

**Case 113. 47-year-old chain saw operator killed by a tree that fell in an unexpected direction.**

A 47-year-old male truck driver for a road commission was killed after a 60-foot tall tree fell in the wrong direction and struck him on the head. The decedent was a member of a 4-person crew assigned to cut down a rotting 37-inch diameter tree. The group leader was operating a front-end loader positioned across the street, the decedent operated the chain saw, and two crewmembers were positioned as flaggers for traffic control. A cable was wrapped around the tree approximately 16 feet up from the ground and attached to the front-end loader across the street prior to any cuts on the tree. The decedent would have signaled the front-end loader operator to apply tension to the tree when the tree was ready to be pulled. The decedent cut a notch (undercut) in the north side of the tree; the north side faced the roadway. The decedent, standing on the southwest side of the tree, made a notch in the south side of the tree. The crew intended the tree to fall towards the roadway. The tree split vertically and started falling prior to decedent's signal. Instead of falling to the north towards the roadway, the tree twisted and fell southwest, onto the victim who was attempting to run to safety. Crew workers called 911 and began first aid. The decedent was wearing a hard hat with earmuffs.

MIOSHA General Industry Safety and Health Division issued the following alleged Serious citations to the employer:

**SERIOUS:**

ACT 154 PA OF 1974, SEC. 11(a).

Furnish to each employee employment and a place of employment, which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee in that the employer allowed two (2) employees to be lifted to an elevation of 12 to 15 feet above the ground while standing in a Caterpillar end loader bucket, exposing employees to the hazard of falling to the ground below.

MIOSHA states: Among other methods, one feasible and acceptable abatement method to correct this hazard is to prohibit employees from being in the Caterpillar end loader bucket.

**SERIOUS:**

TREE TRIMMING AND REMOVAL, PART 53, RULE 5311(a).

A job briefing shall be conducted before any tree job involving unusual hazards is begun.

Crew members not included in a job briefing.

**SERIOUS:**

TREE TRIMMING AND REMOVAL, PART 53, RULE 5313(2).

Require use of head protection.

No head protection worn by one crew member.

SERIOUS:

TREE TRIMMING AND REMOVAL, PART 53, RULE 5336(3).  
Require large enough undercut (about 1/3 diameter).

Inadequate undercut, cut 50 percent through tree.

SERIOUS:

TREE TRIMMING AND REMOVAL, PART 53, RULE 5336(4).  
Leave sufficient back cut hinge wood (about 2 inches).

No hinge wood left when making back cut.

SERIOUS:

TREE TRIMMING AND REMOVAL, PART 53, RULE 5336(7).  
Fell from uphill side when tree is on slope.

Employee cutting tree from downhill side.