

Always Remember...

In the United States there are approximately 14 workers fatally injured each day due to preventable work-related incident and thousands more succumb to their occupational illness or disease.

Below are the statistics of the reported losses incurred from 2018-2020 in each State due to preventable work-related incidents.

Please be advised these are those only incidents that were reported. However, many more lives are forever lost due to a work-related incident in each state that are not reported and/or inspected, and they too should not be forgotten.

Going to work should not be a grave mistake.

OUR FALLEN WORKERS

	2018	2019	2020
ALABAMA	89	89	85
ALASKA	32	51	31
ARIZONA	82	94	97
ARKANSAS	76	62	64
CALIFORNIA	422	451	463
COLORADO	72	84	78
CONNECTICUT	48	26	29
DELAWARE	7	18	7
DISTRICT OF COLUMBIA	10	10	13
FLORIDA	332	306	275
GEORGIA	186	207	193
HAWAII	22	26	16
IDAHO	45	36	32
ILLINOIS	184	158	135
INDIANA	173	146	158
IOWA	77	76	58
KANSAS	5	73	55
KENTUCKY	83	78	92
LOUISIANA	98	119	103
MAINE	17	20	20
MARYLAND	97	78	59
MASSACHUSETTS	97	86	69
MICHIGAN	155	164	131
MINNESOTA	75	80	67
MISSISSIPPI	78	59	44
MISSOURI	145	106	15
MONTANA	28	38	29
NEBRASKA	44	53	48



NEVADA	39	40	37
NEW HAMPSHIRE	20	11	14
NEW JERSEY	83	74	82
NEW MEXICO	43	55	37
NEW YORK	344	364	282
NORTH CAROLINA	178	186	189
NORTH DAKOTA	35	37	26
OHIO	158	166	117
OKLAHOMA	35	37	26
OREGON	62	69	60
PENNSYLVANIA	177	154	148
RHODE ISLAND	9	10	5
SOUTH CAROLINA	98	108	102
SOUTH DAKOTA	32	20	32
TENNESSEE	122	124	142
TEXAS	488	608	469
UTAH	49	51	48
VERMONT	11	10	8
VIRGINIA	157	180	118
WASHINGTON	86	84	83
WEST VIRGINIA	57	46	47
WISCONSIN	114	113	108
WYOMING	31	32	35

News Release, Bureau of Labor Statistics, U.S. Department of Labor-<https://www.bls.gov/news.release/pdf/cfoi.pdf>



ARKANSA

HOT SPRINGS

MICHAEL ANTHONY McKEE, 27

My son, Michael Anthony McKee, was killed at work due to the negligence on the part of *Texamerican Food Blending, Inc.* He was 27 years old. The loss is indescribable. He was young, healthy, and had his whole life ahead of him...until 12/27/16.



Michael was working at one of their plants via a temporary agency. He was crushed inside a huge line-4 mixer between the agitator and bowl because the employer did not have a lockout or tagout device affixed to the energy isolating device. The employees were not trained properly – they were taught to take short cuts – and as a result, my son is gone.

Inspection #1199915.015 Report ID 0627100

OSHA cited them with three serious citations; two willful citations, and one other-than-serious citation – for a total of \$185,055. The fine was reduced to \$87,000.00

The temp agency was also cited with one serious citation – for a total of \$12,675.00. It was also reduced, to \$8,800.00. \$95,800.00 assessed fines for the life of my child.

After he died, we discovered in his pocket a folded-up piece of paper. It was the Texamerican Core Values:

Team – it takes a great team to build a great company with great results

Perfection – Do it right the first time

Service – It's what we do

Candor – Open, Honest, Integrity, Accountability

Positive Attitude – Everyone working together harmoniously to achieve our goals

It makes me sick. “Perfection – do it right.” “Integrity.” “Accountability.”

Texamerican was up and running a few days later and my son is gone. I want them held accountable.

Our lives will never be complete again without Michael.

Michael represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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CALIFORNIA

SAN FRANCISCO



KEVIN SCOTT NOAH, 42

Kevin Scott Noah was the love of my life, my partner, my confidant, my advocate and my best friend. Kevin was also the proud father of three boys and a father figure to my two girls, a loving son, brother, uncle and a great friend to all who knew him. Kevin was a very passionate and adventurous soul who in his spare time could always be found outdoors. He loved spending time with his boys, going on road trips, camping, dirt bikes and the ocean.

Kevin Scott Noah was 42 years of age when he was killed on the job on August 13, 2002 (just two days after his youngest son's 6th birthday). Kevin was working for *Shimmick/Obayashi JV* AKA: *Shimmick Construction Obayashi Corporation*. Kevin was working on Phase 2 of the seismic retrofit of the Golden Gate Bridge in San Francisco, CA.

Cal OSHA cited them with 3 serious and 3 other-than-serious citations for a total of \$26,025.00. The fines were reduced to \$0.

The case was thrown out by ALJ (Administrative Law Judge) on a technicality as the company had successfully claimed it had been misnamed in the original complaint as *Shimmick/Obayashi JV* (which was the name provided to OSHA by the company as well as the name printed on all employee ID's and business cards and prior state contractor documents) the company would later state that their true name was *Shimmick Construction Obayashi Corporation* joint venture and therefore they could not be held accountable.

Kevin's case is just one example of the many reasons that the Protecting Americas Workers Act needs your support and the ability to ensure felony criminal penalties for repeat offenders, better whistleblower protections for Whistleblowers and coverage of public employees.

If I have learned anything over the past 17 years is that just reading these stories unfortunately is not always enough to clearly express how very important the Protecting American Workers Act is and the magnitude of the impact it would have on the workforce should we be unable to allow you the ability to see its significance through our eyes by making it personal to each of you. Like most lessons in life, hearing about something only allows one the ability to be aware. And sadly, it's not always enough.

Rather than listing the reasons why we desperately need your support. I ask, if only for a moment imagine that these stories of tragedies and losses are not ours but are yours. In place of our loved



one's think about the people who mean the most to you... wife, husband, sister, brother, mother, father, child or even yourself. And allow yourself the ability to see that perhaps it's time to stop looking for reasons why you should support Protecting American Workers Act. Ask the one question we as family member victims should have been asking all along.....“Why wouldn't you support the Protecting Americas Workers Act?” Thank you for your time and consideration on this very important issue. It is with your support that can transform tragedy into prevention because going to work shouldn't be a grave mistake.

Kevin represents 1 of the 14 workers killed each day in the United States and you can make a difference.



GEORGIA

AUGUSTA

RALPH AVERY ZORN, 59

My Daddy was fatally injured on the job January 2015 when an overhead crane bumped the scissor lift, he was operating, tipping it to the ground. He was approximately 22.7 feet from ground level changing out light fixtures.

OSHA investigated and proposed a penalty of \$9,800 for 2 Serious violations. The fines were reduced to \$3,290.00 for 1 Serious violation.

I could not believe that this was it for the company to have to pay for the loss of a life. I was hoping for some sort of justice. To me, a fine this low, does anyone's life matter?

What is the incentive to provide an employee with a safe working environment?

My dad enjoyed spending time with his family, riding his Harley, and his work. He was what one may call a jack of all trades. He was always available to help others in need. His life mattered. He should have been able to retire and enjoy his hobbies. He should have been able to watch his grandchildren grow. No one should die at work.

I know that we all will die, at some time. And we hope that we can leave the world a better place for those who follow us. We can all make a difference. And my hope is that by sharing what happened to my father, the man I've always looked up to, that will help make a difference for those in charge, who can influence safety at the workplace.

Ralph represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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GEORGIA

ELLERSLIE



JAMES PEYTON AILSTOCK, JR., 60

My husband James was a talented mechanic and excellent truck driver. He loved his family dearly and worked hard to provide for them. He had a pristine driving record and traveled hauling his loads in the southeast and Midwest states. He loved NASCAR (Jeff Gordon his driver) and NFL Football (Philadelphia Eagles his team) He was a wonderful husband, father, and son. He was born and raised in Salem, Virginia. He

was a veteran, US Army and National Guard 1976-1983.

Sadly, my husband's life was cut short when he was injured on the job on February 19, 2018 and succumbed to his injuries on February 20th while working for American Service Lines. His last haul was to Kearney, Nebraska. While waiting to pick up his load, he was struck by a company owned pick-up truck that was backing out of a parking space. He fell and struck his head on the concrete, suffering blunt force trauma to his head.

Federal OSHA investigated American Service Lines, LLC. and proposed a penalty of \$0 for one other-than-serious violation.

The words from USMWF, "Going to Work Should Not Be A Grave Mistake" take on special meaning to me and my family.

James represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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ILLINOIS

CHICAGO

BRIAN MILLER, 37

My brother was also a son, uncle and a friend to many.

Brian may have been gruff and tough on the exterior, but he was a true teddy bear at heart. Some of his greatest joy was spending time with his niece and spoiling his friends' children with presents. He was often the life of the party at any social gathering and lived up to "living life and not letting it live me." His incredible heart and larger than life personality made it easy for him to befriend anyone who crossed his path. Many people would say he literally scheduled his life around the needs of others. He had a passion for anything that moved (cars, boats and motorcycles) and if a friend needed help, he was always there with a smile.



Brian had positioned a street sweeper to complete some maintenance repair work on the vertical hydraulic cylinder. He replaced one of the cylinders, engaging the hydraulic cylinders raising the hopper to its upper position. He positioned himself below the hopper and was standing within the framework of the vehicle and was conducting the repairs when the hopper dropped and crushed him between it and the vehicle frame.

Federal OSHA investigated the incident and proposed a \$4,200.00 penalty for two serious violations. During an informal settlement the penalty was reduced to \$3,500.00. The case was closed June 16, 2010. Inspection: 312600042 – *Hunter Maintenance and Leasing*

It's been over 9 years since I lost my only sibling and I cannot deny that there were many negative impacts that his death left on my family. Two days after his death, I had to go pick up his tool box and truck from work, I can't even begin to describe the feeling I had seeing the piece of equipment that killed him. It was still roped off with caution tape, however it was put back in service within days of the accident so as not cause any financial loss to the company. When I was making his arrangements, I didn't even know if he could have an open casket, but I did anyhow. Seeing him at the funeral, he had stains on his skin from the hydraulic fluid and it was also still in his hair. Over the years I have dealt with sleep disturbances and nightmares about that night. Any thought of that day literally brings me to my knees and takes my breath away.

It saddens me that he never got to see some milestones with his niece like graduating 8th grade or getting her drivers permit. He never got to experience a love that people hope for. He never got to take his passport to all the places he wanted to visit. However, even though all the pain and grief of losing my brother there was a positive impact. Brian truly knew how to give without expectation, and that is now how I live my life. Every year a scholarship is awarded to a graduating senior entering a technical field at his high school. These kids never had a chance to



know him but if it gives them a little faith in humanity and teaches them to “pay it forward,” then it eases the sting of losing him just a bit.

Loss happens every day, but you don’t always get a chance to prepare for it. To this day I can’t handle a late-night phone call or a heavy knock on the door. I found USMWF shortly after the loss of my brother and I fully support their cause. My brother died doing what he loved, but I’m certain he never anticipated that he would die that day at work.

“Going to Work Should Not Be a Grave Mistake”

Brian represents just 1 of the 14 workers killed each day in the United States and you can make a difference.



INDIANA

GARY



FRANK FREER, 46

This is my fiancé Frank Freer. He tragically lost his life on April 8, 2020 while at work. He was 46 years old.

