

Case 240. 33-year-old male landscape worker drowned when the Toro Z Master riding lawnmower he was using to cut grass on a 24-27 degree culvert slope overturned into a water-filled ditch.

A 33-year-old male landscape worker drowned when the Toro Z Master riding lawnmower he was using to cut grass on a 24-27 degree culvert slope overturned into a water-filled ditch. The culvert grass was very wet. The decedent was a member of a five-person work crew (two individuals operating the lawn mowers and three individuals weed whipping and general clean up). When the crew arrived at the incident site, they phoned the employer to indicate that the grass, due to the previous amount of rain, was too wet to cut. The crew proceeded to cut another property. While the crew was performing the work at the second property, a representative of the first property contacted them and instructed them to perform the lawn maintenance scheduled. After finishing, the crew returned to the incident property. It appears that while making a pass with the mower near the culvert the mower lost traction on the grade and slipped and rolled over into the ditch, trapping the decedent under the mower. The upper bar of the mower's roll over protection device had been removed.

The MIOSHA General Industry Safety and Health Division issued the following Serious and Other-than-Serious citations to the employer at the conclusion of its investigation.

SERIOUS: POWERED GROUNDSKEEPING EQUIPMENT, PART 54

- RULE 5411(a): An employer shall provide training to an operator of powered grounds keeping and related equipment regarding the operating procedures, hazards, and safeguards to the assigned job.

No training provided for employees regarding the operating procedures, hazards, and safeguards of powered grounds keeping equipment.

- RULE 5411(c):

An employee was not prohibited from operating powered grounds keeping equipment and related equipment which had a known defect that could have affected the safety of the operator:

Powered grounds keeping equipment operated without rollover protection on slopes and in the proximity of water, Toro Z Master-Model 74262.

- RULE 5443(4)

Riding grounds keeping equipment shall not be operated up or down a slope more than 26 degrees or move across the face of a slope of more than 17 degrees.

Employee operated riding mower on wet slope where grade was measured at approximately 24-27 degrees, Toro Z Master-Model 74262.

OTHER THAN SERIOUS: RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, PART OSH 11, RULE 1139(1):

An oral report of a work-related incident resulting in a fatality or the inpatient hospitalization of three or more employees was not made within eight hours after the occurrence to the Michigan Department of Energy, Labor and Economic Growth, Michigan Occupational Safety and Health Administration, State Secondary Complex, 7150 Harris Drive, P.O. Box 30644, Lansing, Michigan 48909, phone 1-800-858-0397.