

# OSHA fines auto parts maker \$25,000 for two COVID deaths, while leaving the big fish off the hook

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A major COVID outbreak at Ohio-based Sanoh America killed at least two workers and infected a third of the workforce of one of its plants, prompting the federal Occupational Safety and Health Administration (OSHA) to levy a wrist-slap fine on the company for not protecting its employees.

During an inspection last August at the beginning of the Delta surge, OSHA found that the company had dropped all its mitigation measures such as social distancing and mask wearing. Sixty-five employees had tested positive for the virus, and by the end of the month, about one-third of Sanoh America's 270 workers in Findlay, Ohio, had contracted COVID. Five workers were hospitalized and two would tragically die.

For this criminal policy, OSHA slapped the company with a paltry fine of \$26,527 and an order to enforce safety measures in the future. But there is no mechanism under this process to guarantee any mitigation measures will be put in place or followed.

The plant manager, James Kammer, went into immediate damage control, placing the blame on individual workers bringing COVID into the workplace. He even falsely claimed OSHA protocols were followed: "The facility's COVID-19 prevention plan was implemented and functioning. After the outbreak across this community, employees' COVID-19 infections soon subsided. We meet with OSHA, understand its enforcement position, and evaluate our appealing options."

While the company is willing to burn through cash on corporate lawyers in order to dampen the fallout, rather than update the facility's safety measures, the OSHA-imposed fine will not make a dent in the profit margins of Sanoh America, which has 10 manufacturing

facilities across North America and brings in \$280 million in yearly sales.

For the company, it is just a small price to pay for doing business. Since 2007, OSHA had to investigate the company at least six separate times for health and safety violations, mostly at facilities in Ohio.

In citing the company, OSHA has effectively put a price tag on priceless human life at \$13,263 and some change. If OSHA were to fine every corporation that has violated safety measures at this current rate for the preventable deaths of about 870,000 people, a fine would be issued for about \$11.5 billion, compared to the record \$3 trillion in profits American corporations made last year.

The imposition of a tiny fine on a single small parts maker is an exception that proves the rule of OSHA allowing catastrophic outbreaks in auto plants and other workplaces without any consequences whatsoever. There can be no doubt that one element in the decision to levy fines against Sanoh was to deflect from public scrutiny of this record. Thus, Larry Johnson, the OSHA area director in Columbus, Ohio, declared in a press release: "Sanoh America's failure to follow health and safety guidelines and its own company policies resulted in worker illnesses and death." Then he said, "OSHA continues to enforce all standards applying to the coronavirus and holds employers accountable for failing to meet their obligations to minimize worker exposure to the coronavirus."

Many autoworkers have died of COVID under the eyes of the US-based automakers and the pro-company United Auto Workers (UAW), including from massive outbreaks at plants many times larger than Sanoh America's Findlay plant.

A full accounting of the number of infections and death is impossible because both the companies and the union have not released national figures. But at one plant, Stellantis's Sterling Stamping Plant near Detroit where over 2,000 workers are employed, at least five workers died last from contracting COVID: Xavier Anderson, Kevin Railey, Omie Smith, Blair Alexander Braden, and Mark Bruce. Another worker, Terry Garr, died following an accident in the plant.

At Mack Trucks in Macungie, Pennsylvania, 829 workers have been COVID-positive out of a workforce of about 2,000. According to the company and the UAW, every worker has recovered, but Mack workers say at least three have died. One worker-confirmed death at Mack was William Dimitrovitsch.

A Mack Trucks worker wrote into the *World Socialist Web Site* describing the situation at the Macungie facility, which OSHA has never investigated: "We have no social distancing in the plant, the majority of workers don't wear masks. ... We were told back in 2020 there were protocols put in place for COVID. ... 2 years later I have yet to see a COVID clean-up team disinfect an area after reports of someone infected with the virus. When someone is sent home there is no notification to other employees that work in the immediate area of contamination. ... Since December 2021 we've lost 3 employees due to COVID.

According to a US Labor Department Office of the Inspector General (OIG) report issued in 2021, OSHA conducted 50 percent fewer on-site inspections and issued fewer than 300 COVID violations in 2020, even though complaints increased by 15 percent and state workplace safety agencies issued five times as many citations and fines as OSHA.

OSHA's turning a blind eye at the overwhelming majority of workplaces and schools where COVID is spreading unchecked is in line with policy of "herd immunity" of first the Trump and then the Biden administration, from whom OSHA has taken its orders.

Once in office, Biden issued an executive order calling on OSHA to produce new mitigation guidelines for businesses to follow in an attempt to cover up Trump's disastrous handling of the pandemic. But the order was only a set of half-measures without being backed by the force of law. In fact, corporations have no legal obligation to follow through on these new OSHA guidelines while they still routinely flout all

health and safety measure with impunity. Today, there is no system in place to accurately track the number of infections in workplaces and schools, and management never notifies workers about infections in their area.

President Biden has also continued Trump's executive order keeping meatpacking plants open by declaring them "critical infrastructure" under the Defense Production Act. Nearly 300 meatpacking workers have died over the course of the pandemic, according to figures compiled by the Food and Environment Reporting Network. The Biden administration is also reopening schools in spite of mass infections during the ongoing Omicron surge, even as schools struggle to function due to the scale of infections among teachers and staff.

OSHA has never investigated poorly ventilated schools, which have been major vectors of the disease, where dozens of children have tragically contracted the disease and died, along with the deaths of hundreds of educators and school workers.

Even with the most stringent safety measures put in place, however, workplaces and schools are still massive reservoirs for the spread of COVID. The full shutdown of non-essential businesses with full pay for those impacted, along with scientifically guided mitigation efforts such as contract tracing, quarantining, testing, and freely available N95 masks on a global scale, is needed to save lives.



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