

Fatal occupational injuries involving contractors, 2011

Before 2011, the Census of Fatal Occupational Injuries captured data only on the firm that directly employed the decedent. While this is useful information, the firm directly employing the decedent is not always the firm at which the decedent was working at the time of the incident, such as when the person killed was a contractor. This visual essay looks at new data on contractors, highlighting some interesting similarities and differences between these workers and those who are not contractors.

The Census of Fatal Occupational Injuries (CFOI) has published data on fatal occupational injuries for the entire United States since 1992. CFOI uses multiple source documents like death certificates, media reports, Occupational Safety and Health Administration (OSHA) reports, and workers' compensation reports to identify and substantiate workplace fatalities. Prior to 2011, CFOI captured data only on the firm that directly employed the decedent. While this was and continues to be useful information, the firm directly employing the decedent is not always the firm at which the decedent was working at the time of the incident if the decedent was a contractor. As a result, an important aspect of the incident is missed when data on the contracting entity are not captured.

Consider the following example: a security guard directly employed by a security services firm is acting as a bouncer for a nightclub. The decedent is killed by an unruly patron. From 1992 to 2010, CFOI would only capture the firm directly employing the decedent, in this case the security services firm. In doing so, an important facet of the incident, namely that the decedent was working at a nightclub at the time of the incident, is not conveyed in the industry data published by CFOI.

Starting in 2011, CFOI began capturing both the firm directly employing the decedent (i.e., the security services firm) and the firm that contracted the decedent (i.e., the nightclub that hired the security company). This new data element provides another dimension for safety and health experts to use as they determine the optimal way to direct resources to eliminate workplace fatalities. Because CFOI is a federal-state program, the CFOI definition of a contractor needed to be based on information that the states could readily obtain, and the definition needed to be



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comprehensive enough to cover the myriad circumstances under which workplace fatalities occur. This article highlights some interesting aspects of these new contractor data.

Who is a contractor?

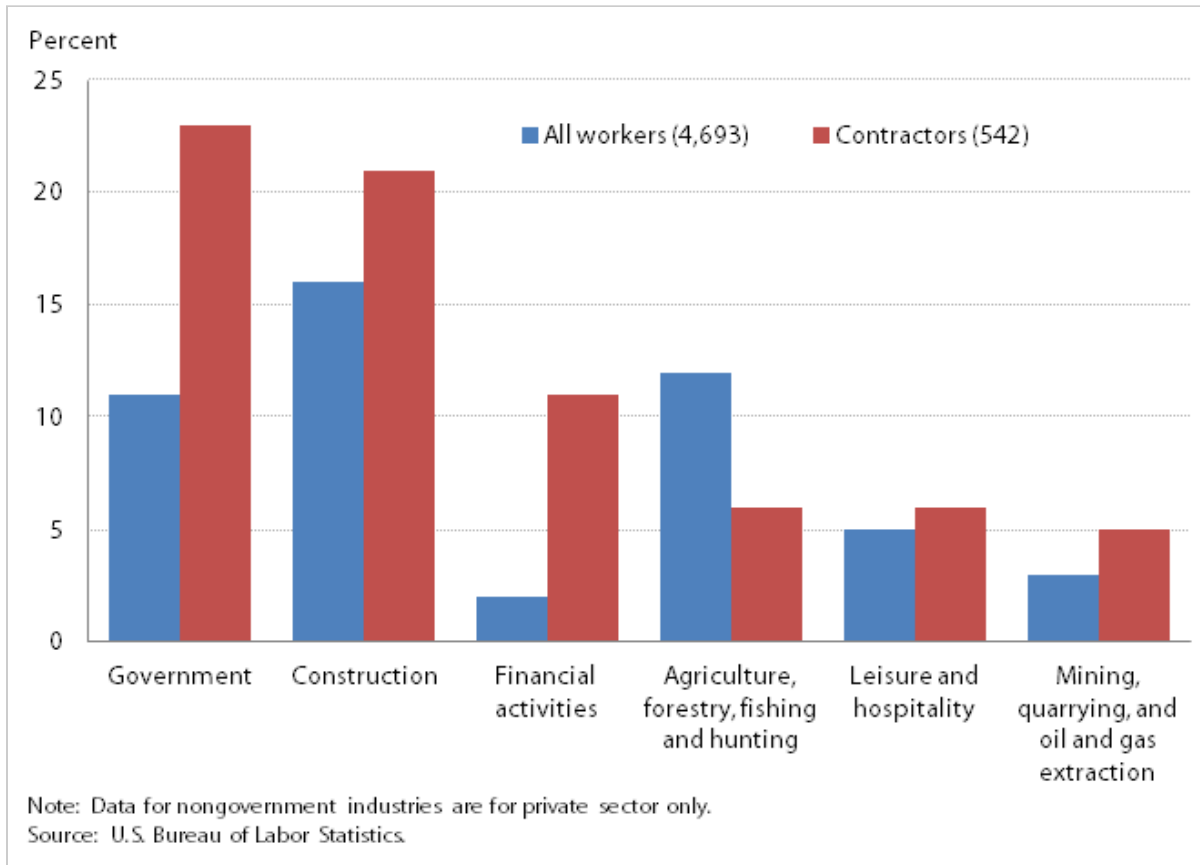
When crafting a definition for what constitutes a contractor, CFOI reached out to public and private institutions for input. By synthesizing information from multiple stakeholders, CFOI has created the following definition: a contractor is a worker employed by one firm but working at the behest of another firm that exercises overall responsibility for the operations at the site where the decedent was killed.

