

A **32 year old female** employee was pinned beneath a **forklift when it overturned** while loading palletized freight onto a trailer in the trucking area. She had to access a yard ramp to enter the truck trailer.

The yard ramp measured approximately 36 feet in length, approximately 6 feet, 4 inches in width, and was approximately 49 inches above ground level at the trailer end. The yard ramp curb measured approximately 5 ½ inches in height and ran the length of the yard ramp on both sides. Two of the three grating panels near the Front Tread Plate at the “trailer” end of the yard ramp were out of position with the middle grating panel sticking up and not lying flat. In addition, damage including an approximately 15-inch by 23-inch concave section was observed in a grating panel near the rear tread plate at the “ground level” end of the ramp where the forklift was overturned. Also, the running gear of the yard ramp was missing one of two wheels. The yard ramp was not secured to the trailer via the safety chains provided and a chock was not placed behind the ramp’s wheel.

The employer’s video surveillance footage showed that approximately 13 minutes prior to the incident, the victim stopped the forklift that she was operating approximately ¾ of the way up the yard ramp to reposition grating panels that had become displaced near the Front Tread Plate at the “trailer” end of the yard ramp. She dismounted, mounted, and maneuvered the forklift two times while attempting to reposition the grating panels. Once the grating panels were set back into position, she got back on the forklift and began operating the vehicle in reverse. The forklift quickly veered to the “right” side of the ramp, struck the curb, and then quickly veered to the “left” side of the ramp, and struck the “left” side curb with enough force to cause the left rear wheel to go over the curb and off the ramp resulting in the forklift being stuck at the approximate halfway point of the yard ramp. The victim remained on the forklift and attempted to maneuver the forklift wheel back onto the ramp for approximately 30 seconds prior to another Forklift Operator responded to assist her. Upon arrival of the second forklift, the victim dismounted the “stuck” forklift and both Forklift Operators attempted to get her forklift unstuck for approximately 8 minutes. The attempts were unsuccessful in getting the left rear wheel back onto the yard ramp; however, did result in the forklift being repositioned on the yard ramp to where the forklift was approximately 1 vehicle length from the approach plate at the ground level. Video surveillance showed the victim getting back onto the “stuck” forklift and putting the vehicle into reverse. As the vehicle rolled back, the right rear wheel appeared to drive into a depression in the yard ramp grating resulting in the forklift becoming unstable which caused the victim to be ejected from the vehicle and the forklift subsequently overturning on top of her.

The location of the approximately 15-inch by 23-inch concave, damaged section in the grating panel observed by the CSHO during the walkaround inspection coincided with the location of the “depression” that the right rear wheel drove into as seen on the video footage just prior to the victim being ejected from the forklift. The victim was not wearing a seat belt at the time of the incident.

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:** **Serious** **\$3200**

TCA 50-3-105(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

In that an employee did not utilize a seat belt while operating the HELI forklift, model CPQYD25, bearing number 520325.

Among other methods, feasible and acceptable means of abatement would be:

- a. Effectively enforce the use of seatbelts when operating forklifts
- b. Have sensors installed on seatbelt buckles that will not allow the machine to be started until the seatbelt is engaged.

Citation 1 Item 2 **Type of Violation:** **Serious** **\$3200**

TCA 50-3-105(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

In that the JH Industries Mobile Container-amps were not properly secured to trailers while employees operated HELI forklifts, model CPQYD25, on the yard ramps.

Citation 1 Item 3 **Type of Violation:** **Serious** **\$7000**

TCA 50-3-105(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

In that damaged yard ramps were used by Forklift Operators in the International Heavy Weight Operations Canopy.

Citation 1 Item 4 **Type of Violation:** **Serious** **\$7000**

29 CFR 1910.178(l)(3)(ii)(G): Operator training did not include workplace related topics such as ramps and other sloped surfaces that could affect the vehicle's stability:

In that Forklift Operators were not provided with effective training in the safe operation of forklifts with regards to operating a forklift on a yard ramp.

Citation 1 Item 5a Type of Violation: Serious \$5000

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

In that each Forklift Operator's performance was not evaluated at least every three years.

Citation 1 Item 5b Type of Violation: Serious \$0

29 CFR 1910.178(l)(6): The certification did not include the name of the operator, the date of the training, the date of the evaluation, and the identity of the person(s) performing the training or evaluation:

In that the certification of Forklift Operator training and evaluation did not include the identity of the person performing the training or evaluation.

Citation 2 Item 1 Type of Violation: Other-than-Serious \$600

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates or markings were maintained in a legible condition:

In that, nameplates on powered industrial trucks were not legible in the following instances:

- a. HELI forklift, model CPQYD25 bearing number 520325; and
- b. HELI forklift, model CPQYD25 bearing number 520320.

Overturned Vehicle—Insp # 1579237 Federal Express Corporation dba FedEx Express

