**Contact with a Contractor**

**Disclaimer:** This case study was prepared by Lauren Nickle and Tassia Thornton under the supervision of Dr. Frances Tuer, DeGroote School of Business, solely for the purpose of discussion. While the injury in the case actually took place all details of person(s) and organization(s) have been disguised.

**Introduction:**

Jane Doe was performing her regular duties as a warehouse assistant Tuesday afternoon, driving a forklift. She was unloading a shipment and closed the safety gates before she mounted the equipment to alert passing employees to stop and wait for her to open them. As she began unloading, people started accumulating on either side of the forklift’s pathway, waiting for Jane to finish unloading the shipment. Although the majority of people abided the stop signs, there was an outside contractor, John, among the mix. John decided to push the gate open to quickly pass to the other side. As he was crossing the barricaded path, Jane was in the process of driving the forklift. Since the shipment on the forklift was a tall load Jane was unable to see ahead of her. Due to her obstructed view, Jane did not see John who had disobeyed the barrier. The forks drove into John’s leg, causing and Jane immediately engaged the emergency brake and turned the forklift off, realizing the severity on what had just happened. She rushed from the seat to see who she had hit

**Who and What:**

Jane had been working in this warehouse for about four years. She started as a Summer Experience Student and worked her way up to a Warehouse Assistant. Her responsibilities included working under tight time constraints to complete equipment orders, participating in daily safety tailgate meetings, and coordinating with upper management to confirm crew member and equipment location. Jane was eager and willing to help others and was always cautious when completing tasks.

The organization Jane was working for was in the peak season of operations and was undergoing major renovations. For these reasons, there was extra traffic around the building, with employees and outside contractors; John being one of the contractors hired. This meant everyone working both in and around the building had to take extra precaution, especially when moving between departments. The warehouse Jane worked in was in the middle of the building, creating pedestrian traffic from people moving between departments. Most employees complied with the walkway safety gates, however, there was a portion of people who opened the gates without getting approval from warehouse personnel.

**Background on this type of injury:**

According to The National Institute for Occupational Safety and Health (NIOSH), close to 100 people are killed and approximately 20,000 others are injured every year due to forklift-related incidents (NIOSH, 2014). Among forklift fatalities, 20 percent resulted from a person on foot being struck by a forklift (NIOSH, 2014). The three most common reasons for forklift fatalities are forklift overturns, workers on foot being struck by forklifts, and workers falling from forklifts (NIOSH, 2014).

 There are several common reasons to account for when diagnosing accidents for workers on foot being struck by forklifts. In most situations, the pedestrian did not see or hear the forklift, or they came too close in proximity to the forklift, which is any distance closer than four feet to any part of the machine (Leblanc, 2018). Another main cause of these types of accidents is that pedestrians often become complacent and ignorant to safety precautions (Leblanc, 2018).

The state of mind of the operator is another contributing factor to these accidents (SafeStart, 2017). The longer an employee has been operating the machinery, the lower their perception of risk becomes (SafeStart, 2017). Although workers have experience and are talented in their skills, the risk of an accident is still present (SafeStart, 2017).

**What to do next?**

 Jane was in shock and disbelief. She had never been involved in a serious workplace accident. She used the forklift on a daily basis and always followed the steps of the safe operating procedures. Jane ensured that she notified her supervisor and that the proper authorities were alerted to help John. She knew that she would be questioned about what happened, but she did not think this accident was her fault. Or was it? After all, this was not the first time she had seen someone disregard the safety barriers and she had never reported any of this behaviour to her supervisor. Jane thought about compiling a list of people she has noticed push through the barriers when they were closed and submitting it to her supervisor to review. Alternatively, she thought about suggesting a full warehouse safety refresher course for all employees. She wondered how effective the current training program was for outside contractors and how strongly it was being reinforced. She never imagined that a serious injury would occur in her workplace, especially with so many witnesses, she thought someone would have stopped John.