



**2007**  
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# **SPALW Newsletter**

## **(Safety Professionals & the Latino Workforce)**

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**Safety Professionals And the Latino Workforce**

## **Welcome to Our First Issue!**

As part of this inaugural issue, we ask our readership to suggest a title for the Safety Professionals and the Latino Workforce (SPALW) newsletter. This newsletter will be published electronically three times per ASSE calendar year beginning in September 2007.

I have served as Manager of ASSE's 13 practice specialties since 1998, and I am pleased to welcome the SPALW newsletter to our family of technical publications. We now have electronic newsletters for each of our six branches and for our two common interest groups.

I would like to thank the authors and Hector Escarcega, SPALW Chair, Ernie Garcia, Vice Chair and Pam Ferrante, Newsletter Coordinator for their hard work in putting this first issue together. I am continually struck by the necessity and importance of a safety, health and environmental (SH&E) publication for and by the Latino/Hispanic professionals in SH&E.

I encourage all current SPALW members to invite their colleagues to join SPALW and to write newsletter articles specifically related to best practices, common problems and solutions and planning strategies.

As SH&E professionals, we often hear about problems in the construction industry with respect to bilingual communications, and the NIOSH Facility Assessment and Control Evaluation (FACE) program often addresses incidents involving Latino/Hispanic workers. Latino/Hispanic responders to both the World Trade Center catastrophe and Hurricane Katrina now face health problems with little recourse for medical assistance.

Occupational illness among Latino/Hispanic farm workers is widespread. It is estimated that 4.2 million seasonal and migrant farm workers and their families live in the U.S., most of whom are Latino/Hispanic with a majority from Mexico. They often have limited access to health education or safety warnings and depend mainly on a responsive state U.S. Occupational Safety and Health Administration (OSHA) program. SPALW can play an active role in addressing such issues.

SPALW promises to have a vibrant and important future within ASSE, and staff looks forward to working with this common interest group.

Thank you,  
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## Message from CoPS VP



As Vice President of the Council on Practices and Standards (CoPS), I am very proud to introduce this premier edition of the Safety Professionals and the Latino Workforce (SPALW) electronic newsletter. Common Interest Groups (CIGS) like SPALW have been a part of ASSE since 2002, starting within the Council

on Member Region Affairs.

In 2005, CIGs moved to the CoPS, which fit well within our niche-specific structure. Under CoPS, SPALW membership has flourished to more than 100 members and continues to grow.

Following a lively Advisory Committee meeting at the 2006 Professional Development Conference in Seattle, SPALW has progressed this year with an active Newsletter Coordinator, Pam Ferrante (also Newsletter Editor for the Consultants Practice Specialty) and a new Vice Chair, Ernie Garcia, set to succeed SPALW founding Chair, Hector Escarcega.

The SPALW membership infrastructure is well on its way to creating the foundation that will allow it to expand and grow to offer value-added products and services to both SPALW and ASSE members.

We are very excited that we have this opportunity to work on specific areas that will promote safety and health efforts in an ever-growing workforce. Thank you to all of SPALW's initial leadership and members. We look forward to your growth and contributions to the ASSE and the Latino/Hispanic safety, health and environmental (SH&E) community.

*James D. Smith, M.S., CSP  
Vice President  
Council on Practices and Standards (CoPS)*

## SPALW to Meet During 2007 PDC

SPALW will meet during ASSE's Professional Development Conference (PDC) in Orlando, FL on Monday, June 25, 2007 at 6:00 p.m. in the Peabody Hotel (Room Orlando 3). This meeting will be open to all PDC attendees.

## Understanding SPALW

We hope you will find the articles in this first issue of the SPALW e-newsletter both interesting and timely.

These articles will provide you with a brief history of SPAWL, its current structure, leadership and objectives, and most importantly, will explain how you can get involved.

### Background

While workplace accidents nationwide are slowly decreasing overall, accidents for the Latino/Hispanic ethnic group are increasing. In fact, in 2004, Latino/Hispanic workers had one of the highest fatality rates of any subgroup.

