

Case 523. 53-year-old commissary production team member was carrying an empty bread tray back to his work area when he slipped and fell backwards onto a concrete floor, striking the back of his head.

A 53-year-old male commissary production team member was carrying an empty bread tray back to his work area when he slipped and fell backwards onto a concrete floor, striking the back of his head. Food safety requirements mandated that the commissary area average temperature be maintained between 35^o-37^oF. The production area surfaces were damp, but not wet, including the floor. The concrete floor surface was textured to avoid slipping while walking. The firm required employees in this area to wear slip-resistant footwear. The decedent had a medical/physical condition that required specialized orthopedic shoes and caused him to drag one of his feet when he walked. It appears, that over time, the textured surface wore away the soles of his shoes, especially the sole of the shoe of his dragged foot. The decedent was walking back to his work station with an empty bread tray when he slipped and fell backwards, striking his head. Coworkers heard him shout out, and then responded when they saw him on the floor. Emergency response was called, and the decedent was transported to a local hospital where he died a week later.

MIOSHA General Industry Safety and Health division issued the following Serious citations and Health and Safety Recommendation to the firm at the conclusion of the investigation.

Serious: GI PART 33, PERSONAL PROTECTIVE EQUIPMENT

- Rule 408.13310(1): An employer shall not permit defective or damaged personal protective equipment to be used.

An employee was permitted to wear damaged protective footwear in the commissary area in the Facility. The rubber soles on the employee's protective footwear were worn away to the point where the tread pattern was smooth and almost non-existent. The employee slipped and fell on *date, 2019.*) *MIFACE removed the facility name and specific date of incident*)

- 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.

There was no personal protective equipment training provided for the commissary production employees at the Facility. *MIFACE removed the facility name.*

- Rule 408.13308(3): An employer shall verify that the required workplace hazard assessment has been performed through a written certification which identifies all the following information:
 - (a) The workplace evaluated.
 - (b) The person certifying that the evaluation has been performed.
 - (c) The date or dates of the personal protective hazard assessment.
 - (d) The document is a certification of hazard assessment.

There was no written certification that a workplace hazard assessment had been completed for the commissary production area of the Facility. *MIFACE removed the facility name.*

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

- Consider working with a heating, ventilation air conditioning, and refrigeration company to evaluate and mitigate the presence of moisture and humidity in the commissary production area. Among others, options to consider would be temperature control technology and dehumidification systems.
- Due to requirements to maintain refrigerated temperatures to meet food safety requirements, train commissary personnel to use proper precautions when walking in the area (i.e. – Penguin Walk) or other methods to maintain proper footing to prevent slipping due to moisture or condensate in the Commissary.