

Labor Rights and Occupational Health

Andre Montoya-Barthelemy, MD MPH

Physician, Assistant Professor

University of New Mexico Preventive Medicine – soon! –

Central States Occupational and Environmental Health Association

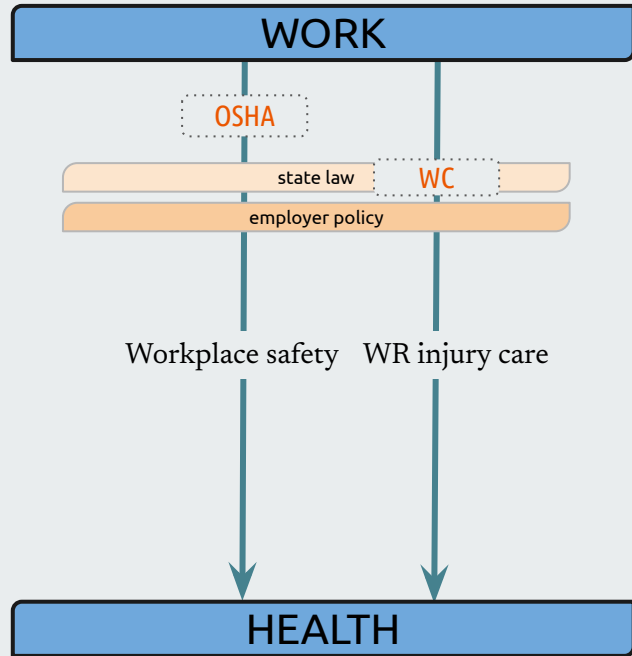
Fall Conference, 22 Sept 2023 – virtual presentation –



WORK



HEALTH

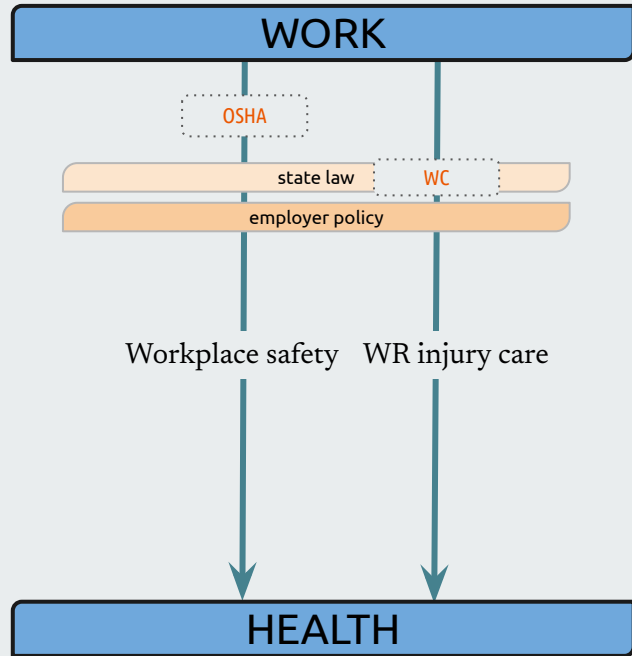


OSHA

- Decreased exposures, injuries, illness, death
- Citations augment benefit provided by inspections
- “General deterrence”

Workers' Compensation

- Employers likely to promote a safer workplace
- Experience ratings likely decrease injury rates
- Accommodated work speeds RTW and likely improves outcomes
- Stabilizes the Eer-Eee relationship



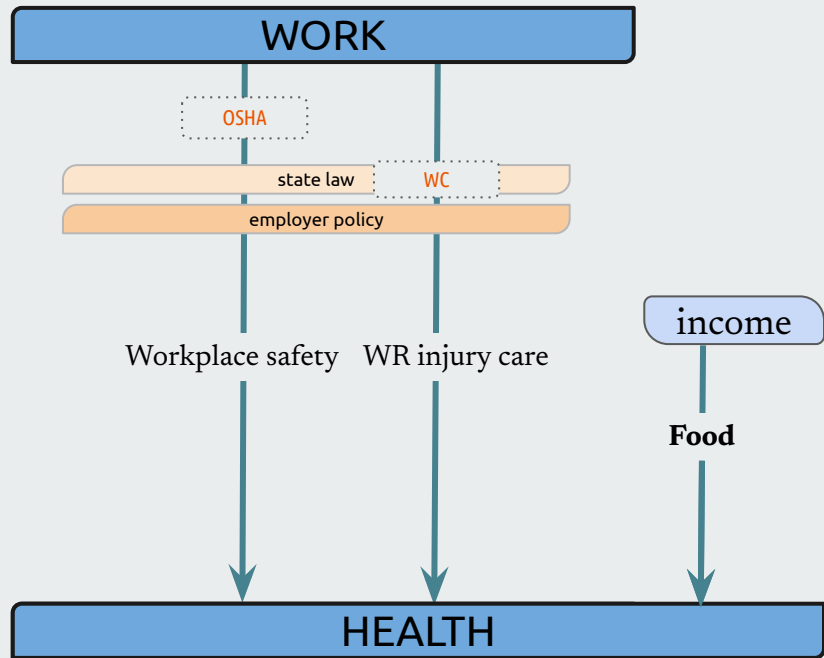
Questions:

1. Can we approach workplace policy and regulation as a work-related exposure?
2. Are there other policy/regulation factors that are associated with work, AND have a substantial effect on the health of our worker-patients?
3. Using this framework, can we identify worker populations at increased risk of poor health outcomes?

Yes

??

??



Food access; Healthy food
— Lower risk of multiple major chronic diseases
— Longer life expectancy



United States Department of Agriculture

A report summary from the Economic Research Service

May 2019

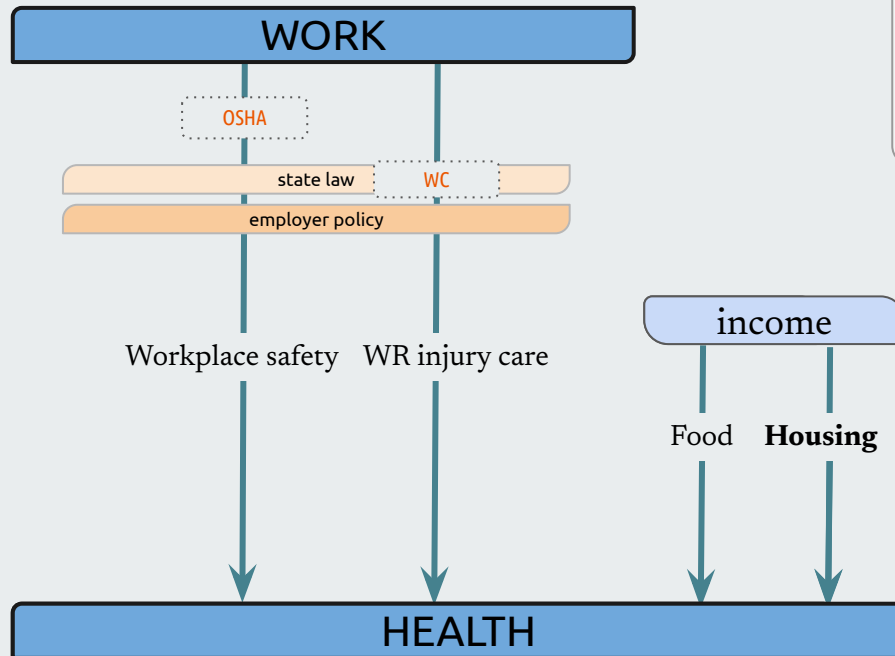


Understanding Low-Income and Low-Access Census Tracts Across the Nation Subnational and Subpopulation Estimates of Access to Healthy Food

Alana Rhone, Michele Ver Ploeg, Ryan Williams, and Vince Breneman

What Is the Issue?

