

Case 492: A 57-year-old construction operating engineer died when he was struck by a vehicle entering the work zone during a night shift work operation.

A 57-year-old male construction operating engineer died when he was struck by a vehicle entering the work zone during a night shift work operation. The work crew were setting barrier walls on the right shoulder of the roadway. The right lane of the 4-lane northbound freeway was closed by construction vehicles, signage, and orange barrels. With the exception of the absence of an "End Road Work" sign, the construction signage and the placement of the impact attenuator vehicle was appropriate. The posted speed limit with construction workers present was 45 mph. An SUV was traveling northbound on the freeway. The SUV did not move toward the left as indicated by signage and entered the work zone, crashing into the front of the attenuator vehicle, which was parked in the closed right lane. When the SUV crashed into the attenuator vehicle, the driver lost control and struck the decedent, who was standing next to a trailer parked on the right shoulder. Continuing its northbound trajectory, the SUV struck another construction vehicle (pickup truck) and just missed striking another worker. The SUV then rolled over and came to rest in the right lane of the freeway. The decedent was wearing a Class II reflective vest.

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

SERIOUS: 408.40114(2)(b) CS Part 1, General Rules: An accident prevention program shall, at a minimum, provide for all of the following:

(b) Inspections of the construction site, tools, materials, and equipment to assure that unsafe conditions which could create a hazard are eliminated.

Performance class-two vest being worn during nighttime operations by employee. Employer's corporate safety and health plan, and reminder emails require class three vests with reflective strips on sleeves.