

# Ladder work guide published by ISHA

Since the formation of a working group last year, the Irish Safety at Height Association has been busy researching topics related to working at height in Ireland and has now published its third guide, a guide on working with ladders.

Since the Association was established, it has published *Safe Work at Height on Roofs: A simple Guide for Clients* and a *Guide on Projects Involving Works to an Existing Roof: Key Safety Considerations for the Client and Employer*.

These guides can be downloaded from the ISHA website, [www.SafetyatHeight.ie](http://www.SafetyatHeight.ie), as can the most recently published guide – *Safe Work at Height: Ladders – a simple guide for clients* – on the difficult topic of ladders (both permanent and temporary) and their role in safe access to roof areas and other high spaces.

ISHA says ladder access is probably the most difficult of all working at height issues. To complicate matters, there are three European and British standards that contain conflicting information on the design of fixed (or permanent) ladders.

Furthermore, the HSE UK has conducted two major research projects into ladders with safety cages (or hoop ladders) and found that the risk of a limb or head being injured or severed on the hoops in the event of a fall is high. The most recent study looked into the addition of vertical fall arrest cables or tracks onto hoop ladders to make them safer but they found that these extra safety devices did not always reduce the risk of injury during a fall.

They concluded that extreme care is needed when selecting appropriate vertical fall arrest systems for ladders to ensure they will operate as designed and that the risk of injury is reduced. Specialist advice from adequately-resourced safety at height professionals is critical when dealing with this aspect, and realistically all aspects, of safe ladder design and use.

### Research ideas welcome

ISHA is open to ideas from interested parties for research on work at height issues – details can be emailed to [info@safetyatheight.ie](mailto:info@safetyatheight.ie) or via the LinkedIn group on the website. Future plans include an open seminar and workshop on work at height issues, which will be useful for design teams, contractors, building owners, PSDP's, facility managers and maintenance managers.

The cases in the table below illustrate how ladder accidents can happen and some of the consequences of such accidents when they do occur. In the main, accidents tend to occur when operatives are using temporary ladders that are not secured, but managers need to always consider if fixed or temporary ladders are the appropriate means of access to high workplaces.

An alternative means of access, such as rolling towers instead of stepladders, or fixed stairs instead of vertical fixed ladders, will generally be safer options. Specialist advice from adequately-resourced safety at height professionals is critical when dealing all aspects of safe ladder design and use.

**TABLE: Ladder accident cases from the HSR case law databank**

### Supreme Court guidance on safe system of work

An experienced painter, who was painting pipes in a factory, fell from a ladder he was climbing. The pipes were obscured by ducts and in order to gain access, the painter had to move his ladder and place it against the ducting, which was in front of the pipes. On the occasion of the accident, when he had placed the ladder, he looked for his supervisor to ask him to hold the ladder. When he could not find the supervisor, he started to climb the ladder, which was unsecured at both the top and the bottom. When he reached the top, the ladder slipped and he fell to the ground. He sustained serious injuries. His case was dismissed by the High Court. However, on appeal the Supreme Court held that his employer failed to provide a safe system of work. The foreman failed to consider how the work should be carried out, to give instructions on securing the ladder and to tell the worker how to contact him if he was needed to hold the ladder. However, as the painter was an experienced worker, the Supreme Court held that he was partly responsible for the accident and apportioned liability, finding the employer 60% responsible and the painter 40%. (See *HSR, June 2000, pg13*)

**TABLE: Ladder accident cases from the HSR case law databank (continued)**

### €210,000 for fall from ladder

The court heard that the worker was instructed by his supervisor to free up some machinery located at a height of between 15 and 20 feet. The worker, who climbed a ladder to carry out the task, fell. In the fall he suffered two fractures to his leg and chest injuries. He died four days after the fall. The employer, who was prosecuted by the HSA, was charged with failing to ensure, in so far as reasonably practicable, that the place of work was safe. At the criminal trial, the Court heard that the worker was checking a blockage on a horizontal screw conveyor, which transported offal into holding tanks. The employer pleaded guilty and was fined €10,000. When the personal injury case came before the High Court, the judge was informed that the case had been settled. The widow of the deceased worker alleged that the employer failed to have adequate regard for her husband's safety and that he was required to carry out a job in a manner that was unsafe and where there was no proper platform to stand on. It was also claimed that the employer failed to ensure that the ladder the worker used was secured. The widow claimed damages for mental distress caused by her husband's death. The judge approved the settlement of €210,000 for the family of the injured worker. (For a report on the criminal trial see *HSR, December 2005, pg15* and on the personal injury case see *HSR, July/August 2011, pg23*)

### Equipment inadequate

An electrician was injured when he fell off a ladder as he was installing a CCTV camera in a showroom. The court heard that the ladder he had been provided with was not high enough for the job. When he went up the ladder to check if a cable had come through a hole, he slipped and he fell and suffered injuries. Awarding the injured worker damages of €200,000, the High Court judge said working at height was not easy and was fraught with danger. He said the accident happened because the electrician attempted to carry out the job with equipment which was inadequate. (See *HSR, December 2005, pg12*)

### Spinal injury

Liability was admitted in a case in which a worker suffered a spinal injury when the step-ladder he was climbing gave way, as he was using the ladder as a means of gaining entry to a hatch. The terms of the settlement were not disclosed. (See *HSR, June 2010, pg17*)

### Somebody should have held ladder

Dismissing a claim by an injured worker, who fractured an ankle, when the ladder he was working on slipped – it had been propped up against a wall – the President of the High Court said the worker was well aware of how dangerous it was to use a ladder without someone holding it. Earlier, the court heard that the worker had claimed he used the ladder to replace an electric cable on the front of a two-storey house. (See *HSR, September 2010, pg19*)

### Painter 50% responsible for accident

A painting contractor, who was working on a house which was being built, climbed an aluminium ladder which had been left by builders. He slipped and fell to the ground. He injured his ankle. The ladder had been left so the painter could access the second floor of the house. He climbed the ladder to give instructions to his workers. When he was on the ladder, which was not secured, it slipped. The painter sued the owner of the house and the building contractors. A High Court judge held that the painter was 50% responsible for the accident. (See *HSR, October 2011, pg15*)

### Ladder slipped while cleaning gutters

A claim by an unemployed building worker, who suffered a foot injury when a ladder he was working from slipped, was dismissed by the High Court. The court found that the injured man's evidence was inconsistent with the account of the accident he gave his engineer. The court heard that the accident occurred when the man's brother, who was footing the ladder, left his post. The ladder then slipped from the wall. (See *HSR, July 2013, pg22*)