Frank worked for KM Industrial Services. He was contracted out to work at U.S. Steel in Gary, Indiana the day of his passing. It was my understanding that morning it was his job was to clean an exhaust stack. Frank and another worker climbed up to get inside stack to connect some equipment. They only went approximately one foot or so inside the vessel. They did what they needed and came back down. It is believed that at some point Frank went back up the stack alone, he went into the vessel and walked further than they did

earlier. I was informed that there was a hole that had been in the floor that no one was aware of. There was little to no light in the vessel. Frank fell through that hole approximately 20ft. to the ground below. He succumbed to trauma and injuries within a couple of hours prior to us getting to his side.

Our lives will never be the same. The pain every day of his loss is devastating to us all.

IOSHA initial fine was for one serious violation in the amount of \$7,000. It was decreased to \$0 and there were no violations in an informal settlement agreement.

Inspection: 1472137.015 - 110933 - Km Plant Services Inc

Frank was a hardworking, funny, smart generous, caring and the most loving man I have ever met. Frank had a laugh that was so contagious. When you heard it, you just had to laugh too. Frank had a love of the outdoors. He loved to fish, take weekend camping trips and ride his Harley's. He enjoyed cooking on his Weber grills, working on his jeep and making breakfast every Sunday for the whole family. Most importantly, Frank loved spending as much time with his family as he could. He was so excited to be a Papa to his first grandson. Life still goes on, but will never be the same without him.

Frank represents 1 of the over 14 workers killed in the U.S. each day due to a preventable work-related incident and you can make a difference.



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INDIANA

MILAN



JOSHUA WILLIAM BEAM, 33

Josh was our son, brother, uncle, husband, father, cousin and friend too many. He loved his wife, daughter and family and his world revolved around God and them. He had frequently talked of having a larger family with his wife to share this love. All these hopes and dreams were shattered one morning in August of 2016.

Sadly, our son's life was cut short when he was fatally injured on the job on August 10, 2016 while cutting trees for *Pike Lumber Company* on a private farm near Napoleon, Indiana. Josh had previously worked for *Pike* for nearly ten years and had just resumed working for them in a new role after being employed by another logging company for the past nine months. He was killed in late morning, just before lunch on his second day on the job when the tree that he had just cut, brushed an unmarked dead tree, knocking it into another tree, and causing it to spring back toward the area where he had been working. The 84-foot dead tree struck him on his helmet and right side, killing him instantly. Efforts to revive him by his coworkers were unsuccessful.

Indiana OSHA investigated the incident (Inspection: 1169286.015 - 105361 - *Pike Lumber Company Incorporated*) and proposed a citation for allowing a worker to be working within two timber lengths of a danger tree with a \$7,000 fine for one serious violation, which was reduced to \$5,000. Our son's life was valued by the State to be worth \$5,000! This case is closed even though when we spoke to the State Deputy Commissioner of Labor, he had told us the case would remain open for a while. We had written a six-page reply to the investigation that was quickly dismissed. In our opinion, this investigation was poorly conducted, conclusions made from Company suggestions and without any eyewitnesses to the actual event and with no one from IOSHA actually being present at the site on the day of his death. You would think that a workplace fatality would be a priority and carry the urgency for IOSHA to be present on the scene.

Josh has been absent from our lives for less than three years although it seems like one hundred. He was the kind of person that lit up a room when he entered. He had an infectious smile and never knew a stranger. At work, all looked up to him as the man who was a model for workplace safety and who knew how to get things done and did get them done.

Our holidays and family gatherings are now more reserved with family members overwhelmed with his absence. Instead of smiles and happiness, we still shed tears for what could have and



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would have been. The silence can be deafening. We miss our son and we all love him more than ever.

We support USMWF as their motto indicates “Going to Work Should Not Be A Grave Mistake”. A dedicated and hard-working young man, in the prime of his life, has been taken from us in a senseless workplace killing. We refrain from the word accident as this and all other workplace fatalities ARE preventable. It may require more time and money, but if that is what it takes, Companies need to pay the price or close their doors. If this tragedy would strike closer to home with Company ownership, we believe the message would be heard more clearly. We have lost parents and friends, but the loss of a child instills a new perspective on living and dying. Parents should never have to bury their child and our granddaughter should not have to go through life explaining to others that her daddy is in heaven.

We also feel that Indiana OSHA needs to step up in their investigations and fines. Much of my career had been in performing safety and reliability investigations. Any event generally has multiple causes that all contribute to the single event. The investigative techniques are well known and proven to be effective in prevention. If we all walk away thinking one unmarked tree caused our son’s death, this is almost a certainty to recur with another worker. It appears that the State is more concerned with finding a cause, completing their paperwork, fining the Company with a minimal fine, and moving to the next case. We can and must do better.

Josh represents 1 of the 14 workers killed each day in the United States and you can make a difference.



INDIANA

HUNTINGTON



SHAWN D. BOONE, 33

My brother Shawn Boone worked at the *Hayes Lemmerz* plant in Huntington, Indiana where they made aluminum wheels. The plant had a history of fires, but workers were told not to call the fire department. My brother and a couple of coworkers went in to relight a chip melt furnace. While gathering their tools the first explosion occurred. Shawn got up and started walking toward the doors when there was a second and more intense blast. Shawn did not die instantly. He laid on floor smoldering while the aluminum dust

continued to burn through his flesh and muscle tissue. The breaths that he took burned his internal organs and the blast took his eyesight. Shawn was still conscious and asking for help when the ambulance took him.

The doctors refused to treat Shawn, saying even if they took his limbs, his internal organs were burned beyond repair. This was apparent by the black sludge they were pumping from his body. Shawn's face had been cleaned up and it was very swollen and splitting, but he was still my Bub. My family had to make the decision to take him off life support, to watch them stop the machines and watch my little brother die before my eyes.

This was the hardest thing my family had to deal with until 2007. My youngest brother drove halfway across the United States with a few photos and phone records of the night Shawn was killed that he had tucked into his bible. Tommy then proceeded to shoot himself in the head. I can't say that Shawn's death alone caused my brother to take his own life, but I know for a fact he couldn't deal, and it was on his mind.

IOSHA investigated the incident and proposed a \$42,000.00 penalty for six serious violations. This may seem like a high fine compared to many. However, this company's net income was \$40.2 million in 2014 which does not even touch the surface. Hayes previously had explosions, had no filled fire extinguishers rated fire extinguishers, PPE, rated filters and cleaning plan was not followed just to name a few. Fines will not bring my brother back or any other lost loved one for that matter. If the fines were enough to put a dent in their pocket it would keep companies in line and protect workers and the community. We cannot put a price tag on life, the family unit or the community as a whole. It has been over fifteen years now and we are still battling all the same issues while families continue to lose loved ones. We really need to just set down toss out all the politics and speak openly about what needs to be done. We cannot leave the very ones building this great nation on their own.



INDIANA

GOSHEN



JASON PAUL ANDRESEN, 45

Jason Paul Andresen had a contagious smile, his smile could light up the room and he was the love of my life. Jason was my best friend, my advocate, my confidant, the source of my comfort, love, joy, companionship and so much more.

Jason was my rock. When I got upset, he stayed calm. When I was worried, he said it would be ok. When I wasn't sure what to do, he figured it out. He was completely dedicated to his daughter in every way

Jason was a loving husband, father, son, brother, uncle, and a great friend to anyone who knew him. He was very proud of his daughter.

Jason was also a wrestling coach and volunteered to help in all activities his daughter was part of (sports, Girl Scouts, 4H). Jason volunteered at church as well. Everything Jason did was for our family. Jason was a great role model for many people. He was the kind of man that would help anyone and he always told people how he felt. Jason was a man of his words, he promised he would do something, he did it!

Jason loved spending time with his family and friends. He enjoyed riding his motorcycle, grilling out and coaching wrestling. Jason was known for his cheesecakes.

Sadly, my beloved husband Jason went to work on 12/11/2020 and never came home. He was fatally killed at work. Jason liked his job and coworkers but he never expected to die. "Going to Work Should Not Be a Grave Mistake" our lives will never be the same without him. We were not prepared for Jason to die. To this day I struggle every time I see the kind of vehicle that took him from us.

USMWF sent me a letter shortly after my husband Jason was killed. I am so thankful for the support I have got from them. This is an organization that should be fully funded and have one in each state. Their motto "Going to Work Should Not Be a Grave Mistake" is close to my heart.

Jason represents one of the 158 workers killed in Indiana in 2020. And also represents 1 of the 14 workers killed each day in the United States.



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KANSAS

WICHITA

JERRY MILLIGAN, 48

Jerry was killed on the job in August 2011 while working for *Spirit AeroSystems* in Wichita, Kansas. Jerry died after he fell 13 feet and suffered traumatic head injuries.

Federal OSHA investigated the incident and proposed a \$7,000 penalty for one serious violation.

Inspection: 315090258 - *Spirit Aerosystems, Inc.*

Before Jerry's death, other employees had fallen under similar circumstances. They, fortunately, landed differently and weren't seriously hurt. If safety really IS the priority, why weren't additional safety measures implemented then, before a death? Since Jerry's death I've been told some changes have been made, but it's too late for him. Does it take a death to do what needs to be done? OSHA's investigation resulted in a "serious" safety violation. The fine? A mere \$7,000. What a disappointment. That's like a slap in the face to us - hoping for some justice.

I hope as a result of Jerry's death, more emphasis will be placed on worker safety. The cost to the family of a lost loved one is great, and it is personal. We won't "get over it", we have to go on. But we will never forget.

Jerry represents just 1 of the 14 workers killed each day in the United States and you can make a difference.



KENTUCKY

LEXINGTON



WHITNEY GARDNER, 30

Whitney Gardner was my only beautiful daughter. She was known for her outgoing personality. Her smile was contagious. She held different jobs in the community. She was a hardworker and no job was greater than her. She didn't mind getting dirty, she could paint, cut grass and landscape. She touched a lot of people in all walks of life. I was super proud of the young lady she grew up to be.

Sadly, my daughter's life was cut short when she was fatally injured on the job on March 23, 2020 while working for LFUCG in partnership with Labor works in Lexington, KY.

She was riding on the back of garbage truck when she fell off, striking her head. My daughter who was employed at a company that knew or should have known her name was transported by local EMT to the hospital as "Jane Doe". It took me 8 hours to find my daughter. I called her personal cell phone and finally a nurse answered it telling me where she was and that her condition was critical. When I made it to hospital, I saw that my daughter's name was "Jane Doe" on her door. As I opened the door, I saw my baby hooked up with wires. It was a nightmare for me. After hours of waiting for the doctor, I got the worst news ever. I was informed by medical professionals that she was struck in the worst part of her brain and I had to make a decision that no parent wants to make.

KYOSHA investigated the incident and proposed a \$7,000 penalty for one other than serious violation. In an informal settlement agreement, the citation was reduced to \$3,500.00. This case is closed.

I personally would like to create a law in honor of my daughter's memory. To have safety laws of a harness or a truck that don't require you riding on the back.

This month it has been two years since I lost my precious daughter. My life changed forever that day. All I have left are memories, pictures, videos and her precious daughter, my only grandchild. She is missed by her family and friends. Her daughter won't be able to know her. She will miss her daughter's birthdays, Christmas, the first day of school and graduation.