Several reasons for this increase in accidents include cultural gaps and communication barriers. In addition, safety training for the Latino/Hispanic workforce is often conducted in a language the workers do not understand.

ASSE recognized its obligation to take a leadership role in this emerging problem, and the idea of having a separate group of ASSE members who wanted to advance an understanding of this issue evolved during ASSE's PDC in Las Vegas, NV in June 2004. A meeting was held, and SPALW was created and placed under the Council on Member and Regional Affairs. Subsequently, SPALW was moved under the Council on Practices and Standards (COPS), where it is housed today.

### Objectives

SPALW's objectives are as follows:

- To provide an arena for safety directors, managers, supervisors, consultants and other professionals who have a common interest in this subject matter to come together to discuss, research, develop and implement new suggestions, ideas and recommendations for issues relevant to the growing Latino workforce.
- To offer important and valuable networking experiences whereby new and experienced individuals interested in safety efforts for the Latino/Hispanic workforce can come together to support one another with existing and new strategies.
- To create an avenue and welcoming environment for new as well as experienced individuals who are entering the safety profession or have existing safety responsibilities.
- To share and learn from one another through ASSE's resources.

- To provide an environment and opportunity to offer one-on-one support through the development of a mentoring program both in English and in Spanish.
- To lead by example in acknowledging our nation's rich ethnic diversity and how to address issues of safety and cultural diversity, language, customs and traditions within different ethnic groups.
- To minimize and control costly and unnecessary accidents and fatalities.

### Meetings & Activities

SPALW meets annually at the PDC. These annual meetings are open to ASSE members and to non-members attending the PDC and are publicized to all SPALW members in advance of the PDC. In addition, SPALW holds regular conference calls for all members to discuss current activities and progress.

SPALW currently has several working groups designed to address some of the issues discussed at the first meeting in Las Vegas as well as additional issues that have been raised in subsequent meetings.

Current working subcommittees include the following:

1. Resources & References Committee—Chair Nancy Romano
2. Mentoring Committee Chair—Chair Zeferino Banda
3. Latino Cultural & Training Techniques Committee—Chair Hector Escarcega
4. Translation, Safety Terms & Vocabulary Committee—Co-Chairs Pam Ferrante and Lizette Vargas Malpica

### Membership

SPALW membership is open to any ASSE member. To join, contact [rheath@asse.org](mailto:rheath@asse.org) with the subject line "Join Safety Professionals and the Latino Workforce."

### Contributing to the Newsletter

We welcome any and all contributions of articles written by SPALW members or reprints of articles that are pertinent to SPALW activities and objectives.

Please send all articles and ideas for articles directly to Pam Ferrante at [pam@jcsafety.com](mailto:pam@jcsafety.com). If you have any questions, please feel free to call her at (412) 414-4769.

## PDC Sessions of Interest to SPALW Members

The following 2007 PDC sessions may be of interest to SPALW members:

### Sessions in Spanish:

**Monday, June 25, 2007, 3:00-4:15 p.m.**  
(SP01) Barreras Culturales Hacia la Seguridad/Culture Barriers to Safety

**Tuesday, June 26, 2007, 3:15-4:15 p.m.**  
(SP02) Nueva Generación de Métricas de Seguridad/New Generation of Safety Performance Metrics

**Wednesday, June 27, 2007, 7:45-9:00 a.m.**  
(SP03) Un Enfoque Integral a la Diversidad Cultural en el Trabajo/Intercultural Diversity—An Integrated Approach to Cultural Diversity in the Workplace

**Wednesday, June 27, 2007, 3:15-4:15 p.m.**  
(SP04) Por qué los trabajadores latinos tienen los índices más altos de accidentabilidad y muertes en el trabajo?/Why the Latino Workforce has the Highest Rate of Death and Injuries at Work

### Sessions in English:

**Monday, June 25, 2007, 4:30 p.m.-5:30 p.m.**  
(562) Managing Diversity for Safety, Health & Environmental Excellence

**Tuesday, June 26, 2007, 4:30 p.m.-5:30 p.m.**  
(651) How to Communicate with and Empower Your Spanish-Speaking Workforce

