

NARRATIVE SUMMARY

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|----------------------|-------------------------------|-------------------|--------------------------|
| Establishment Name | Gerdau Reinforcing Steel West | Inspection Number | 315776625 |
| Management Contacted | Carlos Crisonino | Title | Corp. Safety/Health Mgr. |

Information on Injured Covered by Workers' Compensation Yes _____ No _____

| Name, Address and Phone Number | Occupation |
|--------------------------------|--------------|
| Edward Lake II [REDACTED] | Truck Driver |
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| | |

Use additional forms(s) as needed.

Witness Name(s) and Title *Check box preceding name if confidentiality is given.

| * | Names and Title(s) | Address | Phone No. | Signed Statement? | | |
|---|---|------------|------------|-------------------|----|---|
| | | | | Yes | No | X |
| | Jose Gutierrez Lead-Journeyman/Forklift Operator | [REDACTED] | [REDACTED] | | | X |
| | Victor Rosas Apprentice Ironworker | [REDACTED] | [REDACTED] | Yes | No | X |
| | | | | Yes | No | |

Summary

On Monday, October 14, 2013 at approximately 6:40 AM a fatal accident occurred to an employee of Gerdau Reinforcing Steel West at a sports stadium construction project at 4900 Centennial Dr., Santa Clara. The accident was timely reported by the Santa Clara Fire Department and the Division responded to the scene upon notification.

INVESTIGATION

A delivery of reinforcing steel (rebar) intended for the project had been driven to the site from the employers Fairfield, CA shop by Employee #1, a truck driver employed by Gerdau. The truck was a Peterbilt, commercial 30 ft. flat-bed truck with 2 rear axles.

At approximately 6:25 AM Employee #2, a crew foreman for Gerdau, met at their onsite equipment trailer with Employee #3, a lead-journeyman ironworker and forklift driver, and Employee #4, an apprentice ironworker.

Employee #2 gave instructions to Employees #3 & 4 to meet Employee #1 at his truck on an earthen perimeter road of the stadium in order to off-load the bundles of rebar and notified them that there was a mixed load with some rebar that would remain on the truck for delivery elsewhere. Employee #2 did not accompany them to the truck and was not a witness to the accident.

Employees #3 and 4 first met Employee #1 on the road at west side of the stadium and did a walkaround of the truck to inspect the bundles of rebar various lengths and types. Employee #4 stated that he got on the truck bed and identified the tags for the loads they were to remove.

Employee #3 told the driver to relocate the truck to an open area on the southwest end of the stadium for offloading. Employee #3 said he got on the truck bed at this location with Employee #4 to ID the load tags. Employees #3 and 4 said the truck driver removed the nylon straps that were securing the load items to the truck. Employee #3 then left to get a Gradall rough-terrain forklift, Model # 544D10 with telescoping boom that he would use to remove the rebar bundles which were resting on wooden runners about 3 inches off the truck bed.

Employee #3 drove the forklift toward the truck approaching along a perimeter road on the passenger side of the truck and, prior to arriving at the truck, was approached on-foot by the truck driver, Employee #1. He asked if Employee #3, after removing the items for this site, would use the forklift to adjust the location of two, 30 ft. long bundles of rebar which were loaded on the outside edges on each side of the truck bed. These two bundles were among the items to stay on the truck for later delivery and Employee #1 wanted them moved inward from the edges of the truck bed. This appears to be the last time that Employee #1's location was seen or known until the time of the accident.

As Employee #4 was standing on the truck bed near the center and facing the rear of the truck, Employee #3 prepared to make his first lift of steel working from the passenger side of the truck. Employee #3 moved his forks over the outer 30 ft. rebar bundle on that side to get his forks under a bundle of 20 ft. long rebar. He lifted that bundle and took it back down the perimeter road where he left it at a staging area for later installation.

