

23 Fall from elevation ---Inspection #1315039 Samuel Guerrero

A **34 year old male** was fatally injured when he **fell 15' from the roof** of a home under construction. The victim was part of a three -man crew working on a residential home. Most of the framing on the house had been completed. The crew was not working on any particular part of the home that day; they were correcting various imperfections associated with the framing. These were minor alterations. As such, the crew was moving from one part of the home to another.

The victim was working on top of a patio covering which was approximately 15 feet above ground. He was not wearing/using any type of fall protection.

According to witnesses, he was standing on a 2"x10" header board when he appeared to stumble then fell off of the structure landing on his head. The header board is what the trusses of the structure rest on. Another employee was cutting lumber and passing it to the victim when the victim fell.

The victim was hospitalized but later died 6 days later as a result of his injuries.

Citation(s) as Originally Issued

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

Citation 1 Item 1 Type of Violation: Repeat-Serious

\$10,800

29 CFR 1926.501 (b)(1): Each employee on a walking/working surface with an unprotected side or edge which was 6 feet (1.8 m) or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems.

In that no such fall protection was utilized by an employee when completing carpentry work on the trusses of a porch covering. The employee was standing on the header board which was approximately 15 feet above the ground and fell to the ground resulting in fatal injuries.

Citation 2 Item 1 Type of Violation: Other-than-Serious \$2000

TDLWD Rule 0800-01-03-.05(1)(a)1: Within eight (8) hours after the death of any employee as a result of a work related incident, the employer did not report the fatality to the TOSHA Division of the Tennessee Department of Labor and Workforce Development.

In that the employer did not report the death of an employee within 8 hours. The employee passed away on 5/17/2018 at 5:22 p.m. TOSHA was notified of the fatality by the medical examiner's office on 5/8/2018 at 2:54 p.m.

Citation 2 Item 2 Type of Violation: Other-than-Serious \$400

TDLWD Rule 0800-01-03-.05(1)(a)2: Within twenty-four (24) hours after the in-patient hospitalization of one or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, the employer did not report the in-patient hospitalization, amputation, or loss of an eye to TOSHA:

In that the employer did not report an in-patient hospitalization of one employee within 24 hours of learning of the incident.

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The red arrow indicates header board that the employee was working from.
Picture cropped and enlarged to show detail.



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Area where incident occurred. The red arrow indicates the approximate location where the employee was working before he fell. The yellow arrow indicates the approximate location where the employee landed.

