

The background of the image is a close-up, slightly blurred view of the American flag, showing the stars and stripes. The OSHA logo is prominently displayed in the center. The 'O' is a stylized circle with a blue outer ring and a grey inner ring. The letters 'S', 'H', and 'A' are in a white, serif font with a slight 3D effect and a drop shadow.

OSHA

adds value to business,
work and life.

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Backover Fatality

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One Fatal Accident Case Will Be Reviewed.

It is about a accident where an employee was struck-by a trash truck that was backing up.

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Injury Data For *Sanitary Services*

- SIC 4953 (**NAICS 562920**) Refuse Systems
Establishments primarily engaged in the collection and disposal of refuse by processing or destruction or in the operation of incinerators, waste treatment plants, landfills, or other sites for disposal of such materials.
- Establishments primarily engaged in collecting and transporting refuse without such disposal are classified in Transportation, Industry 4212.

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Injury Data For Sanitary Services

Waste/recycling collection workers have the 6th highest fatality rate in the United States!

- 36.8 per 100,000 workers (31 in 2008).
- 10 times higher than the national average.
- The fatality rate in 2008 increased compared to 2007.
 - Disproportionate number are at small haulers and local governments.
- About 15-20 more employees are killed each year at transfer stations, landfills and recycling facilities.
- 46 known fatalities in 2009 – Majority were at small collection companies.

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SIC 4953 (NAICS 562920)

According to OSHA's Data Base:

- There have been 861 accident investigations of employers in SIC Code 4953 between 1972 and June of 2012.
- Of those accident investigations, 547 were fatality investigations.

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- Backover Hazards In General
- Workers face fatal injuries when struck by vehicles backing up or when caught between backing vehicles and an object. OSHA found that about 360 workers died (in all industries) from Backover incidents from 2005-2010.
- In March of 2012, OSHA requested information on accidents where a vehicle “backed over” an employee.
 - OSHA's request for information is consistent with other agencies' regulatory actions, including the National Highway Traffic Safety Administration, which issued a Notice of Proposed Rulemaking requiring cameras in certain vehicles under 10,000 pounds to prevent people from getting backed over.

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- A 3 man crew (driver and two laborers) started work at 4:30am.
- They were using a rear loading trash truck.
- None of the employees were wearing reflective vests.
- At the time of the accident, only the driver was in the truck.
- Normal trash pick up at the location they were at, required the truck to be backed into a cul-de-sac because there was not enough room for the truck to turn around in the cul-de-sac..
- The deceased employee crossed behind the truck as the driver proceeded to back into the cul-de-sac.
- The truck had no back up alarm or working horns.
- Employee was struck and run over resulting in his death.

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- An investigation was conducted, and it was determined that:
 - there were no OSHA Standards applicable,
 - but that the hazard could be cited under Section 5(a)(1) of the OSH Act.
- Section 5(a)(1) of the OSH Act, which is often referred to as the “General Duty Clause”, is cited when there are no OSHA standards applicable to a given hazard.
 - Certain criteria must be met in order to issue a citation for a violation of the general duty clause. **See next slide.**

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- In order for the general duty clause to be cited the following criteria must be met:
 - The employer failed to keep the workplace free of a hazard to which employees of that employer were exposed;
 - The hazard was recognized; * **See next slide:**
 - The hazard was causing or was likely to cause death or serious physical harm; and
 - There was a feasible and useful method to correct the hazard.

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For purposes of the General Duty Clause recognition of a hazard can be established on the basis of:

- employer recognition,
- industry recognition,
- or “common-sense” recognition.
 - The use of common sense as the basis for establishing recognition shall be limited to special circumstances.
 - From Chapter 4 of OSHA’s FOM (Field Operations Manual)

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- Section 5(a)(1) Citation Overview
- 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 employees working behind a rear loading compacting truck that was operating in reverse were exposed to being struck by the truck.
 - the driver of the Trash Truck, being operated in reverse, did not know the locations of the employees who had been loading trash into the rear of the truck.

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Recommended Abatement:

Among other methods one feasible and acceptable method to correct this hazard would be to:

Ensure that employees follow the standards as outlined in the ANSI Standard Z245.1-2008 for Equipment Technology and Operations for Wastes and Recyclable Materials Mobile Wastes and Recyclable Materials Collection, Transportation, and Compaction Equipment - Safety Requirements. Waste Equipment Technology Association Section 6.2.3.2 Driving and riding positions: When driving or riding in the vehicle.

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Continued From Preceding Page:

- 1) *Section 6.2.3.2 (f): When a vehicle is being operated in reverse ensuring that the area behind the vehicle is clear.*
- 2) Section 6.2.3.2 (h): Making sure the locations of all co-workers are known before operating the vehicle in reverse. * **See next slide**
- 3) Section 6.2.3.3: Use high visibility apparel.
- 4) Section 7.2.13: An external audible warning signal device (back-up alarm) shall be provided on all motor vehicles. In order to comply with this section either repair and maintain the manufactured installed horns and install and/or repair the reverse signal alarms.

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In regard to making sure the locations of all co-workers are known before operating the vehicle in reverse:

- there must be communication between the driver and the laborers, and
- there should also be safe work procedure where-as the driver will never operate the truck in reverse when they do not know where the laborers are, and
 - the laborers should never go behind the truck when the truck is operating in reverse.

Questions/Comments



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