

# BE CAREFUL OUT THERE!



THE SAFETY BULLETIN OF THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO

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## Is This Your Machine?



Recently, a member of the ILA-USMX Joint Safety Committee came upon the photo above at a Facebook webpage devoted to “Longshore Safety.” The worker who posted the photo also posted a few other photos of the same piece of equipment, with a commentary that essentially complained of the general unsafe condition of that particular industrial truck. We couldn’t agree more, and have already approached the owner of that equipment to register our strong protest about the cluttered area at the operator’s foot pedals, oily surfaces on the machine’s access way and the absence of gauges that were installed by the manufacturer but that no longer exist.

We urge ILA members to report such deficiencies to foremen, and we urge foremen to look into and resolve valid issues with management on the spot. Failing resolution at that level, the matter should be brought to the shop steward. If those efforts are still ineffective, the local port labor/management safety

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committee should be alerted and that committee should ensure that any unsafe conditions are corrected in a timely way. In the unlikely event that the local port safety committee is unable to resolve the issue amicably, the coastwise ILA~USMX Joint Safety Committee should be consulted and should provide a binding, fair solution that benefits all parties in the long term.

## **There's More To The Problem, However**

The occupational safety and health of the ILA membership is one of the most important issues that our leadership continually considers. We've come to understand that in striving to achieve the safest workplaces possible within an industry that presents some fairly hazardous challenges, the commitment of each of the parties that participate in our business is not only desirable..... it's absolutely necessary. We must all appreciate that safety is not a one way street, and that we each have a responsibility to ourselves, our fellow workers, our families and to our industry, to ensure that we do "the right thing" in a safety sense.

Take the safety issue of the debris that lies beneath the foot pedal of the machine shown in the photo above: There's no doubt about it. There are real safety implications that arise, associated with the inability of an operator to effectively work those pedals. And although that particular employer has not come back to us complaining that an ILA operator (or operators) left the debris that ended up under the pedals (and the soda can and other "stuff" that appeared in other photos), it's a lead-pipe cinch that he's thinking in that direction.

We can't expect the employers to take on the responsibility of being our personal valets. It just doesn't work that way. If the ILA membership desires a safe workplace (and that's our legal right; not some sort of privilege), we must take responsibility for our own actions and strive to make those actions conform to a policy that emphasizes not only our demands for safe workplaces.... but also our commitment to perform in a manner that recognizes the importance of safety to each and every one of us and to our families..

## **The Condition Of Vehicular Equipment**

OSHA's regulations have a lot to say about industrial trucks that are used during the course of marine terminal operations. Those regulations are found at 29 CFR 1917.43. Here's a link:

<http://www.gpo.gov/fdsys/pkg/CFR-2014-title29-vol7/pdf/CFR-2014-title29-vol7-sec1917-43.pdf>

Perhaps the most important sentence within that section, is the lead off sentence found at paragraph (c)(5). It reads:

***"Powered industrial trucks shall be maintained in safe working order."***

While we know that differences of opinion will come up from time to time in debating what is and what is not "...safe working order," we also know that reasonable people who truly care about a safe workplace would likely agree that an unsafe industrial truck can be caused by one or more factors that would tend to make the continued operation of the truck unsafe.

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For instance, if trash and debris was found to block the proper operation of an industrial truck's brake and/or accelerator pedal(s), the truck would be unsafe until the trash and debris were removed. If any safety-related device (such as a horn, a speedometer, a seat belt, a strobe light, etc.) were to become inoperative or was removed, OSHA would then consider the truck to no longer be "...in safe working order."

If any ILA member or any ILA Local Union or District Office has any questions with regard to the safe operation of any of the industrial trucks listed below, we urge you to be in touch with one of the ILA's three Safety Representatives.

- Fork lift/clamp/ram trucks of any size, capacity or configuration;**
- Container top loaders or empty handlers;**
- Container reach stackers;**
- Yard tractors;**
- Straddle carriers.**

**Remember:** ILA Workers operate safe equipment, and they do so in a safe manner. There is no excuse for the deployment of unsafe equipment, just as there is no excuse for operating equipment in an unsafe manner.

In order to get our ILA Brothers and Sisters home safely at the end of their respective work shifts, we need both: safe equipment and safe operators. We ask that you always use your skills wisely, and with proper regard for your fellow workers.

## **Need To Be In Touch With An ILA Safety Representative?**

ILA members needing advice, assistance or guidance in considering occupational safety related circumstances and/or issues, should keep in mind that your Union's Safety Representatives are available to consult with.

**Mr. George Lynch** Tel: 917.797.5812 email: [glynch@nysailafunds.net](mailto:glynch@nysailafunds.net)  
[Located at NY/NJ]

**Mr. Bennie Bryan** Tel: 912.312.4573 email: [bbryan1414@yahoo.com](mailto:bbryan1414@yahoo.com)  
[Located at Savannah, GA]

**Mr. Bob Fiore** Tel: 305.798.5845 email: [ilabobby@bellsouth.net](mailto:ilabobby@bellsouth.net)  
[Located at Miami, FL]

Whenever a serious accident occurs, or when a hazardous situation requiring a higher level of technical attention or advice is apparent, please be in touch with your Safety Representatives. Your information is valuable, could save a life and may otherwise remain unknown.

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