

Auto parts company ordered to pay \$1.5 million following death of Alabama worker

Aaron Murch**16 November 2020**

A federal judge in Alabama sentenced Joon LLC, d.b.a. Ajin USA, to a \$500,000 fine and \$1,000,000 restitution fee to the family of Regina Elsea, a contract employee of the company who died in a workplace accident in 2016. The company pleaded guilty to a “willful violation” of federal Occupational Safety and Health Administration regulations.

The 20-year-old Elsea had been working at the auto parts manufacturer for only a few months when the accident occurred. A machine on the assembly line stopped and registered a “stud fault.” The team called maintenance, but no one arrived. The crew was under pressure to meet the quota of 420 dashboard frames per shift, though they rarely reached 350. A co-worker told Bloomberg, “We were always trying to make our numbers so we could go home. Everybody was always tired.”

Video obtained by the Occupational Safety and Health Administration (OSHA) shows the employees growing impatient when Elsea took it upon herself to address the issue. Although the company had procedures for lockout/tagout, a safety system used to ensure machinery is shut off and disabled during maintenance, investigators found that Ajin had consistently failed to enforce the protocol. Multiple supervisors were present and did not ensure the machine was off before Elsea entered.

As she was in the enclosure, called a cell, the robot powered on and crushed her against a steel dashboard frame, impaling her with a pair of welding tips. There was no one on staff who knew immediately what to do in such a situation. The team leader went to find a maintenance man who was overwhelmed and incapable of releasing the robot arm. Only when emergency crews arrived several minutes later was Elsea released from the mechanism. She died in the hospital the

following day, just weeks before her planned wedding.

Regina’s father, Trent Elsea, spoke out against the company during the court case, “She was killed to keep the line moving,” he said in a court-filed victim impact statement, “Were the hours it took to free her from the machine shorter than the time it would have taken to stop the line and just get it fixed. Was bypassing the safety measures built into the machine worth a life?”

The \$1.5 million penalty for the death of a worker is far from sufficient for the gravity of the crime committed. However, by the standards that prevail in the United States where state regulatory agencies typically impose the most paltry of penalties for on-the-job deaths and injuries, the fine in this case is fairly substantial, underlining the blatant criminality of management’s actions.

In addition to the \$1.5 million imposed by the court, Joon was issued a \$2.5 million penalty by OSHA in 2016 for 23 violations found during its investigation of the incident. According to OSHA, Ajin failed to instruct employees adequately and provide them with safety locks or with training on how to use them. Deputy Assistant Attorney General Jonathan D. Brightbill of the Justice Department’s Environment and Natural Resources Division, issued a statement saying, “Ajin knew its supervisors and managers were turning a blind eye to the company’s safety procedures. Now, Ajin must take responsibility for its conduct.”

Two staffing agencies—Alliance HR Inc. d.b.a. Alliance Total Solutions LLC and Joynus Staffing Corp—were also fined by OSHA at the time. Together the agencies provide around 250 of the plant’s approximately 700 employees and were each fined \$24,942. Elsea had been hired as a temporary worker through Alliance Total Solutions. The Department of Justice in their press release announcing the penalties

said of the incident that day, “In the 15 minutes prior to Elsea’s fatal injury—in the presence of their supervisors—workers entered cells to troubleshoot machinery without following lockout/tagout no less than five times, and the supervisors did not take any action to stop or reprimand them.” The statement continues, “In two other instances, the supervisors themselves entered a cell without following lockout/tagout.”

At the time of Elsea’s fatal injury, several individuals were inside the cell, none of whom had followed lockout/tagout procedures to de-energize the machinery within the cell. This tragedy, along with the dozens of other violations over the years and thousands of dollars in fines, shows a company with a profound lack of concern for the safety and well-being of its workers. From the poverty wages set by the owners of the company down to the culture of management cultivated on the factory floors, this is a company unconcerned and undeterred by the threats of and implementation of fines. For companies like Ajin, such fines are “the cost of doing business,” and violations and accidents continue to occur despite the penalties.

Joon/Ajin is a subsidiary of Ajin Industrial Co. Ltd, based in South Korea, which has operations in South Korea, China, Vietnam and the United States. In 2019, Ajin Industrial had \$376 million in revenue worldwide, according to Dun & Bradstreet. The Alabama plant employs some 700 workers whose hourly pay averages around \$10 an hour. The factory was built in recent years as part of the drive to bring more manufacturing to the American South, with Alabama being named the “new Detroit.” For auto parts manufacturers this usually means hiring hundreds of workers for poverty wages as they engage in a “race to the bottom” against factories in Mexico where wages have been driven down to abysmally low levels.

Employees at these plants in Alabama, Georgia, and Mississippi often work extremely long hours, six or even seven days a week, in conditions where on-the-job safety training is inadequate to nonexistent and only regulated after someone is already hurt or injured on the job. In the month before Elsea’s death, Ajin had eight different on-the-job accidents resulting in paltry fines. Welding machines had crushed or fractured the fingers of eight different workers, eventually resulting in the safety manager recommending a new, safer

welding machine, which never arrived. For its part, OSHA fined Ajin \$7,000 total for the eight injuries.



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