

CASE 5. 45-year old male grade checker died after being struck by a dump truck tailgate.

On May 22, 2002, a 45-year old male grade checker died when he was struck by a dump truck tailgate. The victim was a worker at a road construction site. A tractor-trailer with a dump box was driven to the site with approximately 25 yards of gravel in the box. The truck driver dumped the gravel, and was signaled by the victim, stationed at the back of the truck, to put the dump box down. The driver lowered the box partially down and pulled the truck forward slightly. When the dump box was in a raised position, the rear lower edge of the open dump box was approximately 3'11" off of the ground. As the box is lowered, the edge moves away from the ground; when the box is fully lowered, the rear lower edge of the open dump box is 4'9" from the ground. The victim had in the past cleaned out the back of the dump box lower edge in the tailgate area with his hands after the load was dumped to permit the tailgate to close completely and diminish the amount of free material that may fall out of the truck during subsequent road travel. It appears that the victim was cleaning out this area. It is unknown if the truck was moving forward at the time. The victim was standing between the dumped gravel and the tailgate, which was resting on, and held up by, the dumped gravel pile. Either while the dump box was being lowered and/or when the truck moved forward, the tailgate moved over and off the crown of the gravel pile, swung shut, and struck the victim in the head.

MIOSHA issued the following serious citation to the employer:

1. The employer did not have procedures or policies in place and coordinated with employees regarding the hazard or safeguards necessary to perform a job. (General Rules, Part 1, Rule R408.40114(2)(b).