

State of California
Division of Occupational Safety and Health



Investigation Summary

Tue Mar 29, 2011 1:15pm

Reporting ID	Investigation Summary Number	OSHA-36 Number	OSHA-36 Establishment Name
0950631	202552816	102618113	ALL AMERICAN WINDOW CLEANING INC
Event Date	03/29/11	Event Time	06:30 am
Type of Event	ELECTROCUTION		

Inspection Number/ Establishment Name	313169823 ALL AMERICAN WINDOW CLEANING INC
Injured/Deceased Name	GANDY OCHOA
Sex	M. Male
Age	27
Injury	A. Fatality
Nature	10 Electric Shock
Part of Body	04 Body system
Source of Injury	15 Electrical apparatus or wiring
Event Type	13 Shock
Environmental Factor	13 Working surface or facility layout condition
Human Factor	10 Operational position not appropriate for task
Task	A Regularly Assigned
Substance Code	
Occupational Code	579 - PAINTERS, CONSTRUCTION AND MAINTENANCE

Abstract:

The Division was notified on 3/29/11 by employer and emergency responders that a worker had suffered fatal injuries earlier that same morning. The employer is a company that provides window cleaning services to commercial buildings, the deceased employee was a full time, non contracted window washer with one year's experience with the employer. On the day of the incident, the injured employee was attempting to wash windows on a three story building using a Tucker Pole. The pole was extended to 39' 4" and came in contact with an electrical utility power line running approximately 37' above the nearby sidewalk and carrying 7000 volts phase to ground. The employee suffered immediate electrocution with related burns to the body.

CSHO Signature:		Date:	3/29/11
DM Signature:		Date:	7/1/11
RM Signature:		Date:	

NARRATIVE SUMMARY

Establishment Name	ALL AMERICAN WINDOW CLEANING INC	Inspection Number	313169823
Management Contacted	Jonathan Robles	Title	Foreman

Information on Injured Covered by Workers' Compensation Yes No

Name, Address and Phone Number	Occupation
#1 Gandy Ochoa, [REDACTED]	Window Cleaner

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

*	Names and Title(s)	Address	Phone No.	Signed Statement?			
	#2 Jonathan Robles, Foreman	[REDACTED]	[REDACTED]	Y	X	N	
	#3 Mario Diaz, Foreman	[REDACTED]	[REDACTED]	Y		N	X
	#4 Denise Woolson, Nurse	[REDACTED]	[REDACTED]	Y		N	X

Summary: The Division was notified by the Huntington Beach Police Department through the after hours answering service at 0715 on 3/29/11 that a worker had been fatally injured while performing work at 17742 Beach Blvd. in Huntington Beach. CSHO T. R. Johns was assigned the investigation and arrived at the scene of the accident at 0820 A.M. An opening conference was conducted with two employer foremen who were at the scene. Additional reports of the death were made to the Division by both the Primary employer, BBSI, and the secondary employer, All American Window Cleaning, Inc. later that same morning

The secondary employer controlling the job site is a window cleaning company incorporated since 2000 that provides services to commercial buildings of all sizes. Employee #1 had worked as a window cleaner for employer 4 1/2 months and had been leased to All American by the primary employer, BBSI. Employee #1 is thought to have had no previous experience in this type of window washing, having previously been employed as a food service worker.

On the day of the accident Employees #1, 2, and 3 arrived at the work site at approximately 0600 and prepared to clean the windows on a three story medical office building. #1 and #3 had come in the same truck and #3 parked the truck on the north side of the building. He left #1 to clean the windows on that side of the building with a Tucker Pole, an extendable aluminum pole that has a brush on the end and a water line inside to carry ionized water up to windows as high as 45'. Employee #3 stated he told #1 to "be careful of the electric lines" as he left to assist #2 clean the windows over the east side building entrance, which was out of sight of the work to be performed by #1. At approximately 0630 Employee #1 was observed at the back of his truck by

