

Heidi Drygas  
Commissioner

www.labor.alaska.gov



P.O. Box 111149  
Juneau, AK 99811-1149  
907.465.2700  
commissioner.labor@alaska.gov

## Press Release

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For more information: Grey Mitchell, Director Labor Standards and Safety  
907-465-4855, [Grey.Mitchell@Alaska.Gov](mailto:Grey.Mitchell@Alaska.Gov)

### **Alaska Occupational Safety and Health Issues \$560,000 Fine for Employee Death** *Construction worker died after contractor failed to take basic safety precautions*

ANCHORAGE, Alaska—The Alaska Department of Labor and Workforce Development has issued eight citations against Hartman Construction & Equipment, Inc., and fined the company \$560,000 for its willful failure to adhere to safety standards. The citations and fines are the result of an investigation conducted after the death of employee Samuel Morgan. Mr. Morgan, who was 23 years old, died at an Anchorage worksite near 91<sup>st</sup> Street west of King Street on June 16, 2015, when he was partially buried in a trench collapse and then mangled by the construction company's equipment.

The investigation revealed numerous safety violations at the construction site, including the employer's basic failure to provide a safe workplace. Other safety violations included failure to provide adequate access and egress from the trench, failure to protect employees from loose rock and soil, failure to properly locate spoil piles, failure to use a protective system in the excavation, and failure to properly bench or slope the excavation. Prior to the fatality, the employer identified a section of the trench wall that had sloughed off and marked the area with traffic cones, yet the protective trench box at the site was not assembled to allow for its use and there were no ladders at the site for safe trench access at the time of the incident.

Mr. Morgan was in the trench when an unguarded wall sloughed off and buried him to the waist. David Hartman, a partial owner of the company, and other employees tried to free Mr. Morgan from the collapsed trench using two excavators and fatally injured him in the process. The State Medical Examiner determined that Mr. Morgan's injuries resulted from being struck by construction equipment.

"My heart goes out to the family of Samuel Morgan. This avoidable tragedy deserves the full attention of every employer in the construction industry," said Labor Commissioner Heidi Drygas. "Every employer who has ever thought about cutting corners on safety should view this case as a severe warning that failure to provide the necessary and adequate protections for Alaska's workers will not be tolerated."

The citations, which carry the maximum penalty allowed under the law, were issued as "willful" due to the indifference the employer exhibited toward following occupational safety and health standards. The employer has the right to formally contest each of the alleged violations outlined in the citations.

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