**Tuesday, June 26, 2007, 4:30 p.m.-5:30 p.m.**  
(652) I-9 Forms, Legislation and eSolutions

**Wednesday, June 27, 2007, 9:15-10:30 a.m.**  
(729) Overview of OSHA's Hispanic Outreach Initiatives

## Establishing OSHA Outreach Training Programs for Latino Laborers

*By Hernando "Ernie" García, MBA, CSP, CPEA  
& Ivan Siguencia, CHST, CSP*

The following is an excerpt from a paper and presentation given by the authors at the ASSE 2006 Professional Development Conference (PDC) in

Seattle, WA on June 12, 2006, titled “Estableciendo Programas de Entrenamiento OSHA Para Jornaleros Hispanos.” This article will discuss the manner in which a safety and health outreach training program for Latino workers, particularly day laborers in construction and general industry, was established and has been managed during the past three years within the New York-New Jersey Metropolitan Area.

This program is based on the successful work of the U.S. Occupational Safety & Health Administration’s (OSHA) Parsippany (NJ) Area Office (PAO) in alliance with many non-profit and faith-based organizations in collaboration with dozens of volunteer safety and health professionals from the public, private, educational and institutional sectors.

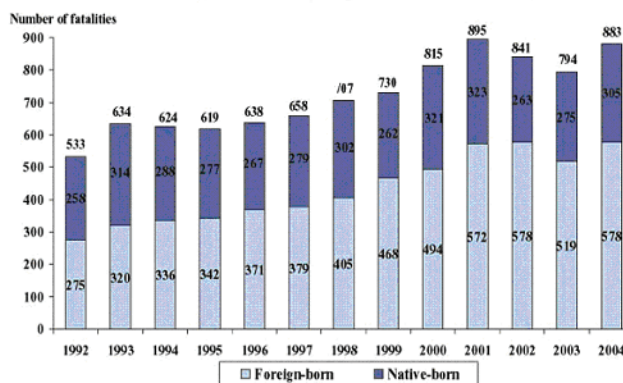
These alliances with faith-based organizations and community service centers throughout New York and New Jersey made possible the delivery of all training sessions to Latino workers in their native language. The training provided included the OSHA ten-hour safety and health course certification of all attendees from the construction and general industry sectors carried out in ten-hour day sessions at a minimum or at no cost for attendees. This general awareness training is not intended to replace federally mandated site-specific training each employer is required to give to all affected employees.

### Background

The Latino workforce is at a disadvantage when it comes to safety and health in the workplace. Several important factors such as language, culture and discrimination can play a role in this issue and can adversely affect Latino employees in their workplace.

The number of Latino workers continues to increase steadily. The National Institute for Occupational Safety and Health (NIOSH) (2004) indicates that Latino workers accounted for 10.9% of the 135 million workers in 2001. Additionally, the Bureau of Labor Statistics (BLS) projects that Latinos will make up 30.3 million of the nation’s workforce by 2010. Of concern is the rising number of fatalities in the Latino workforce. Furthermore, rates for Latino fatalities have increased as opposed to fatality rates for other ethnicities. BLS (2004) reports that the number of Latino fatalities for 2004 has increased compared to the previous two years. This increase comes after a steady decline since 2001. The BLS graph below shows the number of fatalities for Latino workers from 1992-2004.

Number of fatal work injuries involving Hispanic or Latino workers, 1992-2004



Fatal work injuries involving Hispanic or Latino workers increased in 2004 after declining the two previous years. Increases were recorded for both native-born and foreign-born Hispanic workers in 2004.

Data from 2001 excludes fatalities from the 9/11 terrorist attacks.

Source: USDOL, BLS, Census of Fatal Occupational Injuries, 2004

OSHA PAO has initiated alliances that address the safety and health training needs of the Latino workforce. Of special interest are subgroups of this set that includes day laborers. Day laborers are especially at risk of injury and death since the nature of their work varies constantly and includes dangerous jobs such as construction, agriculture and manufacturing.

