



COMPETENT PERSON: IF YOU CAN'T STOP WORK, YOU AREN'T COMPETENT

by: Tim Markonich

Every trench collapse investigation eventually asks the same question:

“Who was the Competent Person on this job?”

The answer is almost always written on paperwork somewhere, and often known at the jobsite.

But perhaps the real question should be:

“Did [that person] actually have the authority to stop the work?”

If the answer is *no*, then the title “Competent Person” was never real to begin with. Under regulations from OSHA, a Competent Person is someone who:

1. Is capable of identifying existing and predictable hazards
2. *Has the authority to take prompt corrective measures*

The second part is what gives the first part meaning: without authority the information is meaningless.

A person might understand soil conditions, recognize trench hazards, and know when protection is inadequate. They may recognize a dangerous condition immediately. But if they do not have the authority and confidence to stop work and correct it, the hazard will remain. In that situation, the title Competent Person becomes little more than a checkbox on a form and they are not functioning as a Competent Person in reality.



WHERE THE SYSTEM OFTEN BREAKS DOWN

In many real-world situations, the individual listed as the Competent Person may be a foreman or crew member who understands trench safety but does not feel empowered to halt operations.

Production pressure, schedule demands, and equipment costs can create a situation where hazards are recognized but ignored.

Examples seen across the industry include:

1. Excavations continuing after rainfall without reassessing soil stability
2. Trench boxes that are not sized for the excavation depth or type
3. Heavy equipment operating too close to trench edges, creating surcharge loads
4. Workers entering excavations before protection systems are properly installed or without proper PPE

In each case, the issue is not always a lack of knowledge. Sometimes it is a lack of authority. Other times, the authority exists on paper, but the individual does not feel empowered to use it.

WHAT A REAL COMPETENT PERSON DOES

A true Competent Person must be able to act immediately and decisively when conditions change. That includes:

1. Stopping work if trench protection is inadequate
2. Requiring additional or different shoring, shielding, or sloping
3. Ordering workers out of hazardous excavations
4. Adjusting operations when soil, weather, or surcharge conditions change
5. Verifying that protective systems match trench depth and soil classification

The critical point is simple:

**Safety authority must override production pressure.
Life and safety take priority over the schedule.**

THE ROLE OF SUPPLIERS AND INDUSTRY PROFESSIONALS

For members of NAXSA and others who support excavation safety from the equipment and supply side of the industry, our role carries its own responsibility.

We may not be on the jobsite every day, but the products we provide are often a critical part of protecting workers underground... sometimes the only thing standing between a worker and a collapse is our equipment.

This means we should never treat safety equipment orders as simple transactions.

When customers request trench protection equipment, confined space, plugs, or other excavation and safety equipment, a responsible supplier should be comfortable asking basic qualifying questions, such as:



1. **Who is the Competent Person on the project?**
2. **Will the Competent Person be onsite during the entirety of the excavation?**
3. **(In cases where systems are ordered by managers offsite:) Has the Competent Person reviewed and approved the protective system being ordered?**
4. What is the size of the excavation? (Depth/Width at bottom and top/Length, etc.)
5. What soil conditions are anticipated, what soil type? Any groundwater?
6. Any surcharge loads, equipment, spoil piles, roadways, structures, utilities, traffic loads to consider?
7. Is there a type of protective system you have in mind?
8. How will the workers enter and exit the trench?

If the person placing the order cannot answer these questions, that should be a signal to slow down and clarify the situation.

These conversations are not about policing contractors. They are about recognizing the serious responsibility tied to the equipment we provide and closing the gap between just providing equipment and providing lifesaving equipment.

The goal is simple: make sure the right solutions are being used for the right conditions.

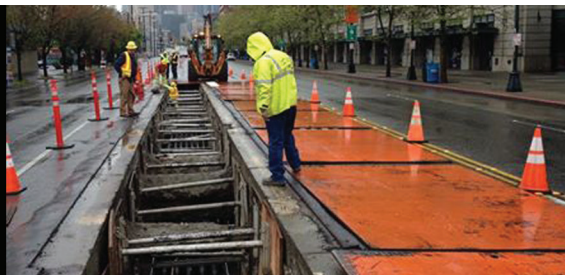
THE BOTTOM LINE

Excavation and trenching remain among the most dangerous activities in construction. Titles, paperwork, training, protective equipment, and even the knowledge of how to use them, do not make a jobsite inherently safe. Conditions change. Equipment gets damaged. Therefore:

A Competent Person who cannot stop work is not a Competent Person.



Disclaimer: This document does not provide or address all information, laws, standards, regulations, codes, requirements, and safety procedures applicable to excavations, trench protection, and shoring options. Readers should comply with all such measures.



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