

Fall from gutter – Inspection #1046665

A **41 year old male** employee was fatally injured when he fell from a gutter between the two peaks of a greenhouse. On the day of the accident, the victim and crew were installing plastic to the metal frame of a new greenhouse. During the investigation it was determined, that the victim was standing on a 6 ½ inch wide exterior metal gutter located 16 feet above the concrete slab below. The gutters ran between adjacent roof line peaks of the greenhouses. It had rained the day before and the exterior gutters were wet. During installation, and securing of the plastic to the greenhouse metal frames, the victim's foot slipped on the gutter causing him to fall. As he fell, he struck a cross brace of the greenhouse with his rib area, and then fell to the concrete slab below. The employer did not provide fall protection or training to employees.

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)(1)	Each employee on a walking/working surface with an unprotected side or edge which was 6 feet (1.8 m) or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems: In that employees were installing plastic to complete construction on a new addition to the section 9 greenhouse roof with no fall protection while working at a 16 foot elevation.
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Citation 1 Item 2

29 CFR 1926.503(a)(1)	The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards: In that the employer did not provide training for employees in the recognition of fall hazards and the use of fall protection. Employees completing construction of a greenhouse 16 feet above the ground had not received fall protection training.
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Citation 1 Item 3

29 CFR 1928.57(a)(7)(i)	The employer did not protect employees from coming into contact with hazards created by moving machinery through the installation and use of a guard or shield or guarding by location: In that in tow instances the employer did not install guards, shields, or guarding by location to protect employees from coming into contact with hazards created by moving machinery: a) A Clarke 6 inch Bench Grinder Model BT 1002 in the maintenance shop was missing a tongue guard and the work rest was also improperly adjusted to greater than the maximum distance of 1/8 of an inch from the abrasive wheel. The work rest was measured at ¼ of an inch from the wheel; b) An employee was standing on a metal grating platform above a 4 foot deep hopper loaded with peat moss and 4 rotating mixing blades. A section of the grating was missing where an employee could fall into the hopper.
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Citation 1 Item 4

29 CFR 1928.57(a)(11)	Whenever a moving machinery part presents a hazard during servicing or maintenance, the engine was not stopped, the power source disconnected, and all machine movement stopped before servicing or maintenance was performed: In that employees were exposed to potential hazards while they performed servicing and/or maintenance. Such as the unexpected machine startup on the Packplanter Wireless machine without turning it off and locking out the main power supply or unplugging the equipment.
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Citation 2 Item 1a

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: In that the employer had developed no such program for employees exposed to potentially hazardous chemicals such as Limestone and pHyLo pH reducer.
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Citation 2 Item 1b

29 CFR 1910.1200(h)(1)	Employers did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area: In that the employer did not provide employees with hazard communication training covering hazards of the chemicals that employees work with, such as limestone and pHyLo pH reducer.
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Citation 2 Item 2

TDLWD Rule 0800-1-3-.03(27)(a)	The log of all work-related injuries and illnesses (OSHA Form 300), and/or the summary of work-related injuries and illnesses, (OSHA Form 300A), and/or the injury and illness incident report (OSHA Form 301) or equivalent forms were not maintained by the establishment: In that the employer did not maintain OSHA 300 logs or the 300A form for the years 2012, 2013, and 2014.
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Photo 1 of 1 – This photo shows the gutter (yellow arrow) employees were standing on at the roof line, and a brace (red arrow) the victim broke during his 16 foot fall to the ground.