

Fall from bucket truck—Insp # 1676283 Tanksley Tree Service LLC

A 52 year old male employee was thrown from a bucket truck when a tree he cut fell uprooted another which fell hitting the bucket, knocking it completely off the boom of the truck. Employees were in the process of cleaning up storm damage at a residential site.

The home was on a hill, surrounded by woods on all sides. Most of the fallen debris and trees had come from the sloped bank behind the home. Interviews indicated the slope of this hill was approximately 60 degrees. One large oak tree had partially broken off from its base and fallen onto the roof of the home and was lodged against a walnut tree close to the back of the home. The victim, who was considered a Lead Man, cleared/trimmed as many limbs off as he could reach from the bucket of a bucket truck. Though interviews with employees seemed to indicate the fallen tree was lodged in the fork of another tree, a photo provided by the employer taken prior to the work starting actually showed the fallen tree was forked and that it had fallen such that the fork got lodged against another tree. The next cut needed to be performed near the fork of the tree and could not be reached from the current position of the bucket truck.

The employees then relocated the bucket truck to the back patio/driveway of the home. The victim went up in the bucket and began trimming and removing sections of the forked limbs and lowered them down with a rope, leaving approximately 25 feet of the base to be removed. Interviews indicated that the victim was not wearing a harness, safety glasses or a hard hat while elevated in the bucket of the bucket truck. The victim then took the end of a 200' nylon rope and secured it to the remaining section of the tree. He then came down and instructed two employees to run the rest of this rope through a series of other trees and tie off their end to a skid steer.

The employees did as instructed and according to the employee who actually ran the rope, a different rope was secured to the fallen tree above the break and tied to a nearby tree to keep the falling tree from sliding down the slope. The 200' rope was run through the fork of another live tree down to a rolling block secured by wrapping it 2-3 times near the base of another nearby live tree and then through a series of trees and tied the other end to the skid steer parked further down the driveway. One of the trees that the rope was run around was a dead hickory tree.

This employee stated during his interview that he had informed the victim of the dead tree and was told not to worry about it. The intent was to use the skid steer and rope to slowly lower the remaining section of the tree down, once it was cut. Once all of this was completed, the victim went back up in the bucket, approximately 30-40 feet, and began cutting the tree near where it was laying against the other tree.

An employee stated that as soon as the victim started cutting, he heard the tree pulling away and yelled "it's coming down." Employees stated that shortly after the tree hit the ground they heard a cracking sound and the dead tree came crashing down, striking the bucket. Employees claimed that the tension placed on the rope must have caused the dead tree to fall. The majority of the bucket was sheared off sending it and the victim to the concrete patio below. It was thought that the tree hit the victim first as he hit the ground headfirst just before the bucket did.

Based on interviews it appeared the employer had no means in place to evaluate site conditions and/or developed any sort of plans for the safe trimming and/or removal of trees. It was also determined that necessary PPE, such as hard hats, safety glasses and fall harnesses were not regularly worn nor was the employer effectively enforcing the use of such PPE.

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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

TCA 50-3-105(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

In that an employee was struck by a dead hickory tree when the tension on the rope used to secure the tree being cut, caused the hickory tree to break and fall striking the employee.

Citation 1 Item 2

Type of Violation: Serious

\$4000

29 CFR 1910.67(c)(2)(v): A personal fall arrest or travel restraint system that meets the requirements of subpart I of this part was not worn or attached to the boom or basket when working from an aerial lift:

In that the employer did not ensure that employees wore fall protection equipment when performing tree trimming operations from the elevated buckets of bucket trucks.

Citation 1 Item 3

Type of Violation: Serious

\$800

29 CFR 1910.132(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers was not provided, used, and/or maintained.:

In that the employer did not ensure that leg protection was used to protect employees from cuts and lacerations while using chain saws.

Citation 1 Item 4

Type of Violation: Serious

\$500

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

In that on 6/10/2023, the victim was not wearing safety glasses when performing tree trimming operations using saws.

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Citation 1 Item 5 Type of Violation: Serious \$800

29 CFR 1910.135(a)(1): The employer did not ensure that each affected employee wore a protective helmet when working in areas where there is a potential for injury to the head from falling objects:

In that the employer did not ensure that employees wore hard hats when exposed to potential head injuries from falling trees, limbs and other debris while performing tree trimming operations.

Citation 1 Item 6 Type of Violation: Serious \$800

29 CFR 1910.151(b): In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons were not adequately trained to render First Aid and adequate first aid supplies were not readily available.

In that the employer did not ensure employees had access to first aid where medical treatment was necessary but not immediately available:

a) first aid trained personnel were not provided in locations where emergency care was not readily available within 3-4 minutes of the work site

b) no first aid kits were provided for employees out in the field

Citation 2 Item 1 Type of Violation: Other-than-Serious \$0

TDLWD Rule 0800-01-03-.03(27)(a): The log of all work-related injuries and illnesses (OSHA Form 300) and/or the summary of work-related injuries and illnesses (OSHA Form 300A) and/or the injury and illness incident report (OSHA Form 301) or equivalent forms were not maintained by the establishment:

In that the employer was not maintaining OSHA Form 300 logs or OSHA Form 300-A summaries.

Citation 2 Item 2 Type of Violation: Other-than-Serious \$0

TDLWD Rule 0800-01-03-.03(27)(b)2: An incident report (OSHA Form 301 or equivalent) for each work-related injury or illness, was not completed in detail as required by the rule.

In that the employer's first reports of work injury or illness did not consistently contain all the necessary details, such as type of treatment, time of injury, a description of the injury to include what the employee was doing, the body part(s) affected and object or substance that directly harmed the employee and the address where the injury occurred if not on company premises.

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Citation 2 Item 3 Type of Violation: Other-than-Serious \$1000

TDLWD Rule 0800-01-03-.05(1)(a)1: Within eight (8) hours after the death of any employee as a result of a work-related incident, the employer did not report the fatality to the TOSHA Division of the Tennessee Department of Labor and Workforce Development.

In that the employer did not report the death of an employee that occurred at approximately 2:30 PM on June 10th 2023, to TOSHA until 9:00 AM June 12th, 2023.

Citation 2 Item 4 Type of Violation: Other-than-Serious \$100

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment had been performed through a written certification that identified the workplace evaluated; the person certifying that the evaluation had been performed; the date(s) of the hazard assessment; and which identifies the document as a certification of hazard assessment:

In that the employer did not certify their PPE hazard assessment



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