Accessing affordable and nutritious food is a challenge for many Americans. In 2015, an estimated 12.7 percent of U.S. census tracts fit the category of low-income, low-access (LILA). "Low-income" is defined by the poverty rate and median family income of a tract. "Low-access"



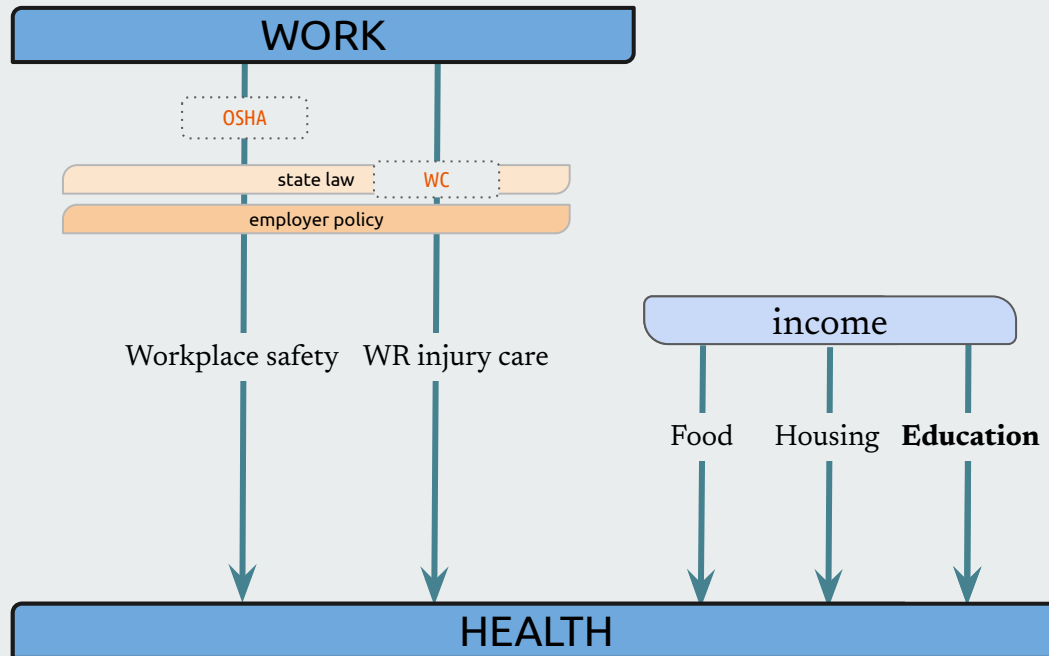
Housing; Housing quality

- An independent determinant of chronic disease, injury
- Associated with substantially increased life expectancy
- Improves health, decreases medical costs, has positive impacts on mental health

The screenshot shows the Healthy People 2030 website. The main heading is "Housing Instability". Below it, there is a section "About This Literature Summary" which states: "This summary of the literature on Housing Instability as a social determinant of health is a narrowly defined examination that is not intended to be exhaustive and may not address all dimensions of the issue. Please note: The terminology used in each summary is consistent with the respective references. For additional information on cross-cutting topics, please see the [Incarceration](#), [Poverty](#), and [Quality of Housing](#) literature summaries."

Below this is a section "Related Objectives (3)" with an upward arrow icon. It contains a snapshot of objectives related to the topics covered in the literature summary. The objectives listed are:

- [Reduce the proportion of people living in poverty — SDOH-01](#)
- [Increase employment in working-age people — SDOH-02](#)
- [Reduce the proportion of families that spend more than 30 percent of income on housing — SDOH-04](#)



Education access

- Strong positive association with health
- Longer life expectancy
- Permits better access to healthy food, housing, increased income, better health insurance...
- Proxy for socioeconomic status (SES)

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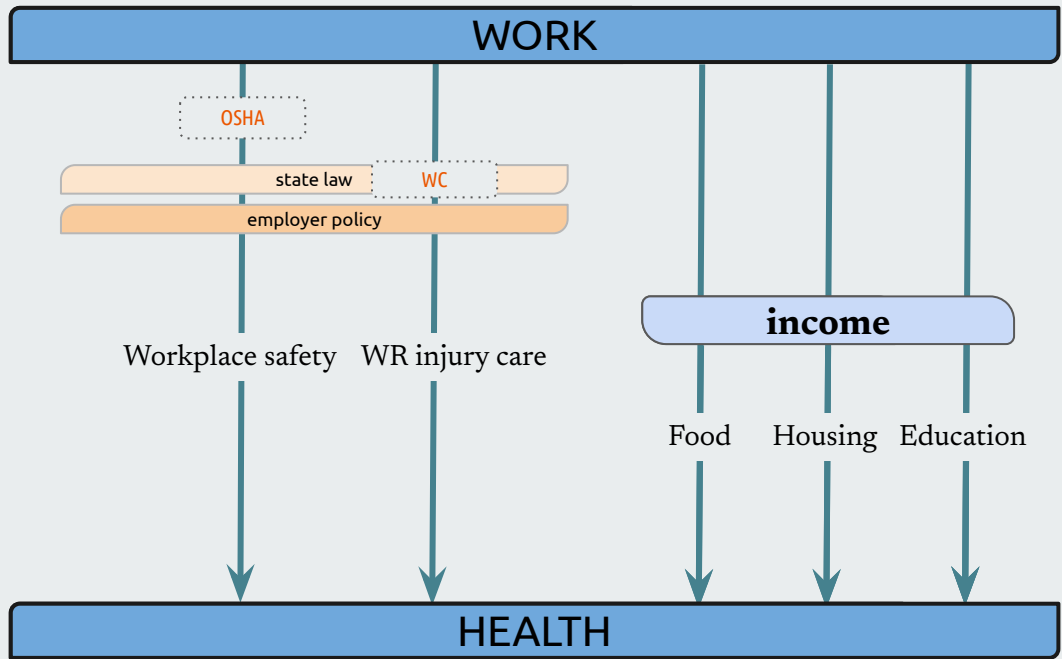
Wealthy Kids 8 Times More Likely To Graduate College Than Poor

Erik Sherman Senior Contributor @
Freelance business, economics, finance, and tech journalist.

Feb 5, 2015, 10:26am EST

This article is more than 8 years old.

A new study from the Pell Institute shows that family income not only has a huge correlation with the chance that a kid gets into college, but of that person's likelihood of actually graduating. (Hat tip to CNN Money.)



RESEARCH AND PRACTICE

Optimal Indicators of Socioeconomic Status for Health Research

Greg J. Duncan, PhD, Mary C. Daly, PhD, Peggy McDonough, PhD, David R. Williams, PhD

Although numerous studies have documented the relationship between indicators of socioeconomic status (SES) and health, the optimal indicators for health research remain unclear. In this study we examined the relationship between indicators of SES and health in a sample of individuals. We used data from the 1984 National Longitudinal Survey of the Youth (NLSY), which tracked education, occupation, income, and health status over time. We identified indicators that were most strongly associated with health outcomes, controlling for other factors. SES were usually as strongly associated with mortality than, the more education. (Am J Public Health.

TAX FOUNDATION

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Sources of Personal Income, Tax Year 2020

June 28, 2023
By: Erica York, Michael Hartt

ALBUQUERQUE JOURNAL

HOME LOCAL/STATE SPORTS ENTERTAINMENT BUSINESS LEGISLATURE OPINION

Raising minimum wage good for worker health

BY DR. ANDRE MONTROYA-BARTHELEMY / ALBUQUERQUE RESIDENT
PUBLISHED: THURSDAY, FEBRUARY 2ND, 2023 AT 12:00AM
UPDATED: THURSDAY, FEBRUARY 2ND, 2023 AT 12:15AM

Los Angeles Times

Most Americans lack the cash to cover a surprise \$400 expense

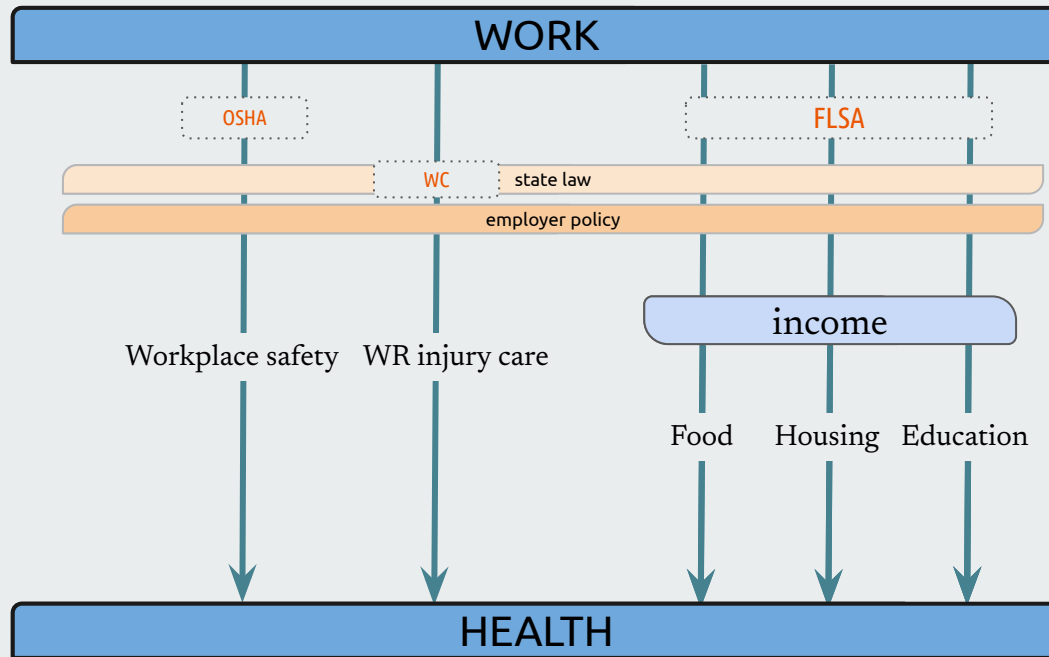
the rising cost of living is why. public opinion



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Poverty

Economic Stability

About This Literature Summary
 This summary of the literature on Poverty as a social determinant of health is a narrowly defined examination that is not intended to be exhaustive and may not address all dimensions of the issue. Please note: The terminology used in each summary is consistent with the respective references. For additional information on cross-cutting topics, please see the [Discrimination](#), [Employment](#), [Housing Instability](#), and [Isolation](#) literature summaries.

