

Case 444. 70-year-old farm worker died when he and the unsecured manlift basket he was working from fell approximately 20 feet to a concrete floor.

A 70-year-old male farm worker died when he and the unsecured manlift basket he was working from fell approximately 20 feet to a concrete floor. The decedent asked another coworker to get a manlift so he could place a screen over an exhaust vent to keep the birds out. The coworker retrieved a JCB material handler which had a basket positioned on the forks. The basket was lying across the forks; the forks were pushed together (not in the basket sleeves). The coworker raised the decedent and the basket approximately 20 feet above the floor. When the decedent was raised, the coworker noted that the forks were not in the basket sleeves and began to yell a warning to the decedent. As his coworker was yelling to the decedent, the decedent stepped to the side of the unsecured basket, causing both he and the basket to fall to the ground. The decedent died four months later from complications of the injuries sustained at the time of the fall.

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

SERIOUS: MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, ACT 154, RULE 408.1011(a):

An employer shall furnish to each employee, employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee.

The employer did not furnish to each employee, employment and a place of employment that was free from recognized hazards that were causing, or were likely to cause, death or serious physical harm to the employee, in that the metal basket used to lift employees to an elevation was not secured to the JCB Material Handler by use of the fork tubes to prevent tipping or falling of the metal basket.

One feasible and acceptable method to correct this violation is to ensure the metal basket has been secured to the JCB Material Handler by utilizing the fork tubes and securing with pinch bolts or/and securing the basket to the mast by a chain prior to use.

OTHER-THAN-SERIOUS: RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, ADM Part 11, RULE 408.22139(1):

Basic requirement. Within 8 hours after the death of any employee from a work-related incident or the inpatient hospitalization of 1 or more employees as a result of a work-related incident, you must orally report the fatality/multiple hospitalization by telephone or in person to the Michigan Department of Consumer and Industry Services, Bureau of Safety and Regulation, State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, phone 1-800-858-0397.

The employer did not report an injury to MIOSHA within the 24-hour time frame that occurred on *DATE*, which resulted in the hospitalization of an employee. The employer

did not report a fatality to MIOSHA within the 8-hour time frame that occurred on *DATE.*) *Dates removed by MIFACE.*