

Alabama Lumber Worker Killed in Vance Construction Accident, UPDATE

On behalf of Johnston, Moore & Thompson

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In a January post we discussed the wrongful death of a 22-year-old lumber worker in Vance on December 31st of last year. The young workman was killed in a construction accident when a log fell on him, striking him on the head. When we previously discussed this tragic accident, it was unknown whether the lumber company had violated any safety requirements at an Alabama lumber mill.

In a recent press release, OSHA stated that, in fact, the lumber mill was responsible for 15 safety and health violations, including one that contributed to the young employee's death. Inspectors said that the company failed to fence the area where logs could fall in order to prevent access to unsuspecting workers. They also failed to post warning signs about the danger in the area. Apparently, logs had been falling in this area for some time, but the lumber mill ignored the serious safety hazard even though company officials knew it placed employees at risk.

Ten other citations for serious safety and health violations were also issued. These violations could pose a substantial risk of death or personal injuries to employees at the Alabama lumber mill:

- Stairs and platforms without railings
- Blocked fire extinguishers
- Cracked and uneven work surfaces
- Light switches without cover plates
- Equipment lacking machine guards
- Noise hazards

Four other violations were also noted, but those violations would probably not result in death or injuries to employees.

Because this Alabama lumber company knew about the safety hazards before the fatal construction accident occurred, its management could have prevented their employee's accident. As a result they may be held responsible for a wrongful death claim on his behalf.

Hopefully, now that OSHA has conducted its investigation and has made its report, the company will improve the safety conditions at the mill so that this type of accident will not happen again.

Source: OSHA Press Release, "US Department of Labor's OSHA cites Alabama lumber mill with willful and serious safety and health violations following worker fatality," 28 June 2011