Day laborers are usually recent immigrants, and due to their immigration status, are not likely to demand safer working conditions or such rights as personal protective equipment and proper training. A 2005 AFL-CIO study indicates that “new immigrants are less likely to know about their rights to safety and health protections and less likely to know there are government agencies that are supposed to protect them.”

Reaching this at-risk population for government or any other interested party has proven to be extremely difficult. Day laborers are a close-knit community that is significantly dubious and mistrusting of unknown third parties, particularly government agencies.

### Outreach Alliances with OSHA

Outreach training programs and alliances to reach Latino populations with high-risk occupations have been pivotal in the success of these programs. The majority of these agreements and alliances were initiated and signed in 2003 and 2004, but new alliances continue to be signed between OSHA and Latino community groups to train and educate Latino laborers in targeted industries or of a particular ethnic origin.

As of late 2005, more than 300 alliances had been signed nationwide, many of them specifically

targeted to the Latino day laborer community. Many of these alliances are with non-profit and faith-based organizations within PAO territory, triggering dozens of OSHA-sponsored outreach training sessions in Spanish in the NJ-NY Metropolitan Area in the past three years.

## **Establishing OSHA Outreach Training Programs in Your Communities**

### **1. Establish Alliances with Non-Profit and Faith-Based Organizations**

Alliances with community groups' representing the Latino population are key in successfully achieving the objectives of these programs. Chances are that within each OSHA region, one or more alliances and agreements exist between OSHA and local non-profit and faith-based organizations that can help establish outreach training programs for certain ethnic groups within your community. For more information on existing alliances in your OSHA region visit the OSHA Office of Outreach Services and Alliances webpage at: <http://www.osha.gov/dcsp/oosa/index.html>.

For those in areas with no established alliances, other resources are available such as local ASSE chapters, construction industry building associations or trade groups and country-specific consulates or embassies, which are interested stakeholders in most OSHA alliances.

### **2. Form a Pool of Instructors and Volunteers**

Preparing training materials and obtaining Spanish-speaking instructors is the next component in this process. This can be an enormous task for a small office/group committed to this responsibility. OSHA has identified about 180 Spanish-speaking officers within their ranks, but these are scattered throughout the nation and already carry a heavy enforcement or consultation workload. To assist with the task at hand, OSHA area offices rely on private and institutional sectors to provide all or part of the authorized bilingual instructors needed to successfully complete a ten-hour OSHA outreach training course in Spanish.

Bilingual safety and health professionals from diverse industries are potential sponsors and trainers for these sessions. Typical sources of authorized third-party trainers who have volunteered as OSHA 10 seminar instructors are local colleges and universities, private companies, state/national professional organizations, safety, health and environmental (SH&E) consulting firms, independent SH&E professionals, retired OSHA officers,

consultants, college professors or SH&E industry leaders.

### **3. Plan and Prepare the Training Sessions**

Providing training as part of an alliance agreement is a tedious and time-consuming process in the beginning. However, once a relationship is established and a level of trust begins to develop between the parties, the process becomes much more efficient and effective. The alliance non-profit or faith-based organization in conjunction with OSHA will discuss and set training dates. Agendas and topic assignments are usually put together by area office instructors in collaboration with volunteer instructors either via e-mail or telephone conversations. The next step is to promote the session within the target community.

### **4. Promote the Training Sessions Through Non-Profit and Faith-Based Organization Networks**

Outreach training sessions are typically offered free of charge for anyone willing to attend the entire ten-hour session and are announced through the communication network already established by the non-profit or faith-based organization with the local Latino community. Common channels are leaflets, posters displayed at community supermarkets, restaurants and other businesses, church events and bulletin boards, verbal announcements at other community activities and local employers with OSHA alliances.

### **5. Conduct The Training Sessions**

As attendees arrive, they sign a registry or attendance sheet. The ten-hour OSHA training courses (for construction and general industry day laborers) are mostly taught in one full day (usually a weekend day) at donated space arranged by the non-profit or faith-based organization. Training spaces may range from a conference room at the sponsoring organization to donated space at a local hotel or conference hall (usually paid for by a private industry sponsor).

