

Case 413. 58-year-old carpenter died from a 44-foot fall from a roof parapet under construction.

A 58-year-old male carpenter died from a 44-foot fall from a parapet on the roof. The decedent was a member of a 4-person work crew erecting parapet structural members with associated bracing on the roof. The parapet framing members had been braced with a 2x6, positioned from high on the parapet framing down to the roof; the base of the 2x6 was located approximately 8 feet away from the parapet structure. A coworker handed the top of the 2x6 brace to the decedent and a coworker nailed the bottom of the brace to the roof. At the time of the incident, the decedent did not use the step ladder; for reasons unknown, he climbed over a 37-1/2" high portion of the parapet structure and onto the small piece of OSB horizontal overhang. The nails failed to hold the decedent's weight and the piece of OSB dislodged, causing the decedent to fall to the packed dirt below. The decedent was not wearing fall protection. Three fall protection anchorage brackets had been installed on the roof deck in the area of the incident.

MIOSHA Construction Safety and Health Division issued the following Serious citations at the conclusion of its investigation.

SERIOUS: GENERAL RULES, CS PART 1, RULE 408.40114(1):

An employer shall develop, maintain, and coordinate with employees an accident prevention program, a copy of which shall be available at the worksite.

Employees engaged in framing operations on a four story hotel did not maintain and coordinate the accident prevention program with employees.

The accident prevention program did not provide guidance or instruction in construction site inspections, the recognition and avoidance of hazards. Such hazards would include, but not limited to, the guarding of the parapet wall's horizontal surfaces and those surfaces not being able to safely support employees, exposing them to falls of up to 44½ feet.

SERIOUS: FALL PROTECTION REF 408.44502, CS PART 45

- RULE 1926.502(b)(1): Top edge height of top rails, or equivalent guardrail system members, shall be 42 inches (1.1 m) plus or minus 3 inches (8 cm) above the walking/working level. When conditions warrant, the height of the top edge may exceed the 45-inch height, provided the guardrail system meets all other criteria of this paragraph.

NOTE: When employees are using stilts, the top edge height of the top rail, or equivalent member, shall be increased an amount equal to the height of the stilts.

Employees engaged in the bracing of parapet walls on the roof of the four story hotel adjacent to a 37-1/2" high portion of the parapet walls exposed to potentially stepping onto the horizontal portion of the parapet wall and falling 44-1/2' to the ground below.

- RULE 1926.503(b)(1): The employer shall verify compliance with paragraph (a) of this section by preparing a written certification record. The written certification record shall

contain the name or other identity of the employee trained, the date(s) of the training, and the signature of the person who conducted the training or the signature of the employer. If the employer relies on training conducted by another employer or completed prior to the effective date of this section, the certification record shall indicate the date the employer determined the prior training was adequate rather than the date of actual training.

Employer did not have a written certification record of training for an employee engaged in the setting and bracing of parapet walls that is required by 1926.503(a).