



UNITED STATES DEPARTMENT OF LABOR

Occupational Safety & Health



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Workers' Memorial Day Program
Department of Labor Headquarters
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Remarks by Dr. David Michaels
Assistant Secretary of Labor for OSHA

Good morning and thank you for joining us today for our Workers' Memorial Day program. Following my remarks, you will hear from several champions of worker safety and health.

We have Assistant Secretary Joe Main from MSHA, Peg Seminario from the AFL-CIO, Mike Wright and Duronda Pope from the United Steelworkers, and Deputy Secretary Chris Lu with us today. Thank you all for being with us on this important day.

On Workers' Memorial Day, we remember and honor all working men and women who lost their lives on the job.

We mourn not only for those we've lost, but for those left behind. And we recognize the burden that workplace injuries and illnesses place on workers, their families, and society as a whole.

And today, as we remember and mourn those who have lost their lives on the job, we also commemorate OSHA's 45th birthday.

Only 45 years ago, most American workers did not enjoy the basic human right to be safe in their workplace. Instead, workers were given a choice: They could continue working under dangerous conditions and risking their lives, or they could move on to another job — if they could find one.

But passage of the OSH Act laid the foundation for the great progress we have made in worker safety and health since those days.

Progress

This is my seventh and last Workers' Memorial Day as Assistant Secretary for OSHA. As I look back over the past seven years, I am so proud of the progress we've made — together — continuing those efforts and making great strides to apply a 20th century

law to the 21st century economy.

OSHA's strong enforcement program is the core of this agency's capacity to effect workplace change, and our compliance officers are the heart and soul of our field efforts. For 45 years, your efforts have saved thousands of lives, prevented millions of injuries and made a huge difference in the lives of countless working families across this great country. And as impactful as we have been, we are continually striving to strengthen our efforts, better targeting our modest resources where they can be the most effective.

In these efforts, we've focused attention on the most vulnerable members of the workforce: temporary workers, young workers, immigrant workers, and those whose first or only language is not English.

From day one, OSHA recognized that the safety and health system in this country will only function if workers feel free to act without fear of retaliation. While there is still much work to be done, we have built up our whistleblower program from a relative backwater to a more vibrant and better-funded program that is better able to protect those workers who've exercised a *basic human right* — the right to speak up about hazardous workplaces that threaten their safety and health. And we are working actively on additional ways to strengthen those protections.

Most recently, we've partnered with the Department of Justice to better pursue criminal charges when they are warranted, since for some employers the threat of jail time may be the most effective way — or even the only way — to convince them to value the lives and limbs of their employees.

We are especially proud that, with the extraordinarily hard work of our staff and others here at the Department, and the indispensable help of so many of our stakeholders, OSHA has finalized several long-awaited rules to improve worker protections.

Most significantly: Eighteen years after it was put on the regulatory agenda, more than 40 years after NIOSH recommended a more protective standard, and more than 80 years after Frances Perkins committed this country to ending silicosis, the Obama administration has issued a strong silica standard that will save hundreds of lives every year.

The rulemaking process is long and difficult, but, in addition to silica, together we have issued standards covering hazard communication, cranes and derricks, recordkeeping and reporting, confined spaces in construction, and shipyards.

And we are making progress on improving protections for workers exposed to beryllium, and reducing the hazards for workers exposed to infectious diseases, combustible dust, process chemical risks, cell towers and other hazards.

We are working to adjust to a new, 21st century economy by addressing the serious safety and health issues faced by temporary workers.

We are very much focused on workplace culture change, since we know that employers who embrace a culture of prevention will save lives. We are about to release final guidelines encouraging employers to adopt a systemic approach to safety and health that involves workers and requires employers to find and fix recognized workplace hazards before they cause worker injuries or illnesses, even if there's no specific OSHA standard.

None of this work could have been done without the indispensable support of the Department's solicitors. SOL is OSHA's most valued partner. OSHA and SOL staff spend countless late nights and weekends together, advancing our life-saving enforcement and regulatory agenda. Please join me in giving OSHA and SOL staff a round of applause.

Work to Do

But I'm not just looking *back* over the past seven years. Despite the progress that has been made and our continued efforts, there is much work to be done. We still have nine months to go in this administration — and if that's enough time to create an entire new life, it's also enough time to continue to improve the protections that American workers deserve.

There are further standards and protections that need to be expanded, and there are still far too many workers who don't feel empowered to report injuries or use their rights under the law.

Every day we need to continue to fight and educate and organize to make sure the clock is not turned back on the

accomplishments we have made.

And we have not achieved our ultimate goal — to fully protect the safety, health and life of *every* worker.

Every day, our compliance officers investigate workplace incidents that kill or cause grave injuries to working men and women — incidents that could have been prevented — that *should* have been prevented — by simply complying with OSHA standards or other best practices.

Every day 8 million public employees go to work — and too many get injured or killed, still — without the basic legal guarantee of a safe workplace.

Every day 13 workers go to work, never to return home to their families.

And the families of those injured or killed bear unimaginable grief, pain and suffering, as well as a majority of the financial burden.

In this job I have met many workers who have suffered from a workplace injury or illness; many family members who have had to receive the horrible news that someone they love is never again going to come home from work and walk through the front door; many mothers, fathers, brothers, sisters, husbands, wives who have to forever go on with a hole in their heart... an emptiness that can never be filled.

I often think of these workers, of these family members, and their stories.

I think of Danielle Dole, who is here with us today. Three years ago, at our Workers Memorial Day observance, she told us about her father, Sherman Lynn Holmes, who was struck and killed by a tree in 2011 while working for a logging company in Michigan.

I think of Kathy Pierce. Last year, Kathy stood bravely in this hall and shared her story — how, with a fall from a communications tower, her son Chad's life was suddenly taken and her sorrow and suffering suddenly began.

I think of Tom Ward, who lost his father to silicosis when Tom was just a teenager. His father was only 39 when he died.

I think of Day Davis, and how excited he must've been for his first day as a temp at the Bacardi factory in Jacksonville, not knowing that his first day of work, ever, would be his last day on earth.

I think of the brave workers who lost their lives responding to the fertilizer plant explosion in West, Texas — how their deaths not only caused suffering for their families but added to the awful sense of loss felt by that entire community.

And I think back to the workers who in 1911 at the Triangle Shirtwaist Factory had to make the terrible choice of jumping out of a window to their death or staying in the building to have their life taken by the fire and smoke.

It is in these workers' and the thousands other workers' memory that we rededicate ourselves to our mission.

We owe it to the fallen workers, we owe it to their families, we owe it to the men and women working today all across the Nation, and we owe it to future generations of workers.

Closing

Forty-five years after passage of the OSH Act, we are still faced with an enormous challenge to realize the promise of this law.

And we take heed of what Mother Jones said — that we should "pray for the dead and fight like hell for the living."

So, tomorrow and every day thereafter, in honor of those we have lost, we will fight to make sure that every American worker is protected against the myriad of hazards out there affecting their safety, their health, their lives and the security of their families.

Together, we can keep making progress and continue the dream that one day events like this will be a distant memory — that one day every preventable worker death *will be prevented*.

Until that day comes, I pledge to keep fighting and I know everyone one of you will join me, or you wouldn't be here today.

We do this, together, in the hope of one day fully realizing the promise of the OSH Act — that every worker has a right to a safe and healthful workplace and the opportunity to return home safe and healthy at the end of every shift.

Thank you for coming today, and thank you again for the enormous, consequential work we've done together over the past seven years.

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