



OSHA Regional News Release

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Region 1

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US Labor Department's OSHA cites Stoughton, Mass., contractor for failing to provide cave-in protection at Revere, Mass., jobsite

ANDOVER, Mass. – The U.S. Department of Labor's Occupational Safety and Health Administration has cited A.A. Will Corp. \$69,300 for alleged willful and repeat violations of workplace safety standards following an inspection of a worksite located at the Massachusetts Bay Transportation Authority's Wonderland Station in Revere. The Stoughton contractor was installing electrical vaults in the station's parking lot.

OSHA's nighttime inspection, initiated in response to a complaint about unsafe conditions, found A.A. Will Corp. employees working in a trench deeper than 5 feet that lacked protection against collapse of its sidewalls. The trench also lacked a ladder or other means for the workers to exit in the event of a cave-in or other emergency.

"The unprotected walls of an excavation can collapse in seconds, crushing workers beneath tons of soil and debris before they have a chance to react or escape. Employers must never allow an employee to face such a dangerous situation," said Jeffrey A. Erskine, OSHA's area director in Middlesex and Essex counties. "Employers also should not assume that they are exempt from an OSHA inspection when they work at night. Worker safety is a priority that extends beyond nine to five hours."

As a result of its findings, OSHA issued the company one willful citation with a proposed fine of \$61,600 for lacking cave-in protection, and one repeat citation with a fine of \$7,700 for lacking an exit ladder. The repeat citation stems from OSHA having cited the employer in February 2010 for a similar hazard at a Boston worksite.

A willful violation exists when an employer has demonstrated either an intentional disregard for the requirements of the law or plain indifference to employee safety and health. A repeat citation is issued when an employer previously has been cited for the same or a similar violation of a standard, regulation, rule or order at any other facility in federal enforcement states within the last five years.



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OSHA standards require that all trenches and excavations 5 feet or deeper be protected against collapse. Detailed information on hazards and safeguards related to trenching and excavation is available online at <http://www.osha.gov/SLTC/trenchingexcavation/index.html>.

A.A. Will Corp. has 15 business days from receipt of its citations and proposed penalties to comply, meet with the OSHA area director or contest the findings before the independent Occupational Safety and Health Review Commission. This inspection was conducted by OSHA's Andover Area Office; telephone 978-837-4460. To report workplace incidents, fatalities or situations posing imminent danger to workers, call the agency's toll-free hotline at 800-321-OSHA (6742).

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.