Whitney Gardner's story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



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KENTUCKY

WILLIAMSBURG



JOSEPH PARTIN, 33

Joe was my husband, he was a son, grandson, cousin, uncle, friend and most importantly the most amazing father to our two children, Megan and Joseph. He adored them and was an amazing role model. Not only was he all of these things, but so much more. He was active in the community and took a special interest in little league sports and Special Olympics. To know him was to love him.

Sadly, my husband's life was cut short when he was fatally injured on the job on March 30, 2017, while working for *Green Hill Mining* out of London, Ky. The job site he was working on was located in Williamsburg, Ky. He died when a rock dislodged from the wall, pinning him between the rock and the machine, crushing one side of his body.

Federal MSHA investigated the incident, however, USMWF has been unsuccessful in locating information regarding the investigation of incident.

It has been 2 years since our world stopped turning and was flipped upside down. Trying to live while missing the center of our family has been a daily struggle for my children and I. Joe impacted and changed so many lives in his short 33 years. He was an inspiration to so many. He took a special interest in encouraging and coaching young children, and adults with intellectual disabilities who were competing in the special Olympics. It's sad to think of all the special events that Joe will miss out on with our kids and myself. Our lives forever changed that day. I am so thankful that USMWF is an organization that speaks up for the lives of people who were killed, just trying to provide for their families. "Going to work should not be a grave mistake."

Joseph represents 1 of the 14 workers killed each day in the United States and you can make a difference.



KENTUCKY

CARLISLE



Anthony "Andy" Schanding, 43

Andy and I were married for 21 years. He was a dedicated dad to his children, Elliot and Emilee. He was a son, brother, uncle, and friend. He loved farming and took pride in everything he did. He was always willing to help anyone in need and had a undeniable sense of humor. Everyone that knew him, loved him. He was a true family man and friend.

On October 23, 2018, Andy tragically lost his life due to a workplace incident at UPS in Lexington, KY.

While performing maintenance on a conveyor, the machine became active and began moving. He was pulled in, causing his fatal injury.

OSHA fined the company on two serious violations that totaled \$14,000.
INSPECTION:318096500

It has been over two years since Andy's accident. We are still adjusting to life without him and know that things will never be the same. It is very difficult trying to move forward, knowing that he is not here to experience life with us. He is greatly missed by his family and friends.

I always took for granted that he was coming home everyday after work. I never considered how often work place tragedies happened until I became a part of USMWF. There are far too many workplace accidents that happen today. Going to work should not be a grave mistake and we need to hold the companies accountable for their negligence.

Andy's story is one of the many that occur daily in the U.S. We need bring more awareness to these types of accidents. Thank you USMWF for all that you do.

MASSACHUSETTS

GREENFIELD



James R. “Bear” Craig, 52

Bear, was my husband just short of 30 years. He was “Mr. Bear” to the many, children that he was the elementary school custodian of for 21 years. He was a husband, coworker, friend, son-in-law, son, brother, uncle, great uncle, cousin and mentor.

He was known by multi-generation of people who had been a student in the school(s) that he had worked in.

I recall the horrible day of 9/11. A few days later, there was an assembly at the school he worked at, it was to help the children process, ask questions-and make sure that they were reassured that they were safe. The school he was a custodian at, most of his employment with the city, was Pre-K through 5th grade. At the assembly, one of the children raised their hand, stood up (thinking this assembly was “silly”) this little boy said, “We’re not afraid!! Mr. Bear is here, he will protect us!!!” The others all seemed to agree.

There were students that he would observe at lunch time at a table by themselves. He would sometimes ask if he could sit and eat his lunch with them, he would talk and be silly, other children would look over and see this, after that lunch, the singled out would suddenly become popular.

As in all schools, there were special needs children. There was one student with special needs that became my husband’s helper for 10 minutes as part of his Individualized Education Program when he had a good school week. The teacher bought a new trash barrel, with the child's name on the front, a broom, dust pan, dust mop for him. He would go up and down the hallway of his classroom with Mr. Bear with his cart and supplies.

After performing his occupational duties, the incident occurred. It is my understanding that my husband slipped/tripped on the floor that was uneven/little inclined. He went to break his fall by grabbing the safety fire door. The lock let loose causing him to fall face down. The fall caused him to break his nose and he became unconscious at which time he aspirated in his own blood. Despite the wonderful EMS (Fire Department, Ambulance, Police Depts.) he was briefly revived, only to be lost.

Mr. Bear met his untimely demise on a workday, as the result of the incident on January 12, 2012 while working for the City of Greenfield, in Greenfield, MA. Mr. Bear was a state employee. His incident was out of OSHA’s jurisdiction, no inspection was completed by them or by DLS because they were not notified in a timely manner, therefore no investigation was completed.



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I feel that his death was swept under the carpet, and most of this story was not made to be public knowledge. Since his death, all of the City's Public Buildings are now equipped with AED devices.

I am so grateful because through my permission to donate his organs, he has helped many people and lives, including helping two other individuals to see with his corneas.

I feel how my husband's incident was handled by his employer was wrong. 911 should always be the first call after any incident.



MASSACHUSETTS

GLOUCESTER

Justin D. Harrington, 27

My son was a wonderful young man. He was passionate about all Boston sports teams but especially the Patriots. He loved his younger sister, Laura and had tons of friends. His laugh would light up a room.

Justin was killed on January 18, 2018 while working at Michael Maceachern (Stoneworks Construction) in Annisquam, MA. He was killed while he was working on the excavation of a basement when he became caught between the excavator and an I-beam that had been supporting the house.

Federal OSHA investigated the incident and assessed a \$3,880 penalty for one serious violation. In an informal settlement the penalty was reduced to \$3,492. This case is closed. Inspection: 1288571.015 - Michael Maceachern.

I have learned a great deal about navigating this new life that I did not ask for. I have learned what I can handle and what I can't handle. Little things that used to bother me have no meaning anymore. Even big things that should bother me- don't. My life revolves around my family; new close friends- bereaved mothers in my grief group and a grief counselor. Seeing any kind of construction equipment makes me nauseous. I also learned how loved you are by so many people. I learned how caring and compassionate you were to those who reached out to you. People come up to me and tell me stories about how you affected them, and it makes me so proud. I learned how an entire community came out to support a family in grieving their loss and are still supporting us. This brings me tremendous comfort. Every time I think I've got this grief thing; some trigger comes along out of nowhere and I feel like I'm starting from scratch. This is a daily struggle. I know you would want me to continue on with life and I try every day but some days I just can't, and I try not to beat myself up over it. I have another child who needs me and who I love dearly, and she keeps me going as well but there will forever be a hole in my heart that nothing and no one will ever be able to fill. You are one of the greatest gifts in my life and I will cherish every memory of you. I am so proud to have been chosen to be your mother and I will love/grieve you for the remainder of my life until we meet again.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "Going to Work Should Not Be A Grave Mistake". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Justin's story is just 1 of the 14 workers killed each day in the United States and you can make the difference.



MICHIGAN

COLDWATER



Kenneth John Maggert, 58

I miss my husband. The girls miss their dad and the grandkids miss their papa every minute of every day. Our hearts are forever broken.

We long for a goodbye that we will never get, one last long hug....anything!

Sadly, Ken's life was ended much too short when he was fatally injured on the job October 25, 2020 while working for *Quality Springs Togo, Inc.* in Coldwater, Michigan. Ken was a supervisor at *QST* and had been called over to look at and repair (if possible) a shot blast machine that was not working properly from what we are told.

OSHA nor *QST* have given us any answers as to what actually happened or how it happened. All we know for sure is that Ken was crushed to death under the shot blast machine while trying to repair it. That a co-worker heard a loud noise and they found Ken under the machine.

After several months and multiple phone calls to MIOSHA. MIOSHA finally sent us a redacted copy of their report (which is a version of their report with all the pertinent/personal stuff blocked out/blackened out of it).

We still have no answers and are left with lots of questions and a massive hole in our hearts.....in our world forever

MIOSHA investigated the incident and assessed (3) serious violations with a \$7,000 fine for each (\$21,000 total). *QST* paid those fines in full and the case is closed.

Inspection 1499406.015 Quality Springs Togo, Inc.

Ken represents 1 of the 14 killed each day in the US and you can make a difference!



MICHIGAN

E V A R T



SHERMAN LYNN HOLMES, 55

Sherman was killed in February 2011 while working at *K&K Forest Products* in Evert, Michigan. He was killed when struck by a felled tree.

MIOSH investigated the incident and assessed a \$1,525.00 penalty and 3 serious violations. There were no reductions.

Inspection: 312076441 - *K & K Forest Prod Llc.*

Since the call I received from my sister Nicole telling me our father had been killed in the woods, family get together, and life has not been the same. There is always an empty chair at holiday gatherings and his youngest

granddaughter never got to meet her grandfather. The grief comes in waves, but 7 years later it is definitely still there. Memories will pop up on social media (Facebook) and tears will just start to stream down my face. I lose my breath for a second and then gather up my feelings and move on. Losing my father is probably one of the hardest things in my life I have had to go through. Losing a loved one so suddenly is something that only others who have gone through the same pain can understand. There are many things that have happened in my life that I wish I could call and tell him about, but sadly I cannot.

My Dad represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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MICHIGAN

M O R L E Y

RUSSEL JAMES SCHARENBRUCH, 34



Russ was an adoring husband, beloved son and brother. But most importantly, Russ was a devoted and proud father. Everything he did was for his children.

Sadly, Russel's life was cut short when he was fatally injured on the job June 27, 2014 while working for *Grand Rapids Plastics* in Wyoming, Michigan. Russel was crushed to death in a 1500-ton horizontal molding press, after the company failed to issue Proper Protective Equipment, and another employee accidentally "cycled" the press.

MIOSHA investigated the incident, proposing \$558,000 in citations (The largest citation issued in over a decade for Michigan). Fifty-five (55) violations were issued against the company, that of which, included Thirty-two (32) "serious" citations, NINE (9) "willful-serious" citations, and Fourteen (14) "other-than-serious" citations. After MIOSHA discovered a pattern of employees entering the machines while the machines were still energized and because many other serious safety hazards were observed.

Protecting America's Workers' Act is important because "Going to work shouldn't be a grave mistake". Every life is important. It's not about just fighting for our loved ones lost. It's about preventing future workplace fatalities. No family should EVER have to fear a loved one not coming home from work.

It's been five years since Russ went to work and never came home. Five years since he was stolen from us. Since his family became broken. Guilt is the most painful companion to death, and that is what it feels like. It's what is etched into our souls, knowing that something could have been done to prevent all of this, and we're still here, but he's not. And yet, every day that guilt isn't even enough to overcome the simplest of minds, and make people see how important coming home from work should be.

Russ represents 1 of the 14 workers killed each day in the United States and you can make a difference.

Grand Rapids Plastics, Inc. Inspections#312031032, 312031040 and 993157,
[media.mlive.com/grpress/news_impact/other/Grand Rapids Plastics.pdf](http://media.mlive.com/grpress/news_impact/other/Grand_Rapids_Plastics.pdf), last seen on 4/25/2019.



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MINNESOTA

MINNEAPOLIS



Zachary "Zac" Patrick Theodore Pumper, 34

Zac was a Union Laborer for a larger commercial construction company.

Zac was my amazing husband and the father of my two children, Jameson and Paisley Grace. Zac was a loving, hardworking and dedicated husband and father. He was so proud of his children and would brag about them to whoever would listen. He enjoyed watching them grow and could not wait to see what the future would hold for them. Zac was an avid outdoorsman with a huge heart of

gold. He loved making new friends and cooking. He was so handsome and had these adorable dimples that he passed down to our son. He was a country boy who talked with a little twang and when he laughed, he would light up a room.

