

Case 251. 65-year-old truck driver died when he was crushed between a rotating Cat 322L excavator and a semi-tractor trailer.

A 65-year-old male truck driver died when he was crushed between a rotating Cat 322L excavator and a semi-tractor trailer with 9-foot walls. The bottom of the trailer was approximately 51 inches from the uneven ground. The excavator tracks were approximately 55 inches away from the truck, so when the excavator rotated and was positioned 90 degrees to the track, the counterweight was six to seven inches from the truck. The incident occurred at a property that was being cleaned up through a State of Michigan funded Tire Grant to clean up old dump sites. The work crew from the dump site property consisted of one excavator operator and four laborers. Two laborers filled the excavator bucket with tires, and two individuals were on the trailer unloading the bucket. The decedent worked for another company to that was a licensed hauler for scrap tires. The decedent backed the trailer into the site. While the trailer was being loaded, the decedent waited in his truck cab. The truck was approximately 85% full when it was time for lunch. The decedent left his truck to have lunch with the crew loading the truck. After lunch, the decedent spoke with the excavator operator and thanked him for the food provided. The decedent then walked between the excavator and the trailer and was crushed when the counterweight of the excavator rotated as it loaded the trailer with tires.

The MIOSHA General Industry Safety and Division issued the following Serious citation to the decedent's employer at the conclusion of its investigation.

**RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES,
PART OSH 11, RULE 1139(1)**

An oral report of a work-related incident resulting in a fatality or the inpatient hospitalization of three or more employees was not made within eight hours after the occurrence to the Michigan Department of Labor and Economic Growth, Michigan Occupational Safety and Health Administration, State Secondary Complex, 7150 Harris Drive, P.O. Box 30644, Lansing, Michigan 48909, phone 1-800-858-0397:

Employer did not report a fatality within 8 hours time.