In order to establish a contractor relationship, a business-to-business relationship must exist. A worker contracted by a private individual or household is not considered a contractor in CFOI. In addition, workers killed in incidents in which the prospective contracting firm does not exercise overall responsibility for the operations at the site, such as a public roadway, are not considered contractors in CFOI.

The following examples illustrate cases in which the worker would and would not be considered contractors under the CFOI definition:

- An electrician was working in a bookstore fixing a malfunctioning light fixture. The decedent contacted a live wire and was electrocuted. The worker would be considered a contractor; unless the bookstore employed its own electrician, the bookstore would have contracted an electrician.
- An electrician was working at a private residence fixing a malfunctioning light fixture. The decedent contacted a live wire and was electrocuted. In this case, the electrician is not considered a contractor. Since the relationship here is between a private citizen and the electrician, the requisite business-to-business relationship does not exist.
- A window washer was working at an 11-story condominium. She fell 80 feet from a mobile scaffold and died from head, neck, and internal injuries. This worker is considered a contractor; unless the condominium employed its own window washer, it would have contracted the services of a window-washing firm.
- A security guard for a private security firm was a passenger in an armored car that was transporting money for a bank. The armored car left the highway, struck a tree, and overturned, killing the security guard. The guard is not considered a contractor. This incident occurred on a public roadway. The security firm did not exercise overall responsibility for the operations at the site of the incident (highway), so the security guard is not defined as a contractor in this case.
- A self-employed brick mason was subcontracted by a general residential construction firm to do some masonry work on the exterior of a residence under construction. The decedent was struck by a bulldozer. The worker is considered a contractor. The general residential construction firm would exercise overall responsibility for the operations at this residential construction site and would, thus, be the contracting entity.

1. Percentage of fatal occupational injuries in selected industries and contractor industries, 2011



- Eleven percent of all fatal occupational injuries were incurred by workers directly employed by a government entity. In contrast, 23 percent of all fatal occupational injuries to contractors were incurred by workers contracted by a government entity.
- Financial activities accounted for a much larger share of fatalities among contractors (11 percent) than it did for all fatal occupational injuries (2 percent). The contracting firms in financial activities primarily lease commercial and residential buildings and contract workers such as landscapers, elevator mechanics, and other repair personnel to perform work at their sites.

