

## **22 Fall from building - Inspection #1249029**

A **40 year old male** employee was fatally injured when he fell 43 feet to the ground below. On the day of the incident, the victim, a framer, was using a circular saw to cut the guardrail system from an exterior window opening to allow room for an interior wall to be installed on the 4<sup>th</sup> floor of a residential apartment building. Several pieces of lumber were leaning on the guardrail system. As the victim made the final cut to the toe board, the guard rail system, now only connected at the far end, gave way and he fell 43 feet to the ground below.

### **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**

29 CFR 1926.501(b)(13)	<p><b>Each employee engaged in residential construction activities 6 feet (1.8 m) or more above lower levels were not protected by guardrail systems, safety net system, or personal fall arrest system unless another provision in paragraph (b) of this section provides for, an alternative fall protection measure.</b></p> <p>In that fall protection was not utilized by two employees working at or near the edge of a 4-story building while one employee was removing the guardrail system that was protecting them from a 46 foot fall to the ground below.</p>
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#### **Citation 1 Item 2**

29 CFR 1926.503(a)(1)	<p><b>The employer did not provide a training program for each employee who was exposed to fall hazards.</b></p> <p>In that the employer did not provide training for two employees exposed to fall hazards while working at or near the edge of a 4-story building while one employee was removing the guardrail system that was protecting them from a 46 foot fall to the ground below.</p>
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**Citation 2 Item 2**

TDLWD Rule 0800-01-03-.05(1)(a)2	<p><b>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.</b></p> <p>In that the employer did not report an in-patient hospitalization of one employee within 24 hours of learning of the incident.</p>
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Photo 1 of 1 – The yellow box indicates the section where the railing was cut with a circular saw by the victim. The red arrow indicates the pieces of railing that collapsed.