



CHERIE BERRY  
COMMISSIONER OF LABOR

KEVIN O'BARR  
CONSULTATIVE SERVICES BUREAU CHIEF  
OCCUPATIONAL SAFETY AND HEALTH DIVISION

November 22, 2019

Mr. Kurt Petermeyer, Regional Administrator  
U S Department of Labor, Occupational Safety and Health Administration  
Atlanta Federal Center, Room 6T50  
61 Forsyth Street, SW  
Atlanta, GA 30303

**Attention to: Mr. Luis A. Ramirez**, Consultation Program Manager, Region IV,  
Cooperative and State Programs

Re: North Carolina FY 2019 Consultation Annual Project Report (CAPR) for 21(d) grant

Dear Mr. Petermeyer:

Enclosed is the North Carolina 21(d) Consultation Annual Project Report for Federal Fiscal Year 2019. The data is from the private sector visits supported by the 21(d) grant. Federal funding provided by the 21(d) grant is insufficient to support program needs. As a result, North Carolina significantly overmatches state funding obligations to ensure program effectiveness. Activities conducted with unmatched federal funding are included in this report.

Since North Carolina is a State Plan State, a significant amount of information requested in this report is also included in the State OSHA Annual Report (SOAR). Should you have any further questions or need any additional information or assistance, please give me a call at (919) 707-7840.

Sincerely,

Kevin O'Barr  
Program Manager

cc: Americo Pagan, Luis Ramirez, Kevin Beauregard, Judyth Niconienko

**North Carolina Department of Labor  
Bureau of Consultative Services  
Federal Fiscal Year (FY) 2019  
Consultation Annual Project Report  
For the 21(d) grant**

**I. EXECUTIVE SUMMARY**

The North Carolina Consultative Services Bureau continued to undertake an active role in participating in the FY 2019 North Carolina OSH Strategic Plan. Consultative Services activities met or exceeded all current goals, while focusing on the strategic initiatives outlined in the performance plan in an effort to drive down the overall fatality rate along with injury and illness rates in North Carolina. Consultative Services continues to contribute in all areas of the performance plan. This report covers activities funded under the 21(d) grant, which comprises approximately 75% of the total program activities. The broader state plan information for North Carolina is included in the State OSHA Annual Report (SOAR).

**II. DISCUSSION OF RESULTS IN ACHIEVING CAPP PERFORMANCE GOALS**

During FY 2019, the Bureau of Consultative Services continued to provide onsite services to the employers and employees in the private sector under the 21(d) grant. Consultative Services conducted a total of 1,453 visits.

- 1,001 (69%) requested both safety and health; 419 (29%) requested safety only visits; and 33 (2%) requested health only visits (total visits 1,456).
- 1,212 (83%) initial visits; 132 (9%) training/assistance visits; 109 (8%) follow-up visits.
- Manufacturing visits 410 (28%), (NAICS 31-33)
- Construction visits 637 (44%), (NAICS 23)
- Other private sector industry visits 406 (28%)
- Hazards identified and eliminated as a result of consultative visits totaled 7,071. 6,559 (93%) were serious hazards.
- There were 250 private sector interventions conducted.

## Summary of the year's strategies and outcomes based on the annual project plan.

<b>FFY 2019</b>  <b>Area or Industry of Emphasis</b>	<b>Strategy</b>	<b>Description of Activities</b>	<b>Impact</b>
<p>Total Reduction in Injury and Illness</p> <p>Reduce occupational hazards through direct interventions.</p>	<p>Focus resources in industries with high injury and illness rates.</p> <p>Industries with high injury and illness rate:</p> <ul style="list-style-type: none"> <li>a. Grocery and Related Product Wholesalers</li> <li>b. Long-Term Care</li> <li>c. Food Manufacturing</li> </ul> <p>Analyze results and effectiveness of direct interventions to determine their impact on fatality, injury and illness rates.</p>	<p>Conduct 710 safety and 415 health visits. Total 1,125.</p> <p>Conduct at least 223 visits in areas of emphasis.</p> <p>Abate approximately 6,000 hazards during the course of these visits.</p>	<p>Conducted 1,453 total visits. 934 Safety. 519 Health</p> <p>Conducted 618 visits in areas of emphasis.</p> <p>Eliminated 7,071 hazards.</p> <p>Conducted 250 private sector interventions.</p>
<p>Reduce fatality incidence rate 0.4% statewide in Construction</p>	<p>Promote consultative activities related to construction in targeted counties.</p> <p>Consultants will address hazards associated with crane operations and set-ups on construction sites.</p>	<p>Conduct consultative marketing and promotion in counties targeted by the special emphasis program as resources allow.</p> <p>Support efforts in conducting annual construction outreach activities and partnerships.</p> <p>Conduct at least 150 visits in the construction industry.</p>	<p>Conducted 637 visits in NAICS 23.</p> <p>492 of those qualified as construction SEP visits.</p>

