



## U.S. Department of Labor Occupational Safety & Health Administration



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### OSHA News Release

## 2005 - 01/12/2005 - OSHA Cites Birmingham Construction Company for Exposing Workers to Trenching Hazards

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# OSHA Regional News Release

U.S. Department of Labor  
Office of Public Affairs

Region 4

### Region 4 News Release

Release Number: 05-10-ATL (006)

Wed., Jan. 12, 2005

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### OSHA Cites Birmingham Construction Company for Exposing Workers to Trenching Hazards *Agency Proposes Penalties Totaling \$112,000*

**BIRMINGHAM, Ala.** -- The U.S. Labor Department's Occupational Safety and Health Administration (OSHA) has cited A.R. Butler Construction Company Inc. for exposing workers to trenching hazards at a Brewster Road worksite in Center Point, Ala.

"For worker injuries and fatalities to decline in this industry, we must make sure that employers protect employees from trenching hazards," said Cindy Coe Laseter, OSHA's regional administrator in Atlanta. "The significant penalty of \$112,000 in this case demonstrates our commitment to protecting the health and safety of America's workers."

OSHA began an inspection July 16, after being notified that a 13-foot-deep trench had collapsed, trapping a worker who was rescued by co-workers.

Investigators found that the Birmingham-based company had allowed employees to work in a 10-foot-deep vertical trench, which had an eight-inch, fully-charged water main running through it. Additionally, employees were allowed to re-enter the trench after the collapse, again exposing them to cave-in and drowning hazards.

A.R. Butler Construction Company received two willful citations, with proposed penalties totaling \$112,000, for failing to provide a protective system for the trench, such as a trench box or proper shoring or sloping, and failing to properly support the water main.

OSHA issues a willful citation when a company has shown intentional disregard of, or plain indifference to, the requirements of the Occupational Safety and Health Act and regulations.

The company failed to heed concerns about the unsafe condition of the trench and to follow requirements of its own trench safety program.

The company has 15 days to contest the citations and proposed penalties before the independent Occupational Safety and Health Review Commission. Staff from the Birmingham OSHA office located at Todd Mall, 2047 Canyon Rd., conducted the inspection; phone: (205) 731-1534.

Employers are responsible for providing a safe and healthful workplace for their employees.

OSHA's role is to assure the safety and health of America's workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. For more information, visit [www.osha.gov](http://www.osha.gov).

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