

A **22 year old male** employee **fell approximately 42'** from the stair platform of an apartment complex under construction.

The victim and another employee arrived at the jobsite and began gathering tools and equipment. They were working together to install the exterior sheathing to the building. The victim was working inside the building, measuring, and cutting 4x8 ft sheets of 7/16 inch OSB and the other employee was working in an aerial lift outside the building, as a nailer, attaching the sheets of OSB to the exterior. The two employees worked together to position and secure the sheets to the exterior of the building. Work began on the porch area of the 4th level of Building B. The porch was protected by guardrails and was in the Southeast corner of the building. The employees installed the exterior sheathing in this area and then continued working westward along the Southside of the building.

After cutting the sheets of OSB, the victim would pass them out of the window openings to the coworker in the aerial lift. The window openings had guardrails installed to protect employees from fall hazards. The victim handed the sheets of OSB to his partner over the guardrails, which was indicated by red scuff marks from the edges of the OSB sheets.

The employees installed the sheathing to the areas outside of the living room, bedroom, and corridor on the 4th level of the building. The nailer was in the aerial lift positioned between the 3rd and 4th floors and in between the protected window opening of the corridor and the unprotected window opening in front of the landing of stairway 2. He indicated that he had just finished nailing the top of the sideways OSB sheet, the 6th one up from the ground, when he looked up and saw the victim had accessed the landing area above him. He stated that guardrails had been in place in the doorway preventing access to the landing area that was 42 feet 7.5 inches above the basement floor and he was surprised to see the victim in this area. He stated he could only see the victim from his chest up. Next, he said the victim bent down to pick up the sheet of OSB he had cut for the area between the windows and fell off the landing. He reported hearing a loud thump and knew the victim had fallen.

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: Serious

\$4000

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:

39 Fall from elevation—Insp# 1500974 Raul Antonio Herrera Leiva

In that no fall protection was provided to an employee who was working on a landing with an unprotected side on the 4th level of the building, and who fell approximately 42 feet 7.5 inches to the basement, while assisting with the installation of exterior sheathing.

Citation 1 Item 2 **Type of Violation: Serious** **\$1200**

29 CFR 1926.503(a)(1):The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

In that employees exposed to fall hazards while installing exterior sheathing had not received fall protection training that enabled them to recognize fall hazards and know the procedures to follow to minimize those hazards.

Citation 2 Item 1 **Type of Violation: Other-than-Serious** **\$150**

29 CFR 1926.95(d)(1):Except as provided by paragraphs (d)(2) through (d)(6) of this section, the protective equipment, including personal protective equipment (PPE), used to comply with this part, was not provided by the employer at no cost to an employee:

In that an employee was required by his employer to purchase and provide his own hardhat, safety glasses, and fall protection equipment while performing framing work at an apartment complex.



