

A **37 year old male** was **struck by a tree** while in the process of manually felling the tree. The contractor engages in the logging of stands of timber. Logging duties include cutting down the trees with saws, dragging the logs to a log landing with a skid loader, and cutting the logs into smaller sections for travel to a lumber mill.

During the investigation, it was determined that the employer was contracted to clear trees from the edge of a field along the tree line. The victim was tasked with using a chainsaw to fall timber along the tree line. The victim's brother would then use a skid loader to drag the logs approximately 200 yards to the log landing. The nephew of the victim was also felling logs along the timber line within hearing and vision range. It was determined through interviews that the victim was sawing a tree on the edge of the tree line that had branches on one side as the branches grew away from the wood line and toward the sun. The victim cut a wedge on the side of the tree in the direction he wanted the tree to fall. The victim then began cutting the back of the tree towards the wedge. This method of sawing allows the tree to lay down slowly and more controlled in the desired direction.

It was determined that as the tree laid down horizontally, the branches that grew towards the sun on the field side loaded with pressure as they laid on the ground and acted as springs launching the tree horizontally towards the victim. The victim attempted to evade the tree by running behind an adjacent tree. The victim had a clear retreat path. A strike mark was found in an adjacent tree. The victim was found under the butt of the tree in a squatted position and leaning against the adjacent tree with his left side. The log extended up the victim's back and ended at the base of the victim's skull. The nephew of the brother was working nearby and noticed the victim's saw was idling. When the nephew went to check on the victim, he found him in the above-mentioned position.

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

\$350

29 CFR 1910.151(b): There was neither an infirmary, clinic, or hospital used for the treatment of all injured employees in near proximity to the workplace nor a person or persons adequately trained to render first aid:

33 Struck by a Tree---Insp#1495881 Charles Thompson dba Charles Thompson Logging

In that the nearest medical facility, which was Southern Tennessee Regional Health System, was located 20 miles from the work site and no employees on site were trained in first aid.

Citation 2 Item 1 Type of Violation: Other-than-Serious \$500

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 March 30, 2020 within the 8 hour requirement.



