

Case 531. 34-year-old male refuse hauler truck driver died when he was run over by his disabled truck that was being pushed by a bulldozer at a landfill.

A 34-year-old male refuse hauler semi-truck driver died when he was run over by his disabled truck that was being pushed by a bulldozer at a landfill. The road to the working face of the landfill was snowy and muddy; only one refuse truck at a time was permitted on the road. To access the working face, landfill employees utilized CB radio communication with the truck drivers to control traffic on the hill. It was a hectic day at the landfill; many trucks were waiting for permission at the bottom of the hill and there were several trucks at the top of the landfill waiting to unload. The decedent was positioning his truck at the working face of the landfill to dump his load when, approximately 20 feet away from the working face, the truck's drive shaft broke. A landfill employee pulled the decedent's truck-trailer to the working face. The decedent dumped his load and a landfill employee used a bulldozer to push him to holding area at the top of the landfill to assess truck damage and wait for a push down the hill. The bulldozer operator gave the decedent instructions regarding how to prepare the truck for the push down the hill, and that they would push him down the hill when they had a free moment. The owner of the trucking firm was also at the landfill face and was parked next to the decedent's truck. There were several radio calls requesting the push of the disabled truck down the hill; it is unclear who made these calls, the decedent or the firm's owner. Landfill standard operating procedure required the equipment providing the push to communicate with the driver, make eye contact with the driver and have a spotter to watch both vehicles. After another insistent radio call for a push, a bulldozer responded. The bulldozer operator assumed that the decedent was in the driver's seat because the call had just been made. The bulldozer was positioned at the rear of the truck in the center of the truck trailer. The decedent, who was not wearing landfill-required personal protective equipment, was positioned in front of the passenger side dual wheels of the truck. The bulldozer pushed the truck-trailer forward and when the truck rolled, the decedent was run over by the tires. After the incident, employee interviews indicated it was unclear who made the last CB radio call for the push – the firm owner or the decedent.

MIOSHA General Industry Safety and Health Division issued the following Serious and Other-Than-Serious citations 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 to each employee, employment and a place of employment, which was free from recognized hazards that were causing or were likely to cause death or serious physical harm to the employee. Employee was exposed to a struck by and crushed by hazard when their semi-truck became in-operable while dumping trash at *ABC Refuse Facility*, and the employee exited the vehicle after calling

for a push, against the host facility's procedure. (*MIFACE removed the name of the host facility*)

Among others, one feasible and acceptable method to correct this violation is to train employees on the host facilities procedure on stuck/disabled pushing and pulling of trucks at the landfill and ensure that these procedures are being followed.

Serious: 408.13308(2)(a): GI PART 33, PERSONAL PROTECTIVE EQUIPMENT: If the hazards are present or are likely to be present, then the employer shall do all of the following:

- a) Select, and have affected employee use, the types of personal protective equipment that will protect the affected employee from the hazards identified in the hazard assessment.
- b) Communicate selection decisions to each affected employee.
- c) Select the personal protective equipment that properly fits each affected employee.
- d) Select personal protective equipment that shall be designed and constructed to be safe for the work to be performed.

No reflective clothing was worn while an employee assessed a broken drive shaft on their disabled vehicle resulting in a fatality.

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 death of an employee involved in a work-related accident, was not reported within the required eight hours to MIOSHA.