

A **43 year old male** employee was **struck by** a bundle of drywall sheets during the unloading process at a construction site. This employer delivers construction materials to construction sites.

The employer was scheduled to deliver 24 bundles of drywall to a construction site. The victim and another employee were assigned the delivery. The material was loaded on a freightliner flatbed delivery truck along with a moffet lift to be used to unload the material at the site.

Video in the truck shows the truck arriving on site approaching the jobsite from behind the lot. The truck was parked in the street and the victim exited the cab while the other employee waited in the cab. He eventually exited the cab of the truck and put on his high visibility pull over, grabbed his safety glasses and gloves, and met the victim by the passenger side door. The victim took a tool from the side of the truck and proceeded to unhook all four straps from the load, starting on the passenger side. The other employee offloaded the forklift from the truck.

The victim got in the truck and backed up for a distance backing over a curb. Once he backed over the curb into the adjacent lot, he began to drive the truck forward for a distance, backed up and then moved forward again finally stopping at the offloading point where he parked the truck and exited the cab. The video footage continued showing that the victim unhooked the first, second, third, and fourth strap from the driver side of the truck. When unhooking each strap, he threw the strap over the load, and the strap fell on the passenger side of the vehicle to the ground. He then walked to the back passenger side of the truck and began picking up the fourth strap.

The co-worker approached the truck with the lift and began inserting the forks into bundles of drywall. Once the forks were under the load, it was lifted slightly to tilt the mast back. At about the same time, the victim walked over to the third strap briefly looked at the forklift being operated by his co-worker and turned his back to coil up the third strap. The forklift operator paused for a moment, tilted the mast back again, paused, raised the load, paused, tilted back for the last time, and began pulling the load off the truck. At that moment, an adjacent bundle of drywall that was on the truck above where the victim was standing fell on him.

Based on the information obtained, it is believed that the moving of the delivery truck several times, including backing up and over a curb after the partial unstrapping of the load, caused the load to shift and therefore become unstable. The employees were not wearing a hardhat in areas where overhead hazards were present. The employee operating the moffett forklift that was being operated at the time of the accident had not been trained and evaluated on that specific type of lift. In addition, there was no one on site trained to render first aid.

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

TCA 50-3-105(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

In that, employees are exposed to struck-by/crushed by hazards when removing unstable bundles of drywall from the truck. On 04/27/2021, multiple sheets of drywall fell from the truck as the employee attempted to unload the material, resulting in fatal injuries to another employee.

Among other methods, one feasible and acceptable abatement method to correct this hazard would be to follow the Moffett Operator Manual in which states in C4. Operating Procedures - 4-Way Steering; Lifting A Wide Load. Make sure the load to be lifted is stable and secure.

Citation 1 Item 2

Type of Violation: Serious

\$600

29 CFR 1926.50(c): A person who has a valid certificate in first-aid training was not available at the worksite to render first-aid:

In that while employees were on site working, there was no one on the job site trained to render first aid. The closest medical center was TriStar Hendersonville Medical Center, which was located approximately 3.7 miles /10 minutes away.

Citation 1 Item 3

Type of Violation: Serious

\$4000

29 CFR 1926.100(a): Employees working in areas where there was a possible danger of head injury from impact, or falling or flying objects, or from electrical shock and burns, were not protected by protective helmets:

In that an employee, not wearing head protection, was fatally injured when sheets of drywall fell on him from overhead.

Citation 1 Item 4

Type of Violation: Serious

\$600

29 CFR 1926.602(c)(1)(vi): Industrial truck(s) in use did not meet the applicable requirements of design, construction, stability, inspection, testing, maintenance, and operation, as defined in

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American National Standards Institute B56.1-1969, Safety Standards for Powered Industrial Trucks:

In that the Moffett forklift had not been inspected before use.

Citation 1 Item 5

Type of Violation: Serious

\$4000

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (1):
[As adopted by reference in 29CFR1926.602(d)]

In that the employee, operating the Moffett forklift at the time of the accident, had not been trained and evaluated in the safe operation of this type of forklift prior to operating the forklift at jobsite.



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