Related Objectives (4)

Here's a snapshot of the objective [Browse all objectives](#).

- [Reduce the proportion of people who are poor](#)
- [Increase employment in work](#)

United States Department of Labor

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- Disparities in coverage assoc with health disparities
- Improved access to care
- Improved access to prevention

United States Census Bureau

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Census.gov / Publications / Health Insurance Coverage in the United States: 2021

Health Insurance Coverage in the United States: 2021

September 13, 2022
Written by: Katherine Kaiser-Stanley and Lisa N. Bunch
Report Number P60-278

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Introduction

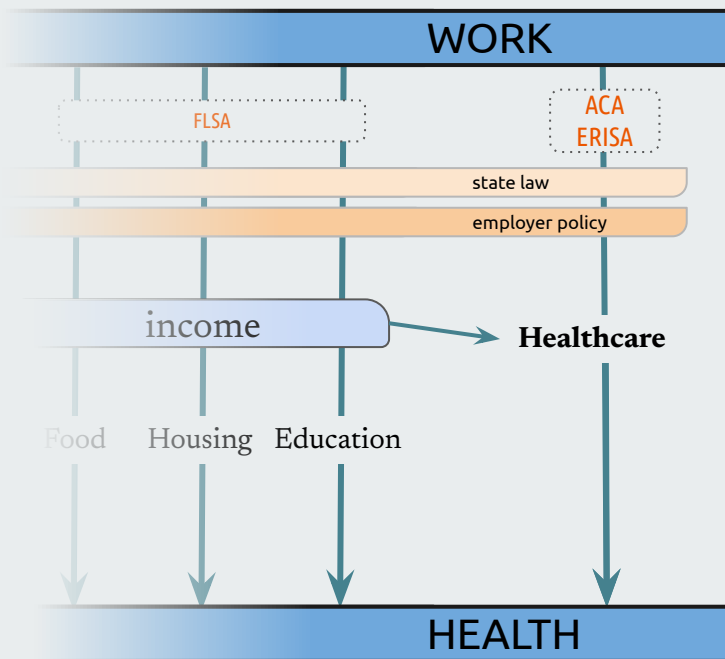
This report presents statistics on health insurance coverage in the United States based on information collected in the Current Population Survey Annual Social and Economic Supplement (CPS ASEC).

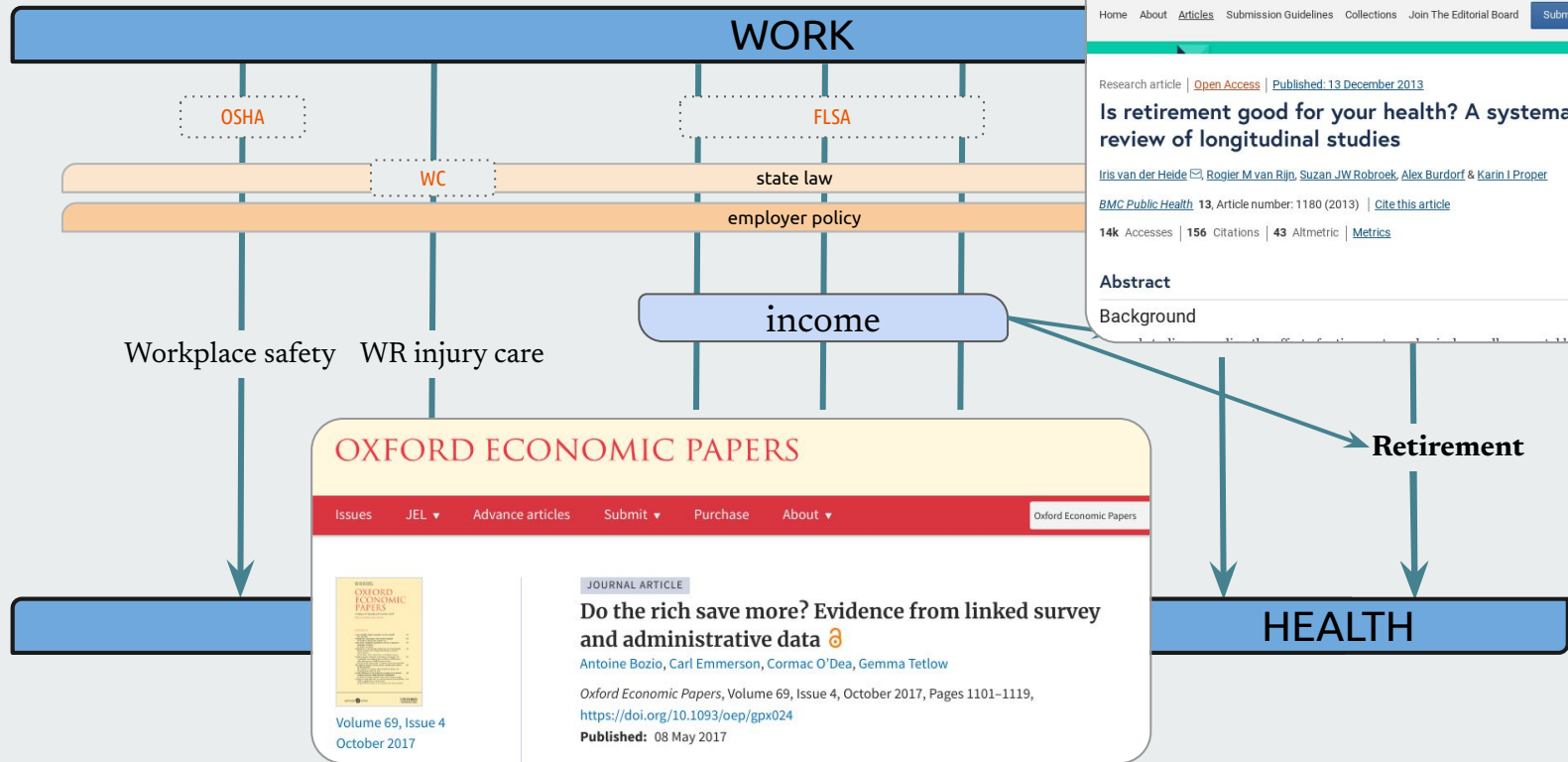
[Download Health Insurance Coverage in the United States: 2021 \[PDF - 1.7 MB\]](#)

