

Legal Update Article

Bureau of Labor Statistics Releases 2021 Construction Industry Fatality Injury Data

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Construction
Workplace Safety and Health

Construction and extraction occupations accounted for the second highest number of occupational deaths out of the total 5,190 fatal work injuries recorded in the United States in the 2021 calendar year, [according](#) to the Census of Fatal Occupational Injuries, part of the Bureau of Labor Statistics (BLS) Occupational Safety and Health Statistics program. This marks an 8.9% increase from the 4,764 fatal work injuries reported in 2020.

In 2021, construction and extraction occupations accounted for 951 occupational deaths. This was a 2.6% decrease in fatalities from 2020 for the construction and extraction occupations. The fatality rate for the construction and extraction occupations decreased from 13.5 deaths per 100,000 full-time equivalent (FTE) workers in 2020 to 12.3 in 2021. The rate of fatal work injuries overall was much lower, 3.6 fatalities per 100,000 FTE workers.

Falls, slips, and trips accounted for a substantial portion of the fatalities in construction. There were 370 fatalities in 2021 in the construction and extraction occupations due to falls, slips, and trips, accounting for a 7.2% increase from 2020. Despite the increase, falls, slips, and trips fatalities are still down 9.3% from 2019, when construction and extraction occupations experienced 408 fatalities.

Rate by Trade

Fatality injury rates varied depending on the trade. According to the BLS, among the highest fatalities per 100,000 FTE workers were roofers (59) and iron and steel workers (36.1). Fatal injury rates for other trades included:

- Plumbers/pipelayers/pipefitters/steamfitters (5.7)
- Carpenters (5.9)
- Electricians (7.2)
- Painters/paperhangers (11.6)
- Construction equipment operators (11.9)
- Construction laborers (12.8)

OSHA Guidance

Addressing the BLS report, National Counsel for Occupational Safety and Health Co-Executive Director Jessica E. Martinez said, “[T]oo many lives are being lost from preventable causes.” “We need an urgent wake-up call to our employers and our government,” she continued. “Listen to workers. Enforce our safety laws. Remove known hazards, and let’s work together to make sure every worker comes home safely at the end of every shift.”

The [Occupational Safety and Health Administration has issued guidance](#) aimed at substantially increasing penalties for certain violations, including citations related to fatalities and failing to report fatalities.

A tremendous amount of essential in-person training time was lost by companies in the past few years because of the COVID-19 pandemic, which may account for these rising statistics. Companies should consider ramping up their training programs, especially in light of the increasing citations and penalties as part of OSHA’s 2023 enforcement initiatives.

If you have any questions or need legal assistance, please contact the Jackson Lewis attorney with whom you regularly work or a member of our [Workplace Safety and Health Practice Group](#).

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