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Roofers suffer burns when ladder comes in contact with electrical lines

\$4.6 million settlement

Mass. Lawyers Weekly Staff // January 26, 2024 // 2 Minute Read



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The plaintiffs were working as roofers on a residential home when an aluminum ladder they were using came into proximity with overhead electrical lines. The plaintiffs were holding the ladder with both hands at the time, while their foreman pulled on the ladder's cord to extend it upwards.

Both plaintiffs suffered extensive electrical burn injuries to their hands and forearms and had to undergo skin grafting, as well as physical and occupational therapy. Both also sustained significant emotional trauma.

The plaintiffs filed a negligence suit against the general contractor, the subcontractor who hired the plaintiffs' employer, and the property owner.



The plaintiffs alleged that the defendants breached and violated OSHA code by failing to provide a safe workplace, failing to provide scaffolding or a lift, and failing to train the subcontractors and/or otherwise protect them from live electrical lines.

It was alleged that the general contractor violated its own internal safety policies, as well as applicable industrial standards, by failing to adequately supervise and monitor the construction site.

The defendants argued that the plaintiffs were comparatively negligent and mostly at fault for causing the accident because they erected a ladder near energized, electrical lines and the danger was obvious. The general contractor further contested liability by virtue of OSHA finding no wrongdoing against it.



The plaintiffs supported their claims and countered the defendants' allegations with the expert testimony of a biomechanical engineer, a construction management specialist, and an OSHA regulatory code expert.

Plaintiffs' counsel retained multiple medical experts, including a plastic surgeon who opined on pain and suffering, a second plastic surgeon who opined on functional incapacities, and a psychologist who opined on emotional distress/trauma.

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Plaintiffs' counsel also secured a vocational rehabilitation specialist who verified the plaintiffs' permanent and total disability statuses, while extrapolating all anticipated and necessary future lost-earning capacities through their respective life expectancies.

The case settled after one full day of mediation.

Action: Negligence and tort

Injuries alleged: Electrical burns, emotional trauma

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (mediated)

Name of mediator: Brian Mone of CMCI

Amount: \$4.6 million

Date: March 2023

Attorneys: Douglas K. Sheff, Dennis M. Teravainen, Julie N. DeNardo and Frank J. Federico Jr., of Sheff & Cook, Boston (for the plaintiff)

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