

OSHA Issues New Trenching Emphasis Program

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Responding to a rise in injuries and fatalities relating to the hazards in trenching and excavation, the Occupational Safety and Health Administration (OSHA) has implemented a [new National Emphasis Program](#) (NEP) for Trenching and Excavation.

The Census of Fatal Occupational Injuries (CFOI) data, published by the Bureau of Labor Statistics (BLS), identified 130 fatalities in trenching and excavation operations between 2011 and 2016, with 104 of those fatalities occurring in the construction industry.

Under the NEP, OSHA will begin inspections for any open trench or excavation that a compliance officer observes. The NEP states:

Compliance Safety and Health Officers (CSHOs) shall initiate inspections under this NEP whenever they observe an open trench or an open excavation, regardless of whether or not a violation is readily observed. These observations may occur during the course of their normal work-day travel or while engaged in programmed or un-programmed inspections. Trenching and excavation operations will also be assigned for inspection as the result of incidents, referrals, and complaints.

The NEP limits the scope of the inspection to safety and health hazards associated with the excavations. However, it allows compliance officers to expand the scope of the inspection if other safety and health hazards or violations are observed in plain view or brought to their attention.

In conjunction with the NEP, OSHA also issued [new agency guidance](#) for compliance with 29 CFR Part 1926, Subpart P, including a new QuickCard™ and Poster.

Jackson Lewis attorneys are available to answer inquiries regarding this and other OSHA initiatives.

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