

22. Struck by Tree

A 53-year-old street maintenance worker died when struck by a dead tree he was attempting to fell. After receiving reports of a dead tree in a city park, a crew of three workers was dispatched to the site to decide how to safely remove the tree. The dead tree was approximately 30 to 35 feet tall and was leaning south at a 45-degree angle. The top portion of it was wedged onto the limb of a 45 to 50-foot tall live tree. Because of these circumstances, the crew members decided against using a chain saw to cut down the dead tree. They decided that it would be safer to use the rear arm of a backhoe to reach up and lift the dead tree off the limb of the live tree and then drop the dead tree to the ground and drag it away. The underbrush was cleared out from under the area of the trees. One of the crew members began operating the backhoe and raised the rear arm in position to lift the dead tree up. The victim and the other crew member went to stand on the right side of the backhoe where they believed they would be safe during the removal of the dead tree. As the backhoe began to lift the dead tree, it snapped, allowing the bottom portion to fall to the ground. When the pressure on the live tree limb was thus released, the top of the dead tree was thrown in the air toward the backhoe. The backhoe operator moved the boom and bucket in a position to try and stop the dead tree from hitting the backhoe. The top portion of the dead tree hit the boom and bucket and fell to the right of the backhoe. The top portion of the dead tree hit the victim on the back of his head as he attempted to flee the area; he fell to the ground and began bleeding from his head, nose and mouth. Emergency services were called and he was life-flighted to a major trauma center. He passed away later that night.

Notice of Unsafe or Unhealthful Working Conditions

Citation 1

Item 1 T.C.A. 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 approached a tree being felled closer than two tree length.
Item 2 1910.132(d)(1)	The employer did not assess the workplace to determine if hazards were present, or likely to be present, which necessitate the use of personal protective equipment.
Item 3 1910.132(d)(2)	The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, the date(s) of the hazard assessment, and which identifies the document as a certification of hazard assessment.
Item 4 1910.135(a)(1)	The employer did not ensure that each affected employee wore a protective helmet when working in areas where there is a potential for injuries to the head from falling objects.

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Dead tree that struck the victim