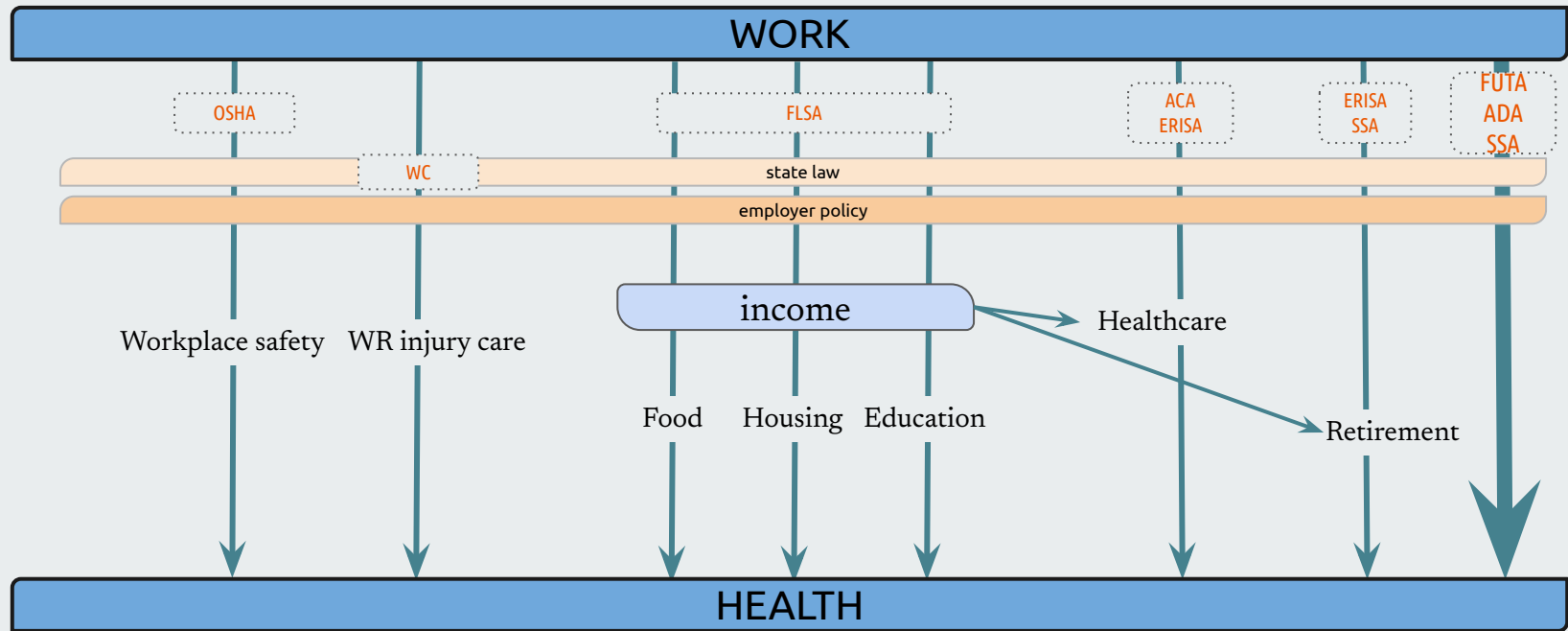
Highlights

- More people were insured in 2021 than 2020. In 2021, 8.3 percent of people, or 27.2 million, did not have health insurance at any point during the year, representing a decrease in the uninsured rate and number of uninsured from 2020 (8.6 percent or 28.3 million).
- In 2021, private health insurance coverage continued to be more prevalent than public coverage, at 46.0 percent and 35.7 percent, respectively.
- Of the subtypes of health insurance coverage, employer-based insurance was the most common, covering 54.3 percent of the population for some or all of the calendar year, followed by Medicaid (18.9 percent), Medicare (18.4 percent), direct purchase coverage (10.2 percent), TRICARE (2.5 percent), and VA and CHAMPVA coverage (1.0 percent).
- Overall, public coverage increased between 2020 and 2021. In 2021, 35.7

Related Information
PUBLICATION
Health Insurance Publications

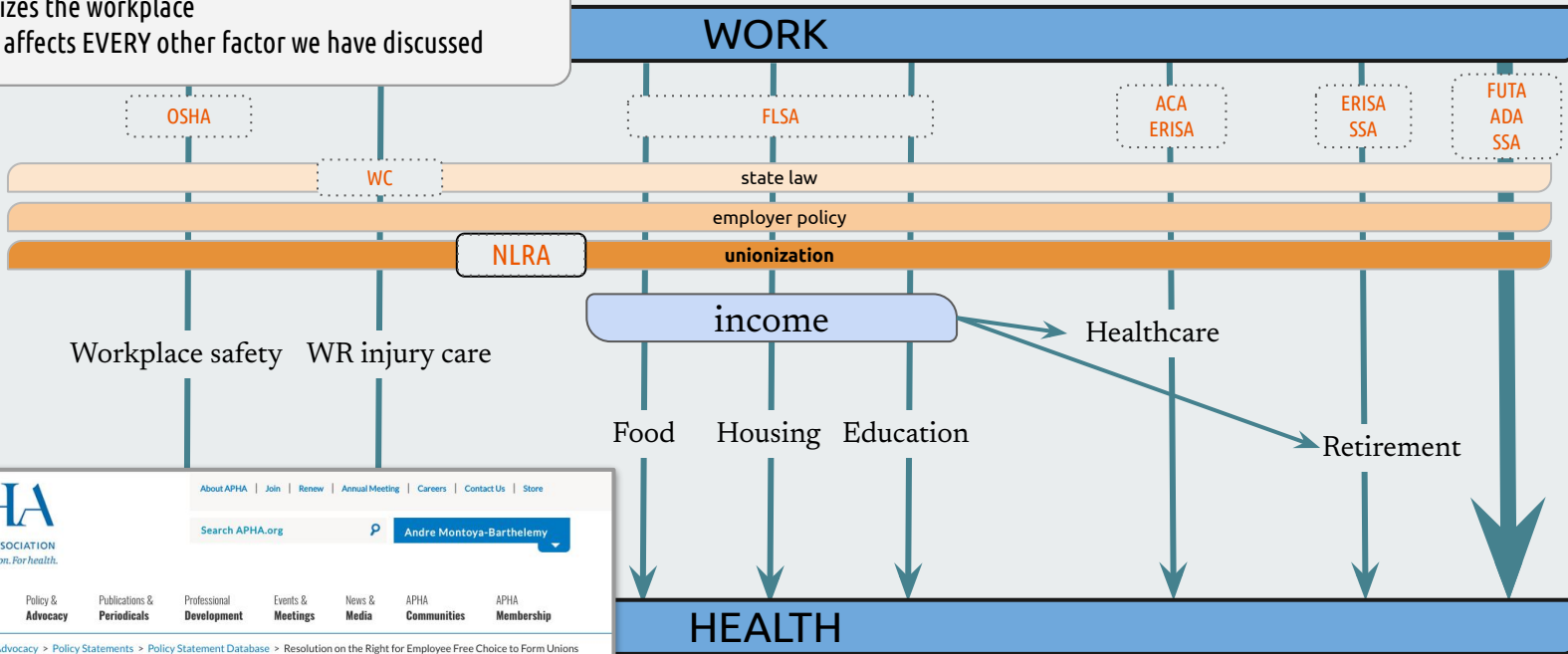






Union representation

- Increases wages and benefits, even for non-union workers
- Improved job security, autonomy, social support
- Democratizes the workplace
- Positively affects EVERY other factor we have discussed



Workplace safety WR injury care

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APHA > Policy Statements and Advocacy > Policy Statements > Policy Statement Database > Resolution on the Right for Employee Free Choice to Form Unions [Print](#)

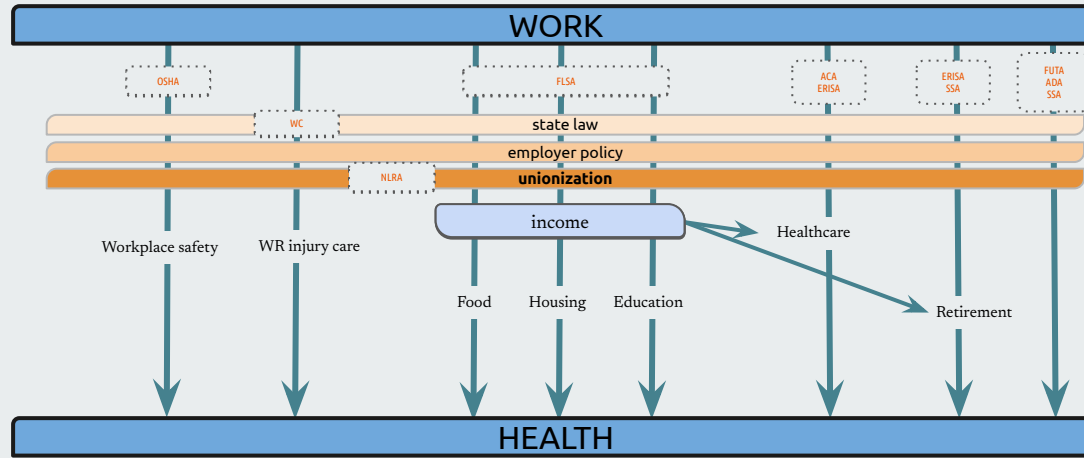
Resolution on the Right for Employee Free Choice to Form Unions

< Policy Statements and Advocacy < Policy Statements < Policy Statements

Date: Nov/08 2006 | **Policy Number:** 20068
Key Words: Occupational Health And Safety, Unions

Introduction

Historically, unions have helped bring economic and social democracy to American society. The Employee Free Choice Act as introduced in 2005 is an example of landmark legislation that would strengthen protections for workers and their freedom to unionize by requiring employers to recognize a union after a majority of workers authorize representation. It also



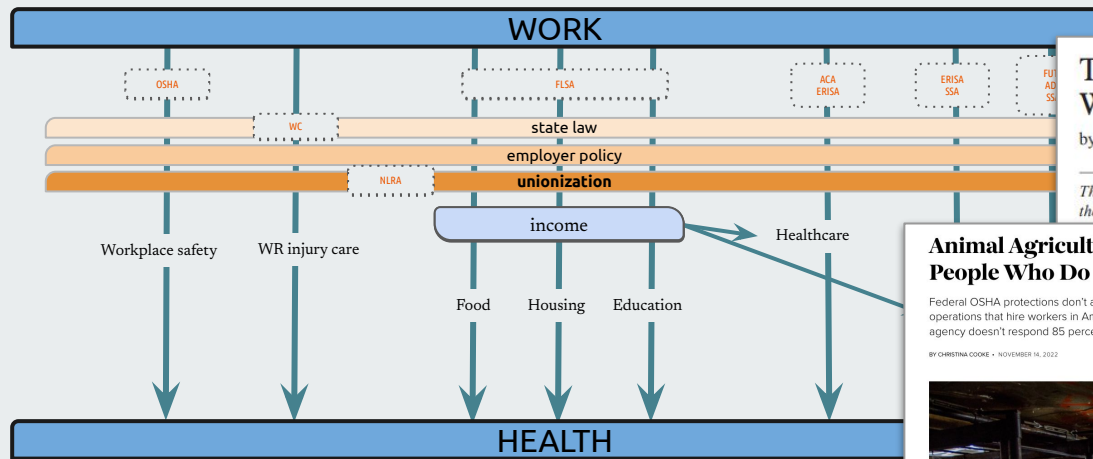
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Yes

