

Case 368. 47-year-old foreman/flagman of a tree trimming crew was struck by a driver entering the work zone and died several weeks later from the injuries sustained at the time of the incident.

A 47-year-old foreman/flagman of a tree trimming crew was struck by a driver entering the work zone and died several weeks later from the injuries sustained at the time of the incident. The decedent was the foreman of a two-person crew (Decedent and Crewmember 1). The decedent determined that a flagging crew was necessary to maintain safety during the tree trimming activity, so his crew and another 2-person crew (Crewmembers 2 and 3) met at the incident site. The incident site was a straight black top road in a rural neighborhood with a 45 mph posted speed limit. There were no vision obstructions. After holding a job briefing with the second crew, the decedent and Crewmember 1 set up three temporary/foldable orange construction signs. The first sign advised “Work Area Ahead”, the second sign advised “one Lane Road Ahead”, and the third sign advised, via a symbol “Flagman Ahead” in both the northbound and southbound lanes. The other crew members placed the truck and the taper cones. The work truck was positioned approximately 30 yards from an intersection in the southbound lane and the taper started at the corner. His crew member (acting as a second flagger) was positioned on the curb side of the truck, approximately 15 feet behind the truck at the beginning of the taper zone with the SLOW side facing the truck. Crewmember 2 was getting ready to go up in the truck and saw both of the flagmen in position. Coworker 1 saw the decedent walk to his location and then he looked to regulate the northbound traffic. The decedent, who was wearing a reflective vest, was standing next to an orange cone operating a traffic control sign when he was struck by a southbound vehicle. The police report indicated that the driver reached for his oxygen tank that had been laying on the arm rest between the driver and passenger seat began to slide off. Emergency response was called and he was transported to a nearby hospital. He died several weeks later from the injuries sustained at the time of the incident.

MIOSHA General Industry Safety and Health Division issued no citations at the conclusion of its investigation.