

Case 123. 23-year-old forklift operator was killed when he attempted to stop a towed forklift truck from striking a personal vehicle.

A 23-year-old male forklift operator was killed when he attempted to stop a towed forklift truck from striking a personal vehicle. The decedent had been assigned to sweep the floor, pick up garbage, as well as cut stainless steel cables. He did not have an operator's permit for the forklift. The decedent had notified his employer that the forklift was not working. His employer told him to make sure the forklift's gearshift was in neutral. The decedent was working alone in the yard. The forklift had a modified tine; the left tine had a ball hitch. He attached multiple 10-50-foot long straps connected together by a ratchet to the ball hitch tine on the forklift and to the rear of a utility truck. The forklift was in neutral and was running. The yard had a drain and the pavement had a 10-15 degree slope toward the drain. Personal vehicles were parked on the downward slope side of the yard in a parking lot. As he was towing the forklift, the forklift drifted toward personal vehicles. The decedent exited the utility truck in an attempt to stop the forklift from striking the parked vehicles. The decedent may have attempted to run in front of the forklift in an attempt to get to the gearshift lever or he may have attempted to grab hold of the forklift to stop it from striking the personal vehicle. The right fork struck the decedent in the left shoulder possibly causing him to fall backward. The decedent was pinned by the left fork against the parked personal vehicle. Another employee discovered him pinned in the neck area between the modified forklift tine and a personal vehicle. Emergency response was called and he was declared dead at the scene.

MIOSHA General Industry Safety and Health Division issued the following alleged Serious citations.

SERIOUS:

POWERED INDUSTRIAL TRUCKS, PART 21, RULE 2154(1).

Provide valid operator permit for powered industrial truck operators.

No operators permit, no testing.

SERIOUS:

POWERED INDUSTRIAL TRUCKS, PART 21, RULE 2152(1).

An employer shall provide training to the employee before the employee's assignment as an operator of a powered industrial truck. Instructions shall include all of the following: (a) Capacities of the equipment and attachments. (b) Purpose, use, and limitations of controls. (c) How to make daily checks. (d) Practice and operating assigned vehicles through the mechanical functions necessary to perform required job. (e) State safety standard rules 2171 to 2193 of Part 21 "Powered Industrial Trucks," beginning R408.12171 to R408.12193 of the Michigan Administrative Code. (f) Hazards associated with exhaust gases produced by fossil fuel powered industrial trucks (e.g. carbon monoxide, components of diesel exhaust), and hazards associated with the handling of electrolyte chemicals used for battery operated trucks (e.g. sulphuric acid), shall be provided in accordance with the Michigan Right To Know Law, "Hazards

Communications” standards 29 C.F.R. 1910.1200 as adopted by R408.19202 and R 325.77002.

Employee not trained to perform daily checks and capacities of Powered Industrial Trucks.