

Case 466. 28-year-old wildlife remediation specialist drowned while attempting to save a coworker from drowning.

A 28-year-old male wildlife remediation specialist drowned while attempting to save a coworker from drowning. The decedent was with three coworkers riding in a 17-foot long, 9-foot wide and 3.4-foot high Boston Whaler boat with 60 HP Mercury motor. There were three Near-Shore Buoyant Vest-Type II PED, Intended Use – General Boating Vest – Adult Universal personal flotation devices present on the boat. The crew had completed spraying for weeds on the beach and were returning to their cars via the boat. The wind picked up and the waves were 3- to -4 feet high and the boat was drifting away from the shoreline. The supervisor had difficulty getting the boat to start. The supervisor unsuccessfully tried to pull start the motor by wrapped the pull cord around the flywheel. On the second try, the boat hit a wave and threw his hand up in the air causing the pull cord to go into the water. He could not reach the pull cord with the boat's oar, so he took off his boots and entered the water without a personal flotation device. The current caused him to drift approximately 60- to 70-feet away from the boat and after several minutes of trying to swim back to the boat, he tired and called out for help. The decedent was not wearing a personal flotation device and was wearing his boots when entered the water with a personal flotation device for his supervisor. He gave his supervisor the flotation device. The current began to cause the decedent to drift away from the boat. It appeared to his coworkers that the decedent was trying to take his boots off when he submerged.

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

Serious: PERSONAL PROTECTIVE EQUIPMENT, GI PART 33

- RULE 408.13308(2)(a): If hazards are present or are likely to be present, then the employer shall select, and have each affected employee use, the types of personal protective equipment that will protect the affected employee from the hazards identified in the hazard assessment.

Offshore of the *Park*, located in *City*, Michigan, personal flotation devices for all crew members were not utilized on the waters of *Lake* while returning to their vehicles via transport of a Boston Whale Boat. (*MIFACE removed the name of the park, city location and name of lake*)

- RULE 408.13309(1): An employer shall provide training to each employee who is required by these rules to use personal protective equipment. The training shall include all of the following:
 - (a) When personal protective equipment is necessary.
 - (b) What personal protective equipment is necessary.
 - (c) How to properly don, doff, adjust, and wear the personal protective equipment.
 - (d) The limitations of the personal protective equipment.
 - (e) The proper care, maintenance, useful life, and disposal of the personal protective equipment.

The employer did not ensure that all employees were trained on when to use personal flotation devices, in that the rescuer failed to use a PFD for himself on the waters of *Lake* while returning to their vehicle on the Boston Boat. *(MIFACE removed name of lake)*