

## **Laborer Dies From Fall From Second Floor Window**

---

**DATE:** August 19, 1993

### **SUMMARY**

On May 17, 1993, a 64 year-old male laborer fell 12 feet from a second floor window of a house undergoing renovations and landed on a concrete porch. He died at a hospital the next day. NJDOH FACE investigators concluded that, in order to prevent similar incidents in the future, the following safety guidelines should be followed:

- **Employers must assess each job for potential hazards and train employees in methods of dealing with them.**
- **Any unprotected wall opening should be guarded.**
- **Company owners should make themselves aware of sources of information about health and safety issues.**

### **INTRODUCTION**

On May 24, 1993, NJDOH FACE personnel learned about this work-related fatality from an OSHA compliance officer. FACE staff conducted the site visit on May 26, 1993. Information for this report was derived from the OSHA file, medical examiner's report, police report, and interviews of the employer and a neighborhood witness.

The victim's employer was a contractor who renovates single family homes. He has been in business for one year. The number of employees varies, depending upon the work being done. In this particular incident, there were two employees.

The victim, a 64 year-old laborer, worked two days per week for the contractor to supplement his social security income. He was working primarily as a painter. His previous work history is unknown.

### **INVESTIGATION**

The site of this fatality was a single family home located in a large city in New Jersey. The house had been fire damaged several months before and the contractor had been hired to renovate the structure. He had been on the job for one week. At the front of the house, on the second floor, was a bay window formed by two 32 inch wide double-hung windows (see diagram). All of the glass had been broken out during the fire except for the bottom section of the right window (exterior right). The frame was missing from the bottom section (30 inches high) of the left window. The window sill measured 18 inches deep

at the center of the bay and 5 inches deep at the sides. It was 28 inches above the floor. Centered in front of the window was a radiator, its top slightly lower than the window sill. On the floor, next to the radiator, was a 6½ by 12 inch piece of sheet metal being used to cover a small hole in the floor. The sheet metal was anchored at the radiator control knob but was otherwise loose and able to spin around its anchor.

On the day of the incident, the contractor and two workers started work at 9 a.m.. They worked throughout the morning. At noon the employer and the victim's co-worker left. The victim was given instructions to perform jobs on the first floor of the house. Soon after, the witness to the incident, who was passing by in his car, noticed the deceased at the second floor window talking to a neighbor across the street. The victim waved to the witness who parked his car and walked up to the porch of the house. The victim said "come see what I've done," apparently meaning the painting he had completed in the house. As the witness climbed the steps and was ready to step into the front door of the house, the victim landed on the concrete porch. The witness did not see him fall because his vision was blocked by an awning over the front door. The deceased had fallen 12 feet 4 inches. A neighbor called the police and the victim was airlifted to the regional trauma center where he died the next day.

Since there was no witness to the fatal injury, it is not possible to know exactly what caused the victim's fall. It is unknown if the loose sheet metal on the floor contributed to a loss of footing. The victim may have been leaning out of the window in order to gain the attention of another person.

## **CAUSE OF DEATH**

The medical examiner determined that death was caused by multiple traumatic injuries sustained in a fall at work.

## **RECOMMENDATIONS/DISCUSSIONS**

**Recommendation #1: Employers must assess each job for potential hazards and train employees in methods of dealing with them.**

Discussion: A walk-through of the work site, looking for potential safety hazards, should be conducted by the company owner. This should be done initially by the owner and again with employees as they are hired. Doing this on a regular basis would increase safety awareness and relay that attitude to workers who frequently may be new to the job.

**Recommendation #2: Any unprotected wall opening should be guarded.**

Discussion: Because the second floor window was damaged (no glass, no frame) and provided no protection against a fall, it should be considered a wall opening and properly guarded. OSHA regulation 29 CFR 1926.500(c) defines a wall opening and proper methods of guarding.

**Recommendation #3: Company owners should make themselves aware of sources of information about health and safety issues.**

Discussion: Because it is difficult for a small business person to obtain information about ensuring safe working conditions and adhering to all OSHA standards, the following sources of assistance may be helpful:

U.S. Department of Labor, OSHA

On request, OSHA will provide information on safety standards and requirements for the construction trade. There are four OSHA offices in New Jersey. The telephone number of each area office and the counties they cover are:

Avenel, NJ (908) 750-4737 -- Hunterdon, Union, Middlesex, Warren and Somerset Counties

Hasbrouck Heights, NJ (201) 288-1700 -- Bergen and Passaic Counties

Marlton, NJ (609) 757-5181 -- Atlantic, Gloucester, Burlington, Mercer, Camden, Monmouth, Cape May, Ocean, Cumberland, and Salem Counties

Parsippany, NJ (201) 263-1003 -- Essex, Sussex, Hudson, and Morris Counties

NJ Department of Labor OSHA Consultative Services

This organization will provide free advice for business owners on methods of improving health and safety in the workplace and complying with OSHA standards. The telephone number is (609) 292-3922.

New Jersey State Safety Council

The NJ State Safety Council provides a variety of courses on work-related safety. There is a charge for the seminars. The address and telephone number are:

NJ State Safety Council  
Commerce Drive  
Cranford, NJ 07016  
(908) 272-7712

**REFERENCES**

29 CFR 1926.500(c), Code of Federal Regulations, Washington, D.C., U.S. Government Printing Office, Office of the Federal Register.

Job Hazard Analysis, U.S. Department of Labor, Occupational Safety and Health Administration, 1988.

## **ATTACHMENTS**

Job Hazard Analysis, U.S. Department of Labor, Occupational Safety and Health Administration, 1988.

### **FATALITY ASSESSMENT AND CONTROL EVALUATION (FACE) PROJECT**

#### **FACE Number 93 NJ 072 01**

Staff members of the FACE project of the New Jersey Department of Health, Occupational Health Service, perform FACE investigations when there is a work-related fatal fall, electrocution, or confined space death reported. The goal of these investigations is to prevent fatal work injuries in the future by studying: the working environment, the worker, the task the worker was performing, the tools the worker was using, the energy exchange resulting in fatal injury, and the role of management in controlling how these factors interact.

To contact [New Jersey State FACE program personnel](#) regarding State-based FACE reports, please use information listed on the Contact Sheet on the NIOSH FACE web site. Please contact [In-house FACE program personnel](#) regarding In-house FACE reports and to gain assistance when State-FACE program personnel cannot be reached.