Leave Yourself an Out Fatality File

Worker Struck By Forklift, Nicholson Terminal & Dock Co. Cited By OSHA

Nicholson Terminal & Dock Co. has been cited By OSHA after a worker was fatally struck by a forklift at a Detroit marine terminal.

On Nov. 19, 2013, a worker was struck by a 62,000-pound-capacity forklift carrying a 40,000-pound steel coil at the Detroit marine terminal. Following the death of the worker, OSHA investigated and has cited Nicholson Terminal & Dock Co. with nine safety violations, including two willful and seven serious.

"Nicholson Terminal & Dock Co. has a responsibility to train its workers in the safe operation of dangerous equipment, and a worker tragically lost his life because this company failed to live up to that responsibility," said Larry Johnson, OSHA's area director in Lansing. "A worker's life should never be the cost of doing business."

Being struck-by vehicles and other objects is a leading cause of workplace deaths. Approximately 75 percent of struck-by fatalities involve heavy equipment. Causes of struck-by accidents typically involve reverse vehicle movement into a pedestrian outside the driver's field of vision, or vehicles falling off ramps, inclines, or unstable ground. Accident prevention strategies include ensuring back-up alarms are functional, check the periphery of vehicle before operating, stay alert, obey all traffic rules and signs, minimize distractions, inspect, and maintain vehicles, use safety belts, and turn on headlights.

A willful citation was issued by OSHA for modifying a forklift without obtaining manufacturer approval. A second willful citation

was issued for failing to establish vehicle routes, traffic rules and to post signs indicating pedestrian traffic where employees work. A willful violation is one committed with intentional, knowing, or voluntary disregard for the law’s requirement, or with plain indifference to employee safety and health.

Seven serious safety violations were cited. Five of those involve forklift safety, including failing to train employees on operating instructions, warnings and precautions listed in the operator’s manual; maintain vehicles in safe working order; and direct employees to sound the horn when visibility was obstructed. Other citations involved failing to conduct monthly crane inspections and test cargo gear for load capacity. An OSHA violation is serious if death or serious physical harm could result from a hazard an employer knew or should have known exists.