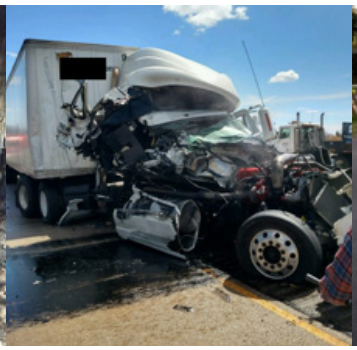
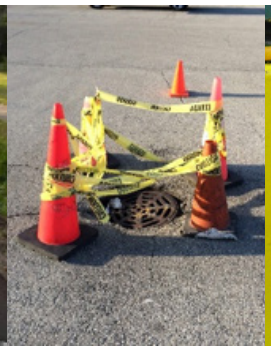
WEST BEND®
THE SILVER LINING®

Loss Lessons

FROM the EXPERIENCE of OTHERS





Initial Estimated Cost of the Loss: $272,466

Type of Business: Construction - Residential Siding **Line of Insurance Coverage:** Workers' Compensation

Incident Type: Struck against/strain

Description of the Incident:

A residential siding contractor had two employees installing soffit, working side by side on ladders 10 feet high. Employee A was working over a bush when he started to fall off the ladder. Employee B reached over and grabbed Employee A, lifting and pulling him over to his ladder. In the process, Employee B hit his left shoulder on the soffit corner, creating swelling and a knot. No one fell to the ground, but Employee B could no longer lift his left arm. Employee B was already working within permanent restrictions to his right shoulder. (no above shoulder lifting over 10#).

The insurance investigation determined a two month delay in reporting prevented immediate medical care. Later MRI of left shoulder indicated a torn rotator cuff and biceps tendon, muscular retraction and atrophy. Non-surgical treatments have been exhausted. A full shoulder replacement surgery is now the required treatment. Employee B will have permanent restrictions to his left shoulder.

The injury to Employee B was precipitated by unsafe ladder placement and use, combined with late reporting and medical treatment, reduced treatment options.

Recommendations for Best Practices to prevent future, similar losses:

Proper ladder use would have prevented this incident. Ladder safety training must be conducted with all staff that work from ladders. Body mass cannot move outside the ladder rails, if the user cannot reach the work without stretching the torso outside of the rails, the ladder should be moved.

All injuries need to be reported immediately to get the full benefit of immediate diagnosis and medical care.

Late injury reporting to the insurance carrier may be a violation of some state Workers' Compensation statutes and some states may impose financial penalties for late reporting.

Was Employee B truly working within existing permanent work restrictions? All work restrictions (temporary or permanent) are there to protect the worker and must be followed by both employers and employees.

Regulatory Safety References:

29 CFR 1926 Subpart X - Stairways and Ladders
OSHA Publications - Portable Ladder Safety
NIOSH Ladder Safety App