Yes

Yes



THE DECISION TO EXCLUDE AGRICULTURAL AND DOMESTIC WORKERS FROM THE 1935 SOCIAL SECURITY ACT

by Larry DeWitt*

The Social Security Act of 1935 excluded from coverage about half the workers in the American economy. Among the excluded groups were agricultural and domestic workers—a large percentage of whom were African Americans

in 1935 deliberately excluded African Americans from coverage during that period. This article examines both the origins of the coverage exclusions. The author finds and unsupported by the existing empirical literature from the early program was due to considerations of race. The author finds no evidence of any other policy

Animal Agriculture Is Dangerous Work. The People Who Do It Have Few Protections.

Federal OSHA protections don't apply to 96 percent of the animal agriculture operations that hire workers in America. When people die on the job, the federal agency doesn't respond 85 percent of the time.

BY CHRISTINA COOKE • NOVEMBER 14, 2022



Photo credit: Vens Chang

Economic Policy Institute

About Areas of Research Data Library Publications Experts

Federal labor standards enforcement in agriculture

Data reveal the biggest violators and raise new questions about how to improve and target efforts to protect farmworkers

Report • By **Daniel Costa**, **Philip Martin**, and **Zachariah Rutledge** • December 15, 2020

Download PDF

What this report finds: The vast majority (over 70%) of federal labor standards investigations of farms conducted by the Wage and Hour Division (WHD) of the U.S. Department of Labor

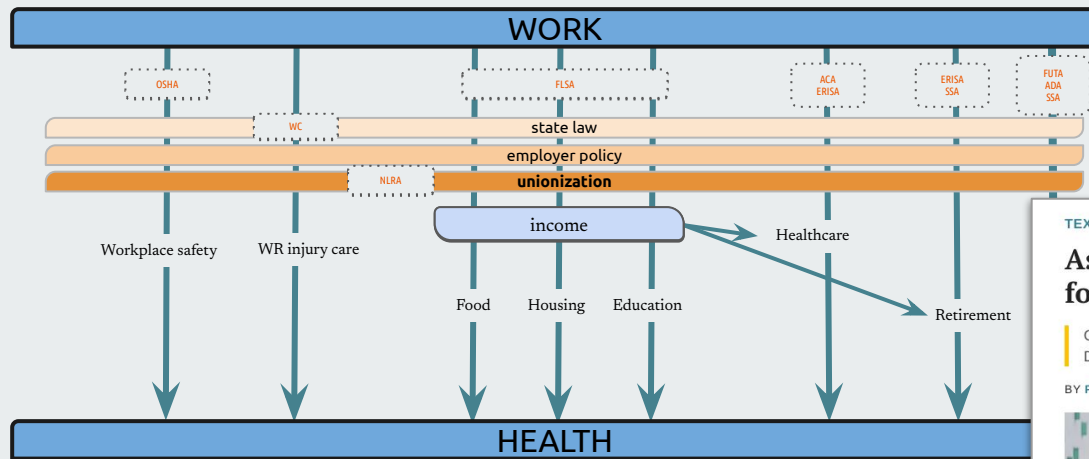
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TEXAS LEGISLATURE 2023

As Texas swelters, local rules requiring water breaks for construction workers will soon be nullified

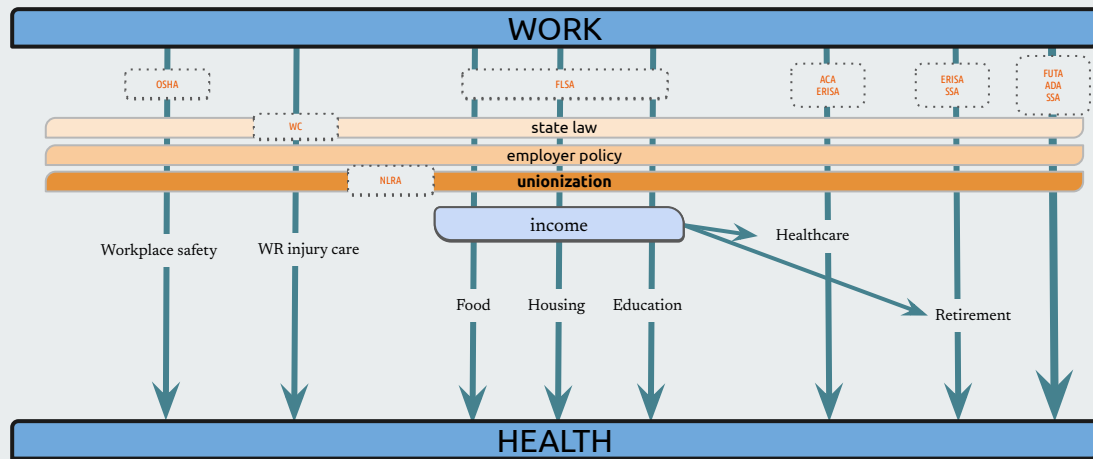
Gov. Greg Abbott approved a law this week that will eliminate city and county ordinances like Austin's and Dallas' mandated water breaks.

BY FRANCISCO URANGA AND ERIN DOUGLAS JUNE 16, 2023 1 PM CENTRAL

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Construction laborers work in downtown Austin on June 29, 2021. © Sophie Park/The Texas Tribune



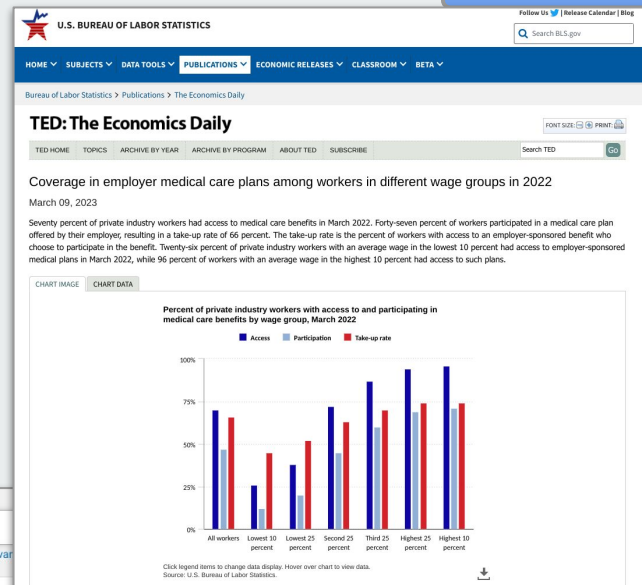
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PubMed®

> MMWR Morb Mortal Wkly Rep. 2018 Jun 1;67(21):593-598. doi: 10.15585/mmwr.mm6721a1.

Health Insurance Coverage by Occupation Among Adults Aged 18-64 Years - 17 States, 2013-2014

Winifred L Boal, Jia Li, Aaron Sussell

PMID: 29851945 PMCID: PMC6038906 DOI: 10.15585/mmwr.mm6721a1

Free PMC article

Abstract

Lack of health insurance has been associated with poorer health status and with difficulties accessing preventive health services and obtaining medical care, especially for chronic diseases (1-3). Among workers, the prevalence of chronic conditions, risk behaviors, and having health insurance has been shown to vary by occupation (4,5). CDC used data from the 2013 and 2014 Behavioral Risk Factor Surveillance System (BRFSS) to estimate the prevalence of having no health care coverage (e.g., health insurance, prepaid plans such as health maintenance organizations, government plans such as Medicare, or Indian Health Service) by occupation. Among all workers aged 18-64 years, the prevalence of being uninsured declined significantly (21%) from 16.0% in 2013 to 12.7% in 2014. In

