

A 41-year-old male was installing subflooring on the second level of a house when previously installed roof trusses collapsed crushing the employee. During the investigation it was learned from the truss manufacturer that horizontal bracing (Top Chord Bracing) and bracing on top of the roof trusses (Continuous Lateral Restraints) were required, however these were not present at the time of the accident.

### **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**

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 installing the second level subfloor on a residential home at a height of 12 feet were exposed to crushing hazards when the roof trusses were not adequately braced.

Among other methods, one feasible and acceptable abatement method to correct this hazard would be to follow manufacturers guidelines for truss installation/bracing outlined in the BCSI (Building Component Safety Information) manual.

**Proposed Penalty: \$5400.00**

#### **Citation 1 Item 2 Type of Violation: Serious**

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 on-site was trained to render first-aid, as the nearest medical facility was approximately 15 minutes/8.9 miles from the site located at Cookeville Regional Medical Center.

**Proposed Penalty: \$700.00**

#### **Citation 1 Item 3 Type of Violation: Serious**

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 two employees installing subflooring under approximately 300 lbs. trusses were not wearing hard hats.

**Proposed Penalty: \$700.00**

**Citation 1 Item 4 Type of Violation: Serious**

29 CFR 1926.501(b)(13): Each employee(s) 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, nor were employee(s) provided with an alternative fall protection measure under another provision of paragraph 1926.501 (b):

In that two employees were installing subflooring from heights of 12 feet above the floor and not using fall protection.

**Proposed Penalty: \$700.00**

**Citation 1 Item 5 Type of Violation: Serious**

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

In that employees exposed to fall heights of 12 feet had not received training on how to recognize and protect themselves from those fall hazards.

**Proposed Penalty: \$600.00**

**Citation 1 Item 6 a Type of Violation: Serious**

29 CFR 1926.1052(b)(3): Treads for temporary service made of wood or other solid material were not installed at the full width and depth of the stair:

In that a job-constructed cinder block staircase, consisting of four treads and four risers that lead up to the first floor of the house had two three-inch wide open cells in the first tread, exposing employees to trip and fall hazards.

**Proposed Penalty: \$500.00**

**Citation 1 Item 6 b Type of Violation: Serious**

29 CFR 1926.1052(c)(1)(i): Stairways having four or more risers or rising more than 30 inches (76 cm), whichever is less, were not equipped with at least one handrail:

In that the cinder block stairway, comprised of 4 risers, that was used by employees to access the front entrance of the home was not equipped with a handrail on at least one open side.

**Proposed Penalty: \$0.00**

**Citation 1 Item 6 c Type of Violation: Serious**

29 CFR 1926.1052(c)(1)(ii): Stairways having four or more risers or rising more than 30 inches (76 cm), whichever is less, were not equipped with a stair rail system along each unprotected side or edge:

In that the cinder block stairway, comprised of 4 risers, was not equipped with a stair rail system along each unprotected side or edge.

**Proposed Penalty: \$0.00**

**Citation 1 Item 7 a Type of Violation: Serious**

29 CFR 1926.1053(b)(1): Portable ladders were used for access to an upper landing surface, and the ladder side rails did not extend at least 3 feet (.9m) above the upper landing surface to which the ladder was used to gain access, nor was there a grasping device on the upper landing to assist employees in mounting and dismounting the ladder.

In that two ladders were used improperly in the following instances:

- a. a portable 10-foot Werner stepladder used to access the 12-foot high second level of the house; and the ladder did not extend three feet above the upper landing surface, nor was there a grasping device to assist employees when mounting and dismounting it.
- b. a portable 5-foot Werner stepladder used to access the change in elevation from the inside of the garage to inside the home; and was used as a single ladder with spreaders not extended.

**Proposed Penalty: \$600.00**

**Citation 1 Item 7 b Type of Violation: Serious**

29 CFR 1926.1053(b)(13): The top or step of a stepladder was used as a step:

In that employees were using the top step of a 10-foot stepladder to access the 2nd level of the garage, which was 12 feet high.

**Proposed Penalty: \$0.00**

**Citation 1 Item 7 c Type of Violation: Serious**

29 CFR 1926.1060(a):The employer did not provide a training program for each employee using ladders and stairways, as necessary, which would enable each employee to recognize hazards related to ladders and stairways and train each employee in the procedures to be followed to minimize these hazards:

In that employees misusing two stepladders had not been adequately trained on safe ladder usage in the following instances:

- a. A portable 10-foot Werner stepladder did not extend at least three feet above the upper landing surface, and no grasping device was available to assist employees with mounting and dismounting.
- b. A portable 5-foot Werner stepladder was used as a single ladder without extending the spreaders.

**Proposed Penalty: \$0.00**

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

TDLWD Rule 0800-01-03-.05(1)(a)1: Within eight (8) hours after the death of any employee as a result of a work related incident, the employer did not report the fatality to the TOSHA Division of the Tennessee Department of Labor and Workforce Development:

In that the employer did not report a fatality that occurred on November 13, 2024, within eight hours of learning of the incident.

**Proposed Penalty: \$1000.00**

25 Crushed —Insp #1787855 Michael Taylor dba Mike Taylor Building

