

**Case 537. 20-year-old male seasonal general laborer drowned after hitting his head on a dock.**

A 20-year-old male seasonal general laborer drowned after hitting his head on a dock. The decedent had asked the owner, who was working in a nearby shed housing the aeration compressor if he wanted him to go out and start working on the filters that needed replacement. The firm owner indicated that if the decedent was comfortable performing the task, he could go ahead and do it. To access the 1/2-acre pond's aerator, a firm-owned rowboat was placed in the water near a 15-foot dock. While entering the rowboat the decedent fell, striking his head against the dock. He then fell into the water face down. He was not wearing a personal flotation device. The firm owner heard a splash and immediately ran to the dock. He found the decedent face down in 2-3 feet of water, 10 feet from shore. The owner jumped in the pond to attempt to get the decedent out of the water but could not lift him out without assistance. A bystander called for emergency response. While awaiting emergency responder arrival, the owner had attempted mouth to mouth ventilations and compressions. It took several emergency responders to extricate the decedent from the water. EMS took over CPR and he was transported to a local hospital where he died soon thereafter.

MIOSHA General Industry Safety and Health Division issued the following Other-Than-Serious citation and a Safety and Health Recommendation at the conclusion of its investigation.

**Other-than-Serious:** 408.22139(1): ADM PART 11, RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES - Fatalities. Within 8 hours after the death of any employee from a work-related incident, you must report the fatality by telephone to the MIOSHA toll-free central telephone number: 1-800-858-0397

The employer did not report to MIOSHA within the required 8 hours the workplace fatality which occurred on *Date*, 2019. (*MIFACE removed the date of the incident*)

**Safety and Health Recommendation: An inspection/investigation of your worksite revealed the following condition(s) that may constitute a safety or health hazard to your employee(s).**

The employer should develop, implement, and enforce dock safety procedures for employees that embark, operate, and disembark boats in the performance of their duties which includes but is not limited to the following provisions:

- Inspect the dock for popped up nails, split boards, and boards that are curled up that could present slip, trip, and fall hazards.
- Inspect the dock for mooring cleats or vertical support poles to secure the boat when embarking or disembarking the vessel. In the event there are no vertical support poles or mooring cleats, provide portable cleats so mooring lines can be secured to prevent the boat from drifting away.
- Provide a telescoping boat hook that can also be used to prevent the boat from drifting away from the dock.
- Provide a solid throwable float ring with non-kinking rope attached in the event an employee has fallen in the water.
- Provide a 1<sup>st</sup> aid kit with appropriate training and CPR training.
- Provide automatic/self-inflating life jackets. These have a smaller profile for the user and would automatically inflate in the water if an employee was unconscious.
- Provide non-slip shoes when employees work on docks and boats.

- Train employees on the use of equipment used to dock and moor boats along with applicable safety gear. Ensure training sessions have a functional component that involves hands on use of the equipment.
- Ensure training on dock safety procedures are conducted with all current and future employees.