

A **78 year old male** fell while either ascending or descending the set of stairs at his guard station. There was a mid-rail missing on the guardrail system of the open sided stairs.

The victim manned the guard station at Ferrell Paving Inc. three days a week (Sunday, Wednesday and Thursday) from 11:30pm-5:30am. The victim worked alone and there were no employees normally on site unless they came to bring a truck or equipment. If this occurred during his shift, he would open the gate utilizing a control in the guard station office. It was determined that the security service only works at the Ferrell Paving post during hours when Ferrell Paving is not open for business. There is a total of five Security Officers that worked shifts at the Ferrell Paving post. This number included the victim. There were cameras on the left and right side of the guard station, however they were not operational.

The guard station is a two-story block building with the office on the top level and a storage area below. To access the guard station office area, the employees have to walk up eight steps to the first landing and then six more steps to the next landing outside the guard station office door. It was observed during the onsite inspection that the set of stairs in place and the landings were equipped with only a top rail on the open side. There was no mid rail in place. The top rail was observed to be installed at the proper height. The steps and landings were made of a metal grating and there did not appear to be any damage. Also, the light outside the guard station office door was not functioning. It was determined through an interview with HR Manager for Ferrell Paving, that the same set of steps had been in place for approximately 20 years and there had been no modifications made.

From the top landing to the ground below was 10'3 7/8" and from the 1st landing to the ground was approximately 72 1/2". It was observed that there was a plastic bag with a water bottle and detergent bottle overturned on the 2nd and 3rd step from the top landing.

Through observation of the scene and information obtained, it is reasonable to believe that the victim was ascending or descending the stairs as some of his belongings were observed turned over on the 2nd & 3rd step from the top landing. The lighting over the stairs was not adequate as the light outside the guard station door was not functioning and there was only a lamp in the guard station office shining through the window. Based on the location of the victim, when found, and his belongings scattered on the ground around him, it is reasonable to believe that he fell through the opening left by the missing mid-rail. The victim may have dropped some of his belongings on the steps, reached down to pick them up, lost his balance and fell through the open space or he could have tripped on the metal grating steps, due to the poor lighting, when ascending or descending the stairs, lost his balance and fell through the open space.

**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**                      **\$4500**

**29 CFR 1910.29(b)(2)(i):** Mid-rails were not installed at a height midway between the top edge of the guiderail system and the walking-working surface:

In that the set of stairs at the guard station, located at Ferrell Paving Inc., 2174 East Person Ave., Memphis, TN was not equipped with a midrail.

**Citation 1 Item 2**      **Type of Violation:    Serious**                      **\$2400**

**29 CFR 1910.37(b)(1):** Each exit route was not adequately lighted so that an employee with normal vision can see along the exit route.

In that the light outside the guard station office, located at Ferrell Paving Inc, 2174 East Person Ave., Memphis, TN, to exit via the stairs, was not operable.





