

Occupational Safety & Health Standards
Assignment #15 – General Duty Clause
Fall Semester 2015

The Scenario:

You are a Safety Compliance Investigator for OSHA.

On your way into the office, you receive a call from your supervisor, advising you of an accident that occurred in the residential neighborhood of Rockville. Your supervisor informed you that the Rockville Police Department called into the office, and stated that three workers were critically injured due to an accident involving a forklift on a construction site. Your supervisor directed you to investigate the accident, and further stated that Rockville Police Officers, one of the workers, and the “Superintendent” for the General Contractor, are awaiting your arrival at the construction site.

Upon arriving to the construction site, you observed that it was lightly raining; and the ground consisted of soil, was saturated and contained pools of water. You also observed a Rough-Terrain Forklift on its side, with its hydraulic-boom almost fully extended, the end of which was distorted, damaged, and positioned on top of a crushed personnel-platform, two floor-trusses, tools and equipment. You observed that the personnel-platform was not positioned onto the forks of the Rough-Terrain Forklift, but positioned underneath them.

You are then greeted by Officer Osborne, who informed you that “forty-five minutes ago”, four workers were operating a Rough-Terrain Forklift (Manufacturer: Gehl; Model: 663; Weight: 20,500 lbs.; Lift-Capacity: 6,000 lbs.; Max. Lift-Height: 37-Feet 6-Inches; Max. Forward-Reach: 23-Feet 4-Inches; Wheel-Base: 9-Feet 10-Inches) (See PHOTO #1) to set the floor-trusses on a four-story residential-complex. Officer Osborne stated that the Rough-Terrain Forklift was positioned on the ground-surface with the hydraulic-boom extended upward and forward, and the forks were level with the top of the third-floor of the residential-complex. Officer Osborne further stated that a metal personnel-platform was positioned onto the forks (See PHOTO #2), with the two forks of the Rough-Terrain Forklift inserted into the two receivers underneath the Rough-Terrain Forklift. Officer Osborne stated that two workers were working from the elevated personnel-platform when the Rough-Terrain Forklift “tipped”, resulting in the personnel-platform and two workers falling to the ground. Officer Osborne further stated that a third worker was walking near the Rough-Terrain Forklift as it tipped, and was struck by and crushed by the personnel-platform as it slid off the forks of the Rough-Terrain Forklift and fell to the ground. Officer Osborne informed you that the fourth worker, who was not injured, was at the work-site.

You then spoke with the fourth worker, “Vince”, who stated that he was the “Foreman” for Motley Crew Construction, Inc., and was assigned to perform framing-work at the work-site with “Tommy”, “Nick”, and “Micky”. Vince stated that it had been raining “all morning”, but the Crew agreed that they would work through the rain in order to complete the framing-work by the end of the week. Vince stated that Tommy was the operator for the Rough-Terrain Forklift at the work-site, had received the required training, and was the only person at the work-site who was both “trained” and “authorized” to operate the Rough-Terrain Forklift. Vince stated that the only persons working at the work-site at the time of the accident were Vince, Tommy, Nick, and Micky.

Vince stated that the Crew was using the Rough-Terrain Forklift to elevate a personnel-platform up to the working-level, which Vince identified was the “ceiling” of the third-floor. Vince stated that the Crew used the personnel-platform to lift floor-trusses, materials, tools, and equipment to the working-level. Vince stated that the personnel-platform was positioned “length-wise” onto the forks of the Rough-Terrain Forklift. Based on specifications provided by Vince, you both agreed that the width of the personnel-platform was 16-Feet 2-Inches in length and 3-Feet 6-Inches in width.

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Vince stated that Nick and Micky were working from the personnel-platform while it was elevated, specifically handing floor-trusses over to Vince and Tommy. Vince stated that he (Vince) was standing on the top-plates of the third-floor, and that Tommy was standing on and working from a portable step-ladder. Vince stated that as Nick and Micky handed the floor-trusses to Vince and Tommy, Vince and Tommy positioned and "set" the trusses. Based on the information provided by Vince, you measured that the personnel-platform was elevated 36-Feet 2-Inches above the lower ground-level.

Vince stated that while Nick and Micky were working from the personnel-platform, they were both standing near one "end" of the personnel-platform and passing a floor-truss to Vince when the Rough-Terrain Forklift began to "sway" while tilting away from the residential-complex. Vince stated that Tommy immediately got down from the step-ladder, ran down two stories to the ground-level, and toward the Rough-Terrain Forklift. Vince stated that while Tommy was running down, Nick slipped on the wet-surface of the personnel-platform, slid off the personnel-platform, and fell to the ground-level below. Vince also stated that after Nick fell, the Rough-Terrain Forklift began to tip sideways, and the personnel-platform began to "slide off" the forks, which resulted in the personnel-platform and Micky falling simultaneously to the lower ground-level. Vince stated that as the personnel-platform slid off, Tommy was on the ground-level below running toward the Rough-Terrain Forklift when the personnel-platform struck Tommy and landed on top of him. Vince stated that the Rough-Terrain Forklift subsequently tipped over into its side. You observed that the Rough-Terrain Forklift was tipped over on its side, with the hydraulic-boom fully extended, and the end of the hydraulic-boom landing on and crushing the personnel-platform (See PHOTO #3).

Vince stated that the Crew did not have any fall-protection equipment, including harnesses, lanyards, restraints, and positioning devices, at the work-site. Vince also stated that the personnel-platform was equipped with guardrails along the "back-side", but the two "ends" and "front-side" were open as to permit Nick and Micky to maneuver and position the floor-trusses. Vince also stated that the personnel-platform was not latched or secured to the forks of the Rough-Terrain Forklift, and that Tommy kept the forks "tilted back" to prevent the personnel-platform from "sliding forward" and off the forks.

Officer Osborne stated that as a result of the accident, Tommy sustained a fractured skull, dislocated shoulder, several rib fractures, and was immediately admitted to Surgery for internal life-threatening complications. Officer Osborne further stated that Nick sustained two broken ankles, compound leg-fracture to his right-leg, and possible hip-fractures. Officer Osborne also stated that Micky sustained unknown head and neck injuries, and was unconscious during Officer Osborne's entire interaction with him.