

Man loses arm after being caught in machine with no safety guards

On behalf of Johnston, Moore & Thompson

- March 02, 2011

Workplace safety should be a priority for all employers. Employees have the right to be protected from serious injuries during the course of employment. They should never have to risk their health and safety in order to make a living. Every worker has a right to expect that industrial equipment will be properly maintained, safety guards will be in place, and their employer will provide them with sufficient training. Unfortunately, many employees still suffer [job-related injuries](#) as a result of workplace accidents.

OSHA recently cited a Florida company, Prologix Distribution Services-East LLC, a magazine and book distributor and recycler, for 14 safety violations after a worker's right arm was amputated when it became trapped in a machine with disabled safety guards.

In August 2010, the employee's arm became caught in moving machinery parts at the company's Doral, Florida, facility, resulting in his right arm being amputated to the elbow.

After its investigation of the accident, OSHA cited Prologix for three worker safety violations classified as willful. A willful violation is issued when an employer demonstrates either an intentional disregard of the law or plain indifference to the health and safety of its workers.

OSHA found that the company had allowed the access guard doors to the machine to remain fully open while the machine was in operation. OSHA also found that the company had no lockout procedures to prevent accidental start-up of the machines, and did not properly train employees on safety procedures for such an event. The proposed penalties for these violations total \$210,000.

In follow-up inspection, OSHA cites Prologix for eight serious worker health violations

In September, the agency initiated a separate inspection focused on worker health concerns at the plant. OSHA issued eight worker health citations to the company which it classified as serious. Among the employee health violations OSHA found were failure to maintain equipment in good working order, exposing employees to electrical hazards, exposing workers to explosion hazards from combustible paper dust in the ductwork, and storing propane indoors.

A serious citation means that the employer knew or should have known there was a substantial probability that serious injuries or death could result from a hazard. The proposed penalties for the serious health violations total \$25,500. Prologix was also issued an additional \$3,500 in proposed penalties for other-than-serious violations.

While the man who lost his arm will be entitled to workers' compensation and disability benefits, nothing can change the injustice of the fact that he is now permanently handicapped as a result of his employer's failure to maintain a safe workplace.

"Employees should not have to risk their lives for a paycheck," said OSHA's Fort Lauderdale area director Darlene Fossum. "This amputation would not have occurred if the company had been following proper safety procedures and maintaining its equipment."

Prologix has 15 business days to respond.

Source: OSHA Region 4 News Release, "[US Labor Department's OSHA cites Prologix Distribution Services in Doral, Fla., following incident in which worker's arm was amputated](#)," February 17, 2011