

A **57 year old male** employee working as a painter **fell 20'** from a mobile scaffold during remodel of church sanctuary. The victim was working through a staffing agency called One80, Inc. which is a nonprofit corporation that helps men who are in recovery and/or have been recently incarcerated transform their lives through spiritual development, job training, counseling, sober living, and life skills development. Each employee in the re-entry program has to agree to the program for the duration of one year. After the completion of one-year in the program there is an option to hire the employee permanently.

On the day of the incident, the task was to paint the ceiling in the church sanctuary. The victim was the experienced painter and was going to be using the paint sprayer on the mobile scaffold to complete the task of painting the ceiling. The crew had previously set up the mobile scaffold to reach the ceiling to remove ceiling tiles and insulation from the ceiling at the beginning of the project. The victim was using a BilJax scaffold erected 4 bucks high (each buck is 5 feet wide x 5 feet high x 7 feet long).

Working platforms were aluminum/wood walk boards that measured 19 inches wide and 81 inches long. The scaffold was set up with one walk board on a ladder rung at 20 feet high, two walk boards on the bottom of the top buck frame at 17 feet high, and one more walk board set up on the top of the third buck frame at 16 feet high. The victim ascended the scaffold to a walk board 20 feet from the church floor to begin work. During interviews, it was determined that when he completed painting the ceiling area within his reach, he would yell down to be moved to the next location. Two co-workers were on the ground as the moving crew for the scaffold. Once he yelled down to move, they would roll the scaffold to the next location. The first bay and half of the second bay had been completed when he yelled down to be moved. During the movement of the scaffold towards the southern wall, the caster wheels stuck on a transition strip between two sections of carpet causing the scaffold system to lean which led to the victim falling to the floor below.

None of the crew had received training on scaffolding and there were multiple other violations associated with the scaffold.

**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 1a**                      **Type of Violation: Serious**                      **\$2,400**

**29 CFR 1926.451(b)(1):** Each platform on all working levels of scaffolds was not fully planked or decked between the front uprights and the guardrail supports as specified in paragraphs **1926.451(b)(1)(i)-(ii)**

In that five-employees were exposed to a fall working from platforms on fabricated frame scaffolding that was not fully planked and decked in the following instances:

- a)        Green (BilJax) scaffold
- b)        Orange walk through scaffold (Gadsden Scaffold Co)

**Citation 1 Item 1b**                      **Type of Violation: Serious**                      **\$0**

**29 CFR 1926.451(f)(7):** Scaffolds were not erected, moved, dismantled, or altered, by trained and experienced employees under the supervision and direction of a competent person qualified in scaffold erection, moving, dismantling or alteration; Such activities were not performed only by experienced and trained employees selected for such work by the competent person.

In that five-employees were painting at a platform height of 20 feet from scaffolding that was not erected by or under the direct supervision of a competent person in the following instances:

- Instance A: Green (BilJax) scaffold
- Instance B: Orange walk through scaffold (Gadsden Scaffold Co)
- Instance C: Yellow Bakers scaffold (Metal Tech)

**Citation 1 Item 1c**                      **Type of Violation: Serious**                      **\$0**

**29 CFR 1926.451(g)(1):**Each employee on a scaffold more than 10 feet above a lower level was not protected from falling to that lower level.

In that five-employees were exposed to fall hazards while working from a mobile fabricated frame scaffold inside the church sanctuary to remove an old ceiling and paint the new ceiling from platforms 20 feet and 17 feet above the floor with no means of fall protection provided.

- Instance A: Green (BilJax) scaffold
- Instance B: Orange walk through scaffold (Gadsden Scaffold Co)
- Instance C: Yellow Bakers scaffold (Metal Tech)

**Citation 1 Item 2a**                      **Type of Violation: Serious**                      **\$2,400**

**9 CFR 1926.452(w)(6)(i):** Employee(s) were allowed to ride on scaffolds when the surface on which the scaffold was moved was not within 3 degrees of level, and/or not free of pits, holes, and obstructions:

In that one employee was riding on mobile fabricated frame scaffolding on a level surface that had obstructions in the form of floor transition pieces between different carpet sections and the scaffold struck the transition piece which led to the employee losing balance and falling 20 feet.

**Citation 1 Item 2b**                      **Type of Violation: Serious**                      **\$0**

**29 CFR 1926.452(w)(6)(ii):** The height to base width ratio of the scaffold during movement is two to one or less, unless the scaffold is designed and constructed to meet or exceed nationally recognized stability test requirements such as those listed in paragraph (x) of Appendix A to this subpart (ANSVSIAA92.5 and A92.6);

In that one employee was allowed to ride on scaffolding where the height to base width ratio of the scaffold during movement was greater than two to one.

**Citation 1 Item 3**                      **Type of Violation: Serious**                      **\$1,600**

**29 CFR 1926.454(a):** The employer did not have each employee who performed work while on a scaffold trained by a person qualified in the subject matter to recognize the hazards associated with the type of scaffold being used and to understand the procedures to control or minimize those hazards.

In that five-employees were working from mobile scaffolding at 20 feet without receiving training on how to recognize and minimize hazards associated with working from a mobile scaffold.

- Instance A: Green (BilJax) scaffold
- Instance B: Orange walk through scaffold (Gadsden Scaffold Co)
- Instance C: Yellow Bakers scaffold (Metal Tech)

**Citation 2 Item 1**                      **Type of Violation: Other-than-Serious**                      **\$200**

**29 CFR 1926.28(a):** Appropriate personal protective equipment was not worn by employee(s) in all operations where there was exposure to hazardous conditions:

In that five-employees were not wearing gloves and eye protection while spraying and/or applying Perfik-Kote (latex wall primer/finish) on the ceiling of the sanctuary and walls of the entry foyer.

**Citation 2 Item 2a**

**Type of Violation: Other-than-Serious**

**\$200**

**29 CFR 1910.1200(e)(1):** Employer had not developed or implemented a written hazard communication program included the requirements outlined in 29 CFR 1910.1200(e)(1)(i) and (e)(1)(ii):

In that five-employees were exposed to chemical hazards while working with and around Perfik-Kote (latex wall primer/finish), but the employer did not develop and maintain a written hazard communication program to limit employee exposure.

**Citation 2 Item 2b**

**Type of Violation: Other-than-Serious**

**\$0**

**29 CFR 1910.1200(g)(8):** The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and did not ensure that they were readily accessible during each work shift to employees when they were in their work area(s)

In that five-employees were exposed to chemical hazards while working with and around Perfik-Kote (latex wall primer/finish), but the employer did not maintain safety data sheets for those chemicals.

**Citation 2 Item 2c**

**Type of Violation: Other-than-Serious**

**\$0**

**29 CFR 1910.1200(h)(1):** Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

In that five-employees were exposed to chemical hazards while working with and around Perfik-Kote (latex wall primer/finish), but the employer did not provide training for safe use of the chemicals.

Fall from scaffold--Insp # 1522606 Mark Paul dba Blue Ridge Construction