FULL TEXT LINKS



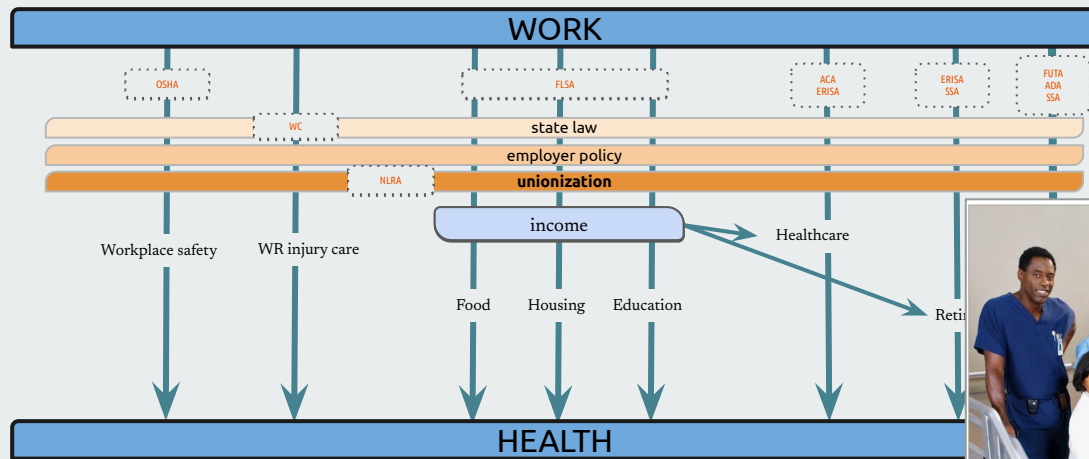
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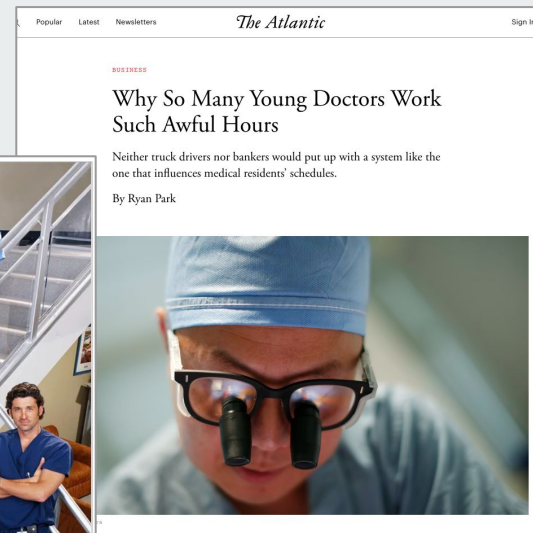
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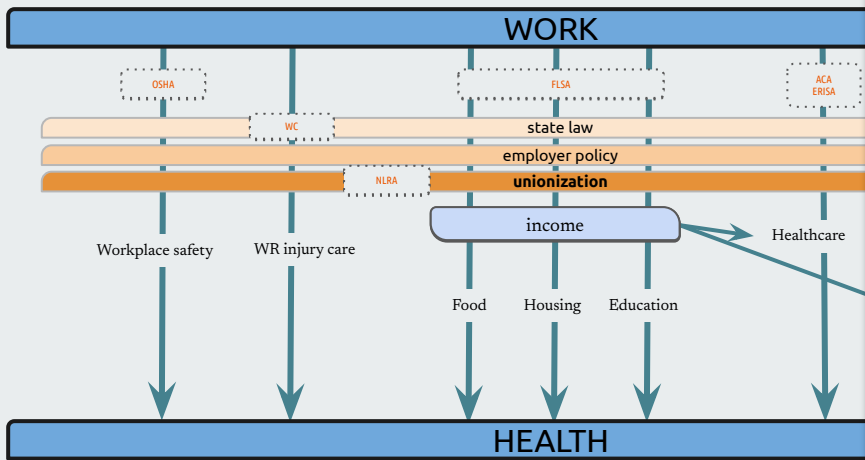
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Yes

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Yes





Farmworkers Bear the Brunt of California's Housing Crisis

Despite \$100 million in recent investments, many of the state's 400,000 to 800,000 farmworkers live in cramped, unsafe conditions.

BY GOSIA WOZNACKA • JANUARY 18, 2022



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Andre Montoya-Barthelemy

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Improving Housing for Farmworkers in the United States Is a Public Health Imperative

< [Policy Statements and Advocacy](#)

Date: Nov 01 2011 | Policy Number: 20118

Key Words: Farmworkers, Housing, Immigrant Health, Migrant and Seasonal Workers, Labor Issues

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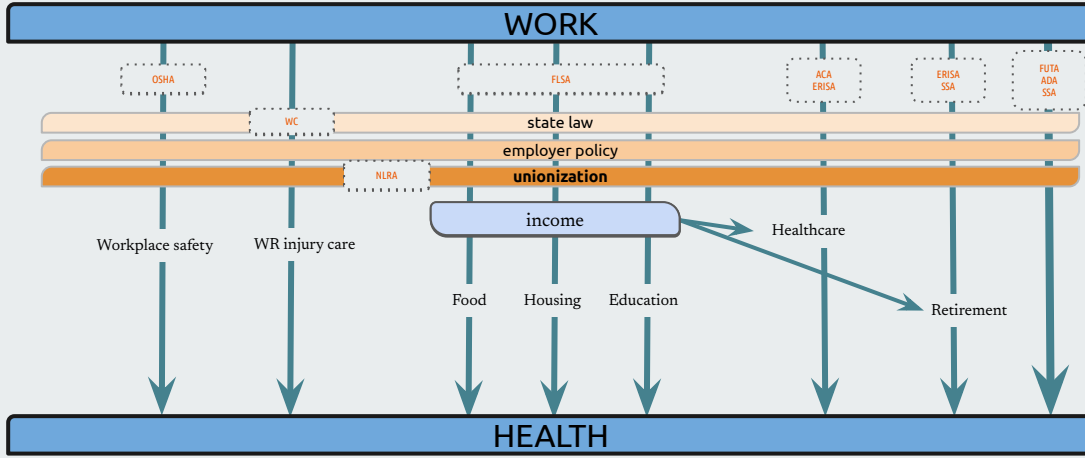
Yes

The Silent (And Invisible) Farmworker Housing Crisis

Farmworker Justice Welcomes **Guest Bloggers** from the **Housing Assistance Council**: **Lance George**, Research Director, and **Leslie Strauss**, Senior Policy Analyst

"*Rural America's Silent Housing Crisis*," an article in The Atlantic magazine's February edition, describes the overlooked plight of rural families who struggle to obtain quality housing they can afford. The article does not look specifically at the housing problems of farmworkers – a crisis that deserves attention because it is not only silent, but often invisible.

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Questions:

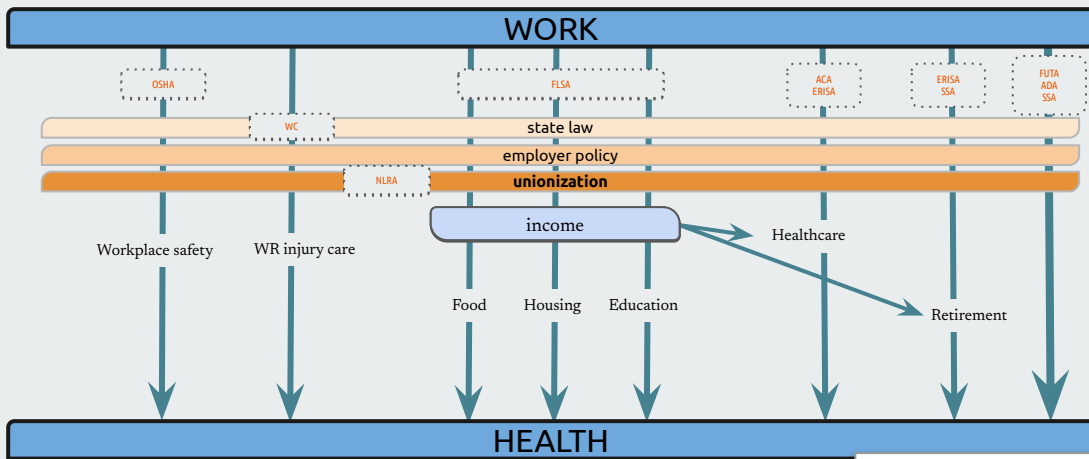
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REPORT NOV 21, 2017

Linking Reproductive Health Care Access to Labor Market Opportunities for Women

Reproductive health care access is inextricably linked to labor market opportunity for women, and bodily autonomy and economic empowerment are mutually reinforcing.

