

**Case 188. 69-year-old truck driver was killed when he was pinned between a 53-foot long trailer and a loading dock.**

69-year-old male truck driver was killed when he was pinned between a 53-foot long trailer and a loading dock. The decedent was an independent contractor hauling automobile parts for Company A. He had parked his trailer at a loading dock at a switching terminal and exited his truck. The switching terminal's policy was that arriving drivers must stay in their truck cabs while they are waiting to be unloaded. One of the switching terminal employees noticed the decedent out of his truck and told him in his native language to get back into the truck. It is unknown if the decedent responded to this request, and then exited the truck a second time. He was standing on the ground at a dock located adjacent to the dock where his truck was parked when the incident occurred. The 53-foot long trailer, driven by a switching terminal employee, was backing toward the dock when it struck and pinned the decedent against the dock. Company A's policy was that all drivers must wear a reflective vest. The decedent, dressed in dark clothes, was not wearing a vest. The MIOSHA compliance officer determined that the trailer lights, stop, running, and backup lights were operational when the MIOSHA site inspection occurred.

Upon information obtained during the initial investigation, MIOSHA General Industry Safety and Health Division determined there was no employee/employer relationship and no further investigation was conducted.