2. Fatal occupational injuries to contractors in construction and extraction occupations, 2011

| Occupation | Number of fatal injuries |
|--|--------------------------|
| Construction and extraction | 293 |
| Construction laborers | 80 |
| First-line supervisors of construction trades and extraction workers | 35 |
| Electricians | 32 |
| Roofers | 27 |

| Occupation | Number of fatal injuries |
|--|--------------------------|
| Construction equipment operators | 17 |
| Painters, construction and maintenance | 13 |
| Extraction workers | 13 |
| Structural iron and steel workers | 10 |
| Carpenters | 9 |

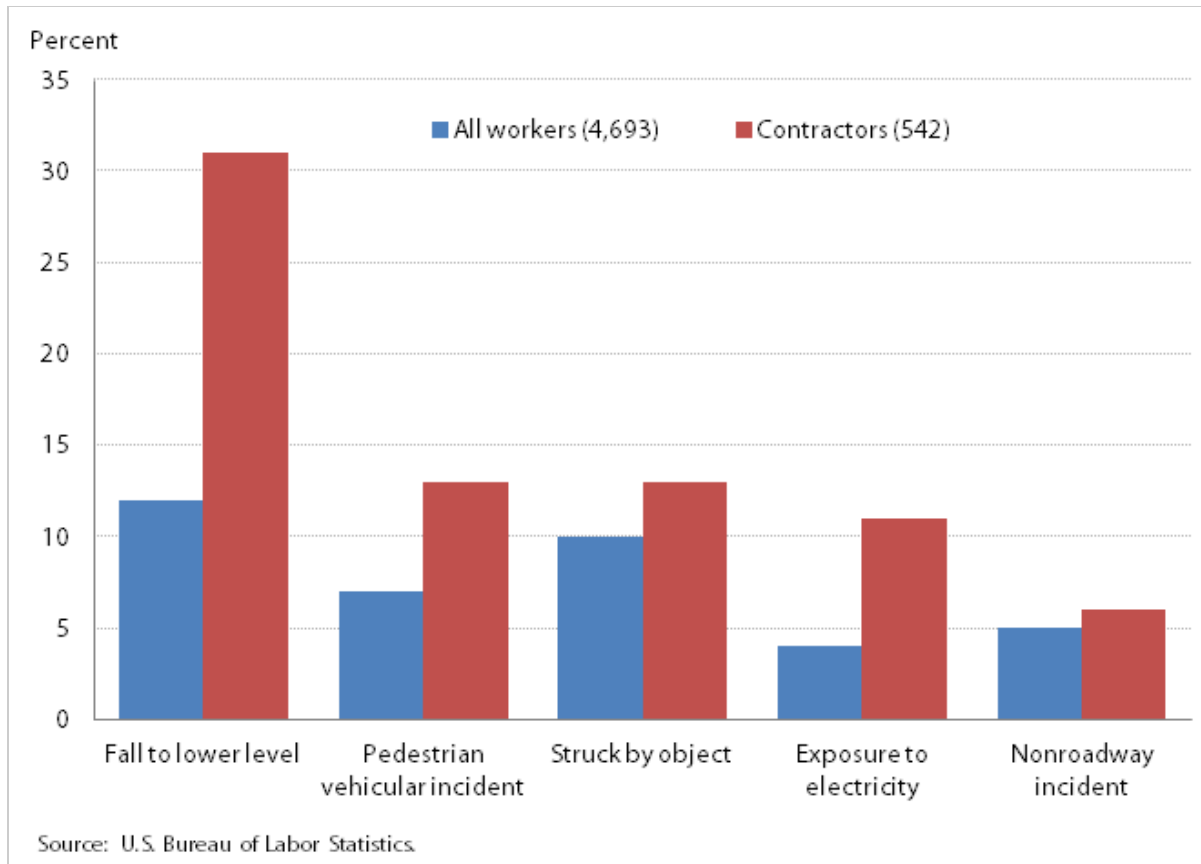
- More than half (54 percent) of the fatal occupational injuries to contractors involved those employed in construction and extraction occupations. Among all workers—contractors and noncontractors—construction and extraction workers accounted for 17 percent of all fatal occupational injuries.
- Construction laborers accounted for 15 percent of fatal occupational injuries to contractors, compared with 4 percent of all fatal occupational injuries.
- More than half of all structural iron and steel workers and electricians were contractors in 2011 (56 percent and 52 percent, respectively).

