

33 Fall from balcony—Insp # 1696801 Elias Roman

A 64 year old male fell 11'6" from the balcony to the first level concrete floor while sanding drywall on the ceiling and walls at a residential construction project.

The victim had arrived on the jobsite on the morning of the accident and had begun to complete the final sanding of the drywall. The company owner was working on the main floor of the house while the victim worked on the second story of the house. The owner stated it was loud in the area they were working in due to utilizing electric powered sanders to finish the project. The victim had informed the owner that he had completed sanding in the two bedrooms on the East side of the house and was working his way from the East side of the balcony to the final bedroom on the West side of the balcony (approximately 17'L x 6'W). The owner stated he heard a loud "thud" behind him, in the living area and when he turned, he saw the victim lying face down on the floor.

The second story balcony was open on both sides and was not equipped with any type of railing or guardrails. Fall protection was not being utilized by the victim at the time of his fall. The height of the balcony was measured to be 11'6" above the first level concrete floor.

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

\$900

29 CFR 1926.50(c):In the absence of an infirmary, clinic, hospital, or physician, that is reasonably accessible in terms of time and distance to the worksite, which is available for the treatment of injured employees, a person who has a valid certificate in first-aid training from the U.S. Bureau of Mines, the American Red Cross, or equivalent training that can be verified by documentary evidence, was not available at the worksite to render first aid:

In that no one at the jobsite had a valid certification in First Aid, while employees were performing drywall sanding operations at the residential construction site located at 7658 Chasewood Drive, Memphis, TN.

Citation 1 Item 2

Type of Violation: Serious

\$4000

29 CFR 1926.501(b)(1): Employees on walking/working surfaces with an unprotected side and/or edge which is 6 feet or more above a lower level were not protected from falling by guardrail systems, safety net systems, or personal fall arrest systems:

In that an employee was working from an interior balcony, at a height of approximately 11ft 6in from the floor, without utilizing any means of fall protection.

Citation 1 Item 3

Type of Violation: Serious

\$1050

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

In that the employee working at a height of 11'6" to complete drywall sanding of the residential construction site had not been provided with fall protection training to recognize hazards when working at elevated levels.

Citation 1 Item 4a **Type of Violation: Serious** **\$900**

29 CFR 1910.134(c)(1): In any workplace where respirators are necessary to protect employee health or whenever respirators are required by the employer, a written respiratory protection program with worksite specific procedures was not established and implemented: [as adopted by 29 CFR 1926.103]

In that a written respiratory protection program with worksite specific procedures had not been developed and implemented by the employer when respirators were required to be worn in the workplace.

Citation 1 Item 4b **Type of Violation: Serious** **\$0**

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace: [as adopted by 29 CFR 1926.103]

In that an employee performing drywall sanding operations had not been medically evaluated to wear the 3M half-face respirator provided by the employer.

Citation 1 Item 4c **Type of Violation: Serious** **\$0**

29 CFR 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) was used, and at least annually thereafter: [as adopted by 29 CFR 1926.103]

In that a fit test was not conducted for an employee assigned and required to wear a 3M respirator equipped with cartridges when sanding drywall.

Citation 2 Item 1 **Type of Violation: Other-than-Serious** **\$0**

29 CFR 1926.102(a)(1): The employer did not ensure that each affected employee use appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors or potentially injurious light radiation.

33 Fall from balcony—Insp # 1696801 Elias Roman

In that an employee sanding drywall at the residential construction site, was not provided and required to wear safety glasses to protect him from flying dust particles.

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met: [As adopted by 29 CFR 1926.59]

In that a written Hazardous Communications Program had not been developed and implemented to address chemicals the employee is exposed to such as drywall mud (joint compound).

Citation 2 Item 2b Type of Violation: Other-than-Serious \$0

29 CFR 1910.1200(g)(8): The employer did not ensure that safety data sheets were readily accessible to the employees in their work area during each shift for chemicals used: [As adopted by 29 CFR 1926.59]

In that safety data sheets (SDS) were not available at the site for chemicals employee were exposed to such as, but not limited to; drywall mud (joint compound).

Citation 2 Item 2c Type of Violation: Other-than- Serious \$0

9 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals or materials in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area: [As adopted by 29 CFR 1926.59]

In that an employee had not received information and training regarding the chemicals they are potentially exposed to while on the site such as, but not limited to; joint compound.

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