

# 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





# TRIPP PPE January 10, 2018



# 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

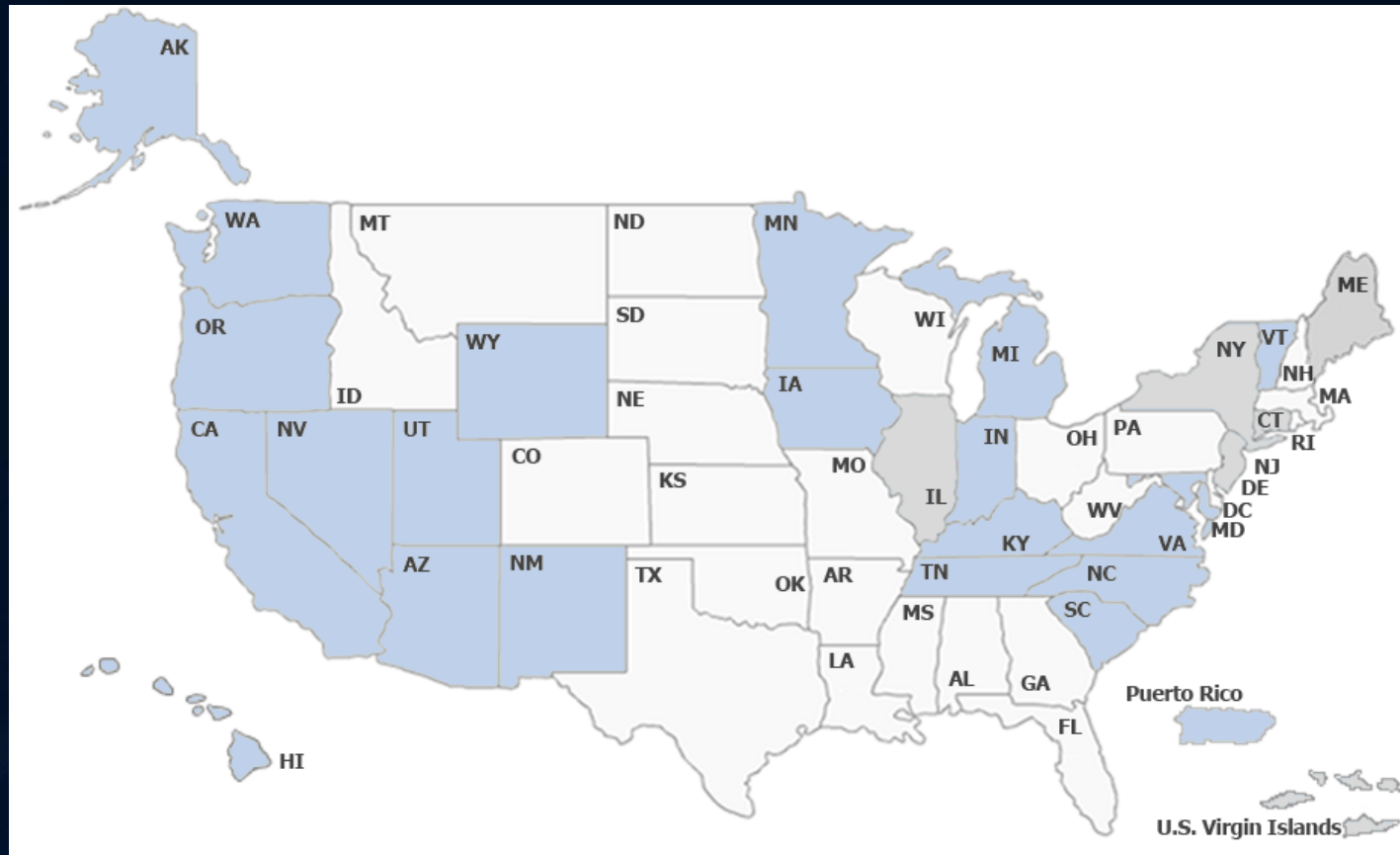
- Last inspection random industry was 24 years prior, satisfactory result minor infractions.
- Documented abatement.
- No fines.
- This time, fatal accident, questionable jurisdiction for OSHA.
- Investigation.
- Paperwork /Documentation deficiencies.
- Fines
- Abatement



# 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 and 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**

The Heinrich 300-29-1 Model

# 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, goggles, 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/](http://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/osh3151.pdf>
- PPE ASSESSMENT , REQUIREMENT and STANDARDS
- [https://www.osha.gov/dte/library/ppe\\_assessment/ppe\\_assessment.html](https://www.osha.gov/dte/library/ppe_assessment/ppe_assessment.html)
- [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=9777](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9777)

# OSHA Resources

- [WWW.OSHA.GOV](http://WWW.OSHA.GOV)
- [WWW.MICHIGAN.GOV/miosha](http://WWW.MICHIGAN.GOV/miosha)
- MIOSHA has a training program.
- Online Resources.
- Courtesy Inspections.



<https://internationaltowingmuseum.org/survivor-fund/>



# Safety Training and Record Keeping

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**Questions? Comments?  
Or Concerns?**