3. Fatal occupational injuries to contractors in occupations other than construction and extraction occupations, 2011

| Occupation | Count |
|---|-------|
| Non-construction and non-extraction | 249 |
| Grounds maintenance workers | 28 |
| Security guards | 23 |
| Welders, cutters, solderers, & brazers | 14 |
| Miscellaneous agriculture workers | 13 |
| Heavy and tractor-trailer truck drivers | 13 |
| Athletes and sports competitors | 11 |
| Laborers and freight, stock, and material movers, hand | 11 |
| Building cleaning workers | 8 |
| Heating, air conditioning, and refrigeration mechanics and installers | 8 |
| Industrial machinery mechanics | 8 |

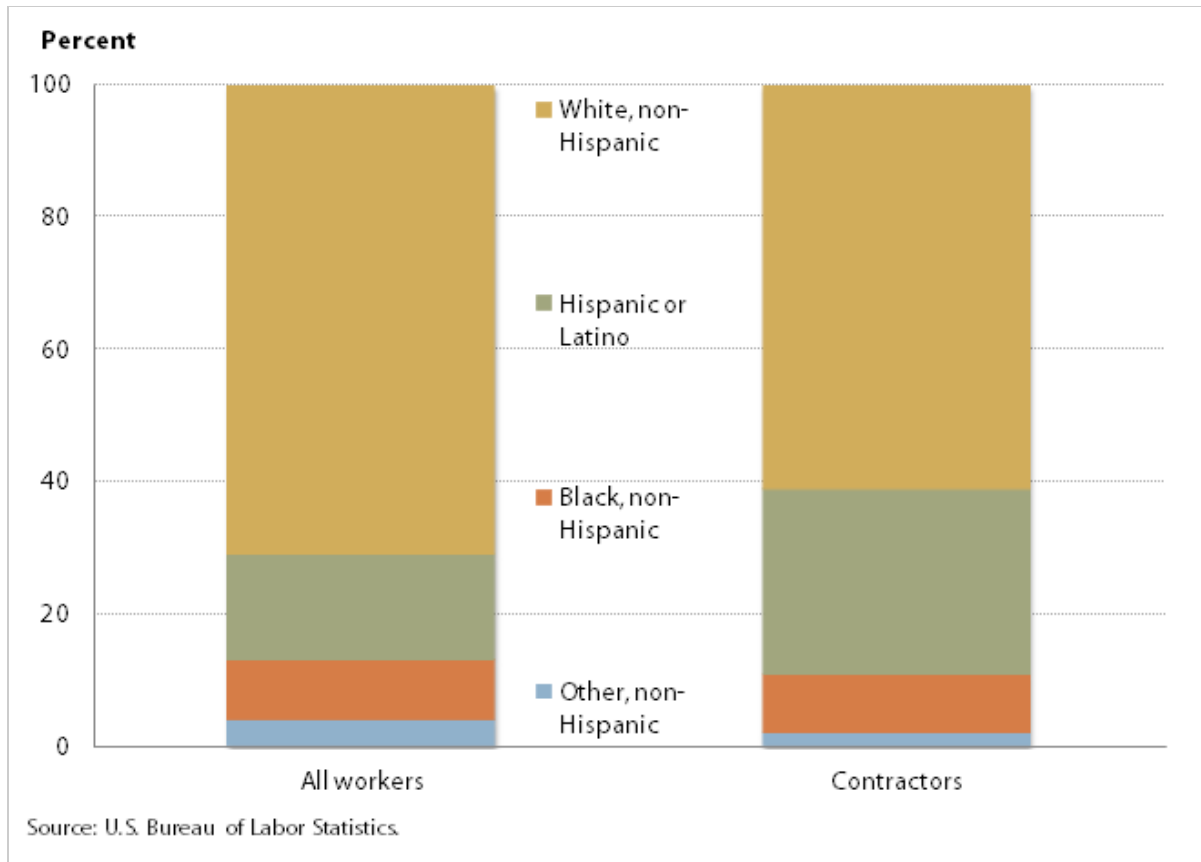
- Among the 28 fatal injuries to grounds maintenance workers, 20 were to landscaping and groundskeeping workers and 8 were to tree trimmers and pruners.
- Among the 23 fatalities to security guards, 7 were contracted by private sector firms that lease commercial and residential real estate.
- Athletes and sports competitors, which includes racecar drivers and jockeys, frequently work at places where another firm exercises overall responsibility for the site. Of the 14 athletes and sports competitors who died from a workplace injury, 11 were contractors.
- Among the 8 building cleaning workers who were fatally injured, 6 were employed as window washers.

