

# Witness Statements



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## Case Study #1 - Spamatlot

- **Observations:** The home's roof slope was 6-inch rise over 12-inch run. The eaves measured 20 feet on the west side and 10.5 feet on the east side.
- **Witness Interview – Mr. Reaper, Home Owner :** The roofing crew arrived sometime around 6:30am. I didn't really count, but there must have been at least 6 guys. They started working to remove the old shingles . It was sometime around 10:30 or so. I was in the house on the phone with Mr. Robin – he was the guy Spamatlot sent out to do the roof replacement. I think he actually worked for a company called Sir Robin's Roofing. Anyway, I was on the phone with him trying to work out a little issue when all of a sudden I heard somebody holler and I ran outside. The poor fella, I think his name was Artie King. He was laying right here on the sidewalk -- it looked like he fell off the roof. I told Mr. Robin I thought one of his roofing guys was hurt and that I was gonna get off the phone so I could call 911. I think he must have hit his head on the dumpster when he fell. I took a handful of pictures on my cell phone thinking I might need them for insurance. I didn't see anything like a harness or anything else to keep him from falling, but I don't really know – I wasn't looking for that. It was just a few minutes when Mr. Truman showed up. He got here about the same time as the fire truck and right after that the ambulance pulled in the driveway.
- **Witness Interview – Mr. Blood, Paramedic:** A call was received at 10:43am and we were dispatched to the location where a male, approximate 36 years of age had fallen from a second story roof. Our arrival was logged at 10:57am. When we arrived the patient was unresponsive, but alive. The patient was not wearing a harness or lanyard device. We obtained the patient's name from the site foreman, Mr. Truman. We transported Mr. King to Grail Community Hospital. I did note that upon our arrival, several workers were in the driveway and appeared to be putting PFAs on. The site supervisor, Mr Truman, was on site.
- **Witness Interview – Mr. Spamatlot, Company President:** All of our employees and contractors are required to wear fall protection anytime they are working on surfaces over 6 feet in height. Though I did not have the opportunity to visit this particular site, it is my understanding that on the day of the accident, the crew members were all using fall protection consisting of harnesses, lanyards and anchor points. Mr. King, rest his soul, actually worked for Sir Robin's Roofing – the sub-contactor hired to perform the roof work. I don't have anything in writing to give you, but I can assure you that all of our subs understand the importance of safety and our expectation that they are to always protect themselves.
- **Witness Interview – Mr. Robin, Sir Robin's Roofing - Company President:** Well, Mr. Truman was the foreman for this project, but he doesn't work with us anymore. He had been with us for going on 2 years and did a real good job, but a day or so after the accident he just stopped showing up to work. I don't really know why. This is the first time something like this ever happened. I guess he just felt bad about Artie dying. Anyway, I haven't heard from him and haven't been able to get in touch with him. I know he talked to the guys about safety. He had a clipboard where he wrote down the stuff he talked to them about, but he must have taken all that with him. As far as safety policies go, we try to make sure everybody understands that safety is the most important thing. Everybody has fall protection when they are on a roof and I can assure you that on the day of the accident all of the guys had their harnesses on. Well.... everybody except Artie.
- **Witness Interview – Mr. Gable, Roofer for Sir Robin's Roofing :** I've worked for Sir Robin's as a roofer for about 6 months. I started the same day as Artie. On our first day, the boss , Mr. Truman, gave us each a harness and told us to use it if we were scared of falling. I tried to put it on once – after Artie fell, but I couldn't figure out where the straps were supposed to go! And then some of the other guys laughed at me and said I wasn't a real roofer if I needed to use that thing. So I haven't messed with it since. I think they're probably right -- Artie's fall was just a freak accident. He just wasn't paying attention to where he was stepping. Ever since his fall, I've been watching out and making sure I'm safe.

