

OPINION/EDITORIAL: COMMENTARY

NO LOVE FOR A LIFE LOST TOO SOON AT LOVELAND SKI RESORT



Editor's note: The final and 4th part of the Safe Skiing Series is written as a letter to the editor by Randall White of Montrose, founder of Safe Skiing Advocates. This article is the opinion of the writer and should not be considered the opinion of the Montrose Mirror. It discusses the other spectrum of ski safety in Colorado, that of ski employees. White talks about the death of an employee on Colorado's ski slopes, at Loveland Ski Area.

By Randall White

Safe Skiing Advocates, Montrose

COLORADO-From what was an allegedly preventable fatal accident on Dec 28, 2017, a widow and family of four children are now in a destitute state in nearby Clear Creek County.

The Loveland Ski Area immediately mischaracterized 42-year-old Adam Lee's fatality as "a freak accident." The ski area then went about shifting the blame onto the deceased employee, told other employees 'not to say anything,' and fired an associate employee to help conceal the truth.

Lee's widow, Erika Lee, was initially provided Workman's Compensation widow benefits. Those benefits were reduced by 50 percent when it was revealed that Adam had some level of THC present during the autopsy. Harsh as that is, it is legal -- unless the deceased was an innocent victim of negligence by other employees or the company. That [allegedly is the case, according to the OSHA Investigation findings](#), and a local police report.

To make matters worse, months later Eri-

ka was fired from her school teacher position over 'pretext allegations' of parent complaints and work performance, she says. Erika has said the reality is that the community fears and turns on people who stand up to the ski business, and marginalizes them.

The OSHA incident report of Lee's death included 16 violation items, 14 serious and aggregate fines of \$64, 673. Among the violations were three counts involving a Lock-out tag, a confined space, and a hazard communication. Even without the complete details of the investigation it is possible to construct a scenario where safety lock-out procedures were not in place, nor was communication (training), and a willing but new employee (former lift attendant) was consequently put in the jaws of a death trap, and another, perhaps untrained, employee pushed the button to close those jaws. Father, husband, son, and friend gone in a few seconds of negligence.

On Dec. 13, 2013, the manufacturers of the Magic Carpet Lift (the lift involved in this accident) issued a technical bulletin referencing national safety standards and requiring safety protection action by Magic Carpet owners.

The bulletin indicates in part "...injuries continue to individuals that ignore warnings and procedures..." It appears that Loveland may be among those that ignored the technical warning and had no procedures in place.

On page 18 of the police report, a worker at Loveland is quoted "...Adam was the

newest mechanic and he was put in a lot of dangerous situations while he was working there.... Adam got told to do the job by himself... his partner was the other new guy and they were unsupervised by professionals who were experienced." Also in a separate notation on page 18/19 in the police report, "...people at Loveland were told not to talk..." and "...he (Adam) wasn't certified and there wasn't a second person there..." and finally "...concerned that people are covering up for people." Lastly, from the police report there is a series of interviews with various individuals, including the Colorado Dept. of Regulatory Agencies (Tramway Board) Rep. Lawrence Smith. The sum of all those recorded interviews can be characterized as confused and inconsistent.

In a nutshell, the particular equipment, "Mini Magic Carpet," was only two weeks old and Adam Lee was an apparently rookie maintenance worker untrained and not certified to maintain the equipment. Retired ski accident investigator Steve Chaladoff has indicated the police report was thorough, and that widow Erika Lee likely has a good case for a wrongful death lawsuit.

In my opinion, the conduct of Loveland Management ought to be investigated by the local district attorney's office for potential criminal negligence charges.

District Attorney Bruce Brown has confirmed he is "in the process of requesting and reviewing investigative information from OSHA and other sources in consideration of potentially reopening the case."

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