

**Case 279. 53-year-old custodian died due to a slip and fall from an 8-inch laminate tile band room riser that had a floor wax stripping agent and removed wax overflowing to lower riser.**

A 53-year-old male custodian died due to a slip and fall from an 8-inch laminate tile band room riser that had a floor wax stripping agent and removed wax overflowing to lower riser. The band room was approximately 46 feet by 36 feet by 17 feet high. It had five risers/levels approximately 8 inches high by 60 inches wide in a curved configuration. Room ventilation consisted of two non-industrial fans mounted on two different walls and a small squirrel cage fan on the floor. The stripping agent was diluted in a mop bucket and was poured onto the band room floor using a one gallon can. The crew began work on the 5<sup>th</sup> riser. Approximately two gallons of the stripping agent on the floor/riser they were standing on and it had started to run over the edge to the next level. The decedent's coworker used a floor scrubber to help remove the wax and the decedent, wearing winter work boots, used a vacuum to clean up the excess. They had completed the 5<sup>th</sup> riser and had started work on the 4<sup>th</sup> riser. It was near break time and he and his coworker were preparing for their break. The decedent picked up the one gallon can and was taking it to a work cart in the hallway near the band room. He stepped near the edge of the 4<sup>th</sup> riser where some of the wax stripping material and emulsified wax were overflowing down to the 3<sup>rd</sup> riser. He slipped and fell sideways 8 inches to the 3<sup>rd</sup> riser striking his head. He laid on the floor/riser for approximately 20 seconds, and then his coworker helped him up. The decedent reported the incident to management, and then he drove to a local hospital, where he died later that day.

The MIOSHA General Industry Safety and Health Division issued the following Serious citation to the employer at the conclusion of its investigation.

**SERIOUS: PERSONAL PROTECTIVE EQUIPMENT, PART 33, RULE 3308(1)**

There was no assessment of the workplace to determine if hazards that necessitated the use of personal protective equipment were present, or were likely to be present.

No hazard assessment done at firm, Personal Protective Equipment – Band Room.