

A **16 year old male** employee **fell 120'** through a 2' X 3' gap in planking of a mast climber scaffold near a column on the inside nearest the building wall.

During the Investigation it was determined that Stover and Son Contractors, Inc. was contracted to install the exterior insulated finishing system (EIFS) which consists of a waterproof coating, insulated foam pieces, and a stucco/plaster finish on the exterior. Stover and Son Contractors, Inc. then subbed the work out to Carlos Cortes dba Cortes Plastering. Stover and Son Contractors, Inc. had EZ Scaffold install two mast climber scaffolds on the eastern exterior of the building to provide access to the 11 story (120 feet high) building. EZ Scaffold then trained two employees and the owner of Carlos Cortes dba Cortes Plastering employees in the use, erection, and dismantling of the mast climber scaffolds. The training consisted of classroom training, a written test, and the erection of the scaffolding under the direct supervision of EZ Scaffold representatives. The three competent persons were deemed so by EZ Scaffold before the chain of custody for the mast climbers was released to the employer. All of Carlos Cortes dba Cortes Plastering employees went through a basic operation and hazard recognition class hosted by EZ Scaffold before being allowed to work from the scaffolding.

The scaffold involved in the incident was built around a column that protruded from the face of the building. It was determined that the column prevented the use of one of the outriggers used for planking that closed the gap between the scaffold work platform and the face of the building. The maximum allowable gap between the scaffold and the face of the building for plaster work is 18". The scaffold work platform was erected 24" from the face of the building due to the column preventing it being any closer. However, with the use of outriggers and 10" wide planks, the gap was closed to 14". As such, EZ Scaffold had designed, provided, installed, and trained the competent person for Carlos Cortes dba Cortes Plastering in the installation and use of the attachment. The attachment allowed for planking and safe access around objects such as columns by providing additional outriggers and cross members. It was determined that the attachment was installed and still in place when EZ Scaffold released the mast climber scaffold to the control of Carlos Cortes dba Cortes Plastering. However, it was determined that the attachment was removed before the scaffold ever left the ground and was never replaced.

Without the manufacturer's attachment, the foreman chose to lay a plank diagonally from the decking to the last available outrigger spanning from the face of the column towards the face of the building. The diagonal plank was on top of the work platform as well as another plank that was already secured in the last outrigger. The diagonal plank had no pin or other means of being secure. Also, it did not completely close the 2'X3' gap near the column and could be easily moved due to friction of the scaffold's normal movement.

The victim was considered a laborer and was not permitted by the employer to work from the scaffold. However, when not moving supplies he spent his time observing the stucco process on the scaffold to learn the trade. It was learned that the foreman would allow him to spend several hours on the scaffold per day which varied depending on other tasks he was performing. It was determined that the roof was routinely used for access to the scaffold and that employees climbed the parapet wall, stood on top of the column, and stepped

approximately 6' down onto the scaffold work platform using stacks of foam to assist the descent to the scaffold platform.

On the day of the incident, it is presumed that the victim was attempting to access the scaffold as the brother stated that he caught a glimpse of his brother as he fell from the top of the column near the parapet wall of the roof through the gap between the scaffold and building. It was determined the victim fell through the gap near the column and the platform.

Stover and Son Contractors was also cited for similar scaffold violations under the multi-employer directive.

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

\$5400

29 CFR 1926.451 (b)(3)(ii): The maximum distance from the face of the work for plastering and lathing operations was more than 18 inches (46 cm):

In that no planking or decking was provided near the column that blocked an outrigger support that created an approximate 3' x 2' hole an employee fell through exceeding the 18" maximum.

Citation 1 Item 2

Type of Violation: Serious

\$4000

29 CFR 1926.451(e)(8): Direct access to or from another surface was used when the scaffold was more than 14 inches (36 cm) horizontally and/or 24 inches (61 cm) vertically from the other surface:

In that two employees accessed the scaffold platform from the roof with an approximate 6 foot vertical decent and approximate 24" horizontal distance for direct access.

Citation 1 Item 3

Type of Violation: Serious

\$5400

29 CFR 1926.451(f)(3): Scaffolds and scaffold components were not inspected for visible defects by a competent person before each work shift and after any occurrence which could affect a scaffold's structural integrity:

In that the competent person had not inspected the scaffold to identify apparent deficiencies such as the lack of planking where an employee fell through an opening in the scaffold platform.

Citation 1 Item 4

Type of Violation: Serious

\$700

29 CFR 1926.1051(a): Stairways or ladders were not provided at all personnel points of access where there was a break in elevation of 19 inches (48 cm) or more, and no ramp, runway, sloped embankment, or personnel hoist was provided:

In that no ladder was provided/used for employees climbing onto and over the 3' high parapet wall to access the scaffold platform.

Employee fell through gap at column



Manufacturer attachment in use on follow up inspection

