OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR — Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 15/07	EFFECTIVE DATE: October 1, 2014
SUBJECT: Regional Emphasis Programs for Powered Industrial Truck	
REGIONAL IDENTIFIER: Atlanta Regional Notice CPL	

ABSTRACT

Purpose: The purpose of this instruction is to establish a Regional Emphasis Program (REP) to reduce injuries and fatalities related to powered industrial trucks

Scope: This Notice applies to all Region IV Area Offices

References: OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM)

OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs (LEPs)

OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act

Cancellations: CPL 14/07 dated January 16, 2014; this Instruction replaces and updates an earlier version.

State Impact: None

Action Offices: Region IV Area Offices

Originating Office: Atlanta Regional Office

Contact: Benjamin Ross, Assistant Regional Administrator for Enforcement Programs 678-237-0400

By and Under the Authority of

KURT A. PETERMEYER
Regional Administrator

Executive Summary

Many hazards are associated with the operation of powered industrial trucks, which could lead to serious injury and death to employees. The intent of this Regional Emphasis Program is to encourage employers to take steps to correct these hazards thereby reducing potential injuries and death. We intend to accomplish this through outreach and enforcement activities. Outreach activities will include letters to employers, training sessions, and possible partnerships or alliances with stakeholders. Enforcement activities include reviewing powered industrial truck operations on all inspections where applicable and conducting inspections for complaints that allege powered industrial truck hazards.

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I. ***Purpose.*** The purpose of this instruction is to establish a regional emphasis program for reducing injuries and fatalities related to powered industrial truck operations. This REP will provide the legal authority to evaluate the employer's forklift program on all unprogrammed inspections or other limited scope inspections to assure that employees are being properly protected. Powered industrial truck (PIT) operations will be inspected on all programmed and unprogrammed inspections in General Industry, Maritime, and Construction. Area offices will normally conduct inspections for all complaints, formal or non-formal, which contain allegations of powered industrial truck hazards unless there are significant resource implications. In addition, all unprogrammed inspections will be expanded to include powered industrial truck operations if applicable.

II. ***Scope.*** This instruction applies to all Region IV Area Offices of the Occupational Safety and Health Administration (OSHA).

III. ***References.***

- Title 29 Code of Federal Regulations, Part 1910.
- OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM)
- OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs (LEPs)
- OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act
- Collins JW, Smith GS, Baker SP, Warner M.. Injuries related to forklifts and other powered industrial vehicles in automotive manufacturing. Am J Ind Med. 36:513-521 (1999).
- Collins JW, Landon DD, Kisner SM, Johnston JJ, Chin SF, Kennedy RD. Fatal occupational injuries associated with forklifts, United States. Am J Ind Med. 36:504-512 (1999).
- Powered Industrial Truck Operator Training; Final Rule. Federal Register Tuesday, December 1, 1998; 63(230):66238-66274.
- Bureau of Labor Statistics; "Fatal Occupational Injuries to Workers Involving Forklifts by Selected Characteristics, 1992-2000."
- Bureau of Labor Statistics; "Fatal Workplace Injuries in 1992: A Collection of Data Analysis, 1994."
- ASME (American Society of Mechanical Engineers) B56.1-1993, Safety Standard for Low Lift and High Lift Trucks. (www.itsdf.org)
- N.C. DOL, A guide to Forklift Operator Training (www.nclabor.com/osha/etta/indguide/ig12.pdf)

IV. ***Cancellations.*** CPL 14/07, January 16, 2014, Regional Emphasis Program (REP) for Powered Industrial Truck. This Notice updates and replaces an earlier version.

V. ***Action.*** OSHA compliance personnel shall follow the procedures contained in this instruction when conducting outreach and enforcement activities.

VI. ***Effective Dates.*** This instruction becomes effective October 1, 2014.

VII. ***Expiration.*** This instruction expires on September 30, 2015, unless extended.

VIII. ***Background.***

OSHA estimates there are approximately 1.5 million workers in the United States who operate powered industrial trucks. Powered industrial trucks are a significant source of serious and fatal injuries to workers.

Statistics

According to the U.S. Department of Labor/Bureau of Labor Statistics (BLS), an average of 100 workers are killed and 20,000 workers are seriously injured each year as a result of fork truck related incidents. A BLS study on "Fatal occupational injuries to workers involving forklifts by selected characteristics, 1992-2000", industrial truck related fatalities in private industry have increased steadily from 79 in 1992, to a high of 146 in 2000. This study also indicated 50% of the forklift fatalities occurred in manufacturing and construction with the remainder of fatalities in mining, agriculture, transportation, wholesale, retail, and services.

A study published in the American Journal of Industrial Medicine 36:504-512 (1999), indicated that machinery related incidents were the second leading cause of traumatic occupational fatalities from 1980 and 1989. Of the machine related fatalities, forklifts were the second leading cause of machine-related deaths. Only agricultural tractors caused more fatalities than forklifts.

