

Case 507. 27-year-old refuse collector died when he was struck and pinned against a garbage truck by a pickup truck.

A 27-year-old male refuse collector died when he was struck and pinned against a garbage truck by a pickup truck. The decedent was the driver of the garbage truck. He and his coworker were collecting trash on a rural roadway. The garbage truck made a routine stop mostly positioned in the eastbound lane requiring other vehicles to drive around the truck. The garbage truck had operable lights, 4-way hazards, but was not equipped with a flashing beacon. The decedent was not wearing his fluorescent yellow vest with a reflective strip, just his regular street clothes and a colored and reflectorized face scarf/mask. As a passenger truck hauling a pop-up camper travelling eastbound began approaching the truck, the decedent had begun walking to the driver side of the garbage truck from the rear to empty a trash bin. He was positioned in the roadway near the loading sill at the corner of the driver's rear section of the garbage truck with his empty trash bin when he was struck by the approaching passenger truck/camper unit. The decedent was crushed between the front of the passenger truck and rear corner driver's side of the garbage truck. The pickup truck driver told responding police that the sun was in his eyes and he could not see the garbage truck until it was too late.

MIOSHA General Industry Safety and Health Division issued the following Serious citation at the conclusion of its investigation.

SERIOUS: 408.1011(a): ACT 154, MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT: An employer shall furnish to each employee, employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee.

The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees when exposed to motor vehicle traffic when performing mobile refuse collection services adjacent to and in active roadway. On *date*, 2018 an employee was working at the rear drivers' side corner of #*ABC* garbage truck in the roadway. The employee was not wearing a reflective or brightly colored vest and was struck by a motor vehicle, crushed and died as a result. *MIFACE removed the date of the incident and the number of the garbage truck*)

Among others, one feasible and acceptable method to correct this violation is to retain employees and enforce the use of reflectorized and fluorescent vest when working on or near roadways where motor vehicle traffic is anticipated.