

Fall from ladder—Insp # 1630453 Beam Communications Corp.

A **39 year old male** employee **fell from an extension ladder** used while troubleshooting equipment for Comcast Cable at a private residence.

The victim was attempting to repair a telecommunications line extending from the residence to the utility pole # 36989 across the street. The victim used a 24' fiberglass extension ladder to access the telecommunication wire running east and west parallel to the street. He was attempting to splice a new line to existing line then run it to the connection on pole # 36989 directly across the street from the residence. The telecommunications wire that the victim was leaning the ladder against was approximately 17' from the ground. The ladder was extended out to approximately 18'. An examination of the fiberglass extension ladder did not reveal any damage. It was observed that the ladder was equipped with two cable hooks mounted above the top rung to the inside of the ladder rails. The cable hooks are designed to hook over a telecommunications wire as a safety precaution and not as a means of total support for the ladder. There were no straps or other means of securing the ladder found where the ladder was placed.

The victim arrived at the residence to check the modem at approximately 1:00pm. The homeowner stated that the victim then went to check the lines outside. Approximately four minutes later the homeowner heard pounding on the door. Two workers that did not speak English, motioned that the ladder was down in the street. The homeowner stated that she saw the victim and the ladder lying in the street and called 911. The accident happened across the street from the homeowner's residence. The homeowner stated that there were no cones or blockade set up in the street to alert vehicular traffic. The homeowner showed the CSHO where the line had been repaired and explained that the ladder he was using had been laid next to their residence by a neighbor, in its original extended position, at the east wall side.

The two workers referenced by the homeowner were no longer on site when the CSHOs arrived and their information was unknown, therefore they were not interviewed.

A discussion with Memphis Light, Gas & Water reps explained the wiring height separations on the pole. They revealed the following: the telecommunications line was 17 feet above ground, open wire secondary (120/240 VAC) was 16 feet above the telecommunications line, and the 3 phase primary 12KV was 5 feet above the open wire secondary. Therefore, the powerlines were 16 feet and 21 feet above the telecommunications line and not a consideration for electrocution.

Due to there being no witnesses to the actual accident, it is unknown if the victim fell from the ladder and then the ladder fell or if the ladder fell with the victim. However, the ladder was not secured as indicated by the ladder laying on the street with the victim.

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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** **\$4000**

29 CFR 1910.23(c)(4): Portable ladders were not use on stable and level surfaces and they were not secured or stabilized to prevent accidental displacement:

In that an employee was using a 24' fiberglass extension ladder to access the telecommunications line and the ladder was not secured or stabilized to prevent accidental displacement when leaned against the telecommunications line.

Citation 1 Item 2 **Type of Violation:** **Serious** **\$1050**

29 CFR 1910.268(d)(1): Before work is begun in the vicinity of vehicular or pedestrian traffic which may endanger employees, warning signs and/or flags or other traffic control devices shall be placed conspicuously to alert and channel approaching traffic. Where further protection is needed, barriers shall be utilized. At night, warning lights shall be prominently displayed, and excavated areas shall be enclosed with protective barricades.

In that an employee was working in a public street, on a ladder to repair a telecommunications line, with no form of warnings or traffic control devices to alert approaching traffic.

Citation 2 Item 1 **Type of Violation:** **Other-than- Serious** **\$1500**

TDLWD Rule 0800-01-03-.05(1)(a)1: An oral report of an employment accident resulting in a fatality was not made within eight hours after the occurrence to the nearest Area Office of the Division of Occupational Safety and Health or to TOSHA toll free telephone number (1-800-249-8510).

In that the fatality of the employee that occurred on 10/24/2022 at approximately 2:00 P.M. as a result of injuries sustained during an accident on 10/24/2022 at the jobsite located at 2198 Cowden Ave., Memphis, TN 38104, was not reported by the employer to Tennessee Department of Labor and Workforce Development (TOSHA) until 10/25/2022 at 1:09 P.M.

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