

## **17. Equipment Overturned**

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A **27-year-old** Hispanic landscaping laborer died when the zero-turn lawn mower he was operating overturned. The victim's employer was contracted to mow grass, trim and clean-up grass clippings from sidewalks and parking lots at a commercial business property. The victim was part of a three-person crew working at the site. He operated the mower while other crew members performed other tasks. He completed mowing a section of grass that was without any discernible sloping areas. He then turned his attention to mowing a section that sloped on both sides to form a storm water runoff. The slope of this area was approximately 28 degrees. He mowed a cut approximately 60 inches wide along three edges of the area adjacent to the slope. He mowed one cutting pass, also measuring approximately 60 inches wide, down the south slope of the cutting area adjacent to an asphalt-paved connection between two parking lots. At some point, his co-workers realized that they had not seen the victim for a while so they went to check on him. They found the victim and the lawn mower at the bottom of the slope with the mower turned over and resting on his leg. The co-workers did not observe any obvious signs of injury, but they could not determine that the victim was breathing. EMS was called and they transported the unresponsive victim to a local emergency room where he was pronounced dead.

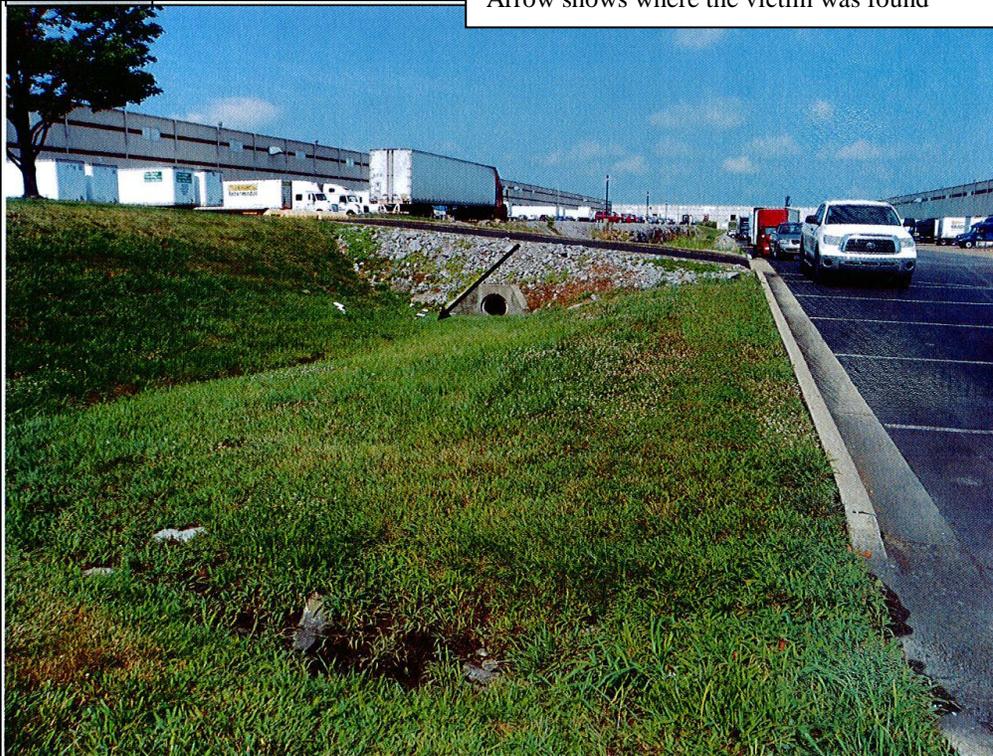
### **Citation(s) as Originally Issued**

#### **Citation 1**

Item 1 T.C.A. 50-3-105(1)	The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that the employer did not follow the manufacturer's safety instructions that state the mower is not to be used on slopes exceeding 45 degrees and it was used on a slope of 28 degrees.
Item 2 TDLWD 0800-01-03-.05(1)(a)	An oral report of an employment accident resulting in a fatality or the inpatient hospitalization of three or more employees was not made within eight (8) hours after the occurrence to the nearest Area Office of the Division of Occupational Safety and Health or to the TOSHA toll-free central telephone number (1-800-249-8510).

**See Photos on Next Page**

Arrow shows where the victim was found



Mower that overturned