

Case 117. 45-year-old owner of a gutter installation company died after falling 30 feet from a rough terrain forklift platform.

A 45-year-old male, who was the sole owner of a gutter installation company, died after falling 30 feet from a rough terrain forklift platform. The decedent owned a gutter installation company and worked full-time at another company. The decedent was hired by a homeowner to install leaf guards on the rain gutters he had previously installed on the home. Using an extension ladder, the decedent had installed the leaf guards on the home's lower eave rain gutters. The homeowner had previously used a Lull 644 rough terrain forklift truck/platform to install the rock face on his home. The decedent indicated to the homeowner he wanted to use the Lull forklift/platform to install the leaf gutters on the tower area of the home. The homeowner moved the forklift truck/platform around to this area and positioned it to the location indicated by the decedent. The decedent carried an 8-foot fiberglass stepladder onto the 12-foot by 4-foot scaffold platform. The platform had a 4-foot high railing located on the side toward the forklift carriage. The homeowner operated the forklift and raised the platform approximately 30 feet to allow the decedent to install the leaf guards. The decedent leaned the ladder against the platform railing and installed the first section of the gutter leaf guard. While installing the second section, he fell approximately 30 feet to the ground. The homeowner stated that the decedent was not standing on the platform when the fall occurred. The homeowner jumped off of the forklift and ran to the decedent. The decedent did not respond to the homeowner and the homeowner began CPR. The decedent regained consciousness and the homeowner ran into the home and yelled to a family member to call 911 and then ran back to the decedent. Emergency response arrived and transported the decedent to a local hospital where he died several hours later.

The MIOSHA Construction Safety and Health Division identified the following conditions not in compliance with respect to MIOSHA Construction Safety Standard Scaffold and Scaffold Platforms, Part 12:

- No pre-lift meeting held to review the appropriate requirements and procedures to be followed. The home and forklift truck owner/operator had elevated the owner/contractor on a rough-terrain forklift truck scaffold platform for the purpose of installing leaf guards on the house tower rain gutters. (RULE 1243(1))
- The lifting carriage forks on the Lull Rough-terrain forklift truck were not secured in a manner that would prevent the forks/platform from tipping. (RULE 1243(3))
- The rotator/hydraulic cylinder on the Lull Rough-terrain forklift truck was not deactivated when lifting personnel. (RULE 1243(4)).
- The rough-terrain forklift scaffold platform did not have continuous guardrail system around its periphery, only on one side (section of guardrail on the carriage side) (RULE 1243(5)).

- No personal fall arrest system worn by the owner/contractor working from the elevated rough-terrain forklift scaffold platform (RULE 1243(9)).
- The on-site contractor was using an 8-foot fiberglass stepladder on the rough terrain forklift truck scaffold platform to gain additional height (RULE 1243(17)).
- The rough-terrain forklift scaffold platform floor dimension is 12 feet in length exceeding the maximum allowed length measured from the outside width of the forklift load bearing tires 8 feet plus 10 inches on each side of the tire (RULE 1243(21)).