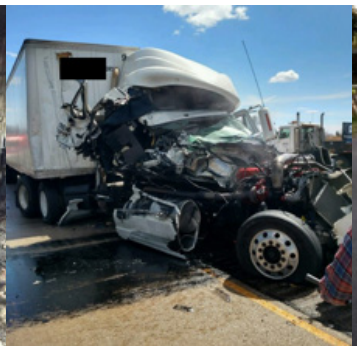
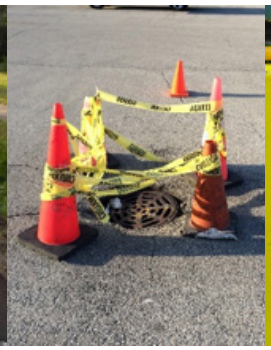
WEST BEND®
THE SILVER LINING®

Loss Lessons

FROM the EXPERIENCE of OTHERS





Initial Estimated Cost of the Loss: $5,171,729

Type of Business: Paving Construction Projects

Line of Insurance Coverage: General Liability & Umbrella

Incident Type: Struck Pedestrian - Backing

Description of the Incident:

In the Fall of 2020 WBMI insured customers working on road/street projects incur similar losses. These were three separate events in three different cities and two different states. All of the contractors were working on road paving projects, one asphalt paving, one curb and gutter installation and one sweeping at a site. The vehicles involved in the incidences were a sweeper, dump truck and redi-mix truck. What these accidents had in common is that each involved backing a vehicle over a pedestrian that was behind the vehicle. 3 individuals severely injured and one fatality.
Back up alarms were on each of the vehicles and were working at the time of the incidents.
What has been learned from the post incident reviews of these incidences is that with construction site noise along with the perpetual presence of back up alarms sounding, workers on jobsites can become "tone deaf" to these audible alarms. In each of the incidences, the pedestrian had time to remove themselves from behind the backing vehicle and did not, for unknown reasons.

Recommendations for Best Practices to prevent future, similar losses:

Back up alarms alone cannot not be the only mechanism for safely backing a vehicle on a jobsite where pedestrian traffic is co-mingled within the work zone.
OSHA requires jobsite safety plans for work zone safety which should include vehicle and pedestrian movement.
Site safety plans need to be shared with all personnel on the site. All personnel must be wearing high visibility clothing. Flaggers, spotters, traffic control measures need to be in place where vehicles and pedestrians interact.
Drivers need to practice G.O.A.L. Get Out And Look! Drivers cannot rely upon back up alarms or back up cameras.
Pedestrians must have site awareness and share the responsibility for site safety. Pedestrians should assume drivers do not see them and behave accordingly. Interact with drivers, notify them of your presence in the same work zones to ensure everyone knows who is where.
Jobsite general contractor/responsible party, need to ensure safety plans for traffic management are communicated.

Regulatory Safety References:

1926.601(b)(4):No employer shall use any motor vehicle equipment having an obstructed view to the rear unless.
(b)(4)(i):... has a reverse signal alarm audible above the surrounding noise level OR
(b)(4)(ii):.... is backed up ONLY when an OBSERVER signals that it is safe to do so.
1926.602 (a)(1) & 602(a)(9) through (a)(9)(ii) extends the rules to all earthmoving & off road equipment for audible alarms and employee signaling.