



STOP ASSOCIATING STRUCK-BYS HAZARDS WITH HIGHWAY WORK.

Insights

4.23.15

No.I'm not proposing a Mad Max road war against highway workers.However, we've got to expand our analysis and look for struck-by hazards in work settings other than road work. We must recognize the frustrating variety and unpredictability of stuck-by hazards.The variety is near limitless.Below are a few examples:

- Backed over by a delivery truck or a dump truck;
- Struck by an auto chassis moving on an auto assembly monorail conveyor;
- Hit by a heavy swinging door in a manufacturing plant;
- Struck by a valve or metal piece because of an unanticipated pressure release;
- Caught in the blind spot of a loader, skid loader or other equipment;
- Crushed against a rack by a forklift;
- A pile driver lead or pipe falling or an overhead load dropped.

My biggest concern is that, despite our best efforts, we continue to be surprised by stuck-by hazards that we didn't anticipate. Great employers can still experience struck-by incidents.

Rarely do OSHA standards clearly apply to the stuck-by hazard, and there is no "industry recognition of the hazard that is necessary for OSHA to prove a 5(1)(1) general duty violation.I am less concerned about OSHA's inability to prove the elements of a violation than by the fact that the industry may not know of the hazard.

RECOMMENDATIONS

My recommendations are as follows:

- Regularly revisit the issue of stuck-by hazards in regular safety meetings;
- Emphasize that employees must continuously look for hazards associated with their next task.Don't become complacent.They should stop and ask themselves, "is there a stuck-by hazard here?"

- Because stuck-by hazards are specific to the setting, unpredictable, and common, this hazard presents a good opportunity to push employees to look for site and job-specific hazards;
- Focus more on stuck-by hazards in conducting site safety surveys or developing safety plans and hazard assessment;
- Use your concern about struck-by hazards to teach employees to be more situationally aware. The setting contributes to stuck-by hazards. Is the construction site small and constrained by other structures, is the weather a factor, such as deep mud? Are employees working on foot close to vehicles? Are there risks of explosive release of pressure? What's overhead? Are there multiple companies' trucks coming and going, especially drivers of uncertain quality, such as independent contractor dump trucks?

The bottom line is that we cannot know of every hazard, so we must regularly remind employees to consciously "evaluate hazards." As an economist said, "I don't worry about what we don't know, I worry about what we do not know that that we don't know."

Howard

Related People



Howard A. Mavity
Partner
404.240.4204
Email