

NEWS RELEASE

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Cal/OSHA Cites Contractor for Fatal Trench Collapse at Residential Construction Site

Santa Ana—Cal/OSHA has cited a Riverside construction company \$66,000 for serious workplace safety violations that resulted in the death of a worker when a 17-foot-deep trench he was in collapsed. Cal/OSHA determined that Empire Equipment Services, Inc. did not properly classify the soil and failed to correctly slope the excavation.

On May 9, two Empire Equipment Services workers were installing sewer pipes at a Lake Forest residential construction site when a 30-foot-wide section of the trench's sidewall sloughed and collapsed. Only one of the workers was able to escape.

Cal/OSHA's investigation found that the company failed to ensure the site was inspected by someone who was deemed competent by the employer and familiar with trench hazards, soil classification and the appropriate safety requirements. The soil at the worksite was unstable, requiring an adequate protective system.

"Because working in excavations is so dangerous, a competent person must conduct thorough visual and manual tests to properly classify the soil and adequately protect employees from cave-ins," said Cal/OSHA Chief Juliann Sum. "Failing to carry out these requirements can be fatal."

Cal/OSHA issued citations to Empire Equipment Services Inc. for two serious accident-related violations and one general violation with \$66,000 in proposed penalties. One of the serious violations is classified as repeat. In August 2017, [Cal/OSHA had cited the employer \\$24,670](#) for serious safety violations after conducting an inspection at another site in Lake Forest. During that inspection, Cal/OSHA found that the employer had exposed its workers to serious hazards while working in a trench deeper than five feet without properly sloping or installing any adequate protective systems.

Cal/OSHA offers [information and resources](#) on working safely in the construction industry, including how to safely perform [trench and excavation operations](#). Before starting excavation work, the approximate locations of all underground installations that may be encountered during excavation operations must be determined and the proper

notification must be made to the appropriate regional notification center in either [Northern](#) or [Southern California](#). A [permit](#) from the local Cal/OSHA district office must be obtained before the construction of excavations five feet or deeper into which any person is required to descend.

A citation is classified as serious when there is a realistic possibility that death or serious harm could result from the actual hazard created by the violation. Citations classified as accident-related indicate the injury, illness or fatality was caused by the violation. A repeat citation is issued when the employer has abated an earlier violation for which Cal/OSHA issued a citation and a substantially similar violation is found during a later inspection.

Cal/OSHA offers a [guide](#) to developing an Injury and Illness Prevention Program and model programs for employers in both [high hazard](#) and [non-high hazard industries](#). Cal/OSHA's Consultation Services Branch provides free and voluntary assistance to employers to improve their safety and health programs. Employers should call (800) 963-9424 for assistance from Cal/OSHA Consultation Services.

Employees with work-related questions or complaints may contact DIR's Call Center in English or Spanish at 844-LABOR-DIR (844-522-6734). The California Workers' Information line at 866-924-9757 provides recorded information in English and Spanish on a variety of work-related topics. Complaints can also be filed confidentially with [Cal/OSHA district offices](#).

Members of the press may contact Peter Melton or Frank Polizzi at (510) 286-1161, and are encouraged to [subscribe to get email alerts](#) on DIR's press releases or other departmental updates.

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