4. Percentage of fatal occupational injuries by event for all workers and contractors, 2011



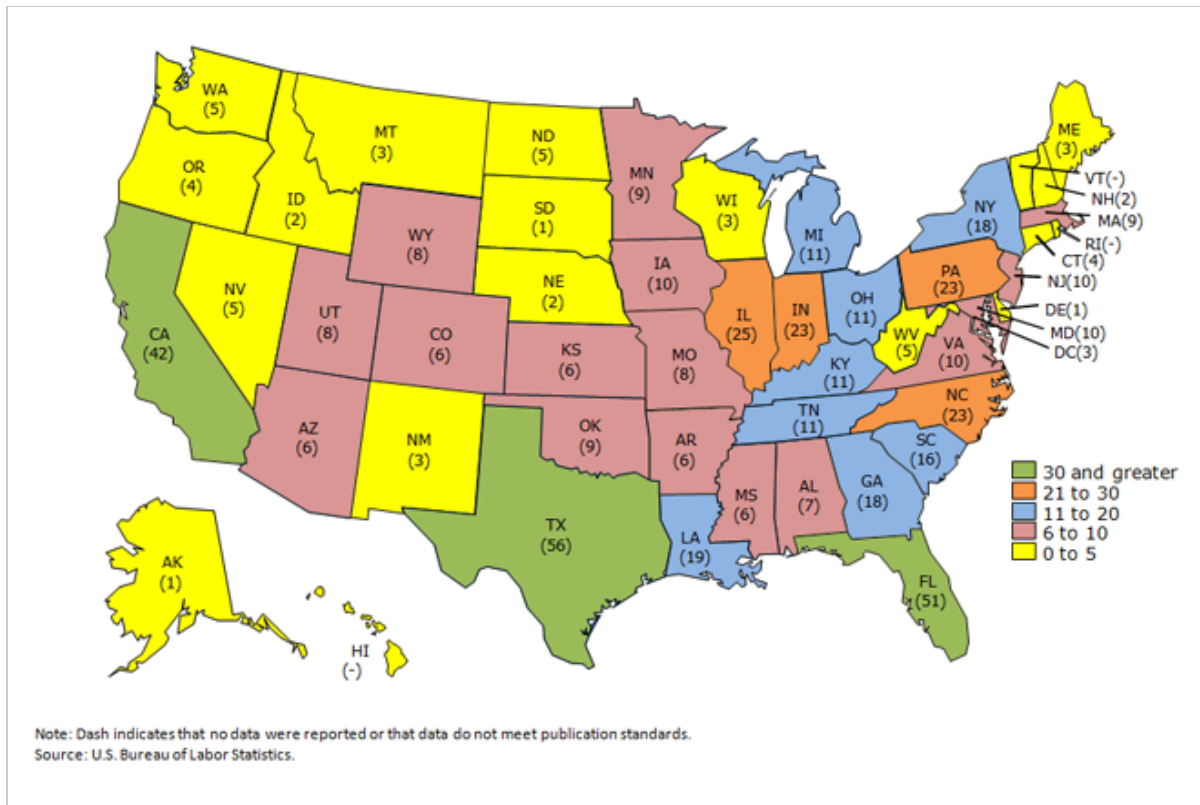
- Nearly a third (31 percent) of the fatal workplace injuries that occurred among contractors involved a fall to a lower level.
- Among the 72 pedestrian vehicular incidents, 44 took place in a work zone and 28 were due to being struck by a vehicle that was backing up.
- Nine contractors were fatally struck by trees in 2011, the most common of any single object in the 69 “struck by object” cases.
- Among the 58 cases of exposure to electricity, 31 of the decedents directly contacted the electrified object and 41 were exposed to more than 220 volts of electricity.
- Four of the 32 nonroadway incidents involved forklifts.

