

Case 365. 42-year-old county road commission foreman died when he was run over by a Cat Model 140M2 road grader.

A 42-year-old county road commission foreman died when he was run over by a Cat Model 140M2 road grader. The 4-person crew was in the process of prepping a gravel road for asphalt application. The road had been closed to traffic. The grader operator was working in the southbound lane cutting from the edge to the centerline maintaining a 2%-3% grade. The decedent was checking and marking the grade south of the road grader, maintaining at least a 100-foot distance ahead of the grader. The grader operator could see the blade easily from inside the cab but had to lean left or right to see well ahead. The configuration of the machine and the operator's position permitted the operator to see 30-to 40-feet in front of the machine. The operator could not see objects less than 10 feet in front of the machine unless the object was taller than 6 feet. While keeping the decedent in view, the operator checked his mirrors and monitored the slope meters. The operator's last visual of the decedent was when the decedent was approximately 150 feet in front of the machine, measuring and marking the road. The decedent was wearing a 360-degree high visibility vest. Approximately 4-5 seconds after noting the decedent's location, the grader operator felt the left front tire of the grader raise up and travel over something. The operator then saw the decedent lying on the road between the tire and the blade of the grader. His can of spray paint and his measuring tool were found near him. Emergency response was called. While awaiting arrival, the decedent's coworkers performed CPR. Emergency responders took over the care. He was declared dead at the scene. The operator noted that the decedent usually approached the machine from the left side, not from the front.

MIOSHA Construction Safety and Health Division issued the following Serious citation to the employer at the conclusion of its investigation:

SERIOUS: Construction Safety Standard, Part 1 – General Rules

408.40114. Employer responsibilities; accident prevention program. Rule 114. (1) An employer shall develop, maintain, and coordinate with employees an accident prevention program, a copy of which shall be available at the worksite.

Accident prevention plan deficient in the following:

- Instance A: No instruction to employees regarding operating procedures, hazards, and safeguards for working on foot in vicinity of moving heavy equipment, specifically motor graders.
- Instance B: No instruction to employees regarding inspection of site, equipment, etc. to eliminate unsafe conditions related to poor visibility for operator of motor grader.
- Instance C: No instructions to employees regarding recognition of hazards and applicable regulations to control or eliminate exposure, specifically marking grade in front of moving motor grader.

Employees exposed to struck-by/crushed-by injuries while working among heavy equipment.
Employees were performing road construction duties on a rural, gravel road.