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OSHA News Release – Region 10

U.S. Department of Labor

U.S. Department of Labor | October 4, 2016

**Excavation contractor's failure to protect workers led to trench collapse
that killed two workers, badly hurt a third in Boise**
OSHA cites Hard Rock Construction with serious, willful violations

BOISE, Idaho - A Boise excavation contractor could have prevented the deaths of two workers and serious injuries suffered by a third after a trench collapse if the company had not allowed federal safety standards to be ignored at a Northwest Boise work site in May.

U.S. Department of Labor Occupational Safety and Health Administration inspectors responded to the scene after the Boise Police Department alerted them that a trench between 9- and 11-feet deep had caved-in and buried three workers employed by Hard Rock Construction, Inc. The collapse killed the crew's foreman and another worker, and hospitalized the third laborer with serious injuries. The men were doing underground utility work for the Meridian-based contractor when the incident occurred May 3, 2016, on Gary Lane.

Each year, dozens of workers die and hundreds suffer injury when trench walls collapse and bury them in soil and rock - sometimes weighing several thousand pounds. In fact, one cubic yard of soil can be equal to the weight of a small automobile, about 3,000 pounds. Excavation cave-ins are among the most common causes of fatalities in the construction industry.

OSHA inspectors found Hard Rock failed to provide cave-in protection systems or a ladder to enter or exit the trench, did not have a competent person conducting inspections and failed to train its employees on the hazards and dangers in working in trenches. The agency issued three serious citations and one willful citation, and assessed penalties of \$77,319 to the company today.

"The tragic loss of these men's lives and serious injuries suffered by their co-worker were preventable -which makes this incident even more tragic," said David Kearns, area director of OSHA's Boise office. "Our investigation found Hard Rock Construction made almost no effort to protect its workers, or even to understand the right ways to avoid the common hazards in this line of work. Hiring workers and assuming they know how to protect themselves is a sure path to tragedy."

Hard Rock employs about 24 employees in excavation, grading and underground utility installation. The company has 15 business days from receipt of its citations and penalties to comply, request an informal conference with OSHA's area director, or contest the findings before the independent Occupational Safety and Health Review Commission.

The citations can be viewed at: https://www.osha.gov/ooc/citations/1144643_HardRockConstructionCitation.pdf

To ask questions, obtain compliance assistance, file a complaint, or report amputations, eye loss, workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call OSHA's toll-free hotline at 800-321-OSHA (6742) or the agency's Calumet City Area Office at 708-891-3800.

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>.

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