

### **Case 312. 23-year-old logger died when a large tree fell onto him.**

A 23-year-old male logger died when a large tree fell onto him. The two-person work crew was cutting red pines. The decedent's job responsibilities were to limb the trees and provide spotting services. He was not wearing a hard hat or safety glasses. At the time of the incident, the decedent was limbing trees. He was positioned east, approximately 40 feet away from the incident tree, a 20-inch diameter, 80- to 90-foot-tall red pine. The faller was felling this red pine and purposely made the undercut and back cut to limit the amount of hinge wood so more of the tree could be saved for the tree's end use. The intended fall direction was north. Wind speed at the time of the incident was approximately 5 mph. While falling, the tree twisted on its stump and fell to the east. The faller did not provide a verbal warning prior to the back cut. In the area, there was dense Balsam underbrush, which made it difficult for the faller to see the decedent's location. When the faller saw the tree falling in the unintended direction, he noticed the decedent's location and yelled a warning but the decedent. The decedent was bent over limbing a tree with his chain saw and did not hear the warning. The tree struck the decedent on his back. The faller cut the tree off the decedent and then called for emergency response. There were many skid trails into the 77 acre parcel, which made it difficult for the emergency responders to locate the incident scene. The decedent was declared dead at the scene.

MIOSHA General Industry Safety and Health Division issued the following Serious citations to the firm at the conclusion of its investigation.

#### **SERIOUS: Logging, Part 51**

- Rule 5114(5): An employer shall assure that each employee, including supervisors, receives or has received first aid and cardiopulmonary resuscitation (CPR) training that is in compliance with the requirements specified in subrule (II) of this rule:

(Firm did not assure each new employee received first aid and CPR training – Facility Wide)

- Rule 5119(3): At a minimum, training shall consist of all of the following elements:
  - (a) The safe performance of assigned work tasks.
  - (b) The safe use, operation, and maintenance of tools, machines, and vehicles that the employee uses or operates, including an emphasis on understanding and following the manufacturer's operating and maintenance instructions, warnings, and precautions.
  - (c) The recognition of safety and health hazards associated with the employee's specific work tasks including the use of measures and work practices to prevent or control the hazards.
  - (d) The recognition, prevention and control of other safety and health hazards in the logging industry.
  - (e) The procedures, practices, and requirements of the employer's worksite.

(f) The requirements of these rules.

(Firm did not train each new employee in the way to fell a tree with a proper notch and back cut with hinge wood and safe distances needed to protect fellow employees from falling trees – Facility Wide)

- Rule 5151(1): An employee, except the faller, shall not be closer to a manual or mechanical felling operation than twice the height of the tallest tree being cut.

(Firm did not ensure that employees were aware of and maintained a minimum of two tree lengths between employee(s) and feller)

- Rule 5162(2): A back cut shall be made in each tree being felled. A back cut shall leave sufficient hinge wood to guide the tree's fall in the desired direction and to hold the tree to the stump during most of its fall. A back cut shall be about 2 inches above the undercut and as level as possible; however a back cut may be at or below the horizontal cut in tree-pulling operations:

(Firm did not ensure that employees were aware of and maintained sufficient amount of hinge wood to guide the tree's fall in the desired direction)

- Rule 5122: A protective helmet was not provided to each employee at no cost to the employee and its use was not assured:

(Firm did not enforce the use of protective helmet)

- Rule 5123(1): Eye protection was not provided at no cost to each employee and its use was not assured:

(Not enforcing the use of eye protection)