

**Case 255. 26-year-old laborer/hunt guide/dog trainer at a hunt club died when he fell approximately 40 feet through an open 45-inch by 30-inch trap door/chute.**

A 26-year-old male laborer/hunt guide/dog trainer at a hunt club died when he fell approximately 40 feet through an open 45-inch by 30-inch trap door/chute. The bird release tower had four flights of stairs and a fixed ladder by the chute/trap door opening. A rope mechanism was used to raise birds up and through the chute opening to the tower's base platform. The top of the tower had two levels; the platform floor containing the trap door and a ledge located approximately three feet above the base platform. His coworker was shoveling snow on the platform floor and the decedent was standing on the ledge scraping ice. The decedent slipped and fell backwards through the chute opening to the ground below. His coworker heard swearing, and saw the decedent fall through the chute opening folded at the waist. The decedent landed on the snow covered ground, landing on his right side, and then rolling onto his stomach. His coworker descended from the platform. When reaching the ground, the decedent indicated he was having trouble breathing. His coworker called 911 and the son of the owner cleared a path for emergency responders with a backhoe.

MIOSHA General Industry Safety and Health Division issued the following Serious and Other-than-Serious citations to the employer at the conclusion of its investigation.

**SERIOUS: MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, ACT 154, P.A. 1974, AS AMENDED, SECTION 11(a):**

The employer did not furnish to each employee, employment and a place of employment which was free from recognized hazards that were causing or were likely to cause death or serious physical harm to the employee: employer allowed employees to clean snow from tower, exposing employees to approximately 40-foot fall through trap door opening in floor where grating was removed to allow large amounts of snow out.

Among others, one feasible and acceptable method to correct this violation is to provide fall protection for employees working in tower.

**SERIOUS: FLOOR AND WALL OPENINGS, STAIRWAYS, AND SKYLIGHTS, PART 2, RULE 227(3):**

A stair railing with intermediate rail was not installed on any open side of a fixed industrial stair and platform.

OTHER-THAN-SERIOUS: RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, PART OSH 11, RULE 1139(1):

An oral report of a work-related incident resulting in a fatality or the inpatient hospitalization of three or more employees was not made within eight hours after the occurrence to the Michigan Department of Energy, Labor and Economic Growth, Michigan Occupational Safety and Health Administration, State Secondary Complex, 7150 Harris Drive, P.O. Box 30644, Lansing, MI 48909, phone 1-800-858-0397:

(Employer did not report fatality)