Employee Safety Responsibilities Fatality File

Temporary Worker Killed at Bacardi Bottling, OSHA Says Company Failed to Train

OSHA has cited Bacardi Bottling in Jacksonville, Fla., with willful and serious violations following the death of a temporary worker during his first day at work. Proposed penalties for the violations total $192,000.

Bacardi's Web site invites visitors to "Enter the Party," but working at the Bacardi Bottling Corp. facility in Jacksonville, Fla., where the company bottles all of the rum it distributes to North America, led to a tragic end for the short life of Lawrence Daquan "Day" Davis.

Davis, a 20-year-old temporary worker, was killed last August on his first day on the job when he was crushed by a palletizer machine. OSHA cited Bacardi Bottling with 12 alleged OSHA violations.

Davis was an employee of a temporary staffing service, Remedy Intelligent Staffing, which is contracted by Bacardi Bottling to provide workers for certain jobs. OSHA requires that employers protect the health and safety of all workers under their supervision and control, even temporary workers who are employed by other companies.

"A worker's first day at work shouldn't be his last day on earth," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Employers are responsible for ensuring the safe conditions of all their employees, including those who are temporary."

Bacardi sent a statement to EHS Today that says, in part, "As a family-owned company with a long history of operating as an industry leader in workplace safety, Bacardi takes seriously any accident and continues to extend its sincerest condolences to the family. Always looking to improve in safety measures and operational performance, Bacardi conducted additional employee re-training on lockout/tagout procedures, updated safety policies and procedures, and completed a thorough review of all equipment in order to prevent such an accident from happening again."

Davis was cleaning glass from under the hoist of a palletizing machine when an employee restarted the palletizer. Bacardi Bottling had failed to train temporary employees on utilizing locks and tags to prevent the accidental start-up of machines and to ensure its own employees utilized procedures to lock or tag out machines. Proposed penalties for the willful and serious violations total $192,000.