

Case 127. 50-year-old carpenter was killed as a result of a 9-foot 8-inch fall from a 5/12 pitch residential roof.

A 50-year-old male carpenter was killed as a result of a 9-foot 8-inch fall from a 5/12 pitch residential roof. The decedent was a member of a 3-person work crew. The crew consisted of the company owner and two employees. A homeowner hired the company to take down some existing eave troughs and check all the siding and fascia for loose nails, as well as any other work that the home may need. The work crew spent about an hour taking down the eave troughs. They set up a ladder in the front of the house to access the roof area where they were going to check for loose nails on the siding and fascia. Two crewmembers checked and nailed the siding and fascia that was accessible from the first floor roof while the decedent did the same work on ground level. They finished this work at lunchtime. The company owner stated to the crewmembers at lunchtime that they would need to remove some pine needles from around two skylights on the backside of the lower roof. All of the crewmembers went to the roof. The decedent had a dustpan, the company owner had a broom and the other coworker had a garbage bag. They worked their way up one side of the gable style roof and then started down the backside of the roof. Near the bottom on the backside of the roof were two skylights. The decedent was positioned at the bottom of the skylight and his coworker was at the top of the skylight as the company owner was sweeping the pine needles into piles. The decedent was on the west side, a couple of feet from the rake edge of the eave. The decedent took a step backwards and he fell from the roof edge 9 feet 8 inches to the deck below. The coworkers climbed down from the roof via the ladders and the company owner called 911.

MIOSHA Construction Safety Division issued the following alleged Serious citations:

SERIOUS:

GENERAL RULES, PART 1, RULE 114(1).

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

Company has no written safety and health program. Employees that are doing various carpentry-related jobs are exposed to hazards that should be addressed in a written safety program.

SERIOUS:

FALL PROTECTION, PART 45, RULE 4502, REF OSHA 1926.501(b)(13)

Each employee engaged in residential construction activities 6 feet (1.8 m) or more above lower levels shall be protected by guardrail systems, safety net systems, or personal fall arrest systems unless another provision in paragraph (b) of this section provides for an alternative fall protection measure. Exception: When the employer can demonstrate that it is infeasible or creates a greater hazard to use these systems, the employer shall develop and implement a fall protection plan, which meets the requirements of paragraph (k) of 1926.502.

Note: There is a presumption that it is feasible and will not create a greater hazard to implement at least one of the above-listed fall protection systems. Accordingly, the employer has the burden of establishing that it is appropriate to implement a fall protection plan, which complies with 1926.502(k) for a particular workplace situation, in lieu of implementing any of those systems.

No fall protection provided. Employees are working on a 5/12 pitch roof while checking for loose nails in second floor siding. Employees are also doing clean up work on the first floor roof. The fall potential from the roof eave to areas below is approximately 9 feet 8 inches.