5. Percentage of fatal occupational injuries by race or ethnicity, 2011



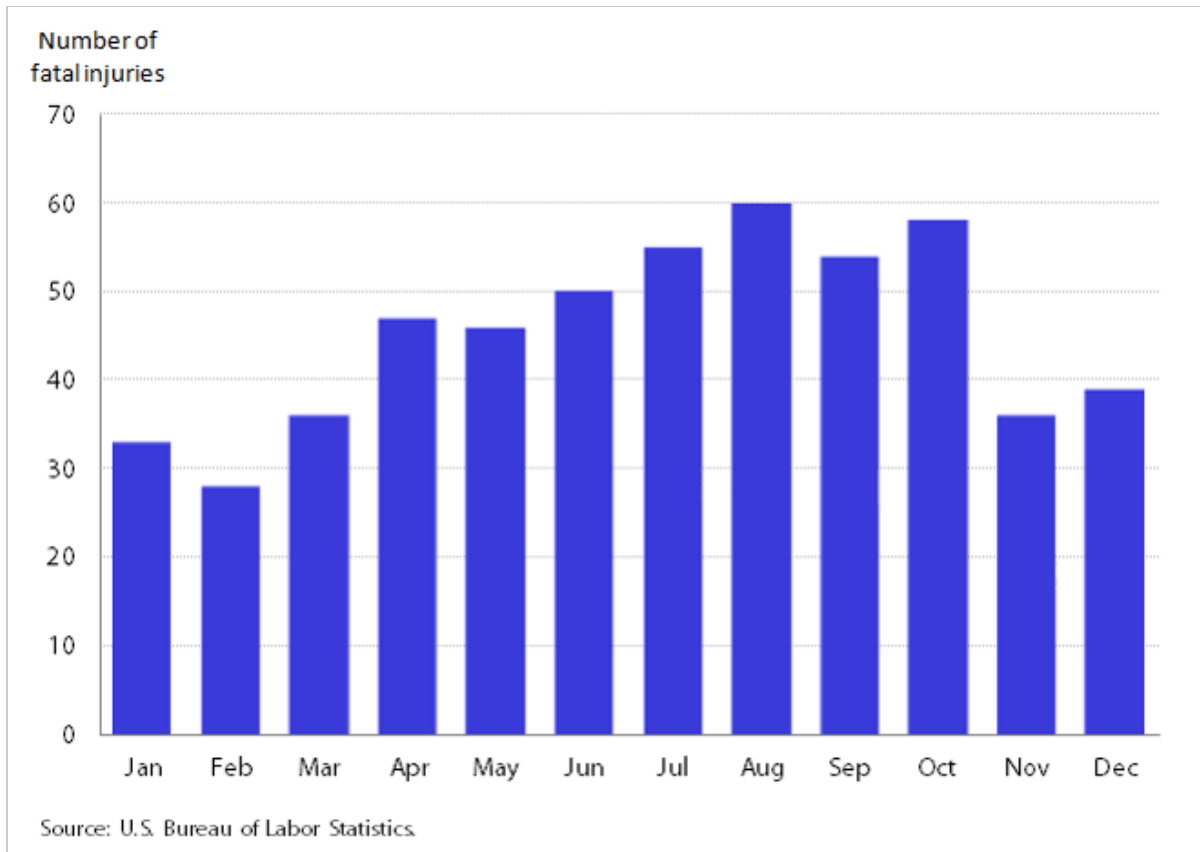
- Workers of Hispanic or Latino descent constituted a much larger share of fatal occupational injuries among contractors (28 percent) than among workers in general (16 percent).
- Workers of Hispanic or Latino descent constituted 26 percent of the fatal occupational injuries in the private construction industry in 2011.
- Of the 151 fatal occupational injuries incurred by Hispanic or Latino contractors in 2011, 79 percent (120) were born outside the United States, mostly in Mexico (90).

