

**CITY OF BALTIMORE  
COUNCIL BILL 19-0184R  
(Resolution)**

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Introduced by: Councilmember Sneed, President Scott, Councilmembers Schleifer, Dorsey, Burnett, Henry, Bullock, Pinkett, Middleton, McCray, Clarke, Reisinger, Cohen, Costello, Stokes

Introduced and read first time: December 2, 2019

Assigned to: Labor Committee

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REFERRED TO THE FOLLOWING AGENCIES: Department of Public Works, Department of Finance

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A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Informational Hearing – Death of Trina Cunningham**

3 FOR the purpose of inviting the Director of DPW, the Acting Bureau Chief of the Department of  
4 Finance’s Office of Risk Management and Division of Safety, and the plant manager of the  
5 Patapsco Wastewater Treatment Plant to discuss the circumstances surrounding the death of  
6 Trina Cunningham, as well as worker safety at all wastewater treatment plants.

7 **Recitals**

8 **WHEREAS**, Trina Cunningham, a 20 year employee of the Department of Public Works at the  
9 Patapsco Wastewater Treatment Plant tragically and needlessly died at the Plant on June 2, 2019;  
10 and

11 **WHEREAS**, Ms. Cunningham had been walking along a catwalk inside the grit building when  
12 she fell 20 feet into the water filtration system, in a vat of churning water and debris and  
13 drowned; and

14 **WHEREAS**, Ms. Cunningham was a trusted and respected supervisor for the Department of  
15 Public Works at the Patapsco Wastewater Treatment Plant; and

16 **WHEREAS**, Ms. Cunningham was admired by her colleagues for her commitment and  
17 dedication to the job; and

18 **WHEREAS**, Ms. Cunningham was a loving wife, mother, sister, and daughter; and

19 **WHEREAS**, Maryland Occupational Safety and Health (MOSH) investigated the  
20 circumstances of Ms. Cunningham’s death and issued multiple serious citations for violations by  
21 the City that contributed to her death; and

22 **WHEREAS**, MOSH investigators noted that the Patapsco Waste Water Plant’s management  
23 team routinely violated its own standard operating procedures; and

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

**Council Bill 19-0184R**

1       **WHEREAS**, Other health and safety problems have occurred at water and wastewater  
2 treatment plants, including conditions relating to a fatality at the Back River Plant in 2018; and

3       **WHEREAS**, MOSH issued abatement dates for correcting the violations for October 30<sup>th</sup> and  
4 November 25<sup>th</sup>; and

5       **WHEREAS**, The City has appealed these abatement dates and has asked for additional time to  
6 come into compliance with the law; and

7       **WHEREAS**, Each City employee deserves a safe and healthy work environment in which to do  
8 the employee’s job and working conditions that are, at a minimum, fully compliant with state and  
9 federal regulations.

10       **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the City  
11 Council invites the Director of DPW, the Acting Bureau Chief of the Department of Finance’s  
12 Office of Risk Management and Division of Safety, and the plant manager of the Patapsco  
13 Wastewater Treatment Plant to discuss the circumstances surrounding the death of Trina  
14 Cunningham, as well as worker safety at all wastewater treatment plants.

15       **AND BE IT FURTHER RESOLVED**, That the City will strive to assure that no other employee  
16 ever dies from a work-related, preventable incident.

17       **AND BE IT FURTHER RESOLVED**, That the City renews its commitment to provide safe  
18 working conditions for all its employees and to establish a genuine culture of safety at all City-  
19 controlled sites.

20       **AND BE IT FURTHER RESOLVED**, That the City encourages all employees to report unsafe  
21 conditions and equipment, and that the City wants all employees to know that such concerns can  
22 be reported without fear of sanction or retaliation.

23       **AND BE IT FURTHER RESOLVED**, That the City Council will institute additional oversight and  
24 review of water and wastewater treatment plant safety operations and will request that plants  
25 provide monthly updates to the Labor Committee on all efforts to identify and correct hazardous  
26 and unsafe conditions, in addition to those cited by MOSH.

27       **AND BE IT FURTHER RESOLVED**, That the City Council urges DPW to request the services of  
28 the MOSH Consultation Program, which is designed to help employers recognize and control  
29 potential safety and health hazards at their work sites, improve and/or establish their safety and  
30 health program, and assist in training employees.

31       **AND BE IT FURTHER RESOLVED**, That all unions representing workers at these plants (the  
32 City Union of Baltimore, AFSCME) have genuine involvement in all aspects of this consultation  
33 process.

34       **AND BE IT FURTHER RESOLVED**, That DPW provide the Labor Committee with monthly  
35 updates on the progress of this consultation, which will include reports from the unions.

**Council Bill 19-0184R**

1       **AND BE IT FURTHER RESOLVED**, That after initial investigations at the Patapsco Wastewater  
2 Treatment Plant, the Consultation Program will expand to the treatment plants Back River,  
3 Ashburton, and Montebello.

4       **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Director of  
5 DPW, the Director of the Department of Finance, the Acting Bureau Chief of the Department of  
6 Finance’s Office of Risk Management and Safety, the Deputy Commissioner of Division of  
7 Labor and Industry of the Maryland Department of Labor, the Head of the Bureau of Water and  
8 Wastewater of DPW, and the Mayor’s Legislative Liaison to the City Council.