

A **36 year old male** employee **fell through a skylight** while in the process of installing a Thermoplastic polyolefin (TPO) roof system over an existing metal roof. The victim was still in his 90 day probationary period and was reportedly still in training. The day of the accident was the first day that the employer began installing the roof system.

Prior to the accident, insulation board had already been installed. The Foreman and three employees (including the victim) had just finished installing plates. The Foreman reportedly was finishing the last screws which go in after the insulation and prior to the TPO. The Foreman reportedly told the employees to go get rhino plates. The employer was using a warning line to protect the employees from falling through the unguarded flush mount skylights. A warning line had been set up that separated the area of the roof the employees were working on from the area of the roof where the skylights were located. The victim reportedly walked past the warning line and fell through a skylight 25 feet to the concrete floor below. The warning line was approximately 10 feet away from the skylight which the employee fell through. No one on the roof witnessed the victim fall.

The employees were not protected from falling through flush mount skylights in the roof by personal fall arrest systems, hole covers, or guardrail systems. The victim died of his injuries 6 days after falling through the skylight.

### **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**

**\$7000**

**29 CFR 1926.501(b)(4)(i)**: Each employee on walking/working surfaces were not protected from falling through holes (including skylights) more than 6 feet (1.8 m) above lower levels, by personal fall arrest systems, covers, or guardrail systems erected around such holes:

In that employees who were walking and working on the roof of the building were not protected from falling through unguarded flush mount skylights in the roof by personal fall arrest systems, hole covers, or guardrail systems in the following instances:

- a) One of the employees who was working on the roof fell through an unguarded skylight 25 feet to the concrete floor below
- b) An employee working near unguarded skylights inside the work area while staging materials on the roof was not protected from falling through the skylight
- c) Three employees were walking past multiple unguarded skylights while walking from the fixed ladder to the work area on the roof before and after the incident.

#### **Citation 1 Item 2**

**Type of Violation: Serious**

**\$2000**

**29 CFR 1926.502(f)(1)(iii)**: Points of access, material handling areas, storage areas, and/or hoisting areas were not connected to the work area by an access path formed by two warning lines:

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In that the point of access to the roof (fixed ladder) was not connected to the work area by an access path formed by two warning lines.

**Citation 2 Item 1**

**Type of Violation: Other-than-Serious**

**\$500**

**TDLWD Rule 0800-01-03-.05(1)(a)2**: 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:

In that the employer did not report an employee's hospitalization within 24 hours of learning of the incident.



The photo shows the warning lines (yellow arrows) that were installed after the accident. Prior to the accident employees were using the fixed ladder to access the work area on the far side of the roof. The point of access to the roof (fixed ladder) was not connected to the work area by an access path formed by two warning lines, prior to the accident. Additionally, as employees accessed the work area by walking across the roof, they were not protected from falling through unguarded skylights (red arrows).