AUTHORS



Kate Babin



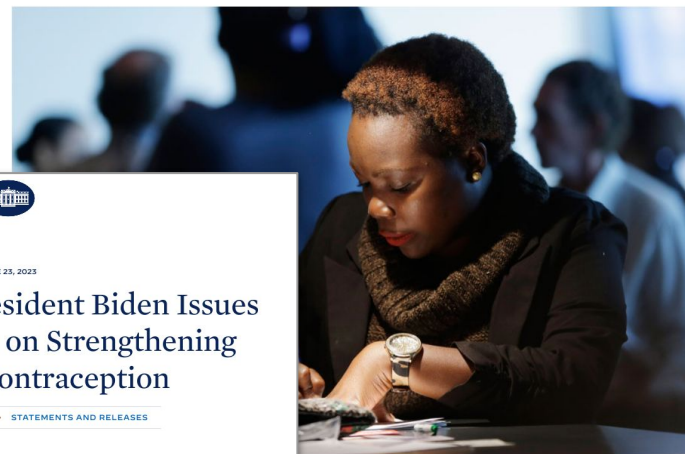
Adriana Kugler



Melissa Mahoney

+2 More

Advancing Racial Equity and Justice, Building an Economy for All, Strengthening Health, +8 More



MEDIA CONTACT

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Associate Director, Media Relations
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Julia Cusick
Vice President, Communications
jcusick@americanprogress.org

Executive summary

Central tenet of the American dream and a mainstay of economic growth is the ability to fully participate in the economy. But when embracing this core economic principle, people's complex lives affect their ability to fully

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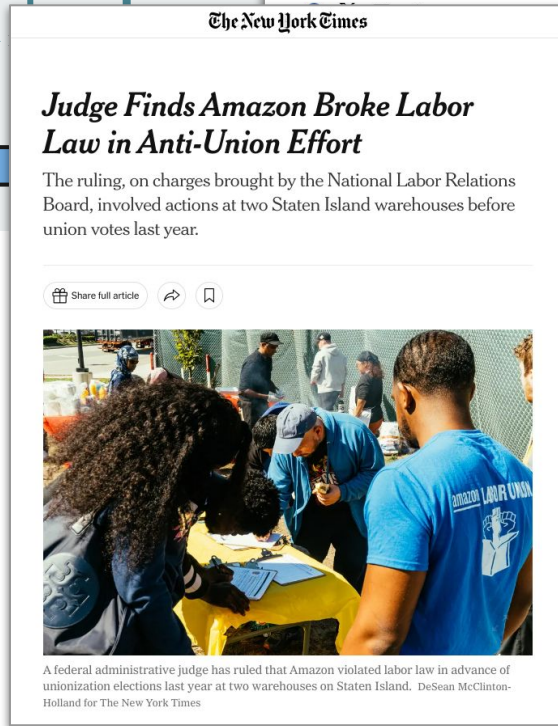
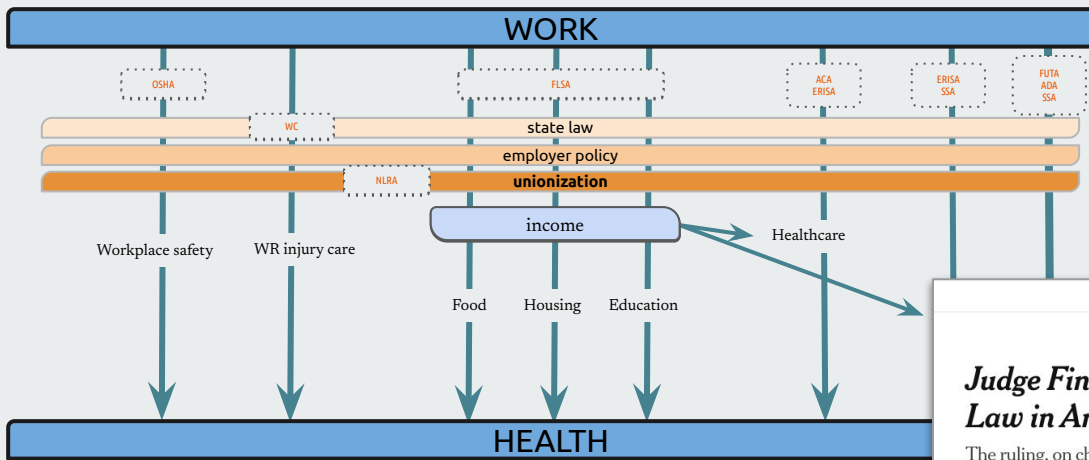
FACT SHEET: President Biden Issues Executive Order on Strengthening Access to Contraception

BRIEFING ROOM STATEMENTS AND RELEASES

Today, President Biden will issue an Executive Order on Strengthening Access to Affordable, High-Quality Contraception and Family Planning Services. This will be the third Executive Order on reproductive health care access that the President has signed since the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, and the first focused specifically on protecting and expanding access to contraception. Contraception is an essential component of reproductive health care that has only become more important in the wake of *Dobbs* and the ensuing crisis in women's access to health care.

Through today's Executive Order, the President will announce actions to:

- **Improve Contraception Access and Affordability for Women with Private Health Insurance.** The Executive Order directs the Secretaries of the Treasury, Labor, and Health and Human Services (HHS) to consider



es
a three-day strike on Friday. The walkouts are part of their effort
Teresa Crawford AP

air labor practices" during unionization
rk, area, a National Labor Relations Board

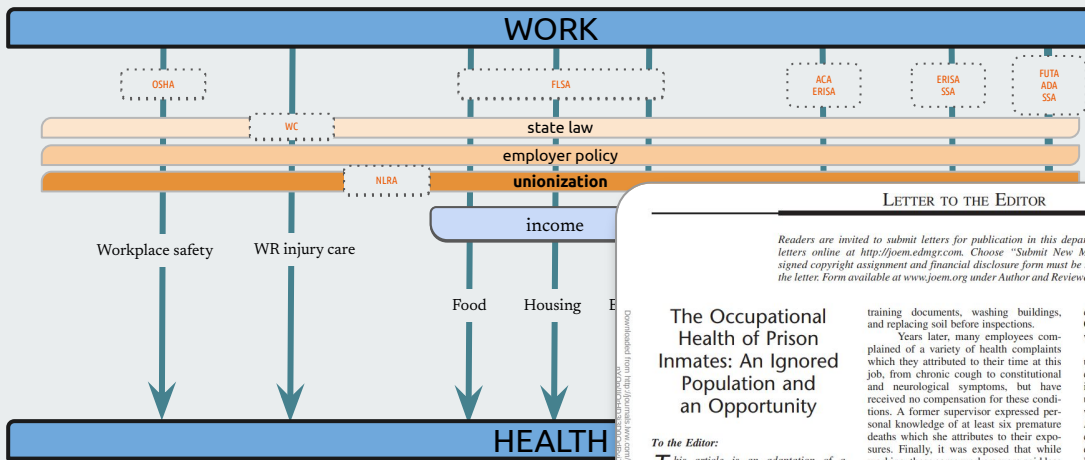
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LETTER TO THE EDITOR

Readers are invited to submit letters for publication in this department. Submit letters online at <http://joem.edmgr.com>. Choose "Submit New Manuscript". A signed copyright assignment and financial disclosure form must be submitted with the letter. Form available at www.joem.org under Author and Reviewer information.

The Occupational Health of Prison Inmates: An Ignored Population and an Opportunity

To the Editor:

This article is an adaptation of a presentation to the ACOEM House of Delegates at AOHC 2018. I owe a special thanks to Dr Bill Buchta for that opportunity.

A VIGNETTE ABOUT AMERICAN WORKERS

In the early 2000s,¹⁻³ a group of training documents, washing buildings, and replacing soil before inspections.

Years later, many employees complained of a variety of health complaints which they attributed to their time at this job, from chronic cough to constitutional and neurological symptoms, but have received no compensation for these conditions. A former supervisor expressed personal knowledge of at least six premature deaths which she attributes to their exposures. Finally, it was exposed that while working, these same workers were paid less than \$1 per day, were not covered by workers' compensation or protected from discrimination, could not collectively bargain for improved working conditions, and faced huge barriers to litigation for damages.

LABOR PROTECTIONS AND OCCUPATIONAL HEALTH

This story fascinated me, because



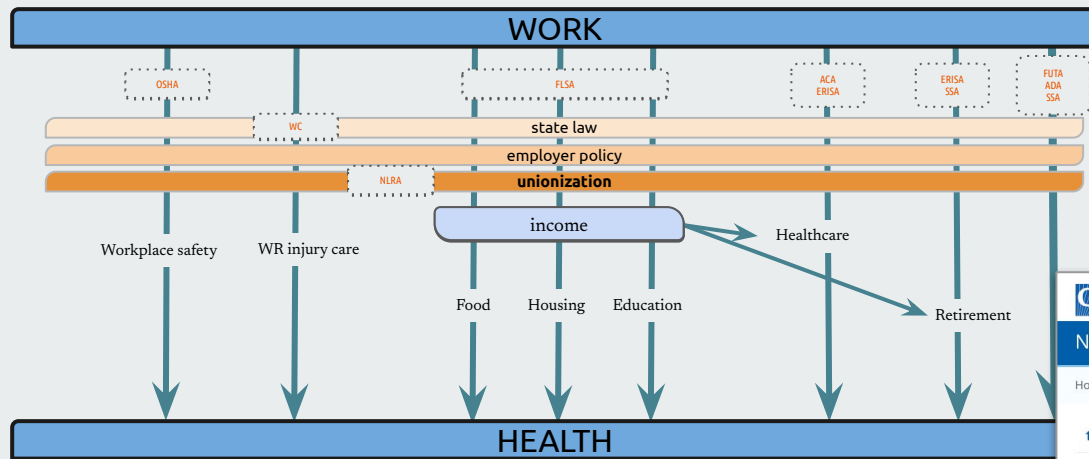
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BENEFITS

