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# TOWNSHIP OFFICIALS OF ILLINOIS RISK MANAGEMENT ASSOCIATION **RISK REMINDER**

## **FORKLIFTS ON CONSTRUCTION SITES**

This past January two companies were fined a total of \$83,200 following the investigation of a fatal forklift accident. An employee who had not received training was instructed to drive a leased forklift to a bridge construction site. An on-coming vehicle approached and the forklift driver veered causing a tire to run off the road. The forklift driver, not wearing a safety belt, was thrown from the seat and crushed by the forklift. OSHA issued one willful citation with a proposed penalty of \$44,000 for allowing employees to operate powered industrial trucks without proper training. The company also received a proposed penalty of \$5,600 for failing to conduct regular inspections of equipment.

The rental company received three serious citations with proposed penalties of \$10,150 for failing to: provide training to its employees, who by contract should have operated the leased forklifts; failure to tag the forklift as "out-of-service" after it had been identified as needing repairs; and failure to obtain the manufacturer's approval before modifying the equipment.

In response to incidents like these, OSHA has initiated a Local Emphasis Program (LEP) in Illinois for Powered Industrial Trucks used in construction. All serious complaints and referrals alleging conditions that may be violations of the powered industrial truck standard will be inspected. Once the complaint inspection has been completed, the inspection will cover the four focus construction hazards: falls, struck by, crushed by and electrocutions. The inspection will also involve reviewing the OSHA 300 data for the previous three years and an evaluation of the employer's safety and health program.

Lately, OSHA compliance officers have seen several serious hazards involving forklifts on construction sites mostly involving improper lifting of employees on forklifts. The requirements for the use of lifting and hauling equipment for material handling in construction, are set out in 1926.602(c). In addition, OSHA's construction standards for scaffolds (Subpart L of 29 CFT Part 1926) contain requirements that protect employees working on platforms elevated by forklift trucks.

Under 1926.602(c)(1)(vi), the designs of all industrial trucks used by an employer are required to meet the (ANSI) B56.1-1969, Safety Standards for Powered Industrial Trucks. Other construction standards contain requirements to protect employees working on platforms. In Subpart L, the standards for scaffolds, the term "platform" is defined as "a work surface elevated above lower levels." Therefore, 1926.451, 1926.452 and 1926.454 of OSHA's standards for scaffolds would be applicable for capacity, construction, access, use, fall protection and training.

Note that, under 1926.451(c) (2) (iv), the standard states that front-end loaders and "similar pieces of equipment" shall not be used to support scaffold platforms unless specifically designed by the manufacturer for such use. The standard places the obligation on the employer to ensure that this type of equipment is used to elevate personnel only where the manufacturer had designed it to do so. The employer would have to either find out from the manufacturer that it was designed for this use (where that information is unavailable) or obtain a certification by a certified professional engineer that the equipment was so designed.

**For more information, contact your Loss Control Consultant at (888) 562-7861**

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