

## Investigation Process

**What triggers a fatality or catastrophe investigation by the N.C. Department of Labor?**

- A worker's death.
- Hospitalization of three or more employees.
- The department may also receive information of a fatality or catastrophe from media reports or referrals from other government agencies.

**How is NCDOL notified?**

- An employer must notify NCDOL within eight hours of a worker's fatality or the hospitalization of three or more workers.

**What will the investigation focus on?**

- The investigation will usually be limited to the events surrounding the accident unless observations at the site indicate a broader investigation is needed.

**What will happen during the investigation?**

- An NCDOL investigator will go to the accident site and collect physical evidence, including photographs.
- The investigator will interview employees, witnesses and management officials about the accident to determine its cause.
- Any violations of safety and health standards will be noted and citations will be issued.

**How long will the investigation take?**

- An investigation can take anywhere from a few weeks to six months, depending on the complexity of the accident.

**When are investigation results disclosed?**

- Citations and penalties, if issued, can be released to the public on the issuance date.
- Other contents of the file cannot be released until the case is closed or final order on citations is rendered.



*An employee works in a 20-foot-deep unprotected trench while observing the drilling of a hole before he packs it with dynamite for blasting. The employer should provide a trench box or shoring to protect the employee from cave-in.*

## The Investigation

Investigators will seek to determine several factors, including whether:

- Employees were provided a protective system. Protective systems include sloping the sides of the trench or providing a shield (trench box) between the trench sides and the work area.
- The slope was appropriate for the type of soil.
- A "competent" person, someone qualified to detect hazards who has the authority to stop work, tested the soil.
- Soil was placed at least 2 feet from the trench's edge.
- Factors such as vibrations from machinery and traffic that can affect soil stability were considered.
- Employees had safe exits from trenches 4 feet deep or deeper.
- Employees wore hard hats to protect from falling debris.

**Standards:** 29 CFR 1926, Subpart P—Excavations

**Industry Type:** Construction

**Accident Type:** Crushed-by/trench cave-in

**Statistical Data:** In 2005, 80 workers died on the job, including 27 in construction.



Cherie Berry, Commissioner

N.C. Department of Labor  
Occupational Safety and Health Division  
1101 Mail Service Center  
Raleigh, NC 27699-1101  
[www.nclabor.com](http://www.nclabor.com)  
1-800-625-2267

**What programs does the Department of Labor have in place to prevent trenching accidents?**

**Construction special emphasis program:** Increased training and attention in a dangerous industry.

**Free training:** Workshops, training and consultation in both English and Spanish.

**Publications:** Industry guides that pinpoint the hazards associated with working in trenches.