Attendance varies accordingly as well. Some sessions may be attended by just ten to 12 individuals; others may be 80-100 people strong. The sponsoring non-profit or faith-based organization usually donates food, beverages and snacks served during these training sessions. All topics and sessions follow OSHA ten-hour outreach training guidelines for content, format and duration and are taught by OSHA-authorized outreach trainers and/or OSHA officers. The OSHA 10 course has a pre-established curriculum of mandatory and

elective topics for it to be recognized by OSHA with an attendance certificate in the form of a wallet card.

OSHA authorized trainers must meet the training and experience requirements contained in the OSHA 500 or 501 course curriculums. OSHA provides most of the materials presented, demonstration equipment and handouts. Instructors are expected to prepare and deliver one or more topics as per the agreed upon agenda.

All training materials and sessions are conducted in Spanish. Contrary to popular belief, Latinos share a wide range of cultural and language commonalities that have made the training of very diverse groups of workers possible without major difficulties for the trainers. Despite the various language nuances of each region or country, the core language is the same, and only minor adjustments are needed as the session progresses. PowerPoint and training aids are very graphical, with samples, pictures and drawings that provide additional visual clues to the audience.

#### 6. Hand Out Certificates of Attendance

Attendees who successfully complete the full-day OSHA outreach training session are provided with a wallet card from OSHA certifying their attendance at the training, which does not expire. Many private, state and federally funded construction projects require that all laborers attend the OSHA 10 course before hire. The certificates are issued as recognition to attendees and their families, who often proudly display them prominently in their homes. Author Ivan Siguencia (second from left), is depicted below with a group of seminar attendees and other instructors after successful completion of the OSHA 10 for Construction presented in Spanish near Newark, NJ.



#### Results of the Program (2003-2005)

A formal tally of the amount of OSHA 10 trained day laborers since the onset of the program in 2003 is kept by OSHA's Region II office in NY. This region has trained over 600 day laborers to date. The training sessions organized or sponsored by the PAO within their territory to date have resulted in more than 400 trained Latino workers during the same period. The average number of attendees per session is approximately 22 day laborers.

#### Promising Statistics & Trends

Some official regional statistics exist, but there is no trend analysis to truly assess the impact of these programs within the Latino day laborer population. However, feedback from Latino community advocates and labor union leaders of targeted industries within the PAO territory has been encouraging. In addition, feedback from alliance members obtained through an annual meeting called "The Alliance Day" has been positive as well. During this one-day event, alliance members, OSHA and third-party sponsor representatives meet to discuss results and improvements for future outreach efforts. Positive comments have been obtained thus far, and recommendations have been considered and implemented to better accommodate the alliance partners' training needs.

From this feedback, the training sessions have now evolved into more interactive, hands-on and visual presentations that accommodate the diverse adult learning styles and literacy levels of the audience. Verbal feedback from audience members has been found to work better than written training evaluation forms because of the wide range of writing and reading skills of the typical audience. Employer feedback is not possible in most cases because of the transitional nature of most attendees, who are day laborers.

#### Conclusions

Reaching the Latino workforce in order to minimize or eliminate workplace injuries, illnesses and fatalities is a vital necessity in today's work environment. This need is sure to grow with the forecasted increase of Latino workers in the U.S. labor force. Many dimensions must be considered to successfully and safely integrate this new manpower source into the mainstream. But however daunting or difficult the task may appear, it is well worth it if Latino lives and families are saved by this effort. We encourage all readers in all geographical locations to get involved in this initiative by sponsoring or volunteering for similar training programs in their state.

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Ruttenberg, Ruth and Lazo, Maria. "Spanish-Speaking Construction Workers Discuss Their Safety Needs and Experiences." Residential Construction Training Program Evaluation Report. February 2004.

## Biographies

**Hernando "Ernie" García**, MBA, CSP, CPEA is the Director of Global Safety, Health and Environmental (SH&E) Compliance and Audits at Foster Wheeler Corporation in Clinton, NJ. He has over 20 years of experience in the SH&E field, including corporate and consulting assignments with Fortune 200 companies with global responsibilities.