Employee #3 said he then drove back up the same perimeter road as before and again positioned the forklift on the passenger side of the flat-bed truck for the next lift which was a set of four, separate bundles of rebar, 4 ft. long that were placed in the center and towards the rear of the truck bed. Employee #3 said this lift also had to be made by reaching the forks over the 30 ft. bundle on the passenger side of the bed and then maneuvering them under the bundles.

As Employee #3 was attempting to get the four, 4 ft. bundles on the forks he heard Employee #4, who was still on the truck bed and facing rearward, say "Stop, Stop". Employee #3 said he realized that the 30 ft. bundle on the driver's side of the truck bed had been pushed off the truck during the procedure. Employee #4 said he saw the rebar falling off the bed from the area where the forks and 4 ft. bundles were and then just caught a glimpse of something to his right and behind him as the rebar completed its fall and realized a person was on the ground. Employee #3 said he realized something worse had happened than just rebar falling off the truck when he saw other workers come running over toward the front cab area of the truck.

Employee #5, a sub-contractor not affiliated with the employer, was walking by southward on the perimeter road on the driver's side of the truck, said he saw the rebar falling at the rear of the truck and it rolled off along the length of the bed toward the cab and he saw it whip or flex at the forward end. He said he just caught out of the corner of his eye that the rebar had hit someone. He responded to the area where the driver fell and began to call 911.

Employees #6 and 7 were also unaffiliated sub-contractors walking nearby and they noticed the activity and provided initial first aid/CPR. A full alert response began at the jobsite. An AED was used onsite to attempt revival but Employee #1 was unresponsive. On arrival Santa Clara Fire Department paramedics took control of attention for the victim.

City of Santa Clara Fire and Police reports and the Santa Clara County Coroner/Medical Examiners' reports

relate that the victim was taken to Santa Clara Valley Medical Center and that his death was pronounced at that location. The Coroner's report states the cause of death as cranial injuries due to blunt head trauma due to falling rebar.

The Cal/OSHA investigation began upon arrival at the site approximately 9:30 AM on the morning of the accident.

COMMENTS/CONCLUSIONS

- * Employee #3 said he had looked from his forklift seat around and behind him prior to the 2nd lift to determine if anyone was in his way before lifting, but had not seen the driver on the other side of the truck.
- * Employee #4 said he was not on the truck to assist Employee #3 with getting the forks under the loads as he was lifting the rebar and that he was not instructed to determine the location of the truck driver prior to or during the offloading operations.
- * Photos taken on the day of the accident from the forklift driver's seat indicate that a large bag of small parts on the truck bed next to the cab-guard created an obstructed line of sight which make it appear unlikely that the forklift operator sitting in the forklift could have seen the truck driver standing in the approximate area where he was struck by the falling rebar.
- * Employer has a list of rules apparently posted at the shop for drivers to remain in the cab or away from the truck/trailer during loading/unloading process. The employer did not have apparent additional procedures at construction sites to ensure that the drivers were actually in a safe position prior to or during the unloading process.
- * Once the loads on the trailer were unstrapped, there were no other measures in place to ensure that the rebar bundles could not be displaced.

CITATIONS

- * T8 1509(a) Serious Accident-related: Failure to develop safety procedures to ensure that the safe location of truck drivers and/or other personnel not associated with the unloading process is verified prior to unloading trucks or trailers. Failure to train personnel to implement such verification procedures or other preventative measures.
- * T8 3704(a) Serious Accident-related: Failure to ensure that a bundle of reinforcing steel on a flat-bed truck was secured against dangerous displacement during an unloading process.
- * T8 1509(b) General: Failure to develop a Code of Safe Practices which addressed unloading of reinforcing steel from trucks and ensuring employees in the area are protected from harm by accidentally displacement during unloading.

Use additional sheet(s) as needed.

| | | Signature | Date |
|--------------|------------------|--|---------|
| Prepared by: | CSE, IH |  | 4/9/14 |
| Reviewed by: | DM/SR. IH | | 4/10/14 |
| | Regional Manager | | |