

A **50 year old female** employee contracted **COVID-19** while working in the deli department at a convenience store. The Pilot Travel Center is approximately 13,750 square feet with a Denny's Restaurant and other amenities that include CAT scales, public laundry facilities, showers, restrooms, game rooms, and approximately 171 parking spaces for tractor trailer trucks. The truck stop receives customers involved in interstate commerce from across the country.

On Saturday July 24, 2021, approximately 10 days prior to the victim's death, she and 3 employees unloaded a tractor trailer truck for the Pilot Travel Center. At that time a co-worker was unknowingly positive for COVID-19. All three workers that unloaded the truck eventually tested positive for COVID-19.

At the time of the truck delivery, employees that were vaccinated were not required to wear a mask. None of the other three people who unloaded the truck were vaccinated. Two employees interviewed stated that they did wear a mask while unloading the truck. The victim was not vaccinated and did wear a mask. However, it was learned that she always had trouble breathing due to her asthma so she would routinely be caught with the mask down or not fully covering her face. Unloading a tractor trailer truck into a small storage room made it difficult for employees to social distance performing this task.

On Sunday July 25, 2021, the victim worked a normal day then was off the next day. She returned to work on July 28 to help unload another truck with the same three employees; however, ended up leaving early as she was not feeling well. On the same date, an employee who helped unload the truck on Saturday July 24, 2021, called in sick. The third employee that helped unload the truck was starting to feel symptoms but still came to work and did not acknowledge to the employer she was feeling ill.

On Thursday July 29, 2021, after one worker who helped unload the trucks tested positive for COVID-19 other employees including the victim decided to take off work early to get tested at different locations in the area. All the employees that unloaded the truck and employees that worked in the deli within the next week had a positive COVID-19 test. All employees were then put on quarantine.

No major issues that contributed to the fatality were found in the employer's implementation of the CDC guidelines. According to interviews and documentation provided by the employer, extensive efforts had been made to comply with guidelines. The employer's PPE policy was appropriate. Currently, while working in the facility employees are required to wear a surgical mask.

Citation(s) as Originally Issued

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

Citation 1 Item 1 **Type of Violation:** **Other-than-Serious** **\$3500**

TDLWD Rule 0800-01-03-.05(1)(a)1: Within eight (8) hours after the death of any employee as a result of a work-related incident, the employer did not report the fatality to the TOSHA Division of the Tennessee Department of Labor and Workforce Development:

The employer did not report the work-related death of an employee who died on 8/2/2021 due to a COVID-19 infection until 8/31/2021.

