



MINNESOTA
TELECOM
ALLIANCE

Safety Program

**OSHA:
The Process of
an Incident Investigation**

1

**Safety Incident Investigation -
What happens when it goes wrong
and **YES**, your company is
responsible.**

MTA Safety Program

2

Timeline

- **Trenching/Excavation Incident**
- Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)
- Company Investigation
- OSHA Opening Conference
- OSHA Investigation
- Investigation Outcome Letter
- Closing Conference/MTG

MTA Safety Program

3



4



5



6

Timeline

- Trenching/Excavation Incident
- **Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)**
- Company Investigation
- OSHA Opening Conference
- OSHA Investigation
- Investigation Outcome Letter
- Closing Conference/MTG

MTA Safety Program

7

Timeline

- Trenching/Excavation Incident
- Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)
- **Company Investigation**
- OSHA Opening Conference
- OSHA Investigation
- Investigation Outcome Letter
- Closing Conference/MTG

MTA Safety Program

8

Timeline

- Trenching/Excavation Incident
- Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)
- Company Investigation
- **OSHA Opening Conference**
- OSHA Investigation
- Investigation Outcome Letter
- Closing Conference/MTG

MTA Safety Program

9

Timeline

- Trenching/Excavation Incident
- Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)
- Company Investigation
- OSHA Opening Conference
- **OSHA Investigation**
- Investigation Outcome Letter
- Closing Conference/MTG

MTA Safety Program

10

Timeline

- Trenching/Excavation Incident
- Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)
- Company Investigation
- OSHA Opening Conference
- OSHA Investigation
- **Investigation Outcome Letter**
- Closing Conference/MTG

MTA Safety Program

11

Timeline

- Trenching/Excavation Incident
- Phone Calls – Supervisor/Safety officer or Consultant, OSHA (8 or 24 hr)
- Company Investigation
- OSHA Opening Conference
- OSHA Investigation
- Investigation Outcome Letter
- **Closing Conference/MTG**

MTA Safety Program

12

OSHA

- [Establishment Search Page | Occupational Safety and Health Administration osha.gov](#)

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

CONTACT US | FAQ | A TO Z INDEX | LANGUAGES

OSHA | STANDARDS | ENFORCEMENT | TOPICS | HELP AND RESOURCES | NEWS

Establishment Search

Reflects inspection data through 09/25/2023

Use OSHA's Establishment search to search for OSHA enforcement inspections by the name of the Establishment. You can also search for a specified inspection or inspections within a specific industry using NAICS or SIC.

Note: Before using OSHA's Establishment search, please read important information below on how to interpret the results.

Search By:

Your search did not return any results.

Please enter an Establishment name, select an OSHA Office, or enter a Site Zip Code.

Establishment

(This field can also be used to search for a State Activity Number for the following states: NC, SC, KY, OR, WA, IN (before April 2022) and AZ (after June 2021))

State

OSHA Office

13

General Contractor Violation

1 violation (Serious), \$7,969

29 CFR 1926.20(b)(2): **The employer did not initiate and maintain programs which provided for frequent and regular inspections of the job site, materials and equipment to be made by a competent person:** (a) Venture Communications Cooperative at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 11, 2023, the **controlling employer** did not ensure that frequent and regular inspections were conducted by a competent person. **This condition exposed subcontracted employees to various hazards such as, egress hazards, struck-by hazards, and lack of training.**



MTA Safety Program

14

Subcontractor Violations

6 Violations (4 Serious, 1 Willful, and 1 Other), **\$81,255**

Serious Violation 1 (\$5,358): 29 CFR 1926.20(b)(2): **The employer did not initiate and maintain programs which provided for frequent and regular inspections of the job site, materials and equipment to be made by a competent person:** (a)R&L Splicing Inc. at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 10, 2023, the employer did not ensure that frequent and regular inspections of the jobsites were conducted. This condition exposed employees to various hazards associated with lack of protective systems, spoils piles, egress, and lack of training.



MTA Safety Program

15

Serious Violation 2 (\$2,678): 29 CFR 1926.21(b)(2):**The employer did not instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his/her environment to control or eliminate any hazards or other exposure to illness or injury:** (a)R&L Splicing Inc. at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 10, 2023, the employer did not ensure that employees were trained to recognize and avoid unsafe conditions while conducting work on construction sites. This condition exposed employees to various hazards associated with excavation work and construction activities.

MTA Safety Program

16

Serious Violation 3 (\$6,250): 29 CFR 1926.651(c)(2): A stairway, ladder, ramp or other safe means of egress was not located in trench excavations that were 4 feet (1.22m) or more in depth so as to require no more than 25 feet (7.62m) of lateral travel for employees: (a)R&L Splicing Inc. at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 10, 2023, the exposing employer did not ensure that a safe means of egress was located within 25 feet of the employee conducting work within the 50 - 60 foot trench. This condition exposed employees to hazards associated with inadequate egress.



MTA Safety Program

17

Serious Violation 4 (\$3,572): 29 CFR 1926.651(j)(2): Employees were not protected from excavated or other materials or equipment that could pose a hazard by falling or rolling into excavations, or by a combination of both if necessary: (a)R&L Splicing Inc. at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 10, 2023, the exposing employer did not ensure that spoils piles were at least two feet from the edge of the excavation. This condition exposed employees to cave-in and struck-by hazards.



MTA Safety Program

18

Willful Violation (\$62,504): 29 CFR 1926.652(a)(1): Each employee in an excavation was not protected from cave-ins by an adequate protective system designed in accordance with 29 CFR 1926.652 (b) or (c): (a)R&L Splicing Inc. at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 10, 2023, the exposing employer did not ensure that employees were protected from cave-ins while conducting trenching activities deeper than five feet. Employees were conducting splicing work within a vertical walled trench and no protective system in place. This condition exposed employees to cave-in hazards from trench wall failure.



MTA Safety Program

19

Other Violation (\$893): 29 CFR 1904.29(a): The employer did not use an OSHA 300, 301 and 300A Form or equivalent: (a)R&L Splicing Inc. at BIA 700 & Veterans Memorial Drive, Agency Village, SD 57262: On or about and at times prior to July 10, 2023, the employer did not use an OSHA 300 log to record injuries. No log had been initiated for Calendar Year 2023.



MTA Safety Program

20

Takeaways

- ✓ OSHA will consider you a General for any subcontractors you have working for you, which will pose some liability for safety violations by your subs
- ✓ Must conduct construction/work site inspections. Must have them on paper stating any safety issues or that all work is in compliance

QUESTIONS



MTA Safety Program