



Virginia Occupational Safety and Health



**VOSH PROGRAM DIRECTIVE: 14-203A**

**ISSUED: March 3, 1986**

**REISSUED: April 1, 2003**

**REISSUED: February 1, 2024**

**SUBJECT: National Emphasis Program on Trenching and Excavations**

**A. Purpose.**

This directive continues a National Emphasis Program (NEP) in which VOSH will participate for the programmed safety inspection of trenching and excavation operations in accordance with the VOSH FOM.

*This program directive is an internal guideline not a statutory or regulatory rule and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**B. Scope.**

This Program Directive applies VOSH-wide.

**C. Reference.**

[OSHA Instruction CPL-02-00-161](#), National Emphasis Program on Trenching and Excavation

[29 CFR 1904](#), Recording and Reporting Occupational Injuries and Illnesses

[29 CFR 1926.650](#), Excavations, Scope, application, and definitions applicable to this subpart

[29 CFR 1926.651](#), Excavations, Specific Excavation Requirements

[29 CFR 1926.652](#), Excavations, Requirements for protective systems

[29 CFR 1926 Subpart P, Excavations, Appendices A, B, C, D and E](#)

VOSH Standards for the Construction Industry

**D. Cancellation.**

VOSH Program Directive 02-203 (April 1, 2003)

**E. Action.**

Directors and Managers shall ensure that the policies and procedures established in this directive to facilitate uniform enforcement are adhered to in conducting inspections.

**F. Effective Date. February 1, 2024**

**G. Expiration Date. Not Applicable.**

**H. Background and Summary.**

This program directive is based in part on the publication of OSHA Instruction CPL-02-00-161 (October 1, 2018), pertaining to trenching and excavation.

Because of the continuing incidence of trench/excavation collapses and accompanying loss of life, the agency has determined that these worksites continue to warrant an increased enforcement presence. VOSH and OSHA have long maintained that employees exposed to potential cave-ins must be protected before the excavation face is in imminent danger of collapse, because VOSH and OSHA believe that there is a potential for a collapse in virtually all excavations (54 FR 45894, 45895, 45927).

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), 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. An alarming 49% of those construction fatalities occurred between 2015 and 2016. In summary, of the 104 fatalities in this industry:

- 40 (38%) were at industrial places and premises
- 39 (38%) were at private residences
- 21 (20%) occurred at streets or highways

VOSH believes that the rate of deaths and serious injuries resulting from trenching and excavation incidents (mostly collapses) can be significantly reduced if it concentrates resources to effectively engage trenching and excavation operations through both enforcement and compliance assistance activities.

The construction scheduling procedures outlined in the VOSH FOM can be used to schedule inspections of trenching and excavation operations. However, these operations tend to begin and end quickly and must be inspected while they are ongoing. Consequently, the following procedures are prescribed for scheduling excavation inspections.

This directive provides internal procedures for conducting programmed safety inspection of trenching and excavation operations in accordance with the VOSH FOM.

## I. Procedures.

- A. 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.
- B. All activities involving trenching and excavation hazards that are brought to the attention of the CSHO shall be inspected if violations or unsafe conditions are observed in plain view. The CSHO shall notify his supervisor at the earliest convenient time that an inspection has been opened pursuant to this NEP.
- C. No inspection of the worksite shall be conducted if it is apparent that employees exposed to trenching or excavation hazards are properly protected. When no inspection is conducted, the CSHO shall record this for the purposes of the OSHA Information System (OIS). Depending on resource allocation, the CSHO may conduct an outreach activity on trenching and excavation safety protections prior to exiting the site.
- D. When CSHOs observe trenching or excavation operations but are unable to begin an immediate inspection (i.e., responding to an incident, etc.), they shall notify the area office of their observations. CSHOs will provide the area office with the following information:
  - 1. The name, address and/or location of the worksite;
  - 2. The state and condition of the operation, including any apparent serious hazards; and,
  - 3. The name of contractor performing the operation (if known), and the number of workers observed;
  - 4. Because trenching and excavations are often of a short duration, CSHOs will also attempt to document the conditions of the trench/excavation through photographs and sketches.
- E. Complaints and other referrals involving trenching and excavation hazards shall be scheduled as unprogrammed inspections under this NEP, if appropriate. Such inspections shall be conducted in accordance with the VOSH FOM. Such notices, therefore, need not be responded to with the usual letter to the employer.

- F. During all programmed safety and health inspections (such as national, regional or local emphasis programs), and during all un-programmed inspections (incidents, complaints and referrals), CSHOs will observe the surrounding area for open trenches or excavations and conduct an inspection under this NEP if any are present.
- G. Documentation of the events leading up to the observation or the reporting of trenching and excavation inspection activities shall be maintained by the Regional Office in case of denial of entry.
- H. When an inspection is not conducted because consent has not been obtained, a warrant normally shall be sought in accordance with the current procedures for handling such cases. A warrant may not be necessary if the violations are in plain view.
- I. The scope of inspections conducted under this NEP shall normally be limited to activities relating to employees exposed to trenching and excavation hazards. If the inspection is to be expanded, the principles given in the VOSH FOM shall be followed.

**J. Recording in OIS.**

- A. All enforcement activities (inspections, complaints, and referrals) conducted under this NEP must be coded with the NEP code, "TRENCH," entered in the OIS. Consultation request/visit forms will also be completed with the NEP code "TRENCH."
- B. All consultation activities (Request, Visit, and Compliance Assistance) conducted in response to this NEP will also be coded "TRENCH" into OIS.
- C. Enforcement and consultation activities related to trenching and excavation hazards under other NEPs and/or LEPs must be coded for all the NEPs and LEPs. For example, consultation activities related to trenching and excavation hazards conducted under the Amputations NEP must be coded "AMPUTATE" as well as "TRENCH."

**K. Compliance Assistance Resources.**

[Trenching and Excavation Safety, OSHA 2226-10R 2015](#)

Trenching and Excavation Safety OSHA Fact Sheet - DOC FS-3476 September 2011 ([English](#)) and DOC FS-3480 September 2011 ([Spanish](#))

OSHA Construction eTool – Trenching and Excavation, August 2014 ([English](#)) and ([Spanish](#))

[OSHA Construction v-Tool – Excavations in Construction/Trenching](#) (English and Spanish)

[OSHA Construction v-Tool – Excavations in Construction/Soil Classification](#) (English and Spanish)

[Heat Stress Safety and Health Topics Page](#)

[Construction Focus Four](#)

Common Ground Alliance's Best Practices guide

<http://commongroundalliance.com/programs/best-practices>

VOSH will consider establishing Partnerships and Alliances with employer groups, particularly small employers, and with worker representatives in the industry to share information concerning effective means of controlling and reducing employee exposures, and on workers' rights, including the right to a safe and healthful workplace.

To place more emphasis on vulnerable workers, Regional Offices should also identify worker groups with a significant number of construction workers and inform them of their rights and what kind of trenching and excavation protection measures they should expect their employer to provide in the workplace. These not only include the stakeholders listed above, but may include organizations representing day laborers, worker centers, and community groups. Engagement should be focused on building relationships that enable VOSH to effectively intervene to address trenching and excavation hazards when they are occurring.

Small businesses and Virginia public sector employers should be encouraged to contact their local [VOSH's Consultation Services Program](#) for assistance. VOSH's Consultation Services Program offers no-cost and confidential safety and health on-site services to small- and medium-sized businesses and all Virginia public sector employers.

Consultants work with employers to identify workplace hazards, provide advice for compliance with VOSH standards, and assist in establishing and improving safety and health programs. On-Site Consultation services are separate from enforcement and do not result in penalties or citations.