



## The National Institute for Occupational Safety and Health (NIOSH)

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# Building Contractor Dies in Fall From Second Story Porch on Residential Construction Site

**MASSACHUSETTS FACE 94-MA-005**

## SUMMARY

On October 22, 1993, a 62 year old, male building contractor was fatally injured when he fell approximately twenty feet from a ladder on a residential construction site. The victim was apparently working from a portable ladder on an exterior second level landing, and he apparently lost his grip or balance and fell from the ladder to the packed dirt ground. Employees found the victim with the ladder on top of him, and summoned emergency medical services. The victim was transported to a regional hospital where he was officially pronounced dead moments after arrival. In order to prevent future similar occurrences, the MA FACE Project recommends that employers:

- **ensure that portable ladders are properly and appropriately used**
- **develop, implement, and enforce a comprehensive safety program that includes, but is not limited to, worker training in fall hazard recognition and the use of fall protection devices.**

## INTRODUCTION

On November 15, 1993, the MA FACE Project was informed through its news clipping service that a 62 year old Massachusetts construction worker had died in a fall on a residential construction site on October 22, 1993. An investigation was initiated.

On December 14, 1993 the MA FACE Field Investigator surveyed the incident scene and interviewed the responding municipal police official and the project general contractor/developer. The death certificate, municipal police report, emergency room admission information, OSHA report, employee statements, and assorted news clippings were obtained during the course of the investigation.

The victim was a 62 year old male, vice president of the company who also acted as site supervisor when he was present on jobsites. His training was primarily on the job.

## INVESTIGATION

On October 22, 1993, a small Massachusetts general contracting company was installing exterior soffit ventilation assemblies and finished decorative molding on a new, 6,000 square foot private residence. Two company employees were installing a piece of crown molding from scaffolding approximately sixteen feet off the ground in the northeast corner of the north wing. The victim was standing on a second level porch around the corner observing the work of his employees. While they were installing the molding, the men heard something fall to the ground, yet reportedly did not pay much attention to it. Several moments later, one of the men looked down and saw the victim lying on the ground with a portable ladder partially on top of him. The victim's head appeared to be seriously injured.

No one witnessed the incident; however, the most likely explanation for what occurred is that the victim placed his 7 foot portable step ladder onto the wooden framework of a porch settee, which was flush against the porch railing, and then climbed on to the ladder. No one knows what the victim was trying to accomplish in scaling the ladder on top of the settee; however, it is speculated that shortly after he ascended the ladder that he either slipped or his weight shifted, and that this caused him to tumble over the porch railing, followed by the step ladder.

The company employees summoned emergency medical services and tended to the victim as best they could until the emergency responders arrived. The victim was transported to a regional hospital where he was officially pronounced dead moments after he arrived.

## CAUSE OF DEATH

The medical examiner listed the cause of death as craniocerebral trauma.

## RECOMMENDATIONS/DISCUSSION

**Recommendation #1: Employers should ensure that portable ladders are properly and appropriately used.**

Discussion: When utilizing portable ladders, employers should comply with the provisions of OSHA Standard 29 CFR 1926.1053(b). The safe ladder practices specified in the standard include placing the ladder on a stable base, having clear access at the top and bottom, and making sure that the ladder extends a minimum of 36 inches above a landing, or where not practical, be provided with grab rails and be secured against movement while in use.

**Recommendation #2: Employers should develop, implement, and enforce a comprehensive safety program that includes, but is not limited to, worker training in fall hazard recognition and the use of fall protection devices.**

Discussion: The employer did not have a written safety program, training program or a designated safety officer. Comprehensive safety programs should include, but not be limited to, routine job site hazard surveys, the use of appropriate fall protection, and worker training on the recognition and avoidance of fall hazards. Furthermore, employers should appoint an individual with safety knowledge, and the authorization to take corrective measures to eliminate hazards, to be the designated safety officer, or competent person, on site. Currently most OSHA construction standards (29 CFR 1926) require the involvement of a "competent person" in the implementation of safety provisions.

## LIST OF REFERENCES

Office of the Federal Register: Code of Federal Regulations, Labor 29 Parts 1926.1053(b) – (1993)

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