Sadly, my husband's life was cut short when he was fatally injured on the job the morning of August 19, 2019. He was working on a job site in Minneapolis, MN. His company went on break at 9:30am, he told his coworkers he was going to call me, as he usually did on breaks. While walking off the job site, an individual driving an earth mover who worked for a sub-contractor on the site, backed over him. Time of death is recorded as 9:34am.

OSHA did investigate. The investigation resulted in NO VIOLATIONS due to no witnesses coming forward and the driver claiming no fault on his part. Without anyone or video to disprove the driver's version of events, they claim that they are unable to prove violations.

It has been almost three years since we lost the man who completed our family. We are not at the point yet where we can smile at the memories we shared as a family. The memories bring a deep sadness and yearning for what was. My children, who were 7 and 4 at the time of the accident, are in weekly therapy and EDMR therapy to help with the PTSD. I am in therapy twice weekly and also doing EDMR. We are traumatized and angry by what happened and how losing him changed everything. Zac was our rock. He was our strong and loving protector and his death has left a gaping hole in our lives. My daughter cries every day and begs for daddy to come back and play with her. My son is withdrawn and escapes into books, movies and video games to distract himself from reality. He pretends daddy is working out of town. Everyday life is a struggle and nothing makes sense anymore. One person's lack of attention while driving a massive construction vehicle, has completely ruined mine and my children's lives. Going through a traumatic and sudden loss of such a dear person will change us forever.

We talk about Zac every day and remember that he lived, he is loved and his life was important. No one, not one person, should go to work and not make it back home.

Zac's story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



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MISSOURI

BLUE SPRINGS



GUS SANTAMARIA, 29

Gus was my brother he was my best friend and all I had left since our mom and dad had passed. He was a one-of-a-kind, amazing guy, who would give you the shirt off his back if needed. He was so funny and had a smile that would light up a room. I miss him terribly. His life was taken way too soon as he was only 29 years young and had so much life to live.

Sadly, his life was taken from us August 5, 2013 while working at *Highline Autosport* in Blue Springs, Missouri. Him and two other workers were behind the shop attempting

to move a car lift to make more room to pull cars in and out of the shop, my brother was assessing the area to see what everyone thought the next move would be and the lift became unstable and suddenly tipped over and a metal cross beam, from the device, fell and struck him on the head and unfortunately killed him.

This was the most terrible, saddest day of my life, losing him, took a huge piece of me that day. I will forever miss him. It was such an unfortunate, preventable incident and it never should have happened.

Federal OSHA investigated the incident and proposed \$19,600.00 penalties for seven serious violations. In an informal settlement the penalties and citations were not reduced.

Inspection: 925114.015 - *Highline Autosport*.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "Going to Work Should Not Be A Grave Mistake". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Gus represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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MISSOURI

FRANKFORD



MICHAEL STEELE, 15

July 1, 2013 was just a normal day. I was off work running errands and grocery shopping for my kids, until I got home from the store around 5pm to the news that there had been an incident and my 15-year-old son didn't survive.

He had gone and bought a new flatbed for his pickup that morning and was going to go fishing when he got home. Sometime during the afternoon, he decided to go haul hay bales for a neighbor with his best friend. He was driving the tractor down the gravel road pulling the hay wagon with his friend sitting at the end facing away from him.

Matt heard him yell and when he turned Michael was hanging onto the back of the tractor seat with his feet dragging but, before Matt had time to run up the length of the trailer, Michael let go and fell to the left side and was hit in the head by the trailer wheels.

His incident was not inspected by OSHA as it was out of their jurisdiction.

By the time the ambulance got there, it was too late to do anything. He never had a chance to get his driver's license or fulfil any of his dreams. He was the hardest working teenager I've ever known.

Michael had a smile that would melt your heart and a heart of gold, as well as a love of telling jokes. He could make anyone laugh no matter what mood they were in and would talk to anyone he met. He was so loved by so many people and missed every day of my life.

Michael represents 1 of the 14 workers killed each day in the United States and you can make a difference.





ROBERT FITCH (Uncle Bobby), 50

My uncle was also a son, brother, cousin and most importantly a father who was very proud of his daughter and son. He truly enjoyed watching them grow and could not wait to see what the future would hold for them.

Sadly, my Uncle Bobby's life was cut short when he was fatally injured on the job on January 29, 2009 while working for *Archer Daniels Midland (ADM) Company* in Lincoln, Nebraska. He died when he fell over 80ft to his death from a belt-operated manlift.

Federal OSHA investigated the incident and proposed a \$12,500.00 penalty for three serious violations. In an informal settlement the penalty was reduced to \$2,500.00 for one other-than-serious violation. Not related to the work incident that caused his death. This case is closed. Inspection: 311465157 -*ADM Milling Co.*

It has been over 10 years since we lost the man that completed our family and we smile at the memories that we cherish so close to our hearts. We think of how much he has missed, his daughter's wedding, family holiday dinners, meeting his grandchildren and so many of the little things that create those everlasting memories.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "*Going to Work Should Not Be A Grave Mistake*". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Uncle Bobby represents 1 of the 14 workers killed each day in the United States and you can make a difference.



NEBRASKA

L I N C O L N



RYAN HITCHLER, 25

Ryan was a son, brother, grandson, nephew, a friend, my cousin and much more. He was such a great person who would do anything for anyone. We had so many great times. He always had a great smile and loved to go fishing, hunting, football games, and maybe go out for a drink or two.

Sometimes we would just tell our significant others we were going fishing or hunting but we would end up doing something totally different, but it was always fun. That's what I miss most about Ryan, he was always down to do anything at a moment's notice.

Ryan was killed on the job in May 2009 while working for *Diamond Sawing & Coring, L.L.C.* at the *Nebraska Air National Guard* in Lincoln, Nebraska. He died when he fell nearly 20ft while repairing a hangar roof.

Federal OSHA investigated the incident and assessed a \$13,300.00 penalty for two serious violations. In an informal settlement the penalty was reduced to \$7,315.00 for two serious violations.

Ryan represents 1 of the 14 workers killed each day in the United States and you can make a difference.



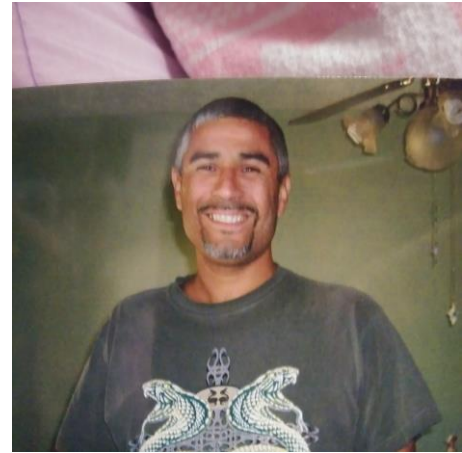
NEBRASKA

OMAHA

ADRIAN M. LaPOUR, 44

My name is Marcella Schwartz and Adrian was my fiancée, the love of my life, the man I was supposed to marry. He was also a son, a brother, an uncle, a step grandfather and a father.

Sadly, Adrian's life was cut short when he was fatally injured on the job on April 14, 2015 while working for *Nebraska Railcar Cleaning Service (NRCS) Company* in Omaha, Nebraska. He died in an oil tanker explosion. At 1:10pm Adrian and his co-worker were sent in to clean the tanker. They were only in there a short time and were on their way out because the fumes were so bad when the tanker exploded. His co-worker was blown out of the tanker along with the ladder, he died a short time later. My Adrian was left trapped inside the burning tanker with no way out. Co-workers could hear him yelling, "there's no ladder." Firefighters could not safely enter the tanker as the levels were too high. Adrian's body was recovered 6 hours later. He was pronounced dead at the scene.



OSHA investigated and proposed a \$963,000 penalty for 20 serious, 10 willful, two repeat, and one other than serious violation.

Inspection: 1055463.015 - *Nebraska Railcar Cleaning Services, Llc*

It has been almost 3 years since I lost the man of my dreams my soulmate and my future husband. We had so many plans. Plans that are left forever unfulfilled. He will never see his son marry or his grandson's grow up and I will never get to hear him say I do.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "*Going to Work Should Not Be A Grave Mistake*". Workers should not have to work for a company that does not understand the importance of their life. Workers should not die trying to pursue the American Dream. Families should not have to bury their loved ones all because they chose to go to work that day.

Adrian represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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NEBRASKA

R A Y M O N D



NEIL CARY, 30

I am Gene Cary. I lost my son Neil Cary, 30 on June 15, 2010 in what OSHA called a workplace incident. Neil was a laborer and employed by *Benes Heating & Air* in Raymond, NE for three weeks when we received a call informing us that Neil had died on the floor inside of their shop due to a fall.

Federal OSHA investigated the incident and proposed a \$11,500.00 penalty for three serious violations and one other than serious violation. In an informal settlement the penalty was reduced to \$8,000.00. This case is closed.

Inspection: 314055492 - *Benes Heating And Air Conditioning Service, Inc.*

As the shock set in I could not help but to think of my son and how young he was, never married or to have children. I know that my son is one of the thousands of workers that die each year due to a preventable work related incident and I strongly believe that stronger regulations and penalties would make companies step back and take workplace safety seriously and give them an understanding that they do not have the right to determined whose life is worth the financial loss to them.

If *Benes Heating & A/C* received a citation that was not a slap on the wrist nearly a month prior, I truly believe my son would be here today. Companies should be required to supply the safety equipment and facility to their employees, allowing them to safely go home at the end of their work day. If a company is negligent at providing a safe working environment, then they should be held solely responsible for their action or lack thereof with penalties that will not be deleted and/or decreased due to safety violations that ultimately caused the fatality of a worker. Companies should not have the opportunity to have a willful or repeat violation. If a company intentionally and knowingly commits a violation, then they should be criminally prosecuted.

In my opinion OSHA's safety regulations are not working, their rules are not creditable unless they follow them, and it is time that companies are held to the highest level of safety standards to protect all workers.

Neil represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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NEBRASKA

H A Y L A N D



JASON WESTON, 41

My name is Allison Weston and my husband Jason was killed on the job on March 16th, 2016. He was working in a grain bin when his lifeline rope got caught in the auger and he was ultimately strangled by his safety vest. He was 41 years old.

Federal OSHA investigated the incident and proposed a \$411,540.00 penalty for three serious and three willful violations. In an informal settlement the penalty was reduced to \$152,122.00 for two serious, one willful and one other-than-serious violations. This case is now closed.

Inspection: 1133334.015 - *Cooperative Producers, Inc. – Hayland*

Prior to Jason's incident, CPI had been cited six times for violating grain-handling safety standards; one willful violation, three serious, one repeat, and one other-than-serious.

I am 43 years old and a widow. My 7-year-old daughter is now growing up without her father. Every day I struggle with what happened and wonder why CPI won't take responsibility for Jason's death. Why are they not being held accountable for their actions? Jason spent 10 years as a Staff Sergeant in the Army and was deployed twice to defend our country. Both times he came home safely, and he finally retired from the military to be able to be at home with his family. I never imagined he would leave for work one day and never come home.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "*Going to Work Should Not Be A Grave Mistake*". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Jason represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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NEBRASKA

MINIATURE



JIM SPENCER, 61

A husband, father, grandfather, brother, uncle, and friend. Willing to help anyone. Whose motto was “family first”. Who enjoyed hunting and fishing. Love to spend time with his family.

