Why Utility Contractors Do Not Use Fall Protection Around Trenches

There is nothing more important to our company than the safety of our employees. We understand our company has a duty to comply with the fall protection requirements in the Code of Federal Regulations 1926, and we use fall protection as appropriate when required.

In 2002, OSHA issued an interpretation, “Clarification Concerning Fall Protection and Vertical Walled Trenches with Depth of 6 Feet or Greater and Use of Controlled Access Zones.” In this interpretation, OSHA clearly states, “unless the trench you are describing is obscured from view, there is no requirement for fall protection to be provided.” A copy of the interpretation is attached for your review.

Fall protection around a working trench creates several recognized safety hazards likely to cause serious physical harm and could create a greater danger to employees than not using fall protection. OSHA recognized these hazards when writing Subpart M and specifically included 1926.501(b)(7)(i), an exception for fall protection around trenches when readily seen. OSHA exceptions should not be taken lightly and are explicitly put in place for instances such as these.

Hazards of Using Fall Protection Around Trenches

Railings / Guardrails:
Equipment operators who are lifting and lowering pipe and other materials into the trench often must lift these materials higher than normally necessary to avoid hitting the guardrails and/or railings. This could result in the boom being too close or hitting overhead powerlines, creating an electrocution hazard for the equipment operator and workers. Guardrails also pose a hazard to workers who could get caught between the railing and the material or excavator bucket.

Moving and relocating a fall protection system along the trench as the project moves along increases the possibility of a worker falling in the trench as they help to move and set up the fall protection system. Note many of these workers would not normally be near the edge of the trench if railings/guardrails were not required. Therefore, the process of setting up fall protective systems creates a greater hazard when installed along the edge of a trench.

Horizontal Lifelines and Anchorage Systems:
- Horizontal lifelines use a flexible line that runs parallel to the edge of a trench connected to anchorages or single tie-off points. While these systems may appear to give workers a wide range of mobility and the ability to safety travel between the anchor points, they do not and are rarely used by utility contractors.

- If a worker falls off the edge of the trench while using a PFAS, the fall arrest system will cause the victim to slam against the wall of the shield, shoring, or the cross braces. Subpart M for PFAS requires an uninterrupted fall area when using an HLS or PFAS.

- Tie-off blocks require a professional engineer to design a rebar-reinforced concrete block weighing roughly 7,000 lbs. When used for a flex line that runs along the trench, the blocks add 14,000 lbs. to the sidewall of the trench causing an excavation surcharge, or extra load, which could cause a cave in.

- Single tie offs restrict the movement of workers, as well as create entanglement problems, limiting the workers’ ability to complete the assigned task(s).

- An accidental strike of an underground utility can expose workers to flammable gas, as well as other unknown hazards and risks. Should this or other emergency occur, workers must be able to immediately evacuate the area, unhampered by a PFAS attached to an anchorage point(s).

Our company will comply with applicable safety requirements related to utility construction set forth by OSHA. However, we cannot in good faith, place our employees’ safety in jeopardy by requiring fall protection that is an OSHA-recognized hazard.