

Work-Related Injuries A Costly and Growing Problem for City Gov't

By SARAH DORSEY | Posted: Monday, June 9, 2014 5:00 pm

They are Teachers and Firefighters, Nurses and Sanitation Workers—and among them, they had 14,780 injuries on the job established last year.

Injuries to its employees in 2013 cost the city nearly \$17.4 million in Workers' Compensation costs and penalties, up 71 percent since 2005, according to a Law Department report presented to the City Council last month.

And that figure, which includes payments for lost wages and medical treatments as well as penalties, is just a fraction of the ongoing costs the city incurred in Fiscal Year 2013 for those hurt in the past who are still being compensated.

A \$252-Million Outlay

Last year, those payments reached \$252 million—a 24-percent increase from four years earlier.

Even those payouts represent just one part of a devastating and much costlier problem, said Joel Shufro, a long-time safety and health advocate.

For every dollar the city spends directly on health care and wages for hurt workers, it's estimated to spend another \$3 to \$5 on other costs—like training and retraining programs, recruitment and downtime.

At that rate, the city could be spending \$7.5 billion to \$12.5 billion on work-related injuries and illness over the next decade.

But dollars alone, of course, can never account for the toll workplace injuries take on victims.

“These costs do not in any way account for the pain and suffering caused by this heavy toll of injury and illness,” Mr. Shufro said. “They also gloss over the horror of many of the truly gruesome workplace injuries.”

An April report by the New York Committee for Occupational Safety and Health on state workplace deaths focusing on the construction industry recounted the basic stories behind some of the private sector's fatal accidents: 67-year-old Jaroslaw Mychajluk died falling down an elevator shaft in Mahattan; 61-year-old Omar Barahona was performing maintenance on a forklift in Queens when it slipped from its supports and he was crushed.

Impersonal Histories

But the Law Department report reveals little of the severity and none of the causes of injuries to city workers, instead presenting an oddly decontextualized 500-page list by agency of affected body parts and the addresses where they were injured.

“5/5/2013—Knee, left—16 Hazel Street—Queens,” reads one entry. “5/22/2013—Hand-Right—215 E. 161st Street—Bronx,” says another.

Guillermina Mejia, director of the safety and health department at District Council 37, said that while the report allows the Council to compare costs and the number of cases from year to year, it does little to help advocates focus their attention on recurring hazards that could be prevented.

Make It Mandatory

“We’re not able to see trends and patterns for specific worksites,” she said. “Does [a worksite] require personal protective equipment? Does it require some engineering controls? Does it require implementing a standard operating procedure?”

As union representatives, Ms. Mejia and her colleagues can get the log of all the injuries and illnesses at a given worksite and for each civil-service title. But she said excuses are often given as to why the information can’t be delivered in a timely manner, and if she wants the particulars of a specific case, she has to put in another request.

“It would be tremendous” if agencies had to compile and provide that information to the public, Ms. Mejia said—and also to universities and others that want to use it in studies.

But she explained that those agencies should also create comprehensive safety and health plans in collaboration with unions. Right now, the quality of safety work varies greatly from agency to agency. Some have actual industrial hygienists in charge—experts with the knowledge to target the worst hazards.

“But others, for example the Department of Juvenile Justice, had a bunch of attorneys running it with no expertise in safety and health, so it was really a joke,” Ms. Mejia said, recounting the era before that department was, over the last several years, absorbed into the Administration for Children’s Services. “Instead of trying to get a program in place, it was no, we’re gonna litigate this.”

Queens City Councilmember Rory Lancman May 29 introduced a bill, supported by NYCOSH, that would reestablish a city Office of Risk Management within the Mayor’s Office of Operations. Ms. Mejia said that while that office was previously operational—it folded during the Giuliani administration—officials worked closely with unions to identify hazards and address them.

“They would put in letters of support when we applied for grant funding,” Ms. Mejia recalled, and

worked with unions to identify the biggest hazards in certain agencies.

Push for Transparency

Mr. Lancman also introduced, with Councilman Peter Koo, a bill that would expand the injury report and make it more detailed and accessible.

“I think that in general a huge component of this new administration is a commitment to a more transparent government,” NYCOSH Executive Director Charlene Obernauer said, referring to the Council as well as the Mayor’s office. “Participatory budgeting is a key example of that.

“But...it’s going to take a while for them to get up to speed” on how to best make information like injury reports truly useful, she said, noting that right now, the Law Department report is difficult to find online and isn’t machine-readable or easily searchable. A spreadsheet or database that would allow researchers to easily crunch the numbers and find patterns would help.

“It is put online—that’s a step in the right direction—but it needs to be better than that,” Ms. Obernauer said. Ms. Mejia also strongly supports moving the existing Citywide Office of Safety and Health into the Mayor’s Office of Operations, where she said it would have more autonomy to take aggressive action. She said whichever office takes the lead, success will depend on who runs it and where they’re placed in the city hierarchy.

‘Enforcement the Key’

Mr. Shufro noted that no matter how much pressure is put on agencies to monitor injury and illness rates—and illnesses tend to be even more poorly tracked than injuries, he said—enforcement is key.

“The city, under Bloomberg, in response to the epidemic of scaffolding fatalities in 2006, put together a package of increased fines and training requirements [and] increased the number of inspectors with the right to shut down unsafe jobs,” he said. “As a result of this effort, the number of scaffolding fatalities dropped precipitously—demonstrating that enforcement works.”