

2. Struck by Animal

A 33-year-old animal caretaker was struck by the African elephant she was caring for and received fatal injuries. The victim made three treat boxes to be provided to three elephants as an end of the day snack. She placed a treat box in the stall next to the stall where a female elephant was located and called the elephant by name to come get her treat. This elephant was in free contact status, which means that the caretaker was allowed into the stall with the elephant. The 8,500-pound elephant walked toward the treat box and for a brief moment her eyes widened as if she was “spooked.” The elephant continued to walk toward the victim and stopped within eight inches of her. A co-worker called to the elephant to try to get her to move away from the victim. Suddenly the elephant lunged forward with her trunk and struck the victim on the left side of her body, then turned and walked away. The victim was thrown against the steel vertical beams around the stall. Emergency services were called and the victim was transported to a local hospital where her injuries became fatal. After the incident, all elephants were placed in protected contact meaning the caretakers are not allowed in the stalls with the elephants.

TOSHA Citation(s) as Originally Issued

Citation 1

Item 1a 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 employees were not protected from serious injury while working in free contact with an 8,500 pound African elephant.
Item 2a 1910.213(c)(1)	Circular hand-fed rip saws were not guarded by an automatically adjusting hood which completely enclosed that portion of the saw above the table and above the material being cut.
Item 2b 1910. 213(c)(2)	Hand-fed circular rip saws were not furnished with a spreader to prevent material from squeezing the saw or being thrown back on the operator.
Item 2c 1910.213(c)(3)	Hand-fed circular rip saws did not have non-kickback fingers or dogs so located as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator.

Citation 2

Item 1 1910.132(d)(2)	The employer did not verify that the required workplace hazard assessment had been performed through a written certification that identifies the workplace evaluated, the person certifying the evaluation had been performed, the dates of the hazard assessment and which identified the document as a certification of hazard assessment.
Item 2a 1910.212(b)	Machines designed for fixed locations were not securely anchored to prevent walking or moving in that a pedestal mounted bench grinder in the maintenance shop was not anchored.
Item 2b 1910.215(a)(4)	Work rests on grinding machinery were not adjusted closely to the wheel with a maximum opening of one-eighth inch.

Item 2 1910.150(a)(4)	The distance between the abrasive wheel peripheries and adjustable tongue or the end of the safety guard peripheral member at the top exceeded one-fourth inch.
Item 3 1910.303(g)(1)(i)(B)	Working space was less than 30 inches wide in front of electric equipment operating at 600 volts, nominal, or less.
Item 4 1910.334(a)(2)(i)	Portable cord and plug connected electric equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defect (such as loose parts, deformed and missing pins, damage to outer jacket or insulation and for evidence of possible damage (such as pinched or crushed outer jacket.)
Item 5a TDLWD Rule 0800-01-03-.04(3)(b)2	The 300A form must have the calendar year, establishment name, establishment address, SIC code, annual average number of employees covered by the OSHA 300 log, and the total hours worked by all employees covered by the OSHA 300 log
Item 5b TDLWD Rule 0800-1-3-.04(3)(b)3	A company executive must certify that he or she has examined the OSHA 300 A form and that he or she reasonably believes based on his or her knowledge of the process by which the information was recorded that the annual summary is accurate and complete.
Item 5c TDLWD Rule 0800-1-3-.04(4)(a)	The company must retain the OSHA 300 log, the privacy case (if one exists), the annual summary, and the OSHA 301 incident forms for five years following the end of the calendar year that these records cover.
Item 6 TDL Rule 0800-1-3-.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).

