

# F.A.C.E. INVESTIGATION REPORT

## Fatality Assessment and Control Evaluation Project

FACE #97-NJ-062-01  
Painter Killed After Falling From A Stepladder  
While Painting an Outdoor Stairway



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FROM: Fatality Assessment and Control Evaluation (FACE) Project  
New Jersey Department of Health and Senior Services (NJDHSS)

SUBJECT: Face Investigation #97-NJ-062-01  
Painter Dies After Falling From a Stepladder While Painting an Outdoor Stairway

DATE: February 25, 1998

### **SUMMARY**

On August 12, 1997, a 45-year-old commercial painter was killed after falling from a step ladder as he was painting an outdoor stairway. The incident occurred at a commuter train station as the victim and two co-workers were painting a metal and concrete stairway leading to the station platform. The victim was painting some overhead pipes from an eight-foot step ladder that had been set up on a landing of the staircase. It is not known what caused him to fall. His co-worker reported that the victim suddenly fell on him as he was working on the lower landing. He tried but was unable to catch the victim, who was fatally injured when he struck his head on the concrete landing. NJ FACE investigators concluded that, to prevent similar incidents in the future, these safety guidelines should be followed:

- ! Employers must stress to all employees the importance of exercising caution when working from ladders.
  
- ! Contractors should become familiar with available resources on safety standards and safe work practices.

### **INTRODUCTION**

On August 14, 1997, NJ FACE staff were alerted by a newspaper article to a fatal work-related fall that occurred on August 12. A FACE investigator conducted a visit to the incident site the same day, briefly interviewing a train station employee and photographing the incident scene. The victim's employer was not on-site and was later interviewed by telephone on August 28, 1997. Additional information on the incident was obtained from the OSHA investigation file, the police report, and the county medical examiner's report.

The victim's employer was a small commercial painting company that had been in business for 11 years and employed five workers. The company usually worked on apartment buildings no more than two stories high and avoided large jobs such as bridge painting. Safety and health training was limited to a verbal program that did not address fall hazards. However, additional safety training was provided by the railroad company, including training on respiratory protection, fall protection, and lock-out/tag-out.

The victim was a commercial painter who had worked for the company for two months. A Pakistani national, the victim had 12 years of experience painting in Pakistan and six years painting in the United States. The victim was hired by the company on a relative's recommendation and was described by the employer as a great painter who was "on the ball."

### **INVESTIGATION**

The incident occurred at a commuter train station located in an urban area. The railroad company had contracted with a number of small painting companies to paint the stairs and platforms at its train stations. Each station painting contract was awarded to a different painting company.

The day of the incident was clear with temperatures in the 80's. A crew of two painters and a supervisor arrived at the station at 9:30 a.m. and were instructed to paint the outdoor stairwell leading to the northbound train platform. A railroad company employee was also on-site to ensure that the painters did not block the right-of-ways. The 25-foot high stairway was constructed of structural steel and concrete and was open except for a small roof above the top landing. Each of the stair's five flights measured about five feet wide by five feet high and led to a 57 square foot landing. The sides of the stairway were well guarded with six heavy metal rails. Starting at the top platform, the victim set up a new, eight foot high wooden stepladder to paint the overhead steel beams on the staircase. His co-worker painted the railings, starting at ground level and working his way up. The supervisor oversaw the operation. At 1:30 p.m., the victim was standing on the ladder positioned on the landing directly below the stairway roof, while his co-worker was painting on the next landing down. The victim was reportedly standing on the second or third rung of the ladder to paint a gutter pipe running 8½ feet above the edge of the stair. No one saw the victim fall. His co-worker on the landing below reported hearing the victim gasp before falling onto him. He put his arms out to try to catch the victim, but was unable to hold him. The victim fell approximately nine feet, striking the landing and hitting his head on the concrete surface. The co-worker immediately called for help, and a railroad company employee ran to the train station for assistance. As one station employee called 911, a second station employee who was an EMT went to the victim and started cardio-pulmonary resuscitation. The

police and EMS quickly arrived, took over rescue efforts, and transported the victim to the local hospital. The victim was revived for a short time but died of his injuries four hours later.

### **CAUSE OF DEATH**

The county medical examiner found the cause of death to be due to “craniocerebral injuries.”

### **RECOMMENDATIONS/DISCUSSIONS**

***Recommendation #1: Employers must stress to all employees the importance of exercising caution when working from ladders.***

Discussion: The direct cause of this incident is not known. Possible causes are incorrect placement of the ladder or the victim overextending himself and losing balance on the ladder. To prevent falls from ladders, the FACE Project recommends that employers should stress to employees the importance of exercising caution when setting up, climbing, and working from ladders. It should be noted that the OSHA standard 29 CFR 1926.1060 outlines the employee training requirements for ladders.

***Recommendation #2: Contractors should become familiar with available resources on safety standards and safe work practices.***

Discussion: It is extremely important that contractors obtain accurate information on working safely and following all OSHA standards. The following sources of information may be helpful:

#### **U.S. Department of Labor, OSHA**

On request, OSHA will provide information on safety standards and requirements for fall protection. OSHA has several offices in New Jersey that cover the following areas:

Hunterdon, Middlesex, Somerset, Union, and Warren counties.....(732) 750-4737  
Essex, Hudson, Morris, and Sussex counties.....(973) 263-1003  
Bergen and Passaic counties.....(201) 288-1700  
Atlantic, Burlington, Cape May, Camden, Cumberland, Gloucester,  
Mercer, Monmouth, Ocean, and Salem counties.....(609) 757-5181

#### **NJDOL OSHA Consultative Services**

This organization, in the New Jersey Department of Labor, 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 Safety Council provides a variety of courses on work-related safety. There is a charge for the seminars. The address and telephone number is: NJ State Safety Council, 6 Commerce Drive, Cranford, New Jersey 07016. Telephone (908) 272-7712

### **Internet Resources**

Information on OSHA standards can also be easily obtained over the internet at the US Department of Labor's OSHA website [www.osha.gov](http://www.osha.gov) . Other useful information can be found the USDOL's Employment Laws Assistance for Workers and Small Business (ELAWS) system at [www.dol.gov/elaws](http://www.dol.gov/elaws) .

### **REFERENCES**

Code of Federal Regulations 29 CFR 1926. U.S. Government Printing Office, Office of the Federal Register, Washington DC.

## **DISTRIBUTION LIST**

### Immediate Distribution

NIOSH

Employer

Incident Site Owner

NJ State Medical Examiner

County Medical Examiner

Local Health Officer

NJDHSS Census of Fatal Occupational Injuries (CFOI) Project

### General Distribution

USDOL-OSHA New Jersey Area Offices (4)

NJDOL Public Employees OSHA

NJDHSS Public Employees OSHA

NJDOL OSHA Consultative Service

NJ State Safety Council

NJ Institute of Technology

NJ Shade Tree Federation

NJ Utilities Association

NJ School Boards Association

University of Medicine & Dentistry of NJ

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