Sadly, my husband was fatally injured on the job March 21, 2016. About 20 minutes into the job of laying pipe in trench, the trench caved-in. It was an 8-foot trench with no shoring, sloping of the sides, or trench box to protect and keep Jim safe. Jim was working for *Clau-Chin Construction* owned by Shaun Houchin. The backhoe was owned and operated by

Larry Kessler.

Federal OSHA investigated the incident and proposed a \$31,000.00 penalty for five serious violations to *Clau-Chin Construction, Inc.* In an informal settlement the penalty was reduced to \$24,800.00. *Larry Kessler Construction* received a \$21,000.00 penalty for three serious violations. In an informal settlement the penalty was reduced to \$16,800.00.

OSHA investigation showed Larry Kessler was the contributing factor in the trench cave-in.

Inspection: 1134953.015 - Larry Kessler Construction and Inspection: 1134124.015 - *Clau-Chin Construction, Inc.*

It has been 6 years since we lost the man who completed our family. Not a day goes by I’m reminded he is gone. When I go to do something that Jim would have done and so much easier and faster than me. On holidays, his birthday, Father’s Day when he is not here to celebrate with us. Jim is missing seeing the family grow with a new generation about to be born. To have a loved one goes to work and not come home. To not have the opportunity to say “goodbye” and I love you one more time.

I understand that it is part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, “Going to Work Should not Be A Grave Mistake”. Workers should not have to work for a company that does not understand the importance of their life. Families should not have buried their loved ones all because they chose to go to work that day. Jim Spencer’s story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



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NEBRASKA

NEBRASKA CITY

TIM WILSON, 49

Tim was killed in January 2010 while working for *Cargill Meat Solutions* (Excel Specialty Products) in Nebraska City, Nebraska. He died when a hydraulic lift tipped, and he fell 20ft. to the ground below.

Federal OSHA investigated the incident and proposed \$9,500.00 penalty for two serious violations. In an informal settlement the penalty was reduced to \$7,000.00 for one serious violation. Inspection: 314053406 - *Cargill Meat Solutions*



This loss was a devastating blow to my family. My father was the grounding force in our family. I am the oldest of 5 children and my father was our rock. When something went wrong or we needed advice, our father was there. But now he's not. Because of this incident, my father has missed 2 college graduations, 2 divorces, 1 wedding, 1 adoption, and he has missed the birth of 3 (soon to be 4) of his grandchildren. This is what hurts the most. My father relished the role of being a grandfather. He absolutely loved his babies. He would spend hours soothing a crying baby, playing outdoors with an older child, and searching for insects with a toddler. When he died, my niece was 5, my nephew was 3, and my oldest daughter had just turned 1. Approximately six weeks after his death, I found out that I was six weeks pregnant with my youngest daughter. On November 9th, 2010, Grace Lee Colyar was born.

Time hasn't healed this wound. In fact, some days it feels just as raw as it did the moment I got the phone call saying that my father was dead. There is no sense of resolution or justice. The only things I can be grateful for are the fact that his death was quick and that my siblings and I were older when he died so we at least got to grow up with him in the household. I know I speak for the rest of my family when I say, we miss him so much that it physically hurts.

My dad represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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NEBRASKA

GENEVA



DARYL CALLENIUS, 66

My husband, Daryl Callenius, had been a law enforcement officer for 44 years and had retired from the Fillmore County Sheriff's office in October 2014. He enjoyed our family which consists of two sons and their wives and two grandchildren who miss him dearly.

In March 2015, he took a part time job with *All Around Lawn Care* in Fairmont, NE. He did odd jobs around the grounds and enjoyed having an excuse to get out of the house. On April 22, 2015, he kissed me goodbye and declared he was going to work on getting the camper ready to go for the summer season. That was the last time I heard from him. Less than an hour later I got a call that he had been injured at work, but his boss didn't know the extent of the injuries as he was out on a job at the time. I headed to the hospital and found the rescue unit at the emergency room door and could see the EMTs doing CPR on him. He never regained consciousness even though they kept him "alive" for another 4 hours.

Apparently, he was driving a type of small forklift used to load sod onto a truck for delivery. For some reason, after they were finished, he had driven it toward the office when it tipped over and pinned him beneath it crushing the right side of his body.

I was told that OSHA did investigate but found there was nothing wrong with the machine. I did not ask to see the report as I wasn't sure I could handle seeing the details. I only knew I had lost the love of my life. Knowing the gruesome details would not have helped. I have heard recently that this type of equipment is not used much anymore due to problems they have had with it.

Until this happened in our lives, we were not aware of the extent of the problems faced by workers everywhere. Although I truly do not lay blame on anyone for this horrific accident (it could very well have been an error on Daryl's part, we do not know), I do know that sometimes there is justifiable concern over situations that could and should be remedied before anyone else loses their life or limb because of negligence.

It has been four years since we have had to learn to live a "new normal" existence. Daryl was an Eagle Scout and he missed his grandson's Eagle Scout ceremony...he would have been so proud of him. We have missed taking trips together, camping, laughing, loving and just living the lives we had planned after retirement. Our family wholly supports the USMWF and the work they do to raise awareness of this huge problem.

Daryl's represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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NEBRASKA

FAIRBURY



COLTON SCHOENROCK, 23

Colton was killed in August 2013 after working for the *Betchel* near Topeka, Kansas.

He had worked on Thursday, August 22 from 7am-2pm and was to report back at 10pm later that night to pour concrete.

Colton was only able to get a couple of hours of sleep between getting off and going back as he was used to working the day shift. He then worked from 10pm August

22 until 1pm August 23. An approximately 15-hour shift in the exhausting August, Kansas heat.

He started his two-hour drive home to Fairbury, NE. However, sadly, Colton never made it home to his 11-day old son, as he fell asleep driving. He died at the scene

My son's incident was never inspected by OSHA as he was not on the clock at the time of the incident. However, we strongly believe that the work, hours and lack of sleep were a direct cause of the motor vehicle collision that took him from us that day.

Colton represents 1 of the 14 workers killed each day in the United States and you can make a difference.



NEBRASKA

O'NEIL



Travis Lee Lunn, 24

September 12th, 2008, four employees of John Prouty Construction were constructing one of several key ways adjacent to a roadway to circumvent roadway shifting on Highway 12 close to Verdel, Nebraska.

One of the employees who was in the excavation was trapped when at least one of the walls caved in. That employee was my husband. My husband was hired to be a flag person. He had no other experience in road construction and no other training in the work that they were doing on the highway that day.

Three other employees jumped into the excavation to try and save him and were engulfed in another cave in. All four men were fatally injured that day.

Federal OSHA investigated the incident and proposed a \$201,600.00 penalty for three willful violations and two serious violations. In an informal settlement the penalty was reduced to \$105,000.00 with four serious violations and one willful violation. OSHA Inspection: 311463483 - John Prouty Construction, Inc.

Nearly 14 years ago my husband went to work and never came home. That day, my life as I knew it, abruptly ENDED. Nothing would ever be the same again. My children were too young to remember him so the only bond they'll ever have with their father is through the memories of others. There are so many things that he has missed out on you couldn't begin to list them. Even after all this time we still struggle to make peace with his absence. As we know death is inevitable in life but it is much harder deal with grief when the death results from negligence. No family should ever have to bury their loved one because they chose to go to work and provide for their family that day. The words of the USMWF "Going to work should not be a grave mistake" truly hits home for our family and so many others.

Travis's story just one in 14 workers killed each day in the United States you can make a difference



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NEW YORK

WHITEHALL



Jeremy Spaulding, 30

Jeremy, was my brother. He was a beloved father, soul-mate, step-dad, son, grandson, nephew, cousin and friend to so many. He was a humble man, happy with what life was giving him. He was looking forward to the future building upon what he was blessed to have already.

Sadly, my brother's life was cut short when he was fatally injured on the job on August 5, 2021 while working for Casella Waste Management in Addison, VT. He was fatally injured when he became pinned, knocked unconscious, and crushed between two dumpsters he was working to off-load and deliver eventually succumbing to asphyxia as his cause of death.

Vermont OSHA Office investigated the incident and proposed a penalty of \$40,959 for two serious violations. In an informal settlement the penalty was reduced to \$16,383.

Inspection: 1546908.015 - Casella Waste Management, Inc.

Being that it has been only months since his passing our family is still very "new" to learning to live without him. We hold on to every ounce of memory we can, fervently. We are beyond saddened by what he will miss, his daughter and stepson growing up, his nieces and nephew growing into the people they are meant to be. All the tractor rides and fishing he had left to do. All the stories and anecdotes to repeat with friends and family. All the Bud Light left un-drunk. We miss his presence and his voice. We miss his "Oh, F****" comments that would end in laughing. There is a whole lifetime and much more he is missing.

I understand that death is part of life, but to be fatally injured at work should not be part of it. Old age should be the one and only cause of death for so many workers. I fully stand behind the words of USMWF, "*Going to Work Should Not Be A Grave Mistake*". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Jeremy's story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



NEVADA

L A S V E G A S



TRAVIS WAYNE KOEHLER, 26

Travis was a son, brother, uncle and fiancé. He was the middle son and both his older and younger brother looked to him for help or advice. He was also engaged to be married. Travis aspired to become an Assistant Chief Engineer at his place of work after his supervisors retired. He was taking classes, on his own dime and time, to be ready.

Travis was killed on the job on February 2, 2007. With no confined spaces training, he was ordered to **BETRAY THE RULES** of Confined Spaces, which the Chief Engineer Supervisors allowed. Two days prior, their new safety manager had told the supervisors, as he drove with them around the property to mark the manholes and implement confined space training to their people. In the meantime, he told them to keep them away from those spaces.

Again, two days later, the supervisors decided to ignore the directive of their superior. Rather than waiting for the contracted pump company, they failed to get the required permit, or notify the fire department's heavy rescue squad, and instead sent Richard Luzier, into a space he was totally unfamiliar with. Due to the release of highly toxic gasses, he was unable to exit the space and the supervisors, fully aware of the dangers, chose to yell at Travis to get down into the space and help Rick. Remember, no training so Travis had no idea what he faced. He was almost immediately overcome by the fumes and collapsed yet the supervisors yelled at a third worker to go down and help Travis and Rick!

Nevada OSHA began an investigation into the incident. The lead investigator told us this was the most egregious case he had ever seen. He recommended several Willful violations plus others. For an unknown reason, he expressed concern that he was slowly being left out of the meetings and other communications regarding the case, by his superiors. He was so angered by the way OSHA handled my son's case, and the corruption he felt went on, that he quit the agency.

The original Willful and Repeat violations were downgraded to Serious. The fine was \$185,000. The dollar value of the fine aligned with the fine for Willful violations even though they were not charged with them. I have made the claim that NV OSHA was influenced by the gaming company to make this nightmare they created go away. It is my contention that many lives on the City Center construction project could have been saved had NV OSHA sent a strong message by holding the gaming company fully responsible in every way and given the maximum penalties and fines.



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Our family has felt the absence of Travis in so many ways. Not only was he deprived of getting married, but he missed the marriages of his two brothers and the births of five nephews, not to mention the children he would have had. He's missed holidays and celebrations. We were all robbed of having him in our lives, feeling his hugs and seeing his big grin when he was being goofy. I am sure that in time he would have achieved his dream of becoming an assistant chief as he had planned and was going to school for, but instead his trust was betrayed by his supervisors and the culture of lax safety at all the gaming corporation's properties. Which continues to this day! USMWF is an organization that reaches out to family members who have been left behind by the death of their loved one. The only one of its kind in the country has been able to make a big impact in bringing awareness of the terrible losses 14 families face each day in the country.

