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Indiana Department of Labor – IOSHA Division

FATAL INJURY INVESTIGATION OUTCOME – University of Notre Dame (workplace)

IOSHA found that Notre Dame did not establish and maintain conditions of work that were reasonably safe for its employees, that were free from recognized hazards that caused or were likely to cause death or serious injury and therefore issued the following safety violations:

- **Knowing violation** – By directing its untrained student employee videographers to use the scissor lifts during a period of time when the National Weather Service had issued an active Wind Advisory with sustained winds and gusts in excess of the scissor lift's manufacturer's specifications and warnings, the university knowingly exposed its employees to unsafe conditions. A \$55,000 fine has been assessed.
- **Serious violation** – Notre Dame did not properly train the student employees in the operation and use of the scissor lifts used during football practice. A \$5,000 fine has been assessed.
- **Serious violation** – The scissor lift noted in this incident – owned by Notre Dame – had not been given an annual, monthly, or weekly inspection for more than one year. A fine of \$5,000 has been assessed.
- **Serious violation** – Notre Dame did not have the scissor lift it owned serviced as required by the preventive maintenance schedule in the operator's manual. A fine of \$5,000 has been assessed.
- **Serious violation** – Notre Dame did not have an operator's manual kept on the unit it owned in the weather proof box. A fine of \$5,000 has been assessed.
- **Serious violation** – The scissor lift noted in this incident – owned by Notre Dame – was missing some of its warning labels and some labels were faded and weathered. A fine of \$2,500 has been assessed.

ADDITIONAL INFORMATION

- Many universities, colleges and high schools throughout the state use scissor lifts in their athletic, band and theatrical programs. A statewide education and outreach initiative is being launched to urge those educational institutions to review their use of lifts in those settings.
 - The maximum fine allowable under Indiana law for a knowing violation is \$70,000.
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- The family was notified of the findings prior to the media briefing.
- Notre Dame also was notified of the findings prior to the media briefing.

ADDITIONAL RESOURCES:

- Online media kit (safety order, letter to universities/colleges, news release, etc.)
 - www.dol.in.gov/2367.htm
- Family spokesperson
 - Mike Miley – 630.894.3062
 - mike@miley.us
- Notre Dame Communication Director
 - Dennis Brown – 574-631-8696
 - dennis.k.brown.18@nd.edu