

Case 167. 41-year-old temporary agency employee fell 15 feet through a section of roof that collapsed and died several weeks later from injuries sustained at the time of the incident.

On September 19, 2007, a 41-year-old male, working for a temporary agency, fell 15 feet through a section of roof that collapsed and died several weeks later. During the previous weeks, roofing company personnel had been on the 50-foot, low-sloped roof performing inspections and doing repair work without incident. The roof composition was modified bitumen installed over ½" wood fiber insulation board. This was installed over a built-up tar and gravel roof on a composite roof deck comprised of two ¼" sheets of cement board with high density wood fiber sandwiched between them. The roofing company hired the decedent and another worker from the same temporary agency to perform roofing work. The decedent and other laborer arrived at the site and met the roofing company project leader who was also assigned safety-monitoring duties. The three-person work crew began to tear off the top layer of roofing and insulation, starting in the southwest roof corner. After removing three rows of roofing along the east wall, a skid of roofing material was uploaded to the southeast roof corner. Each crewmember picked up a 90-pound roll of roofing material to carry to the other side of the roof. The roofing company project leader and the decedent's coworker set down their roofing material and turned to return to get more material when they noticed that the decedent was not with them. As they walked back to the staging area, they looked for him and observed a hole in the roof. The decedent had fallen approximately 15 feet through the roof opening, landing first on some equipment, and then the concrete floor. Emergency response was notified and the decedent was taken to a local hospital. He died three weeks later from complications sustained at the time of the incident.

MIOSHA Construction Safety and Health Division issued the following Serious and Other-than-Serious citations at the conclusion of their investigation:

SERIOUS:

GENERAL RULES, PART 1, RULES 132(3).

A person who has a valid certificate in first aid straining shall be present at the worksite to render first aid. A certificate is valid if the requirements necessary to obtain the certificate for first aid training meet or exceed the requirements of the United States Bureau of Mines, the American Red Cross, the guidelines for basic first aid training programs, or equivalent training.

Employees engaged in roofing activities on the jobsite did not have anyone certified in First Aid or CPR available on the jobsite.

SERIOUS:

FALL PROTECTION, PART 45, RULE 4502, REF OSHA 1926.501 (a)(2).

The employer shall determine if the walking/working surfaces on which its employees are to work have the strength and structural integrity to support employees safely. Employees shall be allowed to work on those surfaces only when the surfaces have the requisite strength and structural integrity.

The employer of the employees engaged in roofing activities on the jobsite failed to properly determine the structural integrity of the roofing surface the employees were working on. One employee fell through the roof approximately 15 feet to the concrete floor below receiving severe injuries to his head and back.

SERIOUS:

FALL PROTECTION, PART 45, RULE 4502, REF OSHA 1926.502 (h)(1).

Safety monitoring systems [see 1926.501(b)(10)(k)] and their use shall comply with the following:

The employer shall designate a competent person to monitor the safety of other employees and the employee shall ensure that the safety monitor complies with the following requirements:

- (i) The safety monitor shall be competent to recognize fall hazards;
- (ii) The safety monitor shall warn the employee when it appears that the employee is unaware of a fall hazard or is acting in an unsafe manner;
- (iii) The safety monitor shall be on the same walking/working surface and within visual sighting distance of the employee being monitored;
- (iv) The safety monitor shall be close enough to communicate orally with the employee; and
- (v) The safety monitor shall not have other responsibilities, which could take the monitor's attention from the monitoring function.

The employees engaged in roofing activities on the jobsite failed to properly implement a fall protection system. The supervisor/safety monitor on the roof was doing work activities that took his attention away from monitoring the employees. As a result, the safety monitor did not witness the injured employee's accident.

SERIOUS:

FALL PROTECTION, PART 45, RULE 4502, REF OSHA 1926.503(a)(1).

The employer shall provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards.

The employer failed to provide fall protection training to the temporary employees that they were supervising while engaged in roofing activities on the jobsite. Any employee exposed to a fall hazard must be trained in fall protection and hazard recognition to a fall before work activities begin.

OTHER-THAN-SERIOUS:

ADMIN RULE 2131, RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, RULE 1131(1)

Record work related injuries and illness that meet the recording criteria in rule 408.22112(2)(a) subrules (i), (ii), (iii), (iv), (v), (vi).

Employer failed to record injury on its OSHA 300 log of the employee that was injured. Employer was supervising employee at time the injury occurred.