

Case 431. 35-year-old male temporary worker crushed between mini-dumpster and a trash compactor.

A 35-year-old male temporary worker was crushed between a mini-dumpster and a compactor. The decedent was instructed to empty a mini-dumpster measuring 36 inches wide by 39 inches high by 51 inches long. The decedent utilized a battery operated Toyota 3-wheeled powered industrial truck Model 7FBEU18 to transport the mini-dumpster from the loading dock, across the facility's parking lot, to the trash compactor. The incident was unwitnessed. The trash compactor had an 8-inch I-beam welded to it to protect the electrical system for the compactor. There was an approximate 3⁰ downward grade toward the trash compactor. A possible incident scenario was that the decedent parked the forklift/mini-dumpster, with the forks in a slightly elevated position facing the compactor approximately 24 inches from the trash compactor. The decedent exited the forklift and stood between the front of the forklift and the compactor to manually empty the mini-dumpster. At some point, the forklift rolled forward, pinning the decedent between the mini-dumpster and the trash compactor. The decedent was able to self-extricate and walk to approximately three feet from the forklift, where he collapsed. His coworkers found him lying on the ground moaning and summoned emergency response. The decedent was transported to a local hospital where he died the next day from the injuries sustained at the time of the incident.

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

SERIOUS: POWERED INDUSTRIAL TRUCKS, GI PART 21

- Rule 408.12171(1): At the start of each shift, the operator of a powered industrial truck or a qualified employee shall perform daily checks of the equipment as required by the employer. See appendix B for suggested inspection checklist.

It was not ensured that employees performed adequate daily checks to include functionality of parking brakes before operation. An employee was fatally injured on October 17, 2016, when the parking brake on the electric Toyota powered industrial truck, Model #7FBEU18, failed to restrain the movement of the truck on an inclined surface, causing crushing injuries to the employee.

- Rule 408.12152(1): An employer shall provide training to the employee before the employee's assignment as an operator of a powered industrial truck.

Instruction shall include all of the following:

- (a) Capacities of the equipment and attachments
- (b) Purpose, use, and limitations of controls

- (c) How to make daily checks
- (d) Practice and operating assigned vehicles through the mechanical functions necessary to perform the required job
- (e) The requirements contained in R 408.12171 to R 408.2193
- (f) Hazards associated with exhaust gases produced by fossil fuel powered industrial trucks such as carbon monoxide, or components of diesel exhaust, and hazards associated with the handling of electrolyte chemicals used for battery operated trucks such as sulfuric acid, shall be provided in accordance with General Industry Safety Standard Part 92 Hazard Communication, as referenced in R 408.12111.

Employees operating the Toyota power industrial truck were not trained to inspect parking brakes. An employee was fatally injured on October 17, 2016, when the parking brake on the electric Toyota powered industrial truck, Model #7FBEU18, failed to restrain the movement of the truck on an inclined surface, causing crushing injuries to the employee.

- Rule 408.12161(1): An employer shall not permit a powered industrial truck to be used if:
 - (a) The service and parking brakes do not perform their intended function
 - (b) The fuel system leaks
 - (c) A lift cylinder of a load engaging means allows a downward drift of the load engaging means loaded or unloaded in excess of 5 inches in 5 minutes
 - (d) A tilt cylinder of a mast allows a forward drift of the mast in excess of 2 degrees in 5 minutes with the mast in a vertical position and a capacity load on the fork or load engaging means
 - (e) The steering mechanism allows free play of the steering wheel of more than ¼ turn on trucks capable of speeds up to 8 miles per hour and more than 1/8 turn on trucks capable of speeds over 8 miles per hour
 - (f) A hydraulic system leaks and creates a hazard for an employee and equipment in the area.

The parking brake for the electric Toyota powered industrial truck, Model #7FBEU18, did not function as intended. An employee was fatally injured on October 17, 2016, when the parking brake for the electric Toyota powered industrial truck, Model #7FBEU18, failed to restrain the movement of the truck on an inclined surface, causing crushing injuries to the employee.

- Rule 408.12154(1): An employer shall provide the employee with a permit to operate a powered industrial truck only after meeting the requirements prescribed in R 408.12151, R 408.12152, and R 408.12153. A permit is operational for operators of motorized hand low lift trucks.

There were no operators' permits provided to employees authorized to operate the powered industrial trucks.

REPEAT-OTHER: RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, ADM PART 11, 408.22129(1):

You must use MIOSHA 300, 300-A and 301 forms, or equivalent forms, and shall complete the forms in the detail required by the forms and the instructions contained in the forms for the purpose of recording recordable injuries and illnesses. The MIOSHA 300 form is called the log of work-related injuries and illnesses.

Company was previously cited for a violation of the occupational safety and health standard or its equivalent standard, ADM 11, Recording and Reporting Occupational Injuries and Illnesses, which was contained in MIOSHA inspection number "*removed*", citation number 2, item number 1, issued on *date*, with respect to a workplace located *incident location*. (*MIFACE removed the name of the company, the inspection number date of issuance and location.*)

MIOSHA 300 logs were not maintained for years 2013, 2014 or 2015. There was one recordable workplace injury not recorded in each of those years.