García is a Certified Safety Professional and a Certified Professional Environmental Auditor. He has been an OSHA 10 volunteer safety trainer for Latino workers for the past four years, participating in many of the Region II outreach training sessions in Spanish organized by OSHA's PAO since 2003.

**Ivan Siguencia**, CHST, CSP is an OSHA Compliance Officer and Safety Engineer at the Region II PAO in Parsippany, NJ. He has over eight years of SH&E experience with OSHA. He is a Construction Health and Safety Technician and a Certified Safety Professional. Siguencia has participated in and organized dozens of OSHA 10 outreach safety training sessions in Spanish for the PAO and Region II area offices. He is a liaison with many of the non-profit and faith-based organizations that sponsor these training sessions for the Latino communities they serve. Siguencia is also an advocate of safety beyond our borders, organizing and presenting several OSHA 10 courses in Spanish in South America each year.

# 10 Tips for Working Effectively with Your Latino Workforce

By Hector Escarcega, CSP, ARM, MSHI

1. Treat your Spanish-speaking employees as you would want to be treated if you were a new immigrant in a foreign country.
2. Make an effort to understand Latino culture and traditions.
3. Teach your American workers about Latino culture and your Latino workers about American culture.
4. Even though you may not know their language, make simple efforts to greet your Latino employees, use their first names, smile and give them a gentle pat on the back as a "good job." Doing these little things can go a very long way in closing the communication and cultural gap.
5. Train your Spanish-speaking workforce in their native language. English can come later.
6. Hire an effective Spanish-speaking trainer. Avoid using bilingual employees as interpreters. You will lose key words and communication.
7. Provide Spanish-language training materials that are written at an appropriate comprehension level for your workforce.
8. Use plenty of pictures, diagrams and charts, and avoid technical words in your training presentations and printed materials.
9. When implementing an incentive plan, try to incorporate group rewards rather than recognize individuals. Latinos enjoy the cohesiveness of the family like other ethnic groups do.
10. Be politically correct. Remember that many different cultures make up the Latino population. Referring to your workforce as "Mexicans" may be offensive to your Guatemalans or Salvadorians. Use "Spanish-speaking" or "Latino" instead.

Remember, any effort you make to welcome your Latino workforce will be appreciated. By

incorporating these tips, you will be rewarded with a loyal, hardworking and culturally diverse workforce.

**Hector Escarcega** is President of Bilingual Solutions International/Full-Esteem Ahead Training and Seminars, a Los Angeles-based corporate training and consulting company that specializes in cultural diversity, human resources and OSHA. Escarcega is also SPALW Chair. He may be contacted at (323) 256-6968 or at [HectorEscarcega@aol.com](mailto:HectorEscarcega@aol.com).

## Bill Aims to Improve Workplace Safety

By Justin Juozapavicius

Federal lawmakers plan to introduce legislation that increases penalties for companies that violate workplace safety rules, weeks after an employee died after becoming trapped in a dryer in a Tulsa, OK plant.

The Protecting America's Workers Act would amend the 1970 Occupational Safety and Health Act to protect millions of employees not currently covered by OSHA, protect workers who blow the whistle on unsafe workplace conditions and improve public accountability concerning safety violations.

The bill would penalize companies a minimum of \$50,000 for a willful OSHA violation that leads to a worker's death. Currently, the statutes civil penalty subsection provides that if there is a willful OSHA violation of any type, the minimum fine is \$5,000, said Laura Capps, a spokeswoman for U.S. Senator Ted Kennedy (D-MA), who will introduce the bill. "No worker should be hurt or killed on the job," said Matt Painter, with Unite Here, a labor union that lobbied for a tougher law.

Cintas Corporation employee Eleazar Torres-Gomez died March 6, 2007 when he became trapped for at least 20 minutes in a dryer that can reach a temperature of 300 degrees at the company's Tulsa plant.

His death was the second serious incident within the company in a matter of weeks, the International Brotherhood of Teamsters said. The shattered arm of a Yakima, WA employee had to be sawed out of a washing machine in February 2007, the union said.

Days after Torres-Gomez died, five members of a U.S. House subcommittee that deals with workplace issues requested a federal investigation into the death. The lawmakers said the death could have been prevented because a 2005 OSHA memo

warned about the need for special protection from the type of equipment used at the Tulsa plant.

