

A **29 year old male** was **struck by a vehicle** while attempting to put trash in the back of the garbage truck. He was pinned between the garbage truck and the vehicle that struck him sustaining injuries that required in-patient hospitalization. The victim's right leg was surgically amputated then pins and rods were put in his pelvis and left leg. The employee later passed away at the hospital.

The 2020 Dodge Ram used by the victim was equipped with flashing lights and it was confirmed the lights were working at the time of the accident. The victim had been provided a high visibility jacket to wear by the employer and the TN Hwy Patrol confirmed he was wearing the high visibility jacket at the time of the accident. According to the accident report, the driver of the motor vehicle that struck the employee said he did not see the truck or employee on the road due to the sun shining in his eyes. It was determined that the truck was pulled off onto the shoulder of the road.

As a result of the inspection, it was determined the employer had trained employees, provided safe equipment such as a truck with flashing lights, and PPE for employees conducting sanitation services such as trash removal. During the course of the inspection no violations of the TOSHA standards were identified that could have attributed to the accident.

Citation(s) as Originally Issued

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

Citation 1 Item 1 Type of Violation: Other-than-Serious \$100

TDLWD Rule 0800-01-03-.03(27)(a): The log of all work-related injuries and illnesses (OSHA Form 300), and/or the summary of work-related injuries and illnesses, (OSHA Form 300-A), and/or the injury and illness incident report (OSHA Form 301) or equivalent forms were not maintained by the establishment:

In that the following records were not maintained by the employer:

- a. OSHA300 for 2019 & 2020
- b. OSHA300A for 2019

Citation 1 Item 2 Type of Violation: Other-than-Serious \$100

TDLWD Rule 0800-01-03-.05(1)(a)2: Within twenty-four (24) hours after the in-patient hospitalization of one or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, the employer did not report the in-patient

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hospitalization, amputation, or loss of an eye to TOSHA:

In that an in-patient hospitalization occurred on December 2, 2020, and was not reported to TOSHA by the employer.

