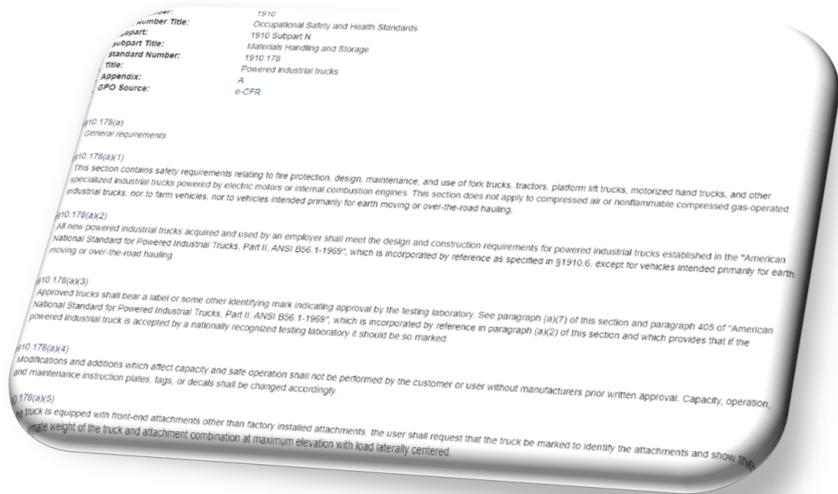


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National Forklift Safety Day: OSHA Enforcement of Powered Industrial Truck Requirements

By [Eric J. Conn](#) and [Nick W. Scala](#)

Forklifts, or powered industrial trucks, continue to be one of the most essential and most heavily cited pieces of equipment within material handling, which makes today – [National Forklift Safety Day](#) – sponsored by the [Industrial Truck Association](#), an opportune time to review some of the most common areas of OSHA enforcement for powered industrial trucks (“PIT”).



Recent data from OSHA indicates that in FY2019 there were over 2500 citations issued under [§1910.178](#), which contains OSHA’s standard on PIT. This was the seventh most frequently cited standard by OSHA that year and according to OSHA, and specifically at the sub-sections of enforcement under [§1910.178](#), the most commonly cited elements of the standard in FY2019 were:

- **178(I)(1)(i)** – operator training: ensuring that operators are competent to safely operate a powered industrial truck as demonstrated by completion of training and evaluation;
- **178(I)(4)(iii)** – refresher training and evaluation: evaluation of operator’s performance must be conducted at least once every three years;
- **178(I)(6)** – certification of operator training and evaluation;

- **178(p)(1)** – taking powered industrial trucks out of service when in need of repair, defective, or unsafe; and
- **178(l)(1)(ii)** – operator training: ensuring completion of training prior to permitting employee to operate powered industrial truck.

It is imperative that employers utilizing PIT remain consistent when implementing training programs for material handling, and also know when to retrain. Not only must a recertification take place at least once every three years, as outlined in §1910.178(l)(4)(iii), but refresher training must also be provided to operators if:

- **178(l)(4)(ii)(a)** – the operator has been observed to operate the vehicle in an unsafe manner;
- **178(l)(4)(ii)(b)** – the operator has been involved in an accident or near-miss incident;
- **178(l)(4)(ii)(c)** – the operator has received an evaluation that reveals that the operator is not operating the truck safely;
- **178(l)(4)(ii)(d)** – the operator is assigned to drive a different type of truck; or
- **178(l)(4)(ii)(e)** – a condition in the workplace changes in a manner that could affect safe operation of the truck.

In addition to closely reviewing the adequacy of PIT operator training and recordkeeping, employers must be diligent to avoid enforcement from OSHA for items such as failing to ensure a PIT is removed from service when in need of repair, allowing labels on controls to become illegible over time, failing to ensure employees maintain a view in the direction of travel, and not fully lowering the forks, neutralizing controls, settings brakes, and shutting off power while the PIT is unattended (even if for a short time). Also, OSHA is often able to link other related areas of enforcement to unsafe PIT operations and/or materials handling including the proper use of PPE, walking and working surfaces, and hazard communication. ([Click here for more on preparing a material handling fleet for OSHA inspection.](#))

Employers should take every citation they receive seriously regardless of the size of the penalty. Often the first citation is issued with an innocuous characterization (e.g., Other Than Serious) and a low or no penalty, or OSHA agrees at an informal settlement conference to reduce more serious violations to lower characterizations and penalties. However, employers should not be fooled into thinking these modifications render the citation without impact. This is especially true with enforcement related to essential aspects of an employer’s operations at one or many facilities, such as the indispensable role of forklifts and PIT in material handling. Therefore, employers must be careful to weigh the benefit of a low penalty citation or settlement against the potentially high cost of Repeat violations at the same, related facilities, or costly (or even infeasible) abatement demands.



OSHA continues to pay a great deal of attention to forklift and PIT safety, compliance, and enforcement. While there is no rulemaking imminent from OSHA, the current regulatory agenda does include a *Prerule* item for PIT, which was initially published in fall 2018 and in large part seeks to incorporate by reference a more recent version of ANSI standards. However, in 2019, OSHA also published a [Safety Alert](#) and [Safe Operation Quick Card](#) related to PIT. So, until the day when there are new obligations for employers to follow with forklifts and PIT, the existing regulations necessitate employer attention to maintain compliance and ensure a safe workplace.