24 child labor charges against Wal-Mart involved children younger than 18 operating heavy machinery, including cardboard balers and chain saws. In one case, a minor hurt his thumb while cutting Christmas trees with a chain saw.

The Labor Department agreed to provide the retailer advance notice of investigations of child labor laws even though Wal-Mart has a record of child labor law and other wage-and-hour violations. Maine fined the company more than \$200,000 in March 2000 for child labor law violations in every one of the 20 stores in the state. A weekly internal audit of 128 stores found more than 1,300 instances of children working improper hours, although company officials later said the audit was faulty, according to *The New York Times*. Throughout the nation, dozens of individual and class-action lawsuits have been filed by current and former workers alleging Wal-Mart made them work overtime without pay.

"Once again, it looks like the Bush administration is doing a favor for a powerful friend and contributor at the expense of workers who do their jobs and still cannot get fair treatment in the workplace," says Miller.

Wal-Mart donated \$2.1 million to candidates and campaigns in the 2004 election cycle, with 80 percent going to Republicans, according to the Center for Responsive Politics website OpenSecrets.org.

The Labor Department's deal to give Wal-Mart advance notice before inspections is "quite shocking and the notion that the wage-and-hour division would give Wal-Mart advance notice on some level is a compromise of its

investigative authority,” says John Frasier, who retired in 2001 as deputy administrator of the Labor Department’s wage and hour division, in the Feb. 15 *Wall Street Journal*. Notifying the retailer of an alleged violation, he says, compromises a complaining worker’s privacy.

Wal-Mart has admitted it locks workers in about 10 percent of its more than 3,500 stores, according to a June 18, 2004, *New York Times* story. Saying they have been denied promotions and pay raises because of their gender, a group of women sued Wal-Mart last year in the largest sex-discrimination case in history, and in June, a U.S. District Court in San Francisco gave class-action status to 1.6 million women who have worked at Wal-Mart since 1998. Wal-Mart also has had to pay hundreds of thousands of dollars to workers across the company who were subject to race discrimination.

Alarming Surge of Worker Deaths in So. CA

In memoriam:

- Conce Campbell, 52, Railroad worker slipped under train at Port of LA, Jan. 28
- Max Petrasich, 63, Longshore worker crushed by cargo container at the Port of LA, Feb. 1
- Rory Shaw, 47, L.A. City engineer fell into sinkhole caused by heavy rains in Sun Valley, Feb. 27
- Rene Flores, 54, L.A. City Bureau of Street Services employee murdered by co-worker, Feb. 24
- Ricardo Garris, 49, L.A. City Bureau of Street Services

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Upcoming Trainings



**Union activists,
learn how to
organize for safe
workplaces!**

The UCLA Labor Occupational Safety and Health (LOSH) Program, in collaboration with the SoCalCOSH, the UCLA Labor Center and the San Diego City College Labor Studies Program present:

Worker Health & Safety Specialist Program 24-Hour Course for Union Activists

Los Angeles

When? Mondays, June 6, 13 & 20,
8am – 5pm

Topics include:

- How to identify Hazards
 - Chemicals
 - Ergonomics
 - Workplace Violence
 - Stress
 - Unsafe equipment
- Cal/OSHA
 - How does it work?
- Health and Safety Committees
- Workers’ Compensation
- Contract Language and Grievances

Where?

UCLA Downtown Labor Center
675 S. Park View St.
Los Angeles, CA 90057

Graduates of the training will receive a Health and Safety Specialist certificate of completion from UCLA-LOSH and the State CHSWC.

For more information or to enroll contact: Laurie Kominski, UCLA-LOSH, (310) 794-5992, lauriek@ucla.edu.

San Diego

What?

Occupational Safety and Health Class (Labor Studies 123A) offered through San Diego City College.

When?

Spring, 2005. Classes will take place on the following three Saturdays: April 30, May 7, and May 21, from 8:30 am – 5:30 pm.

Where?

Office and Professional Employees International Union Local 30
4560 Alvarado Canyon Rd., Ste. 2H
San Diego, CA 92120

Why?

This is a hands-on study of the health and safety issues of the workplace. Students will learn to identify and analyze the causes of health and safety problems in the workplace and learn problem-solving skills as well as the elements of a comprehensive and effective injury and illness prevention program.

Who?

The class will be taught by Deogracia Cornelio and other staff members of UCLA-LOSH’s Worker Occupational Safety and Health Training and Education Project (WOSHTEP).

For more information about this course contact Dr. Roberta Alexander at: ralexand@sdccd.edu; (619) 388-3089.

For San Diego City College enrollment information you may either visit their website at: www.sdccd.edu, call (619) 388-3400 or visit San Diego City College Office of Admissions.

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**Together we can create safer
and healthier workplaces.**

Join SoCalCOSH!!

**Support our Right to a
Safe Workplace!!**

Your generous contributions allow COSH to continue expanding our services. For more information about joining SoCalCOSH please call or email our office.

COSH Membership Fees

Unions/CBO's

Less than 250 members	\$175
251-500 members	\$300
501-1,000 members	\$350
1,001-2,500 members	\$425
2,501-5,000 members	\$600
5,001-10,000 members	\$750
10,001-100,000 members	\$1,000
100,000 members >	\$1,500

Individual Membership	\$25
Supporting Members	\$70
Sponsoring Members	\$100
Low Income/Students	\$ 10

Worker Deaths...

employee murdered by co-worker, Feb. 24.

- And many more who have been injured on the job.

Save the Date!!

On April 28, the labor movement will observe Workers' Memorial Day. Join us to remember workers who have been killed or injured on the job and to fight for stronger health and safety protections.

Call SoCalCOSH for details or with ideas for an April 28th event: Workers' Memorial Day materials are available from the AFL-CIO: (202) 637-5367 or visit their website:

<http://www.aflcio.org/yourjobeconomy/safety/memorial/index.cfm>

Useful Occupational Health and Safety Links:

- **UCLA Labor Occupational Safety and Health Program (UCLA-LOSH)**
 - www.losu.ucla.edu
- **Labor Occupational Health Program (LOHP)**
 - www.lohp.org
- **National Council for Occupational Safety and Health**
 - www.coshnetwork.org
- **California Department of Industrial Relations**
 - www.dir.ca.gov/occupational_safety.html
- **AFL-CIO Health and Safety Page**
 - www.aflcio.org/yourjobeconomy/safety/index.cfm
- **Voters Injured at Work** – Non-profit political organization of injured workers and their families established to protect and enforce California's constitutional guarantee to a fair and adequate system of compensating workers and their dependents for injury or disability from a work injury.
 - www.votersinjuredatwork.org