

## Tree company cited in structural failure incident

Medlock Tree Service of Lake Wales, Florida, has been ordered to pay an \$11,300 penalty and agreed to abide by three corrective citations, following a serious incident with a CMC 83HD spider lift last October in which the top boom suffered a severe structural failure causing the operator to be thrown from the basket at a height of 17 metres, landing him in hospital with serious injuries.

The tree company was cited for not having, taken the machine out of service following an earlier incident which damaged the failed boom section. For not having carried out regular or annual inspections of the machine. For failing to report an accident that involved hospitalisation, and for failing to provide proper training or a fall arrest harness and lanyard. The company has committed to corrective citations requiring it to carry out regular inspections, remove damaged machines from service, hold regular safety meetings to highlight the importance of safety equipment, and to report any serious incidents within 24 hours. Any failure will result in a \$10,000 charge for each violation.

The manufacturer and its distributor have been cleared of any wrongdoing.



## £315k damages against bus operator

In September 2018, Michael McArthur was working from a 33ft boom lift on a street near a bus stop in Doune, Scotland when his lift was struck by a bus, catapulting him from the platform to his death. His relatives have been awarded £315,000 in damages for 'loss of society' in an action against the operators of the bus - Timberbush Tours Ltd - and its insurers ERS Syndicate Management Ltd.

McArthur's employer Kevin Bowie, 37, a director of Precision Decorating Services (Scotland) Ltd is being tried separately for having failed to ensure that work being carried out at height, was properly planned, appropriately supervised and carried out in a manner which was, as far as reasonably practicable, safe.

The damages were awarded even though McArthur had not been wearing a harness, lanyard or any protective equipment, and that there was no system of traffic management placed around the machine. The defendants argued that as a result he was contributory to the negligence. However, they were unable to show that a harness was ever provided, or that he had been properly trained. It was also revealed that the deceased had previously refused to work in an unsafe manner, and with this in mind the judge did not accept that he was jointly negligent.

The judge ruled that the manner of the McArthur's death had contributed to the grief suffered by his family, with whom he had a very close relationship, and that given those bonds and the violent nature of his death, the appropriate awards were £100,000 each to his father and mother, £45,000 to his half-sister and £70,000 to his stepfather, while funeral costs were also awarded.

## \$24k for whistle blower

The US Occupational Safety and Health Administration (OSHA) has ordered Houston, Texas, based crane rental company Crane Masters Inc to pay almost \$24,000 in back pay, interest and damages to a former employee, after it fired him in June 2020 for refusing to exceed federal driving limits. The employee had worked 19 hours the day before and was refused compensatory time off before returning to work, making him unsafe to operate a crane or drive a truck. The payment included \$14,000 in back pay and interest plus \$10,000 in punitive damages.

OSHA regional administrator Eric Harbin said: "Commercial truck drivers, mechanics and other workers are critical to our nation's transportation infrastructure and economy, but they should never be forced to put themselves or others at risk because of an employer's concern for profit, or fear retaliation for exercising their legal rights."



## Who trained him?



Spotted in the USA a man working on an overhead beam with a power drill. While he has a scissor lift, he has completely left it - a ladder would probably have been a better solution.