A related study in the same issue of the American Journal of Industrial Medicine 36:513-512 (1999), reviewed powered industrial truck incidents in the automobile manufacturing industry and indicated that forklifts were associated with exceptionally severe injuries as reflected by an average of 61 lost workdays per injury, which was nine times the average for all other injuries.

From the year 2005 to 2010, area offices in Region IV have investigated 37 fatal accidents involving the operation of forklift trucks. The 2006 data reported by BLS showed that 81 fatalities and 12,130 non-fatal lost workday injuries resulted from the use of forklifts in private industry.

Definition

Powered industrial trucks are used in almost all industries. They are used to move, raise, lower, or remove large objects or a number of smaller objects on pallets or in boxes, crates, or other containers. OSHA Standard 1910.178 Powered Industrial Trucks, contains requirements related to fire protection, design, maintenance, and use of fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks. ASME B56.1-1969, Safety Standard for Low Lift and High Lift Trucks, which is incorporated by reference in 1910.178, defines powered industrial trucks as "mobile, power propelled trucks used to carry push, pull, lift, stack, or tier material."

Hazards

Each of the different types of powered industrial trucks has its own unique characteristics and inherent hazards. Characteristics of powered industrial trucks that affect safe truck operation are: the truck's tendency to become unstable; its ability to carry loads high off the ground; and its characteristic mode of steering, i.e., with the rear wheels while being powered by the front wheels. Moving loads upward, downward, forward, and backward causes a shift of the center of gravity and can adversely affect the vehicle's stability. When a load is raised or moved away from the vehicle, the vehicle's longitudinal stability is decreased.

Workplaces, where powered industrial trucks are used, present a variety of different hazards such as, but not limited to, rough, uneven, or sloped surfaces; unusual loads; hazardous areas; narrow aisles; blind spots; and pedestrian traffic or employees working close to the path of travel. Some hazardous work practices relate to all trucks, including driving at excessive speed, poor loading, and carrying unauthorized passengers. Poor truck maintenance can also contribute to accidents. Improper truck maintenance has caused death from over exposure to carbon monoxide, loss of brakes, or rupture of hydraulic lines.

Many accidents have occurred because of unsafe truck operation. For example, employees have fallen from trucks while using them to change light bulbs on overhead fixtures or riding on the forks to manually retrieve items from high racks. In addition, accidents have occurred when an operator has attempted to drive with an obstructed view in the direction of travel and has run into another employee.

BLS published a booklet in April 1994, entitled "Fatal Workplace Injuries in 1992: A Collection of Data and Analysis." This study indicated that the three leading causes of fatal accidents were forklift overturns; workers struck by, crushed, or pinned by a forklift; and falls from a forklift.

The Atlanta Regional OSHA Office has developed this REP to ensure that

powered industrial truck operations are evaluated on all inspections in order to determine if the employer is in compliance with all relevant OSHA requirements and to ensure that employees are protected from the hazards related to powered industrial trucks.

IX. ***Procedure.*** The conduct of inspections shall adhere to the following:

- All inspections conducted in general industry, maritime, and construction are covered by this instruction.
- During all inspections, compliance officers shall determine if powered industrial trucks are utilized at that worksite. If they are, the compliance officer will either expand the inspection or make a referral to cover those operations unless powered industrial trucks operations have been inspected at the worksite within the last three years.
- In accordance with the FOM, Chapter 9, Complaint and Referral Processing, area offices will normally conduct an inspection for all complaints, formal or non formal, which contain allegations of powered industrial truck hazards unless there are significant resource implications.
- If an employer refuses to allow the compliance officer to expand an inspection being conducted under this program to cover powered industrial truck operations, a warrant shall be sought in accordance with procedures in the current FOM for handling such refusals.
- Area Directors shall insure that compliance officers are sufficiently qualified/trained to conduct this type of inspection.

X. ***Recording in OIS.*** Current instructions for completing Inspection, Complaint, Fatality, and Referral Forms shall be applied when recording inspections under this REP.

- The Inspection Form for any inspection expanded or scheduled under this REP shall be marked as "FORKLIFT" under local emphasis.
- The Fatality Form for any accident related powered industrial trucks shall be marked as "FORKLIFT" in the appropriate field.
- The Complaint Form for any complaint related to powered industrial trucks shall be marked as "FORKLIFT" in the appropriate field.
- The Referral Form for any referral related to powered industrial trucks shall be marked as "FORKLIFT" in the appropriate field.

XI. ***Evaluation.*** The Area Director shall submit a written evaluation report of the implementation of this REP to the Regional Administrator, which will include activity and impact measures. The reports shall be submitted no later than October 1, for each fiscal year the REP is in effect. The Regional Office will then submit a report, as appropriate, to the National Office. This evaluation will include a brief description of program activities and results, analysis of factors listed in CPL 04-00-001, (formerly CPL 2.102), Appendix A, as well as

recommendations regarding the continuation of this Regional emphasis program. In addition, the following factors should also be included.

