Another death in Los Angeles Harbor

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On January 18, Edgar Ruiz died on the job from in an industrial accident at the Port of Los Angeles's Maersk Terminal. Ruiz was in the process of setting up a crane at the port when a 4,500 lbs. piece of metal, that had slipped from a forklift, fell on him. Ruiz was 37 years old.

In the two weeks since this tragic death, not much information has been made available on the details of the incident. Ruiz worked for BHC Crane LLC as a crane oiler, a job that he was new at. A crane oiler is responsible for assembly and disassembly of cranes, maintenance and lubrication and some repairs.

The day of his death, Ruiz was in the process of assembling a crane that had been delivered that morning. This task is, normally and contractually, carried out in the ports of Long Beach and Los Angeles, by longshore workers, members of the International Longshore and Warehouse Union (ILWU). Ruiz was a member of Operating Engineers Union, Local 12.

On that day, Ruiz's normal partner, a crane operator, who operated a forklift while the crane was being assembled, was absent. Instead, Ruiz was ordered to begin the assembly process, while the forklift was operated by one of his bosses, a co-owner of BHC Crane.

Whether the replacement for the regular crane operator, who was operating the forklift that day, was qualified under the terms of the 104 page master agreement (see page 37 paragraph number 3) between Local 12 and the Contractors Association, is not clear. According to one observer, however, the forklift was lifting the heavy piece of metal from below, instead of hoisting it from above. Everything indicates that time was a factor and the workers were speeding up an already risky process.

Very little information was made available at the time of the incident. Sixteen days later, crucial details were published by the LA County's *Random Length News* magazine, indicating that it took more than an hour for emergency personnel to arrive at the scene of the accident. The APM Maersk terminal, the largest container port terminal in the Western Hemisphere, has no medical facility for its thousands of workers. Initially, the call for help was placed to the Port of LA administrative building, and not to 911.

Three days before Ruiz's accident, another incident happened that exposed the role of the ILWU. On January 15, a Sunday, Chulaih Ang, a 64-year-old ILWU dockworker was struck and killed by a *transtainer* (a crane that handles containers at the terminal) at a container terminal in the Port of Long Beach. Ang was taken to a hospital, where he died. As with the death of Ruiz, it took more than two weeks before more complete information was released.

Until recently Ruiz had been an iron worker, a member of Ironworkers Local 433. This week, Local 433 posted an in-memoriam page for Ruiz on its Facebook page.

The *World Socialist Web Site* was first informed about this tragedy by a person who knew Ruiz well and who was perplexed why this fatal accident was being ignored by the media and the unions. "Of course, I have an opinion, that the people in charge are rushing workers and cutting corners to make more money," said Ruiz's friend.

"Although it is dangerous work, shipping is very profitable, and the pandemic has been good for business. The Port of LA and Maersk made record profits last year. Kind of reminds me of that Viet Nam era poster: 'WAR is good for the economy. Enlist your son.' I'm amazed that the people in charge NEVER enlist their sons to fight the wars or unload the cargo, but somehow manage to take off with all the profits!" his friend continued.

The available evidence supports and confirms the

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above statement. Ruiz's comrade also confirmed that at BHC workers and dock workers face workdays of up to 20 hours. Some days Ruiz would come home and be called back to work another shift.

Container terminals have much higher fatality and injury rates than all other workplaces. According to a report by NIOSH (National Institute for Occupational Safety and Health), between 2011 and 2017 fatal injuries at container terminals occurred at a rate of 15.9 per 100,000 workers, five times the rate for all workers (including longshore workers). The rate for all injuries was 4,916 per 100,000 workers, almost double the average for the total US workforce.

Fatigue, part-time work, and lack of experience compound the dangers, factors that have become more and more common during the current COVID-19 pandemic.

Over 1,700 dockworkers tested positive for COVID in January at LA and Long Beach terminals, topping the number of infections in all of 2021 (1,624). One in ten ILWU members were sidelined last month. The day of Ruiz's fatal accident, 150 dockworkers had tested positive. The previous week, Los Angeles County, where most dockworkers live, had logged 200,000 new cases of COVID-19.

With COVID spreading widely, both ports continue operating and have imposed extended hours on their workers, effectively placing the profits of the shipping oligopolies over workers' lives. In this, they counted on the collaboration of the ILWU and Operating Engineers.

The ILWU would have not publicized the death of Ang, except that workers at the scene took cellphone photos, prompting the ILWU to issue a statement warning workers over sharing the photos.

For its part, the Operating Engineers union has totally ignored Edgar Ruiz's death.

Ruiz's death took place at the Maersk APM Terminal, the largest terminal in the port of Los Angeles. Its owner, Maersk, is the second largest of the handful of container oligopolies, with 738 ships and 17 percent market share. The profits of the Denmark-based company tripled in in 2021, as the price of container shipping exploded.

These oligopolies, which act as an international cartel (described as a "money printing machine" by industry insiders) taking advantage of the coronavirus pandemic to raise daily shipping prices per forty-foot container, from $1,400 in 2019 to $4,000 in 2020 to over $10,000 this month. The shipping cartel, its individual member firms, and their stockholders are predicted to do even better this year.

The cover-up of deaths and injuries, the product of unsafe conditions, serves definite social interests. The indifference of the media and the collaboration by the unions with the employers in enforcing unsafe conditions are carried out in order to facilitate the uninterrupted flow of profits to the giant shipping concerns.

This tragedy points to the need for longshore workers to take matters into their own hands. They must form rank-and-file committees, independent of the pro-management unions, to follow up and investigate every injury and death. Workers must have the absolute right to refuse work under unsafe conditions without reprisal. In this fight, longshore workers should link up with dock workers across the world in a common fight against a capitalist system that puts profits ahead of lives.

Edgar was married and expecting a child. His family has set up a GoFundMe page to cover expenses.

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