Travis represents just 1 of the 14 workers killed in Nevada last year, you can make a difference.



NEW YORK

MONROE

SCOTT S. WINKLER, 50

Scott was killed on the job in December 2013 while working as a general contract worker with *Halmar International for Precision Concrete Pumping, Inc.* (based out of Congers, New York) in Monroe, New York. He died when a wall collapsed and crushed him. Timothy Lang, 53 was lost and Rafael Zakota, 37 was injured in this incident.



OSHA investigated the incident and proposed a \$14,000.00 penalty for two serious violations. In an informal settlement the citations and penalties were reduced to \$7,000.00 for one serious violation. Inspection: 950658.015 - *Halmar International*

My dad was a concrete pump truck operator and an extremely skilled one if I may add. Many people called him the “smooth operator”. That day my dad was on a job working on a mock-up of a project for the DEP. This project would link the Catskill and Delaware aqueducts. To this day I am still not 100% sure as to the details of the incident. He was just there to pour the concrete when a retaining wall collapsed. My dad was standing on a scaffold high above the job which also collapsed with the wall. My dad and two other men were trapped underneath. One of his coworkers was pronounced dead at the scene. He was trapped under the collapsed wall for a considerable amount of time. My dad was rescued and flown to *Westchester Medical Center*. The third man was taken to a local hospital and later released. We waited around for the doctor to tell us how it was not looking good. He explained my dad was suffering multiple serious injuries. His body was completely crushed, and his internal organs were failing. We sat awake in the waiting room all night while they cared for him. It was around 4 in the morning when a nurse came out to warn us my dad’s heart stopped, and they were trying to revive him. It is very hard for me to relive this and the emotions that come over me are so terrifying.

My dad was taken from us way too soon. I cannot stop thinking about how I’ve been cheated. I am blessed with an amazing boyfriend that my dad will never get to see me marry. He will never be able to walk me down the aisle or give me a father daughter dance. I know without a doubt my dad would have made the best grandfather in the world. But he will never meet my children. Going to work should not be a grave mistake. We must do something to make these jobs safer. People come to work but have a family at home waiting for them, counting on them to come home.

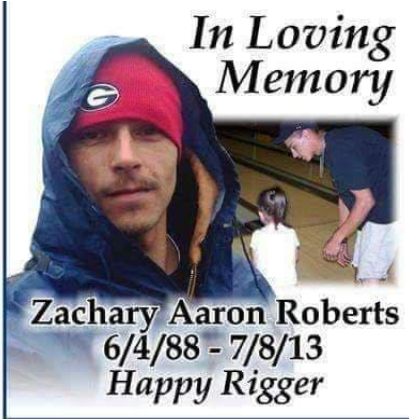
Scott’s story represents just 1 of the 14 workers killed last year in New York, you can make a difference.



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NORTH DAKOTA

NEW TOWN



ZACHARY "ZACH" AARON ROBERTS, 25

Zach Roberts, son. He was also a very proud dad to 4, brother, uncle, and husband. He was 25 years old. He was working on his goal to own his own company.

Tragically my son lost his life, along with a co-worker on July 8, 2013 while working for *Monarch Towers, Inc.*, in New Town, ND. When performing a beef up for *AT&T* on a tower owned by *Mountrail -Williams Electric Cooperative* Zach's

co-worker fell from above him into him and they both fell approximately 225ft to their deaths.

Federal OSHA investigated the incident and on 12/13/13 issued two serious violations at \$7,000. each. On 1/8/14 Monarch Towers, Inc contested. Eventually one violation was dropped and the other reduced to \$5,600.

It has been over 5 years since we lost my full of life son. Everyone's life has and still is affected daily. His kids will only know him through pictures and stories. They will never see and hear his bigger than life laugh and smile. They will never see the love in his eyes for them. They will never know that the work he chose to do brought him joy and pride as he was working to be with them more. It saddens me that others just see him as a statistic or a number.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "Going to Work Should Not Be A Grave Mistake". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day. Mothers should not bury their baby.

Zach's story represents 1 of the over 14 workers killed in the U.S. each day due to a preventable work-related incident.



OHIO

HARRISON



DOUGLAS TOUT, 44

On September 17, 2013 my husband of 20 years fell 20.5 feet off of a residential roof while working for *Joel Cornelius Enterprises*. He sustained a traumatic brain injury and several internal injuries.

The next day, Wednesday September 18, we had to accept that there would be no miracles for us and had to make the decision to turn off his machines and say goodbye to my 44 year old husband, my children's father, and my best friend.

Federal OSHA investigated the incident and proposed an \$8,400.00 penalty for one repeat violation. In an informal settlement, the penalty was reduced to \$6,000.00 for one repeat violation. Failure to Provide Fall Protection.

Inspection: 941667.015 - *Joel Cornelius Enterprises, Inc.*

That day changed everything for us. My past, present, and future was decimated. My daughter will never have her dad to see her graduate college, meet her future husband or be there to walk her down the aisle. No father/ daughter dances for them. My son is to become a father himself. My husband will not be here to experience becoming a grandparent with me.

Losing your spouse is difficult enough, but to lose them so suddenly due to an employer who puts profit over safety is excruciating. I never thought I would be part of a group like USMWF but I am grateful for its existence. They fight to make people aware of our stories, make sure our loved one's names are not forgotten, and remind everyone that "Going To Work Should Not Be A Grave Mistake."

Doug represents 1 of the 14 workers killed each day in the United States and you can make a difference.



OHIO

A D A



Patrick Archer, 50

My husband was honestly, and without exaggeration, one of the good ones. When we met, it was love at first sight. Patrick and I recently celebrated our 20th wedding anniversary in September 2021.

Patrick and I were blessed with the most important responsibility of being the parents to Drew, Ian, Madison, Luke, Colt, and Elizabeth. He was extremely proud of each one of his children and would tell anyone and everyone he could when given the opportunity.

Patrick was truly a “mama’s boy” and “baby brother” to an older brother and sister, was “Uncle Pat” to several nieces and nephews he adored, was “Pat Daddy” to all of his children’s many friends.

Patrick always said that “I get to go to work” thankful that he had a good job to go to. He had been at Ford Motor Company for 6 years and 1 day.

Sadly, my husband’s life was cut short when he was fatally injured on the job on November 3, 2021 while working for the Ford Lima Engine Plant in Lima, Ohio. He was a machine repairman and while working inside the machine, the gantry that ran over the machine pinned and crushed him inside the machine. They tell me that he died instantly.

Federal OSHA is currently investigating the incident.

Patrick never met a stranger and if he knew you, you were family. He went above and beyond to help anyone at any time even when he hadn’t gotten any sleep from working midnights. He was a man of his word, would light up a room with his smile, and loved with his whole being. He was thoughtful, caring, compassionate, so smart, loving, funny, passionate, and a really bad speller.

Patrick had a faith in God that is envied and did his very best to live and lead by example but also recognizing all the ways he failed and always trying to do better. He felt his purpose in this life was to provide for his family and made so many sacrifices to make sure that happened. Taking care of his loved ones and friends was most important to him.

Patrick loved without hesitation, without resistance, without reservation, and without prejudice. His love was genuine, sincere, and perfect and was such a blessing to whomever was privileged to experience it.

He is passionately loved and will be missed more than words can describe.

It has been five months since we lost the man that was the center of our family. I think of how much he has missed and will miss, his four children’s graduations, his six children’s weddings,



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family holiday dinners, meeting his grandchildren and so much of the little things that create those everlasting memories.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, “Going to Work Should Not Be A Grave Mistake”. Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Patrick’s story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



PENNSYLVANIA

E L D E R T O N



GREGORY ROBERT BISH, 26

On December 9, 2010, it was icy, snowing and freezing here in PA. Greg was driving his "water" truck for the fracking industry & one tire slid off the road. He jumped out to put the chains on all four tires & sprained his left ankle (clutch ankle). He drove back to the company headquarters & they sent him home. We got him iced, ached & elevated & he rested that afternoon & evening. We were texting around 11PM because he wanted a new phone for Christmas. At the end of the conversation, I told him that I thought he should go to the doctor the next day. He told me he thought it was feeling good enough to go back to work. I said no. He didn't answer for a few minutes & then I asked him if he

was going to work & his reply was, "Yes and it will be fine".

When he went to work, he found out that nobody had started his truck the day before and all of the valves were frozen shut. He was able to get his driver's door open. He went to the maintenance bay & asked if he could pull it in to thaw it out and they told him no, to get his supervisor. His supervisor got a propane tank and torch and told him that they could thaw it that way. He told Greg to light the torch and he would take care of regulating the propane. They proceeded to try to thaw the wing nut on the manhole cover at the back of the truck. After about 1 minute, the manhole cover exploded off of the truck, hitting Greg directly in the chest, blasting him over a 7ft metal fence and 62ft into the woods. The explosion was so great that it shook the ground of a gas station 1/4 mile away and a restaurant across from it.

Greg was lying in the woods and everyone came running to his supervisor, who was seriously injured. He told them to find Greg. Part of his jacket was ripped from him and on the fence. When they got to him, they knew he died instantly from the manhole cover blasting him in his chest. What we found out is that they had the guys back hauling frack water to a location to be "handled". Each time, they would hose out the truck for a fresh load of water. Well, even though the truck was hosed out again at the end of his shift, there were hydrocarbons remaining in the truck. So, that day, when his supervisor took that propane tank and told Greg to light the torch and thaw it out, it ignited the hydrocarbons and caused the explosion.

It happened at 8:35am on December 9, 2010. All of the people at work knew and some of his friends who worked in the area of Shelocta knew, but we didn't find out until 11:25 that morning when the coroner came to our house. We never got to say goodbye to him because it was a closed casket. We couldn't donate ANY organs because he had such trauma.

Federal OSHA investigated the incident and proposed a \$6,000.00 penalty for two serious violations. In an informal settlement, it was reduced to \$5,000.00 for one serious violation.

Gregory represents 1 of the 14 workers killed each day in the United States and you can make a difference.



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PENNSYLVANIA

PHILADELPHIA

SCOTT SHAW, 38

Scott was killed in October 2002 while working for Armco Construction in Philadelphia, Pennsylvania. He was killed when he fell in the Schuylkill River.

Federal OSHA investigated the incident and proposed a \$4,950.00 penalty for four unclassified violations. In an informal settlement the penalty was reduced to \$4,000 and an FTA Amount of \$0.

This was not the first time Scott had fallen off the barge. There were at least two other times that Scott came home soaking wet, complaining that he had fallen in. The company should have known then that there was a problem.

As a teacher and as a parent, I know that it is important that a child understands there are consequences to their actions, and they must accept responsibility for what they have done. Adults must face their responsibility and must be held accountable for their actions. Please, don't let another family suffer as we have. The more companies are actually punished, the more they realize they must practice workplace safety, and must protect their workers.

Scott represents 1 of the over 14 workers killed in the U.S. each day due to a preventable work-related incident and you can make a difference.



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TENNESSEE

CROSSVILLE



David Dewayne Kilby, 28

Sadly, my brother's life was cut short when he was fatally injured on the job on July 27, 2020 while working for RCB Trucking, Llc in Pikeville, TN.