- The number of inspections where powered industrial truck violations were evaluated, and number and percent violations that are serious, willful, or repeat.
- Annual number of powered industrial trucks fatalities.
- The number of complaint inspections concerning powered industrial trucks conducted annually.
- The number of employees covered.
- Abatement measures implemented, if novel and innovative.

XII. ***Outreach.*** The Regional and Area Office will conduct outreach activities intended to reach as many employers and stakeholders as is practicable. Outreach activities will be conducted to raise awareness of the hazards associated with powered industrial trucks to inform stakeholders and employers of the elements of the REP.

The Area Office is encouraged to conduct mailings to stakeholders within Area Office jurisdiction to both raise awareness of the hazards associated with powered industrial trucks, and to develop possible partnership or alliances with the stakeholders. The Area Office should consider having these stakeholders participate in training, assist in the dissemination of information from this REP, and participate in any other outreach activity where their participation would benefit the program. Stakeholders may include powered industrial truck vendors, parts suppliers, manufacturer's representatives, industry periodical publishers, safety and health consultants, safety councils, and unions.

The U.S. DOL Office of Public Affairs will issue News Releases and public service announcements for any training sessions, partnership agreements, or other significant outreach activity. The Regional Office will work with the Office of Public Affairs to develop an article with a description of this REP for inclusion in industry publications.

APPENDIX A
Date

Company Name
Address

Dear Stakeholder:

The United States Department of Labor/Occupational Safety and Health Administration (OSHA), Region IV, has developed a local outreach, education, prevention, and inspection program regarding employers who may have powered industrial truck operations. We will be conducting outreach efforts to employers in order to raise awareness of the hazards related to powered industrial trucks. We are writing to invite you to participate in our outreach efforts.

The goal of the program is to reduce fatalities and serious injuries related to powered industrial trucks and to encourage employers to bring their facility into compliance with the applicable OSHA regulation for Powered Industrial Trucks in General Industry, Maritime and Construction. Hazards associated with powered industrial trucks include: inadequately trained drivers, improper operation (tip-overs, collisions with structures and pedestrians), improper storage of materials in areas serviced by powered industrial trucks, use of powered industrial trucks in a hazardous location, inadequate lockout-tagout procedures while working on powered industrial trucks, carbon monoxide and propane exposures, falls from powered industrial trucks while elevated, and improper maintenance procedures.

Small employers may contact the On-site Consultation Program for a free confidential safety and health consultative visit. The consultation program, funded primarily by federal OSHA, provides safety and health consultative services to help employers establish and maintain a safe work place by coming into compliance with OSHA's regulations. Although the consultants' findings are confidential, employers are required to correct any hazards they observe on their visit. Information related to the On-site Consultation Program may be found at the OSHA website, www.OSHA.gov.

The mission of OSHA is to ensure that working men and women arrive home safe each night from their place of employment. Together, we can accomplish this task. OSHA shares each employer's goal of reducing occupational injuries and illnesses to the maximum extent practical. Should you wish to participate with us in our efforts or if you have any questions or comments, please contact me at (xxx) xxx-xxxx. We look forward to working with you toward this common objective.

Sincerely,

Area Director (xxxx)

APPENDIX B

Powered Industrial Truck (PIT) Inspection Guidance

This guidance provides recommendations for evaluating PITs. The compliance officers shall familiarize themselves with OSHA standard, 1910.178. The CSHOs shall conduct a complete and thorough evaluation and inspection utilizing the steps listed below:

Step 1. Determine the types of PITs at the establishment, such as but not limited to; electric motor rider trucks, order pickers, sit down forklift trucks, walk behind trucks, etc. Reference 1910.178, ANSI B.56.1, and/or N.C. DOL, A guide to Forklift Operator Training.

Step 2. Determine which employees have been designated to operate the PITs. Determine through interviews and an evaluation of the employer's training program their level of training, experience, refresher training, and evaluation.

Step 3. Inspect one or more of the different types of PITs used in the establishment. The truck(s) shall be visually inspected to address hazards outlined in the appropriate OSHA standard. Have an operator and the member of management responsible for the PITs onsite demonstrate how they perform inspections of the PITs.

Step 4. Observe the PITs in operation for safe operation and handling.

Step 5. Interview the operators. Discuss training, evaluations, incidents/accidents, handling of defective trucks, and repairs.

Step 6. Interview the employer/trainer. Discuss policies/procedures, training program, frequency of training, determination of competency when hiring experienced operators, evaluation of operators, maintenance/servicing of trucks, knowledge of the owner's manual, and removal/return of trucks to service.