Flexible Work Arrangements: Popular Alternatives to Enhance Benefits

By Culpepper and Associates

CDC Centers for Disease Control and Prevention
CDC 24/7: Saving Lives, Protecting People[™]

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Precarious Work, Job Stress, and Health-related Quality of Life

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Yes

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Yes

Pew

TOPICS PROJECTS FEATURES ABOUT GET INVOLVED SEARCH

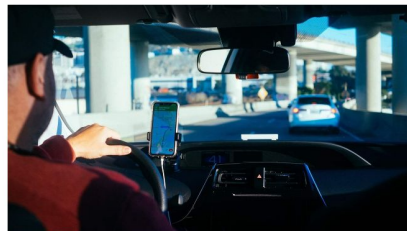
Nontraditional Workers Lack Access to Workplace Retirement Options

Pew survey finds that less than one-quarter save through an employer plan

ISSUE BRIEF | October 14, 2021 | Read time: 19 min
Projects: Retirement Savings

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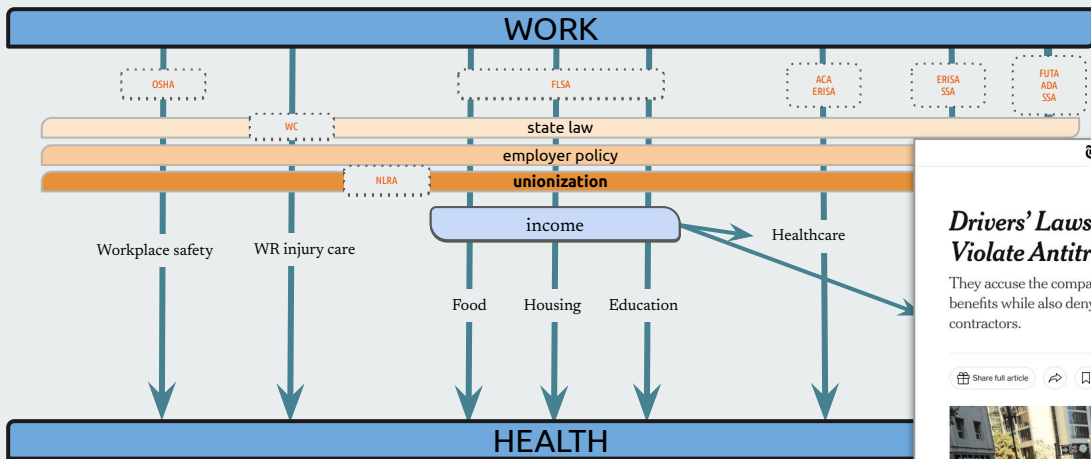
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Senior Officer
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John Scott
Project Director
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y, PhD

worker well-being [1]. Work is a key determinant of health and so the prevalence of non-standard work arrangements has led to non-standard work arrangements. The prevalence of precarious work it can be broadly categorized as work in which workers, as opposed to standard work, are associated with work and receive limited benefits. NIOSH study constructed a work-related quality of life research in the United States.



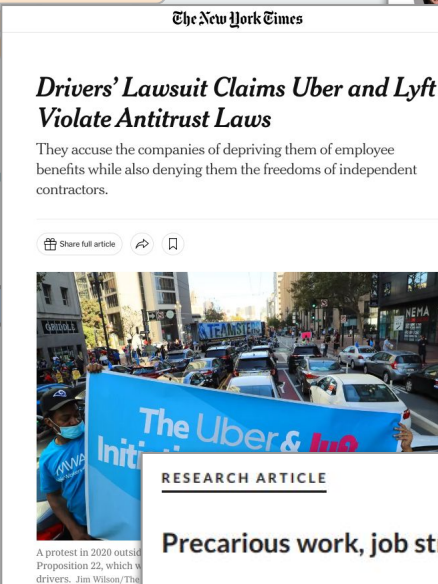
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2. Are there other policy/regulation factors that are associated with work, AND have a substantial effect on the health of our worker-patients?
3. Using this framework, can we identify worker populations at increased risk of poor health outcomes?

Yes

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RESEARCH ARTICLE

Precarious work, job stress, and health-related quality of life

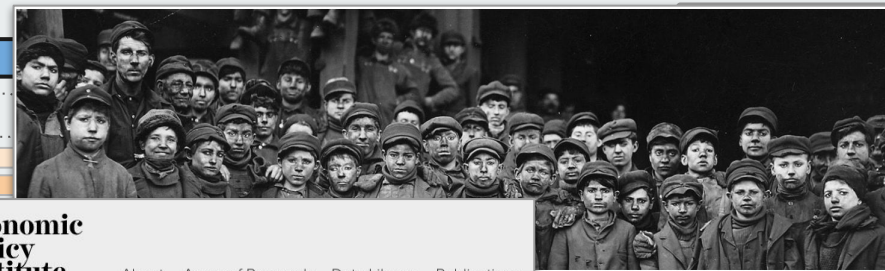
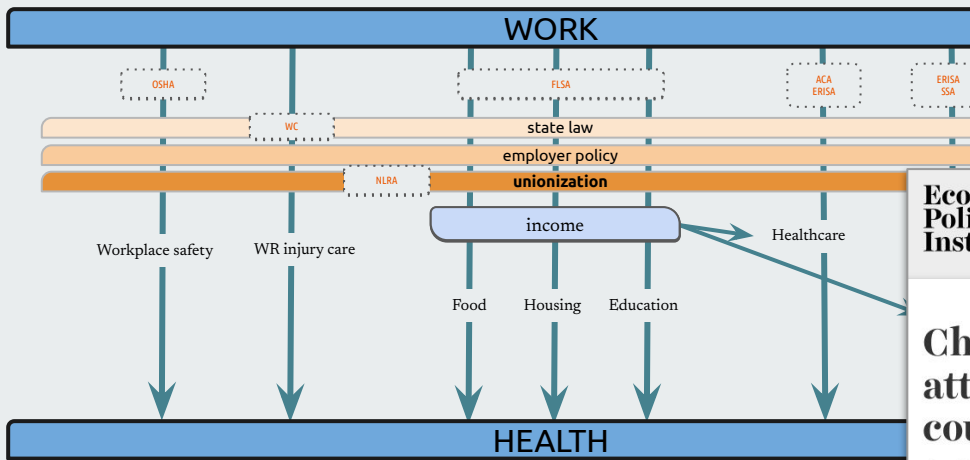
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Abstract

Objectives: Recent technological and work organization changes have resulted in an increased prevalence of nonstandard work arrangement types. One of the consequences has been an increased prevalence of precarious work. Our objective was to generate a scale to measure work precariousness in the United States and examine the associations between this study precariousness scale with job stress, unhealthy days, and days with activity limitations among US workers from 2002 to 2014 to determine if precarious work adversely affects worker health.



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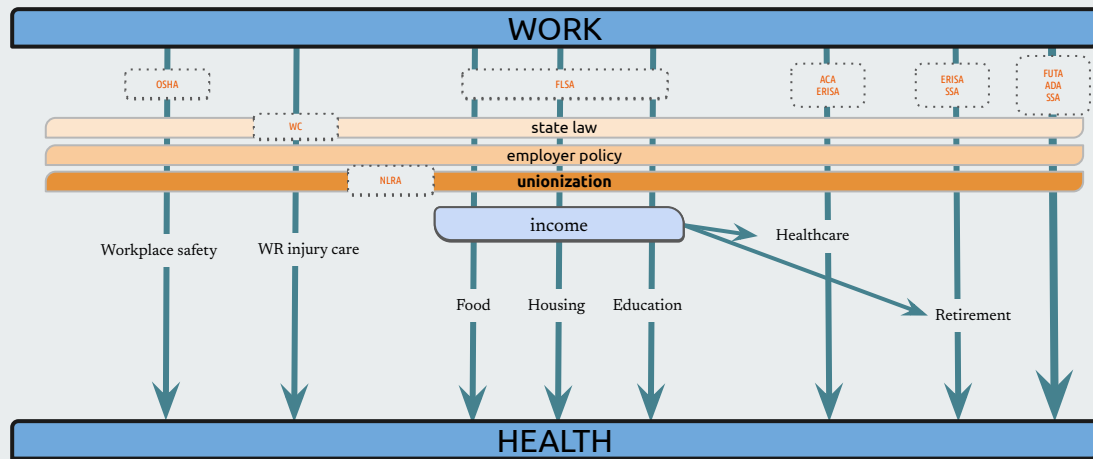
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