6. Fatal occupational injuries to contractors, by state, 2011



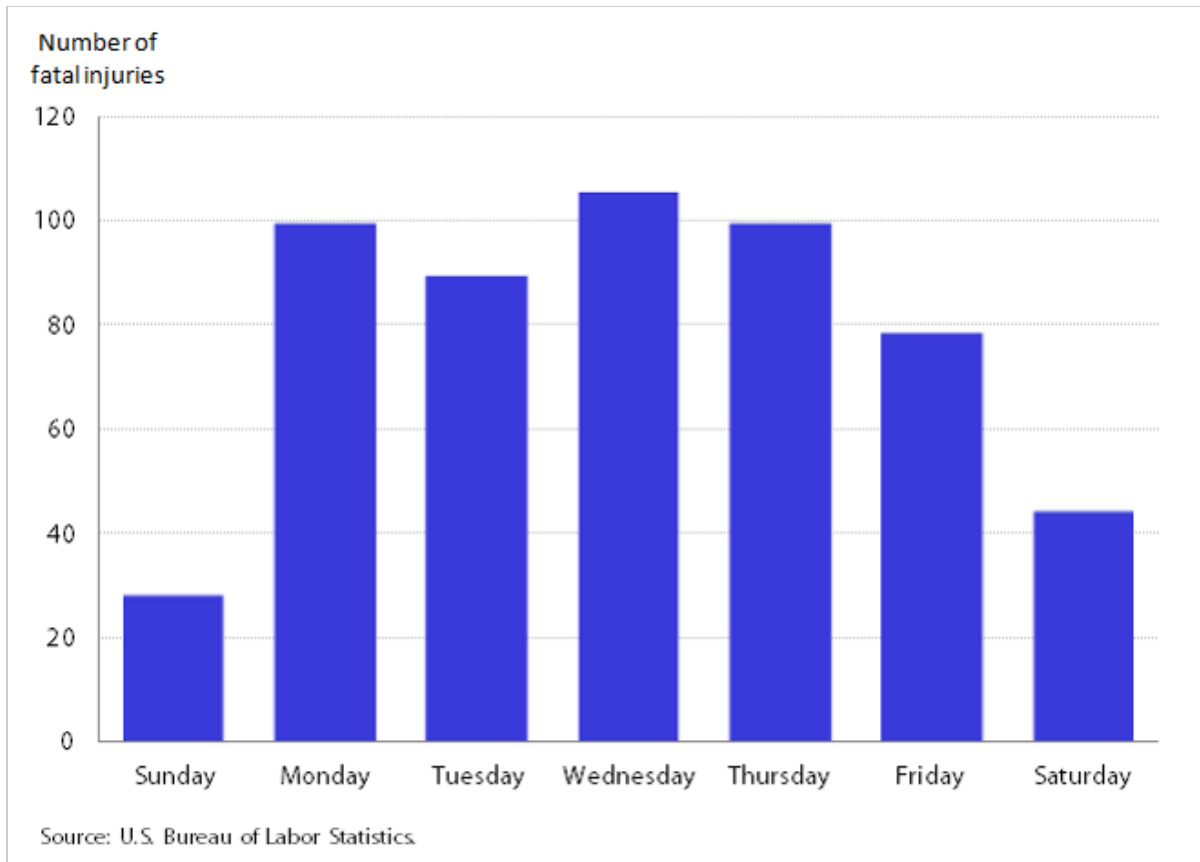
- Texas, Florida, and California had the highest number of fatal occupational injuries to contractors. These States also had the highest number of fatal occupational injuries in general in 2011.
- Florida accounted for 5 percent of all fatal occupational injuries, compared with 9 percent of all fatal occupational injuries to contractors.

