



**Division of Occupational Safety and Health
POLICY AND PROCEDURES MANUAL**

**SPECIAL EMPHASIS PROGRAM –
Trenching and Excavations**

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SPECIAL EMPHASIS PROGRAM – Trenching and Excavations

SEP

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AUTHORITY: California Labor Code Sections 6307, 6308, 6309, 6313, 6314, 6314.1, 6320, 6321, 6354, 6500 and 7955.

POLICY: It is the policy of the Division of Occupational Safety and Health (DOSH) to assert jurisdiction over, and conduct inspections of, California workplaces, in accordance with applicable sections of the California Labor Code, Title 8 Safety Orders and Division Policy and Procedures to ensure that employers are providing to employees places of employment which are free from occupational safety and health hazards, unless the Division does not have subject matter or territorial jurisdiction over the place of employment.

OBJECTIVE: It is the objective of DOSH to identify, and reduce or eliminate as much as practicable, workers' exposures to the hazards associated with trenching and excavation operations.

BACKGROUND: Trenching and excavation work exposes workers to extremely dangerous hazards. According to the Census of Fatal Occupational Injuries (CFOI) data published by the Bureau of Labor Statistics (BLS), nationwide there were 130 fatalities recorded in trenching and excavation operations between 2011 and 2016. The private construction industry accounted for 80%, or 104, of those fatalities, of which an alarming 49% occurred between 2015 and 2016.

DOSH believes that the rate of deaths and serious injuries resulting from trenching and excavation incidents (mostly collapses) can be significantly reduced by concentrating the Division's limited resources to effectively engage trenching and excavation operations through both enforcement and compliance assistance activities.

APPLICATION: These procedures apply to all trenching and excavations operations where employees are engaged in work activities inside trenches and excavations.

PROCEDURES:

A. UNPROGRAMMED INSPECTIONS

1. Plain View Inspections (Referrals)

Compliance Safety and Health Officers (CSHOs) must initiate inspections under this special emphasis program when they observe an open trench or excavation deeper than five feet, in which employees are present, where serious hazards including, but not necessarily limited to those listed below, are readily visible from a public right-of-way:

- No protective system to prevent cave-ins;
 - Failure of trench/excavation face;
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- Water accumulation at the bottom of the trench/excavation;
- No access/egress to the trench/excavation;
- Spoils piled too close (less than two feet) to the edge of the trench/excavation;
- Heavy equipment operating too close to the edge of the trench/excavation; and
- Trench/excavation subjected to vibration due to location on or near heavily traveled streets or railroad tracks.

These observations may occur during the course of the CSHOs' normal workday travel or while engaged in programmed or un-programmed inspections.

When CSHOs observe trenching or excavation hazards as described above, they must attempt to contact the district office to obtain supervisory authorization to begin an immediate inspection. If the CSHO cannot contact the district office (i.e., no cellular phone service) to get authorization, the CSHO will begin an immediate inspection of the trenching operations, provided this activity will not interfere with higher priority inspections or assignments.

When CSHOs observe trenching or excavation hazards as described above, but are unable to begin an immediate inspection (i.e., they were responding to an imminent hazard, to a fatality or high profile accident, etc.), they must notify the district office of their observations. CSHOs will provide the district office with the following information:

- The name, address and/or location of the worksite;
- The state and condition of the operation, including visible serious hazards; and,
- The name of contractor performing the operation (if known), and the number of workers observed;
- Because trenching and excavation operations are often of a short duration, CSHOs will also attempt to document the hazardous conditions of the trench/excavation through photographs and sketches.

Additionally, during all programmed and un-programmed inspections, CSHOs must observe the surrounding area for open trenches or excavations and conduct a referral inspection under this Special Emphasis Program (SEP) if any serious hazards are visibly present.

NOTE: In any of the above situations, when the conditions observed by CSHOs raise to the level of imminent hazards, they must attempt to promptly remove the employees exposed from the respective trench or excavation before taking any other actions.

Whenever an inspection is initiated under this SEP on the basis of a CSHO self-referral, the CSHO must include in the case file a description of the circumstances which prompted the inspection.

2. Accident, Complaint and Referral Inspections

Trenching and excavation operations must also be assigned for inspection as the result of:

- Reports of injuries, regardless of their severity;
- Complaints, regardless of their severity and formality;
- Referrals from all sources (other than the CSHO observing and inspecting the hazardous activity as discussed in A.1. above), regardless of their severity.

B. PROGRAMMED INSPECTIONS

Generally, employers engaging in construction of trenches or excavations five feet or deeper into which any person is required to descend must obtain an Annual or Project permit prior to beginning work (T8 CCR 341(d)(5)(A)). Annual Permit holders are required to notify the Division district office that has jurisdiction over the site of the project at least 24 hours prior to the trenching/excavation activity, which is the subject of the notification. Notification must be given by mail, personal delivery, fax transmission or electronic mail, and must provide the location of the project and the date and time the work activity is to commence (T8 CCR 341.1(h)(2)(B)). Typically, the Division receives several thousands of such notifications every year.

Regional Managers (or designees) for regions 1-4 must each develop for their regions a selection methodology to identify and assign for inspections a reasonable number of the trenching/excavations activities for which notification are received by the district offices in their regions.

Criteria that may be used to determine the number and the selection of the trenching/excavations activities to be inspected include, but are not limited to:

- The number of activity notifications received by district offices;
- The anticipated length of the activity;
- The fluctuations in the workload of the district offices;
- The specifications of the trench/excavation to be constructed (e.g., depth, width, length, soil type, anti-cave-in protection method).

Regional Managers must document the steps taken to implement the programmed inspections aspect of this special emphasis procedure, as follows:

- The inspection selection methodology;
- The quantitative goals;

- The tentative timelines and milestones to meet the goals;
- The tracking and monitoring of inspections.

All inspections conducted under this Special Emphasis Program must be conducted in accordance with DOSH Policy and Procedure C-1A (<https://www.dir.ca.gov/DOSHPol/P&pc-1A.pdf>).

C. SCOPE OF INSPECTIONS

Inspections conducted under this Special Emphasis Program will normally be limited to evaluating worker exposure to safety and health hazards associated with the trench or excavation. However, a CSHO may expand the scope of the inspection if other safety and health hazards or violations are observed in plain view and/or brought to their attention. CSHOs must also evaluate employer's compliance with Title 8, Section 3395, Heat Illness Prevention, <https://www.dir.ca.gov/title8/3395.html>.

D. RECORDING IN OIS

All enforcement activities (inspections, complaints, accidents and referrals) conducted under this special emphasis program must be coded with the NEP code, "TRENCH", entered into OIS. Enforcement activities related to trenching and excavation hazards under other national or special emphasis programs must be coded for all emphasis programs.

EXAMPLE: Inspection activities related to trenching and excavation hazards conducted under the Amputation NEP must be coded "AMPUTATE" as well as "TRENCH", and programmed inspections of permitted trenching and excavations activities selected in accordance with section B above must be coded with the SEP code "PERMIT" as well as with the NEP code "TRENCH".

E. OUTREACH

In addition to outreach services provided by Cal/OSHA Consultation Branch, Cal/OSHA Enforcement Branch staff must provide trenching/excavation outreach services during construction permit conferences and during Mining and Tunneling Unit pre-job safety conferences held before construction is started on underground operations.