## Case Study #2 - Safest Scrap Metal

- **Observations:** The company apparently has no written health and safety plans or safety policies. All instructions and directions are communicated to employees verbally. There are 11 employees including 3 truck drivers, 4 yard workers, 1 welder and 3 employees who work in the office.
- **Witness Interview – Mr. Gregorio Rasputin, Sr, Company Owner:** I don't know why you think you need to be here. There ain't nothing you government big wigs can tell me about how to run my business. I've been doing this since 1968 – ever since I got home from Viet Nam – and this is the first time anything like this has happened. You might as well just get on back to Washington or wherever you came from and take that camera and clipboard with you. My boy's gonna be OK, I'll see to that. Now that's all I've got to say. I ain't answering no more questions.
- **Witness Interview – Chief Turnbull, Fire Department:** The explosion was apparently caused when the vapors inside the tank ignited. It appears the tank had previously contained unleaded gasoline. I'm guessing that piece of the tank that ended up on top of the Gator probably weighs close to 500 pounds. They were lucky nobody was in the way when she blew! The victim was not present on-site when we arrived. In fact, we didn't get a call until about an hour after the initial explosion. It is my understanding that he was transported to the hospital by a co-worker.
- **Witness Interview – Mr. Greg Rasputin, Jr, Injured Worker:** Yeah, it looks like I'm gonna be alright, but that was one \$#\*\$ of a blast! I was trying to cut the end off the tank, using this here torch. Buddy, he's our welder, he called out sick and I was trying to keep the project moving and on schedule. I knew we weren't gonna be able to do nothing until we got that tank taken care of. I've done a little a little welding before, but it ain't what I usually do. Whenever she blew, Skippy came running and he got me to the hospital. I was burned all up and down both my arms and on my face, I got cuts on my arms and hands and a pretty bad one here on my cheek. They say I had a concussion – that's why I was in the hospital so long I guess. Anyway, I'm gonna live so I guess it's all good.
- **Witness Interview – Skippy, Yard Worker:** I didn't really see what happened. I was working over here when I heard a big BOOM! Then I saw Greg – he had been working on the tank, but when I looked up he was laying on the ground about 20 feet away from where the tank was. His torch landed way over here and part of the tank landed way over there on top of the Gator. Funny thing is, I never knew Greg was a welder. I guess he can pretty much do anything, though. Buddy usually does all our welding, but he was out with the flu or something, so Greg was helping out.

## Case Study #3 - Egregious Trucking

- **Observations:** The company has a total of 5 forklifts – 3 propane, 2 electric. There is no preventive maintenance schedule for the forklifts. The company apparently has no written health and safety plans or safety policies. Ventilation in the warehouse is minimal at best.
- **Witness Interview – Ms. Darla Hood, HR Director:** In terms of our employee safety training, we offer monthly “Safety Talks” on topics that are relevant to the workers. I create the topic schedule each year and as you can see we did a presentation on Forklift Safety on October 19, 2011. All employees are required to attend all “Safety Talks.” They are mandatory. I don’t keep sign in sheets because we are certain that everyone attends – this isn’t a choice thing. Mr. Switzer, our warehouse manager, presented the Forklift Safety talk. He knows a lot about that topic and I understand that he did a real nice with it – I was unable to attend, so I don’t really know what all he talked about. Now, as for the records for our forklift drivers and their operator training, Mr. Switzer does all that too and I guess he has that documentation and I am not familiar with how the air quality in the warehouse is checked.
- **Witness Interview – Mr. Alfalfa Switzer, Warehouse Manager:** We haven’t had anything like this happen before and that’s why when Porky first said he was feeling bad we didn’t even think about it being caused by something in the warehouse. It was probably about 9:30am or so when he said he had a headache. But by noon he was worse and I got Darla to take him to the urgent care center. To tell you the truth I thought he was having a stroke or something. Darla hadn’t been gone long when Spanky, another of our truck operators said he had a bad headache too. That’s when I decided we needed to call 911 and find out what was going on. The fire department came out and discovered carbon monoxide levels in the warehouse were too high. I told Darla we probably should call the guys that had worked third shift to check on them and sure enough, three more went to the hospital to get checked out. I guess something’s going on with one of the trucks. When a fork truck is in need of repair, we use Fork Fixer, Inc. to come in and do the repairs, so I’ve called them to some check everything out. No as far as air quality in the warehouse? Is there something we need to be doing? I’m not aware of anything related to that.
- **Witness Interview – Mr. Porky Lee, Forklift Operator:** Well, I’ll have to tell you, I’ve had headaches at work before, but this was different. I was scared – it was worse this time. I felt light headed and dizzy. I guess all together there are 12 of us who drive these fork trucks across 3 shifts. I know some of the other guys have also been having headaches and we’ve mentioned it to Alf, our supervisor, but nobody ever acted like they thought it was because of the trucks. But I’ll tell you this – I knew it was something here at work, cause there were a lot of times I’d get home and in no time my headache was gone! On the day that I went to the hospital, 4 other guys went, too. I think now there’s no doubt these trucks are the problem.
- **Witness Interview – Mr. Chubby Chaney, Fire Chief, Vacation Fire Dept:** We got the call at 1220 reporting a possible exposure incident at Egregious Trucking. When we arrived we were informed that 2 victims had been transported to the hospital. A check of the facility revealed CO levels ranging from 200ppm in the administrative offices and 400ppm in the main warehouse – levels that would clearly result in symptoms similar to what had been reported. We ordered an evacuation of the building and assisted with ventilating the facility in order to achieve a safe environment.