7. Number of fatal occupational injuries to contractors by month of incident, 2011



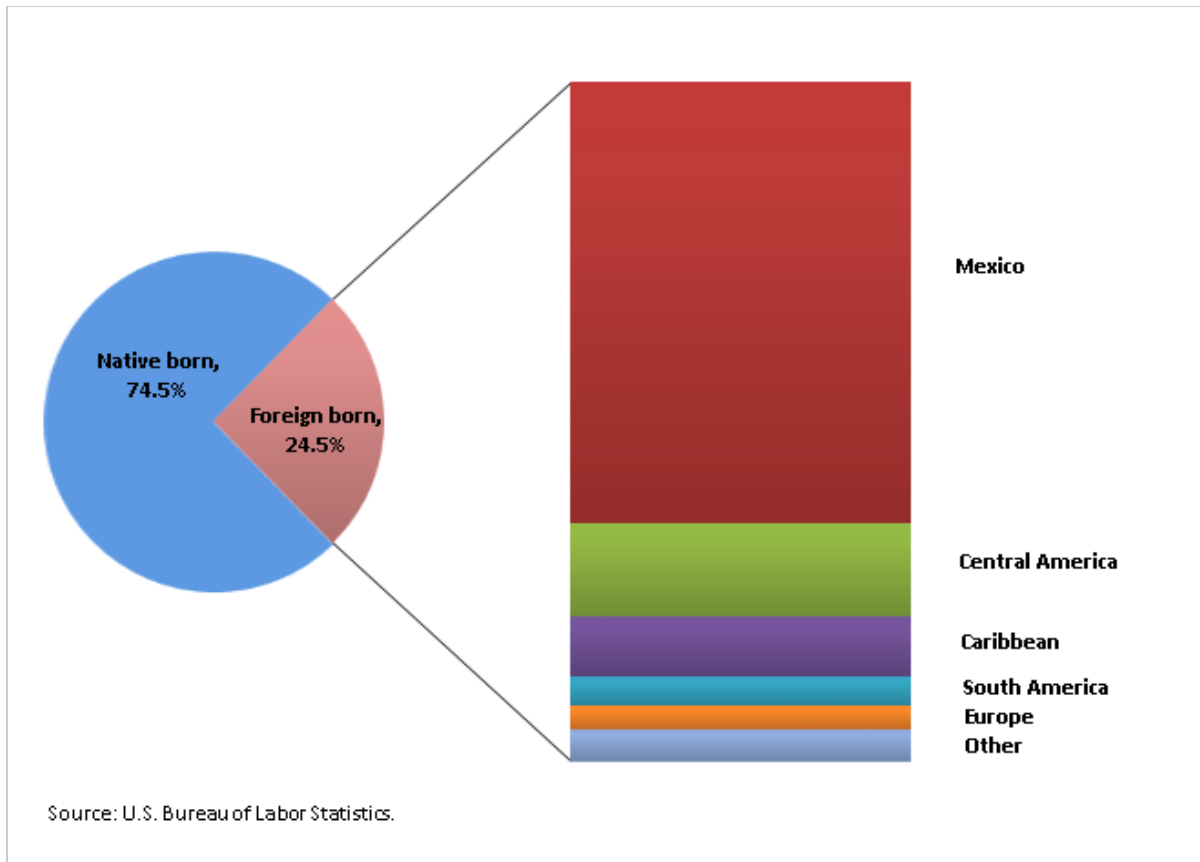
- August was the month in which the largest number of fatal occupational injuries to contractors (60) occurred in 2011. August also had the largest number of fatal occupational injuries to all workers in that period.
- While October had the second-largest number of fatal occupational injuries to contractors, it was the sixth-largest month for fatal occupational injuries to all workers.

8. Number of fatal occupational injuries to contractors by day of week of incident, 2011



- Fatal occupational injuries to contractors most frequently occur during the Monday-to-Friday work week.
- Mondays, Wednesdays, and Thursdays were the days on which a fatal injury to a contractor was most likely to occur, which mirrors the data for all workers.

9. Fatal occupational injuries to contractors, foreign born and native born, 2011



- Among the 542 contractors who were fatally injured on the job in 2011, a fourth (138) were born outside the United States; among all workplace fatalities, 18 percent of the decedents were foreign born.
- Among the foreign-born contractor fatalities, 90 were from Mexico, 19 were from Central America, and 12 were from the Caribbean.

SUGGESTED CITATION

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