

Tammy Miser
2837 Yellowstone PKWY
Lexington KY, 40517

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Tom Petri
2462 Rayburn HOB
Washington, DC 20515

Dear Representative Tom Petri,

I am writing to recommend you co-sponsor and support HR 190, the Protecting America's Workers Act. This bill will help family members of victims of workplace injuries and fatalities like my own by giving us new rights to information about OSHA investigations.

Everyone deals with a death in the family in different ways. Some people are paralyzed by grief, others are mobilized. For some people, trying to understand "what" happened to their loved one and "why" is a necessary step in their grieving process.

I know about the importance of what this bill holds through my own family's experience. My brother Shawn Boone Was killed in an aluminum dust explosion at Hayes Lemmerz in 2003 one of three fatal dust explosions that year. No, man women or child should have to endure what Shawn did. Shawn was behind the chip melt furnace during the first blast and nearby when the second more severe blast occurred. The blast took Shawn's eyes, fatally scorched his internal organs and burned through much of his muscle tissue. All we could offer Shawn was compassion and mercy. The doctors gave Shawn enough morphine to put him in a comatose state, slowing his functions enough to let him go peacefully. We shouldn't have to make this sort decision for our loved ones! Families should not have to live with this judgment on their shoulders! In 2007, my youngest brother Thomas took his own life. I believe Shawn's death greatly contributed to Thomas' death. As you can imagine, this has only added to our loss and frustration.

Directly after Shawn's death I was baffled with the system and how it worked. We were never informed of an investigation, I took it upon myself to find out how OSHA and many other offices worked and I was shocked to find that families had no rights during OSHA's investigation. We had relevant information as many families do that could have contributed to the investigation. I was also not informed that one citation and penalty was removed, I had no clue this was allowed. I just assumed that when the investigation was finished it was closed. The problem with not informing the families of the investigative system is that they find out through alternative sources like the press.

Do families not, at the very least, deserve the respect of being informed when they have lost someone at the workplace or a family member has had serious injuries? With a sudden death the families left behind go through an array of emotions disbelief; anger; grief; a need to be acknowledged; and to have

answers. Dealing with an unknown system that is not equipped to accommodate the families of lost workers only adds to the pain.

I would like to see a federal liaison office that provides family member victims with reliable and responsive information such as workplace fatality and serious injury investigation procedures, the role of state or federal agencies, and workers' compensation.

Family member victims should have access to all documents gathered and produced as part of the accident investigation. This includes records prepared by first responders, interviews, affidavits, or written statements, as well as training and maintenance records, videotapes and photographs. Information mentioning the deceased family member's name and condition should not be redacted from documents provided to family members, and all fees related to the production of documents should be waived for family members.

This bill will make fundamental changes to the Occupational Safety and Health Act that are long overdue. These hard working families need and deserve the changes and basic human rights that HR190 will provide. I do not want to see more families suffer as my family has. I strongly encourage you to co-sponsor and work for the passage of HR 190ⁱ.

Thank-you for your consideration.

Sincerely,

Tammy Miser

ⁱ For further information about workplace deaths, their families and issues involved please visit:
USMWF – *United Support & Memorial for Workplace Fatalities* <http://www.usmwf.org>
Weekly Toll: *Death in the American Workplace* <http://weeklytoll.blogspot.com/>
A Grave Mistake <http://www.goiam.org/index.php/news/latest-videos/7766-a-grave-mistake>
Family Bill of Rights <http://www.usmwf.org/family/Family%20Bill%20of%20Rights%20-%2010%2011%2007.pdf>
H.R. 190 PAWA [http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.190:](http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.190)
16 Deaths Per Day <http://16deathspersday.com/>