a passing Huntington Beach Parking Control Officer. The officer turned a corner and did not see the incident, but stated that only employee #1 was on the north side of the building at that time. Within minutes, Witness #4, arriving for work at the nearby hospital, turned onto the street where the work was to be performed by #1. She stated she saw a "glow, like someone was welding", and as she came up to a pickup truck parked at the curb, observed Employee #1 on the ground with his lower extremities on fire and electrical flashes arcing off a pole hanging on the overhead power line. She immediately called 911, but was certain that the person she saw on the ground had been electrocuted. #4 stated that there was no other person on the north side of the building, but a short time later after she had called 911, Employees #2 and #3 came around to that side of the building. Police response occurred at 0634, followed by fire department units, but no emergency assistance could be attempted due to the continuing electrical sparking from the Tucker Pole which was hanging from the overhead electrical line and touching the victim. A Southern California Edison Crew arrived and de-energized the electrical line, removed the hanging Tucker Pole and rendered the scene safe for emergency responders to perform their jobs.

The electrical line contacted by the Tucker Pole was determined to have been energized with 12000 volts, 7000 volts to ground. The Tucker pole was measured extended to 39' 4", with an additional 8-10 inches of brush attached. Water was being sent through the pole when it was found.

When interviewed at the scene, neither Employee #2 or #3 had knowledge of what the voltage of the overhead line was, or what minimum clearance distance was required. Both stated that they had not had safety meetings about such information, but knew they had to avoid the electrical lines. Employee #2 stated he had told #1 to "be careful" of the electrical lines. #2 stated he did not know if #1 had ever cleaned windows in proximity to power lines, but did know #1 had never cleaned windows at the building being cleaned on the accident day. Employee #1 was required to stand on the sidewalk beneath the power lines to clean the building windows. Other employees interviewed with experience previously cleaning this building's windows stated that they also stood on the sidewalk due to the sloped landscaped area.

CITATIONS: After inspection, the Secondary Employer in control of the job site and Employee #1 is issued 1 REGULATORY, 2 GENERAL, and 2 WILLFUL SERIOUS citations, as follows:

REGULATORY: As an employer with fewer than 10 employees, employer failed to maintain and provide to the Division a log of instruction/training topics provided to its employees {T8CCR 3203(b)}.

GENERAL: Violation of T8CCR 3203(a)(7), failure to provide training to new employees on specific hazards in the work place, to wit, electrical hazards and proper minimum clearance distances from energized lines.

GENERAL: Violation of T8CCR 3395(f)(3), failure to have and provide to the Division written procedures to comply with requirements of subsections (f)(1)(B), (G), (H), and (I).

WILLFUL SERIOUS: Violation of T8CCR 2946(a), which prohibits employers from requiring an employee to perform work in proximity to energized electrical lines without establishing guarding from accidental contact. Employer had sent employees to clean the north side windows on this building on numerous occasions, and in particular, had assigned Employee #1 to perform this task on the day of the accident. Foremen stated that #1 was told to "Be careful of the power lines," and other interviewed employees also stated they had been told to be careful of those power lines. At no time during this or previous cleanings had employer or its foremen ever arrange for the lines to be guarded against accidental contact. When Employee #1's equipment contacted the energized power line, he was electrocuted.

WILLFUL SERIOUS: Violation of T8CCR 2946(b)(2), which prohibits any part of tools being handled by an employee to come within a minimum clearance distance of 6 feet from any power line energized with nominal voltage of 600-50,000 volts unless the power line has been de-energized and grounded. As noted above,

employer was well aware of the power lines overhead and in proximity to the work to be performed. The Instruction Manual for the Tucker Pole contains a clear statement not to raise or use a Tucker Pole "anywhere a remote possibility of contact with electrical wires" exists. Employer did not assign a second employee to assist in the raising or to warn of hazards, and as a result, Employee #1 was electrocuted when his equipment, the Tucker Pole, contacted the energized power line.

		Signature	Date
Prepared by:	CSE, IH		
Reviewed by:	DM/SR. IH		
	Regional Manager		