Blocking Raised Equipment Fatality File

In a New York case, a 38-year-old husband and father to five children was working as an HVAC technician at a hospital. He and a co-worker were tasked with removing a 28,450-pound chiller unit that had been cooling the hospital. In order to move the unit, chains were required to hoist it. As a result of inadequate chain usage, the chains hoisting the chiller broke during the transport, causing the chiller to fall on its side and pin our client against a wall. Tragically, he died as a result of his injuries.

The deceased plaintiff was 38 years old at time of death. The Plaintiff, widow of the decedent, was 34 years old when her husband died. The remaining plaintiffs were the five (5) surviving children of the decedent, who were ages 2, 5, 12, 15, and 17 at the time of their father's death.

Description of Case

At the time of the accident, the decedent was employed as an HVAC Technician for a company that rented a chiller unit to a hospital in order to cool the hospital during the summer months. The chiller unit, which weighed 28,450 pounds, was transported to the site on a flatbed trailer and set up at the site by a separate contractor.

On December 4, 2012, the decedent and his co-worker were involved in the removal of the chiller system from the hospital site. This included removing the cribbing support system that had been erected under the chiller unit and 12,000-pound trailer to support the system so that the chiller and trailer structure would be level. A mechanical hoist was necessary to complete this work.

An employee hired by the separate contractor brought a boom truck with a connected hoist to the site. The boom truck that the employee brought was not equipped to hoist a chiller of that size and used chains that were not suitable for hoisting, only for

tying down materials. During the hoisting of the chiller, the inadequate chain broke, causing the chiller to come crashing down, fall to its side, and pin the decedent against a hospital wall.

The decedent was crushed, suffered injuries, and eventually died as a result.