"Eleazar Torres-Gomez's death shows the need for stronger laws that will make companies like Cintas start taking its responsibility to eliminate deadly hazards seriously," Painter said.

Cincinnati-based Cintas, the nation's largest uniform service, issued a statement blaming Torres-Gomez for failing to follow safety procedures and said it had been working with OSHA during the federal agency's ongoing investigation.

"With the best safety record in the industry, it is clear no one cares more about protecting American workers than Cintas," said company spokeswoman Pamela Lowe. "The incident in Tulsa was a tragic accident but unrelated to the concerns apparently being addressed in this legislation."

U.S. Representative Phil Hare (D-IL), one of the lawmakers who sought the federal investigation, will meet with family members of Torres-Gomez.

—*Forbes.com*, April 25, 2007

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## Workplace Safety in the Hands of the Boss

By Karla Wucuan Ochoa

Article Reprint from *La Opinión*,  
United States' Largest Spanish-Speaking  
Newspaper

Employers would be able to avoid many accidents suffered by their Spanish-speaking workforce if they could learn more about the Latino culture.

It is estimated that each year some 9,000 accidents occur in the workplace that could be avoided if there was greater communication among the employer and the laborers.

Many of the accidents that Latino workers suffer in their places of employment could be prevented by employers if they learned to understand the Latino culture according to workplace safety experts.

According to data from the Center of Investigation of the University of California, some 16 workers die daily in the U.S. on account of an on-the-job accident, and near 9,000 suffer disabling accidents.

Luciano Ugalde, 33, is one of them. Ugalde was working in a supermarket while moving boxes of vegetables when he injured his back.

Ugalde, who has been working at his job for the last ten years, began to lift some boxes that weighed about 25 lbs. Suddenly, his back failed to respond, accounts his wife María Carmen Ugalde.

"It felt like a blow in the back. Since he could not maintain the weight of the boxes, they slipped from his hands," relates the woman. Since the accident, Luciano walks with a cane and has had to resort to selling candies on the street in order to maintain his family.

Héctor M. Escárcega, President of Bilingual Solutions International, a Los Angeles-based Bilingual Corporate Training and consulting firm specializing in workplace safety, OSHA workplace issues and other human resource concerns, states that Luciano's case is not an isolated incident.

Escarcega explains that there are many Latino workers who suffer workplace accidents that could have been prevented by changing communication strategies between the employer and employees, which focuses on the employer gaining a better understanding of the Latino culture.

The best way to reduce accidents in the workplace is for the employer to provide safety awareness training in a simple and uncomplicated way, adds Escarcega.

For example, for those Latino workers who do not speak English and for those employers who do not speak Spanish, one simple technique is to use your body language, your tone of voice and some simple words with pictures if possible to explain workplace dangers and how to avoid accidents and injuries.

It is important for employees to receive simple and practical safety awareness information that they can understand since they are not accustomed to safety training in the workplace adds Escarcega, explaining that the majority of Latino workers have poor workplace safety habits learned from their countries and many times are not used to wearing personal protective equipment or to reporting accidents. Unfortunately, they see this type of preventive action as unimportant to the point that they suffer serious accidents and fatalities.

The number of fatal accidents for Latino workers has increased from 730 in 1999 to 815 in 2000 according to the Center of Investigation of the University of California.

In addition, there are employers who take advantage of these workers who do not know their worker rights and do not even offer them any kind of worker indemnification states Escarcega. This is the case with Ugalde, who was eventually fired from his job according to his wife.

Alex Fortunati, owner of Support Services of America Inc., a commercial cleaning and maintenance company for both offices and gardens, indicated that the high cost of workers' compensation insurance plus constant fraudulent claims submitted by employees has a considerable negative effect on his business.

Fortunati, who pays \$300,000 dollars per year in workers' compensation insurance premium, is not against this system but against the high cost and fraudulent claims from employees who in reality never suffered a workplace injury or accident. "They should thoroughly investigate these accidents and only compensate those employees who are truly injured," says Fortunati.

