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After fall from roof, worker sues three companies

5/19/2008 1:25 PM By David Yates

A construction worker has filed suit against three different companies, claiming they had a responsibility to keep

him from falling off a roof.

Matthew Bickham filed his suit against Interface Protective Coatings, Toll Brothers Inc. and JRC Contracting Inc. on May 15 in the Jefferson County District Court.

According to his petition, on June 14, 2007, Bickham was employed by IPC and working at a construction site in which a new home was being constructed in Lakeway.

Toll Brothers was the general contractor for the construction. JRC was another subcontractor hired to do construction/framing at the home, and IPC was hired to apply protective coating to some of the surfaces on the second floor of the home.

As Bickham was preparing to apply the protective coating, he fell off "an unprotected ledge" on the second story, falling about 15 feet to the ground below, the suit said.

"Mr. Bickham suffered serious injuries, including many broken ribs, massive bruising, and has had to undergo surgery."

According to the suit, the subdivision was one of Toll Brothers' slowest and least profitable. In the months preceding Bickham's injuries, Toll Brothers dispatched several of its managers to the subdivision to speed up construction, the suit says.

"Unfortunately, it appears that in trying to increase the number of houses built per month, safety corners were cut, resulting in hazards to the subcontractors working at the site," the suit says.

"IPC had a non-delegable duty to provide its employees a safe workspace. OSHA requires employers to provide certain fall protection to employees that work at the height that Mr. Bickham was working at the time of his fall."

Bickham further alleges Toll Brothers and JRC were negligent in failing to put up guard rails and provide him with a safe work place.

Bickman is suing for past and future mental anguish, lost earnings, impairment, disfigurement and medical expenses.

He is demanding a trial by jury and is represented by attorney George Mallios of Mallios & Associates.

The case has been assigned to Milton Shuffield, 136th Judicial District.

Case No. D181-759

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