



# OSHA Regional News Release

**U.S. Department of Labor  
Office of Public Affairs**

**Region 1**

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## **US Labor Department's OSHA cites Canton, Mass., contractor for failing to provide cave-in protection at Boston job-site**

**BRAINTREE, Mass.** – The U.S. Department of Labor's Occupational Safety and Health Administration has cited Trainor Construction Co. Inc. for alleged willful and serious violations of workplace safety standards at a worksite located at 270 Centre St. in Boston at which the Canton, Mass., contractor was replacing a water main. The company faces a total of \$29,000 in proposed fines.

OSHA's inspection found that the 7 to 7-and-one-half foot deep trench in which Trainor Construction employees were working lacked adequate protection against a collapse of its sidewalls.

The agency also determined that the trench lacked shoring or underpinning for an unsupported concrete structure adjacent to the trench, the trench's support system members were not installed properly, and a competent person had not removed the workers from the trench. Finally, the employees lacked reflective vests or high visibility clothes, exposing them to the hazards of being struck by or caught between vehicular traffic.

"An unprotected trench can become a prison or a grave in seconds if its walls cave in on workers," said Brenda Gordon, OSHA's area director for Boston and southeastern Massachusetts. "Employers should never allow employees into a trench until it has been effectively protected against collapse. Workers' lives depend on it."

As a result of its findings, OSHA issued the company one willful citation, with a proposed fine of \$14,000, for the unprotected trench and four serious citations, with \$15,000 in fines, for the other hazards. 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. OSHA issues a serious citation when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.



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OSHA standards require that all trenches and excavations 5 feet or deeper be protected against collapse, and all trenches need to be inspected by a person trained in trench safety and authorized to take corrective action against hazards prior to workers going in the trench. Detailed information on hazards and safeguards related to trenching and excavation is available online at <http://www.osha.gov/SLTC/trenchingexcavation/index.html>.

Trainor Construction Co. Inc. 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 Braintree Area Office; telephone 617-565-6924. 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>.