—*La Opinión*, October 21, 2004

## Seguridad Laboral en Manos del Patrón

By Karla Wucuan Ochoa

Se estima que cada año hay unos 9,000 accidentes en los lugares de trabajo que podrían evitarse si hubiese mayor comunicación entre el empleador y los obreros.

Podrían evitar muchos accidentes que sufren los empleados latinos si aprendieran más sobre su cultura en el trabajo.

Muchos de los accidentes que sufren los latinos en sus lugares de trabajo podrían evitarse mejorando el conocimiento que tienen sus patrones sobre su cultura laboral, según aseguran los expertos en seguridad en el empleo.

Según datos del Centro de Investigación de Políticas de la Universidad de California, unos 16 trabajadores mueren diariamente en Estados Unidos a causa de un accidente en el trabajo, y cerca de nueve mil sufren accidentes que causan discapacidad.

Luciano Ugalde, de 33 años de edad, es uno de ellos. Ugalde estaba trabajando en un supermercado como cargador de verduras cuando se lastimó la espalda.

Ugalde, quien había estado realizando la misma labor durante más de 10 años, una tarde antes de salir de su trabajo trató de levantar unas cajas de aproximadamente 25 libras de peso cuando su espalda ya no le respondió, cuenta su esposa, María del Carmen Ugalde.

“Sintió como un golpe en la espalda; después, como no pudo sostener el peso de las cajas, se les resbalaron de las manos,” relata la mujer. Desde el día del accidente Ugalde camina con un bastón y ha tenido que recurrir a la venta de dulces en la calle para poder sostener a su familia.

Héctor M. Escárcega, presidente de Bilingual Solutions Internacional, una firma de consultoría para empresas sobre la seguridad de los trabajadores, sostiene que el caso de Ugalde no es una situación aislada.

Escárcega explica que actualmente hay muchos trabajadores latinos que sufren accidentes en el trabajo que podrían ser evitados modificando las estrategias de comunicación entre el empleador y el trabajador sobre el tema de seguridad, si hubiese un mayor conocimiento de la cultura de empleado por parte del patrón.

La mejor forma de disminuir los accidentes en el trabajo es tratar de que el empleador informe al trabajador sobre cómo se puede cuidar de una manera sencilla, agrega Escárcega.

Por ejemplo, en los casos en que el empleado no habla inglés y los jefes no dominan el español, el empleador puede utilizar el lenguaje corporal, un suave tono de voz y palabras muy sencillas para explicar los peligros y cómo los pueden evitar.

“Es muy importante que los empleados reciban información práctica y sencilla que puedan entender para que tengan cuidado, ya que no están acostumbrados a hacerlo,” agrega Escárcega, explicando que la mayoría de los latinos trae consigo la cultura laboral de su país, y por lo regular no están acostumbrados a usar productos de protección o a reportar accidentes en el lugar de trabajo porque los asimilan como hechos sin importancia, que a veces llevan a resultados muy lamentables, como la muerte.

El número de accidentes mortales de los trabajadores latinos aumentó de 730 en 1999 a 815 en 2000, según el Centro de Investigación de Políticas de California.

Por otra parte, hay empresas que se aprovechan de los empleados y cuando se lastiman y éstos no conocen sus derechos optan por no ofrecerles ningún tipo de indemnización laboral, indica Escárcega.

Este es el caso de Ugalde, quien terminó siendo despedido del trabajo, según señaló su esposa. Por su parte, Alex Fortunati, propietario de Support Services of America Inc., una compañía que ofrece servicios generales de limpieza comercial y mantenimiento de edificios y jardines, indicó que los altos costos del seguro de indemnización laboral y el constante fraude por parte de los empleados afectan considerablemente a los empresarios.

Fortunati, quien invierte 300 mil dólares al año en esta compensación, no está en contra de esta prestación, sino del alto costo y de la práctica del fraude, ya que hay muchos empleados que buscan la indemnización sin tener realmente una lesión. “Deberían investigar más a fondo las lecciones y sólo darle este dinero al empleado verdaderamente lesionado,” señaló Fortunati.

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