Contractor to Employee: Maintaining Standards Across Workforce Types Fatality File

Illinois pizza manufacturer faces $2.8M in penalties after investigation into 29-year-old sanitation worker's death finds safety failures, lack of training

What Happened

In December 2022, a 29-year-old temporary sanitation worker at Miracapo Pizza Company's Gurnee, Illinois facility was fatally injured during the overnight shift while using compressed air to clean a spiral conveyor as it moved. Her head became caught in the machinery. She had been supplied to the site by XCEL Staffing Solutions LLC and was working under the supervision of GDI Services Inc., a contractor providing sanitation crews to the facility. Temporary workers at the site had not been trained – or given the authority – to stop equipment before cleaning began. Many of those workers spoke only Spanish and had not received training in a language they understood.

What Went Wrong

OSHA found that Miracapo Pizza Company failed to establish proper lockout/tagout procedures, provide locks to employees, or train workers on how to de-energize equipment. The same facility had recorded a worker amputation in October 2021 and another in November 2022 – just weeks before this fatality. GDI Services Inc., the staffing contractor, was also cited for failing to train workers in a language they understood and failing to provide hardware necessary to lock out equipment. Both the host employer

and the contractor were responsible — and both failed. OSHA cited Miracapo for 16 willful egregious violations and proposed $2,812,658 in penalties. GDI Services faced $334,839 in additional proposed penalties.

The Bottom Line

A temporary worker died on a site that had already recorded two amputations. She spoke Spanish and had received no training in her language. She had no authority to stop the machine she was cleaning. Both the host employer and the staffing contractor knew the hazards existed and neither ensured she was protected. Every worker on a site — regardless of who employs them — deserves the same training, the same equipment, and the same protection as the permanent workforce beside them.

Source: https://www.dol.gov/newsroom/