



WRITING SAMPLE: LEGAL ARTICLE

Fall Protection Systems for Open Windows at Construction Sites

One of the top four causes of worker fatalities at construction sites is falls, accounting for 34% of fatalities. ([Construction Hazards and Fatalities Remain High, Anne Crown-Cyr, OSHA JSH Quarterly , Vol. 10, No. 4, Summer 1999](#)).

One type of fall is falling to a lower level through a window opening. In order to ensure that the construction worker does not fall through a window opening, there must be fall protection. For example, guardrails must be properly erected, installed and secured on window openings to prevent their collapse.

Pursuant to [OSHA Regulation 1926.502\(b\)\(3\)](#), erection and installation of a guardrail:

"...shall be capable of withstanding, without failure, a force of at least 200 lbs. applied within 2 inches of the top edge, in any outward or downward direction, at any point along the top edge."

When guardrail erection and installation deviate from the above requirement, accidents, injuries and even fatalities can happen. The safety rails could collapse resulting in workers falling through or out of the window opening.

Unfortunately, construction workers get a sense of false security when they see a guardrail system in place and believe there is fall protection, even if it is improperly installed. Construction workers trust that a proper guardrail system or safety rails were put up.

There are many types of claims that can be made in fall accidents at construction sites in Pennsylvania. Some of the most common types of claims include:

- failure to have a fall protection system,
- failure to erect a guardrail system,
- failure to install a guardrail system pursuant to applicable OSHA workplace safety standards,
- failure to provide a safety manager, and
- failure to instruct workers on how to recognize and avoid unsafe conditions that apply to the work and work areas.

Safety programs must be established at construction sites to prevent accidents. Safety programs must include regular inspections of job sites by competent individuals. Otherwise, improper work practices will lead to injuries and fatalities.

*DISCLAIMER: This website does not provide legal advice. Every case is unique and it is crucial to get a qualified, expert legal opinion prior to making any decisions about your case.