My brother, Dewayne, had just started working for RCB, 5 days prior. This was a company that moved/set up mobile homes. While setting up a mobile home, Dewayne's job was to install the moisture barrier underneath the mobile home. At some point, the machine used to keep the unit level was moved. So, a co-worker was jacking the mobile unit up on the opposite side to bring it back to level when the mobile unit shifted. The

co-worker claimed to have called out to my brother to get out from underneath the mobile home but due to the machinery running, I doubt my brother could have heard him. The mobile home fell, crushing my brother.

Federal OSHA investigated the incident and proposed a penalty of \$7,000 for one serious violation. The company has since either closed their business or just changed their name.

It has been almost 2 years since we lost my brother. His life was so short but we think about all the happy memories we had with him. We see him in everything his 8-year-old son does. They are so much alike that sometimes I stop myself from calling my nephew his dad's name. My family cherishes these times as it feels like we still have a little piece of Dewayne still with us. We love you brother, until we meet again.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, "Going to Work Should Not Be A Grave Mistake". Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

Dewayne Kilby's story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



TEXAS

TEXAS CITY

RAY C. GONZALEZ, 54

Ray C. Gonzalez (1950-2004), was my husband for 35 years. He was an awesome loving husband, great dad, wonderful grandfather, brother, son and uncle. He was a true loving family man, who always put his family first.

Ray worked for *BP Oil Refinery* in Texas City, TX. He worked closely with Maurice Moore Jr. & Robert Kemp. All three men had a combined experience of over 70 years.

On September 4, 2004, Ray lost his life after suffering severe burns and injuries while working on a water pump. Both Ray and Maurice were on top of the scaffold working on the water pump while Robert was down below. The seal on the water pump they were working on ruptured. It was then that the water pump released 500 degrees steam and hot water which burned all three men. Ray had second and third degree burns on 85% on his body, Maurice Jr. Had 90% and Robert had 70% of burns on his body. Maurice Jr. Lost his life the following day and Robert Kemp thankfully was able to recover and go home to his loving family.

Ray was in the burn unit for two months fighting the toughest battle of his life. He endured multiple skin grafts surgeries and painful daily skin cleaning. I was there every day along with our daughters. Eventually he lost his battle and we lost the most loved and important man in our lives. Our loss has been indescribable.

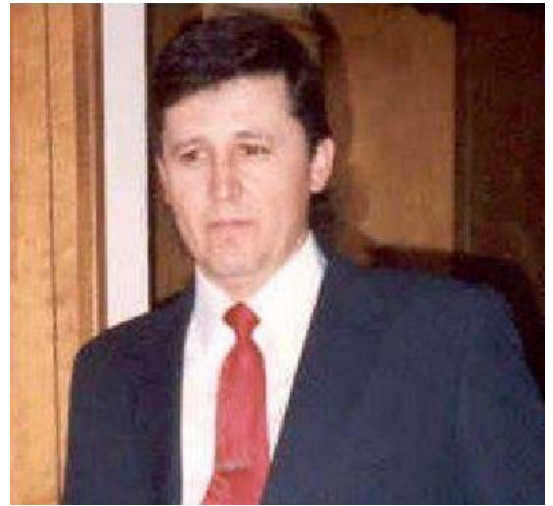
He never got to see his youngest daughter walk down the aisle, 4 out of 7 grandchildren be born, or see all four daughters continue their college and career goals. Nevertheless, their work and support of carrying on his name and life story has been a goal he would have been more than proud of.

OSHA investigated the incident and fined BP (a multinational corporation) \$109,500 for seven “serious” violations and one “willful” violation. The willful violation was for failure to control hazardous energy. After Ray’s incident the Houston South area OSHA director called Ray’s incident “a tragic loss of life” that could have been avoided if OSHA’s standards had been

\$15.7 billion in 2004. Ray’s employer had more than 20 worker fatalities over a 5-year span at that time.

It’s more than pride we have for Katherine Rodriguez (Ray’s second daughter) for she has become the voice for our family. It’s not easy for anyone of us who are affected by such human loss to retell our stories or fight the battles that are needed to ensure workers’ safety. Therefore, that is why our family tells Ray’s story in hopes it will lead to more awareness of worker safety issues. It takes a lot of courage, strength and love to speak for those who cannot. We have found that same courage, strength, love and support with USMWF for they have given us a platform of courage. With Love and many thanks to Tammy Miser and friends who put more backbreaking work than anyone we know.

Ray represents 1 of the 14 workers killed each day in the United States and you can make a difference.



TEXAS

HOUSTON



Brandon Wayne Shay, 22

My son was a beloved stepson, grandson, brother, nephew, cousin and friend who was just at the beginning of his adult life. He aspired to learn a trade, find a direction in his life, meet his soul mate to name just a few things. He was working a construction job to earn money to complete his GED and attend trade school.

Sadly, my son's life ended on April 30, 2003 in Houston, TX while working a construction job for a company called Postel Industries, Inc. A crane dropped a load of corrugated metal on top of him, killing him instantly. There were many things learned after the accident, the crane had been breaking down, the crane operator had

never operated this particular crane before that day (nothing was labeled inside of the crane) and the lack of jobsite supervision in a very compact area to name just a few.

Federal OSHA investigated (Inspection No. 306473851/Report ID: 0626700) with an initial penalty of \$3,500 later reducing this to \$1,750. The case was closed on 02/13/2004.

Brandon had no wife or children, so there was no monetary settlement of any kind. This company has had numerous serious violations, including at least one other fatality.

It has been nearly 19 years since my son was killed, but seems like yesterday. As his family, we feel like a part of our future died along with Brandon by his life being cut so short. He is forever in our hearts, but we miss him terribly.

The multitude of people who have been affected and are affected everyday by losing a loved one in a preventable on the job fatality is incomprehensible. These companies SHOULD be held accountable.

I cannot say enough about the organization United Support and Memorial for Workplace Fatalities. Their relentless efforts for the lives lost and families of workers killed in workplace fatalities is beyond measure! "Going to Work Should Not Be A Grave Mistake"!

Brandon's story is just 1 of the 14 workers killed each day in the United States and you can make a difference!



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VIRGINIA

BIG ISLAND



ROBERT DAMERON, 44

It was the night before Thanksgiving when my husband Robert Dameron was killed at work. His life ended at the age of 44 on November 23, 2016. I kissed him goodbye that morning before I left for work, we finalized our plans for our Thanksgiving meal the next day, and I never saw him again. He worked at *Georgia Pacific* in Big Island, VA. I received a text message from a friend that saw on Facebook that there had been an accident at the plant, but no details had been released. I frantically began calling his cell phone, co-

workers, and the workplace but I knew in my heart before the deputy car pulled into my driveway that it was him. That is how deep our connection was! *Georgia Pacific* is a paper mill and my husband fell into a hydro pulper and drowned. A third-party contractor had removed a safety guard six days prior and a new safety guard was never installed before starting production. It was a confined space that was dark and damp and the employees were never notified that the guard had been removed. He was working in an area that was not a tie off area and there were no anchor points to even tie off to. I'm angered that something as simple as caution tape could have saved my husband's life! I am in disbelief that stricter workplace safety guidelines are not enforced because even one life loss is too many. OSHA charged the company with two serious violations and one willful violation that equal to \$84,000. They are still contesting these violations. Inspection: 1193325.015 - *Georgia Pacific*

We were married for 21 years and had three beautiful daughters. He was a devoted husband, son, and father and was one of the most generous men I have ever known. He was an avid outdoorsman! He loved hunting, fishing, and was a huge Pittsburgh Steelers fan. He is missed every second of the day. There are not enough words to describe the amount of love and joy he brought to my life and all those lives he touched.

Robert represents 1 of the over 14 workers killed in the U.S. each day due to a preventable work-related incident and you can make a difference.



WASHINGTON

Y E L M



Nathaniel Matao Acosta, 24

Nathaniel was my son, he was also a brother, uncle, cousin, and all-around beautiful person. Nathaniel was the type of person if you needed anything or needed him, he was there.

He loved his family especially his mother, sister, brother, and niece. He loved playing his guitar, ukulele, and his harmonica. He loved to travel with his guitar on his back he was getting ready to walk the northern trails with friends all the way from Canada to Mexico. His heart was for-sure a Hippie. He loved peace and he tried to make everyone his friend.

He would come home from Oregon every week to see his mother, sister, and niece. He was our protector. He loved his hot Cheetos, his family, his dog Arie and making food out of odd things that were sometimes amazing to eat. Before he was killed, he was working towards going to college and become an engineer. He would say, *“Mom one day I am going to make it big and sit on a beach and just surf all day and you will never have to work as hard as you do.”* He would always come in my office and say *“Mom you need a vacation I would say no I want to make my kids proud of me. He would say mom you are so silly I am proud of you already.”* Nathaniel was truly an amazing soul in which his family misses him every day.

Sadly, my son’s life was taken from him when he was fatally shot to death by the owner’s son while on the job on April 17, 2020, while working for *The Gold Club* in Milwaukie, Oregon. My son called me that morning and was going to come home that Friday like he always did.

However, while painting the club the owner and his son came in and he was shot in the face by the owner’s son and the bullet hitting a major artery. We have been told that he was killed basically instantly.

Federal OSHA investigated the incident after the company did not report my son’s death for almost two week. They were fined \$500.00 for not reporting it.

Inspection: 1479572.015 - 317727408 - Aacpl Llc (The Gold Club).

It’s been 2 years since Nathaniel was taken from us and our family has never been the same since. He is always in our hearts and his memories will always be cherished. We will remember him as the beautiful soul he was. It is sad that his family will never see him graduate from college, get married, have children, live his dream of sitting on a beach and surfing all day, hear him say, *“Mom I love you”* or get one of his amazing bear hugs. He was our world, and his family is lost without him.

No worker or their family should have to live with this grief and pain. No mother should have to shed the tears I am shedding as I write Nathaniel’s story.

I know that death is a huge part of life, but no mother should have to go through the pain of losing a child and no worker should lose their life by going to work. I fully support and stand behind the words of USMWF, *“Going to Work Should Not Be A Grave Mistake”*. Workers should not have to fear going to work for a company that does not value their life. Families should never get that horrible call saying their loved one has been killed just because they chose to go to work. There needs to be better laws and better investigations, harsher fines, and maybe criminal charges against employers.



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I believe more OSHA investigators should be hired so that they can take a better look at each case. I also believe that those OSHA investigators should receive better training. In my son's case it is a joke that The Gold Club owners had almost two weeks to get rid of evidence to only be slapped with a \$500 fine for not reporting my son's death within a 24-hr. period.

Nathaniel Matao Acosta story is just 1 of the 14 workers killed each day in the United States and you can make a difference.



WEST VIRGINIA

BUCKHANNON



GEORGE "Junior" HAMNER, 54

It's been over 16 years since the early morning explosion at the Sago Mine in Upshur County, WV claimed the life of my husband, Junior Hamner, along with 11 other miners.

On January 2, 2006, twelve families lost someone they love. My husband had been a miner for 28 years. We were married 32 years with one daughter. I feel International Coal Group (ICG) robbed me of growing old with him and us out of many lifetime memories together.

In 2005, ICG, owner of the Sago Mine, was cited for 208 safety violations and had an accident rate double the national average. MSHA found ICG broke 149 safety laws contributing to the disaster. The fines ICG incurred were greatly reduced. Throughout the years, it's been hard to tell where the coal company ends and MSHA begins. The company, MSHA and the State blamed the explosion on lightning/an act of God. We know this tragic loss was not an act of God as presented but a lack of duty by those who were placed to protect our loved ones from the company.

