

CASE 20. 45-year old laborer was killed when he was struck by a road grader at a road construction site.

On September 4, 2002, a 45-year-old male laborer was killed when he was struck by a road grader at a road construction site. The victim was part of a crew rebuilding a roadway bed. The victim's job was to advise the grader operator about the height necessary for the blade so each side of the road is of equal height. The roadway bed had a soft gravel surface. The grader had two outside mirrors and a large rear view mirror inside the operator cab. They were adjusted appropriately for the driver's height. The back up alarm was audible and working properly at the time of the incident. The cab glass was dusty, but vision was not obscured. The grader operator and the victim had previously discussed the elevation of the road, and what roadwork work still needed to be done. The grader operator went into the grader and made one forward pass on the road. As the grader operator was backing up, he checked his rear view mirrors and looked out of the rear cab window and did not see anyone. The grader blade was approximately one foot in the air from the top of the gravel. It appears that the victim, wearing an orange vest, was checking the gravel height when he was struck by the rear tires of the grader and then struck by the grader blade. While completing the rear movement, the operator looked out the forward glass and saw the victim in the gravel roadway just to the right of the grader's left front tire. The operator then called for emergency response. When emergency responders found the victim, he was holding a ruler and a small scope in his hands. The victim was declared dead at the scene.

MIOSHA did not issue any citations to the employer.