## Case Study #4 - Münster Brick and Mortar

- **Observations:** The set up and assembly instructions for the scaffolding are not readily available onsite. Münster Brick and Mortar, Inc apparently has no written health and safety plans or safety policies. All instructions and directions are communicated to employees verbally.
- **Witness Interview – Mr. Eddie Münster, son of the victim:** I can't believe daddy's gone. I just can't even believe it. I don't really want to talk to you right now, or ever, really. You show up all set to blame me for killing my daddy. I don't need that. I know I had a hand in this. Me and Jabba Hut and daddy all set up that scaffolding and now look where we are. When it fell and he was underneath it all, we couldn't get him out. I had to watch my daddy die. Daddy's gone, my girls don't have a Paw Paw and I can't stand to look at myself in the mirror. I don't have anything else I can tell you. That's all.
- **Witness Interview – Chief Wiggum, Gravity Police Department:** GPD arrived, at approximately 0905. The victim was trapped beneath the collapsed scaffolding and Gravity Fire Department personnel were on scene, attending to the victim and attempting to free him from the debris. At approximately 0950 Mr. Münster was successfully removed from the accident site and transported by EMS to Gravity Community Hospital where he was DOA.
- **Witness Interview – Mr. Grimm, General Contractor:** Well, you know I do daily site safety inspections and yesterday I didn't see anything that needed to be fixed. I usually get by here sometime before lunch, and this accident happened this morning before I was able to get here. But, I come check in with the guys to make sure they're OK everyday. I make sure they got everything they need and that everything looks good and safe. I don't keep no written report or anything, but when I see something I tell 'em to make sure they get it taken care of. Now that scaffold that fell, I know it was rented and set up probably about 4 days ago. I guess the rental guys got it set up and inspected, but it looks like they didn't know what they were doing. You probably need to talk to them.
- **Witness Interview – Mr. Reaper, Rental Agent from Scaffolds Are Us:** We were contacted by Münster Brick and Mortar on Monday to make arrangements for the rental of scaffolding. The customer declined our set-up and certification services and chose to set the scaffolding up themselves. We provided written instructions for how to safely assemble and inspect the scaffolding.

## Case Study #5 - Honey Bun Animal Feeds

- **Observations:** The employer has a written LOTO program with machine-specific energy control procedures. Documentation of annual training for all authorized and affected employees is in order.
- **Witness Interview – Mr. James Harden, Victim’s Supervisor:** Javier was having some trouble with the screw conveyor, and he had called me over to help him. His job is to feed the product – mostly breads and other bakery items – into the machine where it gets ground up in preparation for making the feed. Sometimes the breads and all get clogged up and causes the machine to bog down and lock up. Before going over to help him get it cleared out, I locked out the power switch and put my lock on it. When I got over here, Javier had the access plate removed and was reaching in to remove the jammed feed material from around the auger. This was something he had done several times before. Jams like this are pretty regular, so we had worked together to clear jams several times. Anyway, once the jam was cleared I went back over to the control panel and removed my lock. I yelled over to Javier to confirm that he was clear. I heard him yell back and I turned the power back on. The next thing I know, Javier was getting pulled into the conveyor. I feel real bad about it – I really thought, well..... I don’t know, I just never expected anything like this to happen.
- **Witness Interview – Mr. Ward N. Cellblock, VP of Human Resources and Safety:** Javier was hired three months ago and completed safety orientation during his first week here. Some information related to our LOTO program is included in that orientation, but Mr. Santos did not receive LOTO training beyond that because he is not considered an authorized employee as it relates to LOTO. For authorized employees ,we provide a more detailed training to ensure that employees understand the program and their responsibilities.
- **Mr. Javier Santos – Victim:** Still hospitalized and unavailable for interview at this time.