Given the nature of the violations at Sago and the Mine's history of roof falls, I believe the UMWA's findings from their investigation at Sago. The explosion was in fact caused by frictional activity from a roof fall, which sparked the methane behind the sealed area. What I have learned over the years after the Sago Mine Disaster is that it was preventable.

The note my husband left us tells us that the miners were still alive more than eight hours after the explosion. It breaks my heart to know that there was technology available, but not in use at the Sago Mine, that could have saved our miners' lives. I hate to be a believer in that saying, "The more things change, the more they stay the same." Will there be change for the Appalachian Coal Miner or will things stay the same? As long as corporate greed is allowed persistence over miners' health and safety, there will be no change. Miners will continue to die. As long as corporate stockholders value profits, a piece of mining machinery or a vacation home over the lives of miners, there will be no change.

What if you are trapped in the coal mines, behind a curtain, pounding on a roof bolt and your rescuer doesn't work? What if there are only two listening devices in the USA and they are not sent for your rescue? They are not even in working order. What if you realize you might not be trapped if your co-workers on the previous shift had been allowed to spread rock dust instead of being pushed for more production? What if your family member is outside the mouth of the mine waiting for word on your fate and a reporter asks, "Does that coalminer have running water and electricity in his home?" What if...?



The population as a whole is to blame for not electing legislators that stand up for the working men and women in this country and hold these legislators accountable. While I recognize that coal companies need to make reasonable profits there also needs to be a balance.

Every single day coal miners go to work, they are playing “Russian Roulette” with their lives. The UMWA uses a saying, “We just come to work, we don’t come to die.” I am in awe of the beautiful memorial that stands near the Sago Baptist Church as a lasting tribute to all the miners involved. I can’t help thinking, through being tucked away in a less populated part of the county, the disaster is too easily forgotten. If it were displayed proudly at the courthouse, it would be a constant reminder for all of us to work together to prevent future disasters and deaths in the coal mines.

I understand that it is a part of life to lose a loved one and that life goes on. However, I fully stand behind the words of USMWF, “Going to Work Should Not Be A Grave Mistake”. Workers should not have to work for a company that does not understand the importance of their life. Families should not have to bury their loved ones all because they chose to go to work that day.

George “Junior” Hamner represents 1 of the 14 workers killed each day in the United States and you can make a difference.

United Support & Memorial for Workplace Fatalities Deborah Hamner, widow of George Junior Hamner Sara Hamner, daughter of George Junior Hamner



WEST VIRGINIA

BUCKHANNON



FRED G. WARE, JR. (Bear), 59

On January 2, 2006, in the early morning hours I lost my father, Fred G. Ware, Jr (Bear), in an explosion at the Sago Mine in West Virginia. Twelve men lost their lives that morning. There was an explosion behind a sealed off area due to methane build up. My father was also a brother, uncle, grandfather and the most important job he had was as a father. His life was cut short from the negligence of the International Coal Group (ICG). He had over 41 years of mining experience.

My father just went back to work after the mine being idle for the holidays. There were two crews underground at the time of the explosion, one crew made it out. However, my father and his co-workers were trapped. From what we understand from the survivor they tried to walk out but met too much debris and turned back to their section. They didn't have the appropriate supplies to build a barricade on their section.

They were attempting to do what they were trained to do in those situations. Inside my father's coal mining hard hat, he had his sticker with instructions "when escape is cut off". Those steps on that sticker are to barricade, listen for shots, signal by pounding hard 10 times, rest for 15 minutes, repeat signal and then if you hear 5 shots you are located. However, for my father and his co-workers this never happened. They didn't have the proper materials to barricade, their respirators failed (to the point they had to share), and they pounded on the roof bolt, but no shots were fired nor were they rescued until it was too late. Rescue was delayed by MSHA officials.

There were several previous citations at this mine on multiple occasions. The high methane levels had previously been reported to mine officials by members of the crew. After the investigation was shared with us safety was not a priority of this company.

My father didn't get the opportunity to watch his five grandchildren grow up into the fabulous adults they are now. I miss him every day. My father going to work should have never been the grave mistake it was that day. These honorable men should not have had to lose their lives by going to work to support their families. My father enjoyed riding four wheelers, hunting, family, camping, going to auctions and playing pranks on all of us. My father should have been able to retire and enjoy all his hobbies, and most importantly his family.

According to court documents, 36 citations were issued, 31 settled and the total civil penalty for the 36 citations was \$32,278 and ICG/Wolf Mining agreed to pay \$26,310 total. For these 12 men who lost their lives these fines are insulting. Their lives should be valued more than this.

Our lives have been changed forever.



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WISCONSIN

CALUMET CO.

DERRICK BURKHATER, 50

My husband was also a son, brother, and a father who was very proud of his 2 sons and daughter. He was a hard worker and adamantly believed in standing up for what he felt was right. He took pride in his work and his family. He truly enjoyed spending time with his family and always put others before himself.

Sadly, my husband's life was cut short when he was fatally injured on the job on April 27, 2015 while working for the *Calumet Co. Highway Department*, in Wisconsin. He died on May 4th, 2015 as a result of his injuries. My husband was operating a road sweeper in a mobile work zone. He was struck from behind by a motorist, driving on the shoulder and was pushed over 100ft before the sweeper came to rest on its side. My husband suffered catastrophic neck and head injuries and he never regained consciousness.



This was not investigated by OSHA as it is out of their jurisdiction.

It has been nearly 4 years since we lost the man that was my best friend, we met when we were 12. We grew up together, valued the life we shared and looked forward to enjoying the future. He is the reason I grew up to be the person I am today. I think of how much he has missed both of our son's weddings, the birth of our first grandchild, watching our daughter flourish in culinary school, as they both enjoyed cooking.

I understand that life is full of risks. However, I fully stand behind the words of "*Going to Work Should Not Be A Grave Mistake*". Families should not have to bury their loved ones all because they chose to go to work that day.

Derrick represents 1 of the over 14 workers killed in the U.S. each day due to a preventable work-related incident and you can make a difference.



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WISCONSIN

CHETEK

BROOKE JEAN BAURES, 21



My daughter, Brooke Jean Baures, lost her life at the age of 21 while waitressing at *The Wing Dam Saloon and Grill* in Fountain City, WI on December 1, 2014.

Brooke was killed by a dumbwaiter that was man made, NEVER had a permit and was NEVER inspected. Brooke's head got caught in the descending dumbwaiter. The dumbwaiter pulled her entire body in the shaft and was killed instantly from severe head trauma and her brainstem and left cerebellum were destroyed. She was an outstanding senior at *Winona State University* preparing to graduate with honors, majoring in Social Work. Brooke had a passion to one day work with disabled children and the elderly. She competed as a

collegiate gymnast for 3 years at *Winona State University* earning All-American honors. She received multiple awards from the WIAC conference as gymnast of the week. Brooke was an amazing young woman who was always a leader and lived a life with true character. She was an encourager to many and always led others with a helping hand. She put others before herself and truly was a selfless young woman. Brooke was the oldest of her family; she has a younger sister and several younger cousins aging down to three years old. Brooke left a legacy for us that no one will ever be able to explain, a legacy we can only dream of teaching to my two nieces, who will most likely only really know Brooke through pictures and our memories.

I know I don't have to tell you that the loss of my daughter has been completely devastating. You can only imagine, right? Families of lost workers have experienced a loss so unimaginable, so unexplainable, so unnecessary, and unforgiving at times. The emptiness we feel, the emptiness within our home and family that will never disappear. There will always be an emptiness inside of me and my family. There will always be a shadow that will linger forever.

Federal OSHA investigated the incident and proposed a citation of \$7,000 for one serious violation and it was later reduced to \$5,000. Inspection: 1011204.015 - Jammin Turtles, Llc

The State of Wisconsin finally inspected the dumbwaiter and required the facility to be closed until the dumbwaiter was removed. The dumbwaiter was removed the day of my daughter's funeral. It has been 4+ years of trying to figure out why.... Why her, why Brooke? As time has passed, our "WHY'S" have been focused to the specifics of her death. Why was there a dumbwaiter without a permit, why were the safety mechanisms removed, why were there no doors on the dumbwaiter, and why did it happen? Who is to be held accountable for our daughter's death?



How could this piece of equipment go unnoticed? Why did it never get reported? Why did every single inspection this facility received get a passing grade? How did the dumbwaiter safety issues not get noticed by state inspectors? Whose responsibility was it to find the safety issues? In 20 plus years, not one inspection reported this piece of equipment, more or less a piece of equipment with safety issues. Not until our Brooke was killed. Not until a young beautiful meaningful life was taken from us.

I understand our situation is different and unusual. I believe these things were not done on purpose by anyone, I believe it was to make work more convenient, to save money, or whatever else it might be. It certainly couldn't have been done to take someone's life or put employees in danger.

The current owners purchased this business "as is" AND they followed what had been working and okay for years before them – Who failed them? Who is responsible? Who should have known this dumbwaiter needed a permit and safety devices installed? The small business owners of the facility? OR the *Wisconsin Department of Health Services Sanitarians* or *Wisconsin Department of Safety and Professional Services*? Either way, a permit would have certainly triggered an inspection. An inspection that should have caught all the infractions prior to her death, an observation never made. An inspection that WOULD have saved my daughter's life. Brooke's death was "preventable and predictable" and if proper inspections had been completed, along with government officials sharing their inspection and risk management reports, this tragedy would have never happened. My challenge is to increase the number of Sanitarian Inspectors, with up-to-date inspection methods, and with in-depth proper training. These are the items needed for the *Division of Public Health and Bureau of Environmental and Occupational Health* services. Saving money is not an option. Saving someone's daughter, like mine, or a loved one is worth the extra effort, time and money. Therefore, I fully stand behind the words of USMWF, "Going to Work Should Not Be A Grave Mistake".

Workers should not have to work for a company that does not understand the importance of their life, nor should the government not be held accountable for their lack of due diligence that our tax dollars pay for. Families should not have to bury their loved ones all because they chose to go to work that day.

Brooke represents 1 of the 14 workers killed each day in the United States and you can make a difference. I choose every day in Brooke's honor to "Smile On" and "Go Make a Difference!"



WISCONSIN

PORTAGE



MICHAEL R. KITTLE, 29

Michael was killed on the job in February 2014 while working at *Wieser Concrete* in Portage, Wisconsin. He was killed when chains holding a cement block gave way and crushed him.

Federal OSHA investigated and proposed a \$ 21,000.00 penalty for three serious violations and one other-than-serious violation. In an informal settlement the citations and penalties were reduced to \$14,000.00 for one serious and two other-than-serious violations. Inspection: 960596.015 - *Wieser*

Concrete Products, Inc.

A parent should never have to bury their child, especially for the negligence that has been shown by the employer. Not all the money in the world will ever replace Mike. However, I do believe there should be justice and accountability for negligence. I am hoping that you can assist me in getting these things changed. I do not want to see another family in Wisconsin, or any other state have to go through what we have gone through.

Michael represents 1 of the over 14 workers killed in the U.S. each day due to a preventable work-related incident and you can make a difference.



**USMWF's main priorities are to offer support, guidance and resources to those that have been forever affected by preventable work-related incidents. It is very hard for some of our family members to take the time to write or speak about their loved one's incident and how their life has forever changed. Many letters we receive are specifically written on behalf of our request. We do have a few families who have asked not to share or alter information so please follow and take the TOU seriously. www.usmwf.org*



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