

**Case 325. 36-year-old Hispanic roofer died when he fell through a rusted metal roof deck approximately 22 feet to the concrete floor.**

A 36-year-old Hispanic male roofer died when he fell through a rusted metal roof deck approximately 22 feet to the concrete floor. The firm was hired to remove an existing roof on a commercial property and replace the metal decking where necessary and then replace the entire roof. The roof had been repaired five years ago. The metal decking was covered with pressed board, insulation and rubber. The firm's safety coordinator, several foremen, and 36 employees were on the roof when the fatality occurred. The section of roof where the decedent was working had been cleared of the rubber and insulation. The metal roof decking showed significant rust and eroding, with holes eaten through in the area where the decedent fell and in numerous other areas on the roof. When standing on the building floor looking up toward the roof, daylight was observed through the decking before and after the incident. The decedent was wearing a fall protection harness but was not using a life line and lanyard attached to the approved anchor point (cobra cart) located 30 feet away. He was in the process of removing the pressed board when he fell approximately 22 feet through the deteriorated metal roof decking to the concrete floor below. There were several means of fall protection available for use on the roof however employees either did not use the fall protection systems or used them incorrectly. Emergency response was called. He was transported to a local hospital where he was declared deceased.

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

**REPEAT SERIOUS:** Fall Protection, Part 45, Rule 4502, REF OSHA 1926.501(b)(10)

Each employee engaged in roofing activities on low-slope roofs, with unprotected sides and edges 6 feet (1.8 m) or more above lower levels, was not protected from falling by guardrail systems, safety net systems, personal fall arrest systems, or a combination of warning line system and guardrail system, warning line system and safety net system, warning line system and personal fall arrest system, or warning line system and safety monitoring system; or on roofs 50 feet (15.25 m) or less in width, the use of a safety monitoring system alone is permitted.

Employees exposed to a fall of 22 feet performing roofing removal activities without safety harness attached to the fall arrest (cobra cart) which was within 30 feet of the employee.

(The firm was previously cited (year 2010) for a violation of this same rule or similar condition.)

**SERIOUS:** General Rules, Part 1, Rule 114(1)

An accident prevention program (APP) was not developed, maintained, and coordinated with employees.

The accident prevention program was not maintained with employees engaged in roofing activities.

- A. Fall protection was not utilized while performing deck strength testing while roofing materials were removed.
- B. The Superintendent/Foreman did not stop unsafe work practices and consult with management as per company APP.
- C. The Safety Coordinator was onsite and did not enforce all the company policies and procedures as they pertain to Occupational Health and Safety.

**SERIOUS:** Fall Protection, Part 45, Rule 4502, REF OSHA 1926.501(a)(2)

The employer shall determine if the walking/working surfaces on which its employees are to work have the strength and structural integrity to support employees safely. Employees shall be allowed to work on those surfaces only when the surfaces have the requisite strength and structural integrity.

The employee fell 22 feet through the metal decking to the concrete below while engaged in roofing materials removal. A personal fall arrest system was not used where an inadequate method of testing the deck strength was used.