

**Case 335. 40-year-old truck driver died when he was struck by a semi tractor while in the parking lot of the shipping terminal.**

A 40-year-old male truck driver died when he was struck by a semi tractor while in the parking lot of the shipping terminal. The decedent had been working on the dock and then reassigned to the grounds job to placard trailers. He was then instructed to meet another employee. When he went to the yard he did not have his high-visibility vest or truck keys because he was new and did not have a locker in the facility to store his gear. His supervisor gave him permission to get his gear from his vehicle, which was parked in an employee parking lot. A coworker observed him walking across incoming/outgoing lanes of the main entrance to the terminal/ terminal truck parking lot to get to his vehicle rather than using the designated walkway, which was not conveniently located, to the employee parking lot. It was dark and raining at the time of the incident. The decedent was wearing dark-colored clothing. He may have had his head down and his hands over his face due to lighting a cigarette. The driver that struck him had hooked up a trailer located on the east side of the main building and did not know if it needed to be placarded. The driver drove the truck around the facility looking for a grounds person to ask about placarding the truck. Normally the driver would radio the grounds personnel for placarding information, but he did not have a functioning radio. As he was driving, he struck the decedent with the right front bumper of the truck. The decedent was found by a coworker lying in the incoming lane to the terminal. Emergency response was called and the decedent was declared dead at the scene.

MIOSHA General Industry Safety and Health Division issued the alleged Serious citations at the conclusion of its investigation.

**Serious: GENERAL PROVISIONS, PART 1, RULE 11(a):**

Training was not provided to each newly assigned employee regarding the operating procedures, hazards, and/or safeguards of the job:

Inadequate training on use of reflective vest or use of crosswalks. Employees walk around the terminal yard at night to placard the highway trailers after they are loaded and are exposed to vehicle traffic.

**Serious: PERSONAL PROTECTIVE EQUIPMENT, PART 33, RULE 3308(1):**

There was no assessment of the workplace to determine if hazards that necessitated the use of personal protective equipment were present, or were likely to be present:

Inadequate assessment, as the company did not assess the grounds job to determine the types of hazards present and personal protective equipment needed.