

OSHA June 15 QuickTakes



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A twice monthly newsletter with information about workplace safety and health.

Construction company owner indicted for manslaughter after failure to heed multiple safety warnings leads to worker's death

Salvatore Schirripa, a Bensonhurst, N.Y., construction company owner, has been indicted on manslaughter and other charges following the April 2015 death of Vidal Sanchez-Ramon, his employee at a Coney Island work site. If convicted, he faces up to 15 years in prison.

"A hardworking man died tragically and unnecessarily because proper safety measures were not taken to protect his life." — **Brooklyn District Attorney Ken Thompson**

Sanchez-Ramon was smoothing concrete on the sixth floor of the work site when he reached the edge and fell to his death. He was not wearing a harness, nor was fall protection installed as required by OSHA and the New York City Building Code. This fatal incident followed multiple warnings and citations to Schirripa since 2011 from OSHA and the New York City Department of Buildings for failing to provide effective fall protection.

It is alleged that several days prior to Sanchez-Ramon's death, Schirripa visited the worksite and saw that the wire cable fence was positioned several feet in from the edge, along one side of the floor. Nevertheless, Schirripa directed that his workers pour and smooth the concrete outside the wire cable fence without harnesses, ultimately leading to Sanchez-Ramon's death.

"The deaths of Mr. Sanchez and the seven other New York City construction workers in falls in 2015 were all needless and preventable," said OSHA Regional Administrator Robert Kulick. "This indictment sends a strong message to those employers who would neglect their legal responsibility to provide their employees with safe workplaces and working conditions.

Roofing contractor faces \$108K in penalties after repeatedly putting workers at risk of deadly falls and other hazards

OSHA inspectors cited Coastal Building Systems Inc. with willful and repeat safety violations after observing employees working more than 6 feet above ground without fall protection. The inspection was conducted under the agency's Regional Emphasis Program on Falls in Construction. The Fernandina Beach, Fla., roofing and siding company was issued \$108,500 in penalties. OSHA also cited Coastal Building for allowing workers to use powered nail guns without eye protection, a violation the company was cited for at another work site in 2012. [Extract from news brief given in box.]

Investigation findings: Inspectors with the U.S. Department of Labor's Occupational Safety and Health Administration observed employees of Coastal Building Systems, Inc. not properly protected from falls as they did roofing work at a residence in the Flora Parke subdivision. OSHA cited the company with one willful and one repeated safety violation. This inspection fell under OSHA's Regional Emphasis Program on Falls in Construction.

The willful citation was issued to the employer for not ensuring workers were properly protected from falls up to 8 feet. OSHA requires the use of a guardrail, safety net, or personal fall arrest systems when workers are working at heights of 6 feet or more above a lower level.

The repeat violation was cited for allowing workers to use powered nail guns without eye protection. OSHA cited the employer for this same violation in June 2012 at a work site in Saint Johns.

