AFTER THE ACCIDENT......

TOW TIMES AND TOW SAFE
WILLIAM GIORGIS
DEDICATED TO THOMAS TRIPP
NOTHING PREPARES YOU FOR THE PHONE CALL

• I Helped Others for Years through MTA and TRAA
• I wasn’t ready to help myself.
• I had resources in place but was paralyzed with shock and grief.
• This would be the WORST DAY OF MY LIFE as a Business Owner.
• Questioning why we do this job?
• What could we do different if anything?
The Death of Tom Tripp

- 41 Years old. Fiance, one son, one grand daughter.
- 10 + year Employee
- Highly trained and highly skilled, highest productivity of LD drivers.
- Kind and decent human being.
- Volunteered for the toughest duties.
- Struck and killed by a suspected drunk driver.
This Is Tom Tripp
Confirmation Upon Arrival My Truck
My Driver
Cooperate and Document
DOCUMENT LIGHTING
Rear Facing Lighting
MECHANISM of INJURY
MECHANISM OF INJURY
UNINSURED DRUNK DRIVER WALKS AWAY UNINJURED
Who is in Charge of the Investigation?

- Pedestrian Accident = Local Law Enforcement.
- Vehicle Involved = Motor Carrier/ DOT
- Work Place Death = OSHA
- Be Ready for Everyone to Investigate!
POLICE and DOT INVESTIGATION

• Preserve and have available:
  • Driver personnel file.
  • Training Records.
  • Time Cards or record of duty status, for prior 4 weeks.
  • Payroll for 4 prior weeks.
  • Truck/Fleet file if truck involved.
INFORMATION CONTROL

• Dispatch and Employee Notification.
• Imposition of a GAG ORDER, no speculation, no information.
• Family Notification with Law Enforcement and Support.
• Media Coordination with Police Information Release.
• Press Release (THE MEDIA WILL BE CALLING).
• Prepare and share factual information only.
• Control the narrative and information flow, coordinate with counsel.
FOLLOW THE INVESTIGATION

• Cooperate with the Police, DOT and OSHA

• Supply them with all NECESSARY DOCUMENT

• Get copies of the REPORTS and REVIEW for ACCURACY
How Does OSHA Come?

• Employee Complaint
• Routine Inspection
• Targeting an Industry Segment
• Accident, Incident Resulting in Serious Injury or Fatality
• Invitation
When OSHA Comes

- Have Documents and Files Ready and Accessible.
- Form 301 Completed and Form 300 Up to Date.
- Site Inspection and Mechanism of Injury or Death
- Cooperate

- Expect Review of:
  - Employee Handbook
  - Training and Safety Records
  - Payroll Records and Time Cards
  - Employee Private Interviews.
OSHA INVESTIGATION

- Tom did not have a vest on at the time of the crash.
- No disciplinary record in his file for failure to comply.
- No PPE Assessment for the task.
- However PPE was fully addressed in the Employee Handbook.
- Fines Assessed
- PRA Penalty Reduction Agreement.
- Abatement
- Verified Compliance.
OSHA and Mike’s Wrecker

• Last inspection random industry was 24 years prior, satisfactory result minor infractions.

• Documented abatement.

• No fines.

• This time, fatal accident, questionable jurisdiction for OSHA.

• Investigation.

• Paperwork /Documentation deficiencies.

• Fines

• Abatement
What is OSHA

- Occupational Safety and Health Administration
- Started with the OSHA Act of 1970
- 22 States under Federal Jurisdiction
- 28 States under State Plans
- 6 State Plans also include Public Sector Employees.
- All state plans must meet minimum federal standards.
- All state plans must be ALAE, At Least As Effective as federal plan.
OSHA FEDERAL AND STATE MAP
OSHA MISSION

• That Employers provide their employees with working conditions that are free of known dangers.
  • Identify Hazards and Dangers to Employees.
  • Eliminate the Hazard or Danger.
  • Minimize the Hazard or Danger.
  • Minimize the Exposure to the Hazard or Danger.
  • Protect the Employee from the Hazard or Danger.
Accident or Incident?

• Accident is defined as an unplanned event that results in personal injury or property damage.

• Incident is defined as an unplanned event that does not result in personal injury but may result in property damage worthy of recognition.
Heinrich 300-29-1

The Heinrich 300-29-1 Model

- 1 Major Injury
- 29 Minor Injuries
- 300 Near Misses
The Tools in our Tool Box

- Employee Handbook
- Safety Manual
- Training Manual and Records
- Employee File
- Hazard Assessment
- PPE Assessment
- PPE Training and Certification Documentation
Right to Know
• Employees have a right to know.
• Employees have a right to understand.
• Employers have a duty to verify and document understanding!
Safety and Hazard Assessment

- Conduct and document Hazard Assessments for each job type and employee class. Certify in writing the completion of the Assessment.
- Identify Hazards and Risks.
- Select Personal Protective Equipment for each Assessment/Task.
- Train and Retrain Employees in the use and care of PPE.
- Maintain PPE, Replace worn or Damaged PPE.
- Review, Update and Evaluate the Effectiveness of your PPE program.
- DOCUMENT EVERYTHING AT EVERY STEP!
Employer Responsibilities

• Train Employees in the following.
• When PPE is Necessary
• What PPE is Necessary
• How to properly don, adjust, wear and doff PPE.
• Limitations of PPE
• Care and Maintenance of PPE and Useful Life of PPE.
• Sharing PPE and Cleaning
• Providing PPE at NO COST.
Employee Responsibilities

- Attend all necessary Training Sessions for PPE for their Job Duties.
- Care for, clean and maintain their PPE.
- Replace worn, outdated or damaged PPE as Necessary.
- Properly wear PPE as required.
- Demonstrate proper use and wear of PPE.
- Demonstrate a clear understanding of PPE and Company Requirements.
- Immediately inform supervision of any PPE defects or lapses.
Tom Tripp and PPE
Tom Tripp and PPE
Types of PPE

- Safety Glasses, googles, face shields.
- Glove, Latex, Kevlar, Leather, Insulated.
- Hard Hats.
- Safety Shoes.
- Fall Harness and Fall Arrestor.
- Life Jackets, Waders, Exposure Suits.
- Respirators, SCBA, SCUBA.
PPE

• Proper assessment of the hazard.
• Proper training and use.
• Proper PPE selection.
• Proper DOCUMENTATION
OSHA Reporting
• OSHA Forms 300, 300A, 301
• Less than 10 Employees Exempt
• 10-19 Employees Paper Records.
• 20-249 Employees E File Forms.
• www.osha.gov/injuryreporting/ita/
OSHA CFR29 1910.132

- OSHA Notification Required within 8 HOURS!
- Cooperate with investigator. Expect a visit and interview.
- OSHA GUIDELINES
- [https://www.osha.gov/Publications/osha3151.pdf](https://www.osha.gov/Publications/osha3151.pdf)
- PPE ASSESSMENT, REQUIREMENT and STANDARDS
OSHA Resources

- WWW.OSHA.GOV
- WWW.MICHIGAN.GOV/miosha
- MIOSHA has a training program.
- Online Resources.
- Courtesy Inspections.
https://internationaltowingmuseum.org/survivor-fund/
Safety Training and Record Keeping
Questions? Comments? Or Concerns?