

Written Statement of
Melissa King, daughter of Paul King
OSHA Listening Session, February 10, 2010

My name is Melissa King and I want to thank you for the opportunity to be here today.

Unfortunately, I'm here because on July 27, 2005, my father, Paul King, was killed on the job. He was electrocuted. My dad worked in the printing industry for most of his life but was laid off as that industry drastically changed and most jobs were replaced by computers. At the age of 50, he started over and went back to school for HVAC work. We thought things were looking up for him when he was hired to do maintenance work for Maintech at Logan airport. He was working long hours, but was enjoying it. After just a few short months, he was promoted to the day shift. This job was working out better than any of us could have imagined. Just two short days later however, that job would be the end of my family as we knew it.

My dad was assigned to work on an air conditioning unit that was not properly locked and tagged out. He had no idea it was still powered up and when he pulled a wire through the unit, he came in contact with the live electricity. He did not stand a chance and was pronounced dead at the hospital a short time later. Since the accident, we have learned that he was working on a unit with a voltage that Massachusetts' state law requires two licensed electricians to power down. My father was not a licensed electrician nor was any of his coworkers. OSHA investigated my father's death and fined his company \$54,000 for 8 serious violations. In the report, the investigator found that the employees were not trained in electrical safety nor were they provided with basic safety equipment such as gloves or a voltage tester. The report stated with either piece of that safety equipment the results would have been completely different. My father wouldn't have died.

Growing up, I was your typical daddy's girl. I admired him and always thought that he could do anything. My dad was the hardest working man I knew. He taught my sister, brother, and me that with

enough hard work you could achieve anything. He worked two to three jobs to make sure we went to the best schools and had the best opportunities in life. Despite working so much, he never missed a recital, sporting game, or other important event in any of our lives. Four and half years later, I still can't comprehend that the core value of hard work that my dad imparted on us, killed him. It seems unfathomable that my dad went to work one day and never came home.

I wanted to come speak to you today on behalf of my family and in honor of my father. Since my dad's passing, I have sadly learned that my family is not alone. Far too many families lose their loved ones every year on the job. I come here as a member of MassCOSH and USMWF, communities of people dedicated to making all work places safe. I have met many other families of work place fatality victims and while the details of each incident are different, they all have one thing in common: These tragedies are all preventable. We want to support you, Mr. Secretary, in your efforts to achieve our common goals. We want to work with you until there are no more families that need to come and speak at events such as this. We respectfully ask you to consider the following recommendations to bring us closer to that goal.

According to the OSHA website, OSHA investigates all work-related fatalities and catastrophes; however we know that this is not true. There are many work-related deaths that OSHA does not investigate. Some fall under the authority of another federal agency, but some are not investigated at all. We think that OSHA must be transparent that it only investigates some of the 6,000 fatal work injuries every year, and none of the work-related illness cases. On top of that transparency, we feel that all fatalities must be investigated. My family and I found out after my father's death that nine months before another man was electrocuted and killed on Logan Airport property. He worked for a government agency so OSHA did not have jurisdiction over that man's employer. When someone dies there are a million what ifs that you can go over and over. I have often thought what if OSHA had

investigated and fined that man's employer. Would electrical safety have been a higher priority at the airport? Since my father's death, stricter safety policies are in place and more importantly enforced. Would things be different if those changes were implemented nine months sooner? Would my father still be alive? Obviously, I will never have an answer to these questions, nor would the answers change the outcome for my father, but I can't stop thinking what the consequences could be of every work-related death that goes uninvestigated.

We would also like to see federal resources devoted to a federal liaison to provide reliable and responsive information to family-member victims. When your loved one is killed on the job, it is often difficult to know where to turn for information. My family received correspondence from so many sources, many untrustworthy. It was all overwhelming. It would have been helpful to contact one person to get information about workplace fatality and serious injury investigation procedures, the role of state and federal agencies, and workers' compensation. Going through the OSHA investigation process can be very lonely and frustrating. It feels that no one is on your side. You often can't turn to your loved one's employer because they are looking out for themselves. It is all too common that employers blame the employee who is no longer able to defend themselves. A liaison would be able to reassure families that someone is on their loved one's side. Having families more involved in the investigation process would help us and OSHA. Family members often have information that would benefit the investigation. A liaison would be able to connect the two sides making an awful situation somewhat more bearable.

Thank you again for the opportunity to come and speak here today. As much as I hate the reason that I am sitting here, I am hopeful that we can make a change. I am hopeful that our group will stop growing in number. I am hopeful that someday I can say my father did not die in vain.