

FATALITY INVESTIGATION REPORT

FACE Facts

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Please
Post

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The Massachusetts Department of Public Health, in cooperation with the National Institute for Occupational Safety and Health, conducts investigations of fatal work-related injuries. The project, known as FACE (Fatality Assessment and Control Evaluation), seeks to identify the factors that contribute to occupational fatalities. The Face Project will help in the development and use of improved safety measures for preventing fatal injuries in the future.

We hope you find the “FACE Facts” informative and that you will share it with others. This document is in the public domain and may be copied freely.

If you have comments or questions, please call the FACE Project at 617-624-5628.



A 16-year-old Massachusetts youth was fatally injured at work while operating a forklift

Background: By the time teenagers leave high school, approximately 80 percent will have held a job. While work has many benefits, it also can pose risks. Approximately 70 teenagers under the age of 18 in the US die each year from injuries incurred on the job. In this incident the victim was performing a task prohibited for teens under the child labor laws, operating a forklift. In addition, the employer did not have a comprehensive health and safety program.



Exceptions in agricultural work for youth 16 and older

Investigation: The victim, a 16-year-old male part-time cleaning helper, was fatally injured when the forklift he was operating overturned at a seafood processing/retail facility. The victim was operating a forklift to move a wooden pallet loaded with trash. The load was raised approximately 4 1/2 feet when the victim made a right-hand turn causing the forklift to overturn. The victim had either jumped or was thrown from the operator's seat. When the forklift overturned the overhead guard landed on his chest, crushing him.

Prevention Strategies: In order to prevent similar incidents in the future, the Massachusetts FACE Project recommends that employers of young workers should:

- Understand and comply with state and federal child labor laws. (See information sources below).
- Post child labor laws in the workplace.
- Affix a warning sticker to all forklifts that states no employees under 18 years of age can operate forklifts (exceptions in agricultural work for youth 16 and older).
- Make sure front-line supervisors who give work assignments know the child labor laws.
- Provide increased supervision for teen employees. Studies have found that teens, like other new workers, have higher on-the-job injury rates than adults. It has been reported that approximately 80% of on-the-job injuries to teens occurred when no supervisor was present.
- Provide all employees with training about workplace health and safety and the child labor laws. Training should address identifying and eliminating hazards as well as how to do jobs safely.
- Encourage teens to speak up if there are health and safety problems, if the instructions to complete tasks are unclear, or if asked to perform tasks prohibited by child labor laws.

Child Labor Laws:

Child labor laws establish the times of day teens less than 18-years-old can start work in the day, how late they can work, and the maximum number of hours per day and per week they are allowed to work. These laws also identify specific tasks, industries, and equipment prohibited for teens. According to both Massachusetts and federal child labor laws, teens less than 18 years of age are not allowed to operate forklifts at work. The state child labor laws also require that all teens under 18 obtain employment permits (called educational certificates for 16- and 17-year-olds) from the school department where they live, before beginning new jobs. In addition to child labor laws, general and industry specific health and safety regulations apply to all employees regardless of age.

For more information about child labor laws or working teens in Massachusetts:

Massachusetts Attorney General's Office:
 Fair Labor and Business Practices Division 671-727-3465

US Department of Labor:
 Wage and Hour Division 617-565-2066

Massachusetts Department of Public Health:
 Teens at Work Injury Prevention Project 617-624-5632

For forklift safety information:

- Massachusetts Department of Public Health (617) 624-5628
 FACE Facts *Three Massachusetts Forklift Operators Killed*
- National Institute for Occupational Safety and Health (NIOSH)
 NIOSH Alert *Preventing Injuries and Death of Workers Who Operate or Work Near Forklifts*, Publication # 2001-109
 (www.cdc.gov/niosh/2001-109.html)
- Occupational Safety and Health Administration (OSHA)
Powered Industrial Trucks 29CFR1910.178
 (www.osha.gov/OshStd_data/1910_0178.html)

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