

Case 447. 25-year-old roofer died when he fell approximately 12 feet 4 inches from the low-sloped, 4/12 pitch roof of a one-story commercial building to a concrete sidewalk.

A 25-year-old male roofer died when he fell approximately 12 feet 4 inches from the low-sloped, 4/12 pitch roof of a one-story commercial building to a concrete sidewalk. The decedent's employer was contracted to install new roof shingles and drip edge. The decedent's employer arrived and directed the decedent to travel to another worksite to pick up an air compressor and bring it back to the jobsite. The remaining three individuals at the job site worked from extension ladders to install drip edge. The decedent returned from the other job site with the air compressor. One of the workers was working approximately 15 feet away from the location where the decedent fell from the roof to the concrete sidewalk below. He was not wearing fall protection. He died approximately one and one-half weeks later from complications of the injury sustained at the time of the fall.

MIOSHA Construction Safety and Health Division issued the following Serious and Other-than-Serious violations at the conclusion of its investigation.

SERIOUS: GENERAL RULES, CS PART 1, RULE 408.40114(1): An employer shall develop, maintain, and coordinate with employees an accident prevention program, a copy of which shall be available at the work site.

Employer did not develop and implement an accident prevention program.

SERIOUS: FALL PROTECTION REF 408.44502, CS PART 45:

- RULE 1926.501(b)(10): Except as otherwise provided in paragraph (b) of this section, 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 shall be 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, or warning line system and safety monitoring 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 (see Appendix A to sub-part M of this part), the use of a safety monitoring system alone [i.e. without the warning line system] is permitted.

Employee performing roofing work on a 4/12 pitch roof was not utilizing fall protection.

- RULE 1926.503(b)(1): The employer shall verify compliance with paragraph (a) of this section by preparing a written certification record. The written certification record shall contain the name or other identity of the employee trained, the date(s) of the training, and the signature of the person who conducted the training or the signature of the employer. If the employer relies on training conducted by another employer or completed prior to the effective date of this section, the certification record shall indicate the date the employer determined the prior training was adequate rather than the date of actual training.

No verification of employee training with regard to fall protection.

OTHER-THAN-SERIOUS: Recording And Reporting Of Occupational Injuries And Illnesses, ADM PART 11

- RULE 408.22139(2): Within 24 hours after the inpatient hospitalization of 1 or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, you must report the inpatient hospitalization, amputation, or loss of an eye to MIOSHA.

The employer did not report the hospitalization to MIOSHA.

- RULE 408.22139(1): Within 8 hours after the death of any employee from a work-related incident, or the inpatient hospitalization of 3 or more employees as a result of a work-related incident, you must orally report the fatality/multiple hospitalization by telephone or in person to the Michigan Department of Consumer and Industry Services, Bureau of Safety and Regulation, State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, Phone 1-800-858-0397.

The employer did not report the fatality to MIOSHA.