<p>Reduce the fatality rate by 0.4% in NAICS 11331 and 56173.</p>	<p>NCDOL continues a multi-disciplinary approach using resources from consultation, and the other bureaus and alliances. These groups work together to achieve the following:</p> <p>Increasing employer and employee awareness of regulatory requirements and safety and health work practices.</p> <p>Changing employer's and employee's behavior to improve job safety and health through education, consultation, and compliance.</p> <p>Emphasizing recognition of meaningful safety and health management programs.</p>	<p>Bureau personnel will participate on the logging and arboriculture committee with industry stakeholders to implement these strategies.</p> <p>Conduct onsite technical assistance visits to improve safety and health programs.</p> <p>Provide support to assist in conducting training activities in NAICS 11331 and 56173.</p> <p>Consultants will participate in external events. (ProLogger, etc.)</p> <p>Conduct at least 15 visits within the two NAICS of this emphasis program.</p>	<p>Conducted 28 visits in these areas.</p> <p>24 initial visits</p> <p>2 follow-up</p> <p>2 train/assist</p>
<p>Reduce the injury and illness (DART) rate in establishments in Grocery and Related Product Wholesalers (4-digit NAICS 4244) in support of the overall outcome goal of reducing the rate of workplace injuries and illnesses</p>	<p>Promote consultative activities within the industry with targeting direct mailings and in person promotions.</p> <p>Consultants will address hazards identified within this industry.</p>	<p>Conduct at least three visits within this NAICS. This industry has a relatively small number of employers in North Carolina. The industry injury rate has dropped significantly since this emphasis program began.</p>	<p>Conducted 4 visits in this industry.</p> <p>3 initial</p> <p>1 training/assistance</p> <p>1 SHARP participant</p>

Reduce the injury and illness (DART) rate in establishments in Long Term Care (NAICS 623xxx)	Reduce by 2% the NC BLS DART rate for NAICS 623xxx through education, training, compliance inspections and consultative visits.	<p>Conduct at least 45 visits of establishments in NAICS 623xxx.</p> <p>Utilize ergonomics guidelines and OPN 132 when conducting consultative visits in the LTC industry.</p> <p>Promote consultative activities related to this SEP. These promotions may include mailers, letters, training activities, and telephone/site visits to increase awareness.</p>	<p>Conducted 66 visits in this industry.</p> <p>58 initial</p> <p>2 train/assist</p> <p>6 follow-up</p> <p>20 SHARP participants</p>
Exposures to health hazards.	Conduct emphasis training, and consultation activity in establishments where employees might be exposed to health hazards such as lead, silica, asbestos, hexavalent chromium, and isocyanates.	<p>Conduct at least 110 health visits to establishments that request a survey and have exposures to health hazards.</p> <p>Provide support on chemicals identified in the Health Hazards SEP where requested by employers.</p>	<p>Addressed these chemical hazards on 228 visits.</p> <p>Asbestos 12</p> <p>Hex Chrome 27</p> <p>Isocyanate 13</p> <p>Lead 19</p> <p>Silica 157</p> <p>184 initial</p> <p>32 train/assist</p> <p>12 follow-up</p>
Food Manufacturing	Reduce by 2% the NC BLS 5-Year average DART Rate for NAICS 311 establishments in North Carolina.	<p>Conduct promotional activities in NAICS 311 industries through direct contact with food manufacturing employers.</p> <p>Conduct onsite technical assistance visits at NAICS 311 employers/establishments to help improve safety and health programs.</p> <p>Conduct at least 10 visits within NAICS 311.</p>	<p>Conducted 28 visits in this industry.</p> <p>23 initial</p> <p>2 train/assist</p> <p>3 follow-up</p> <p>3 SHARP participants</p>

### **III. SPECIAL ACCOMPLISHMENTS**

- 133 private sector companies were in SHARP at the end of FY 2019; plus 4 in Pre-SHARP.
- Six construction companies were participating in SHARP at the end of FY 2019.
- North Carolina has five staff with the certified industrial hygienist (CIH) designation and eight staff with a certified safety professional designation (ASP or CSP). Three of the staff are dually certified.
- Requests for service and sampling of silica remain at a high level. NC consultants addressed silica hazards 157 times this year and documented eight overexposures.
- Consultative Services participated in the National Stand Down for fall prevention.
- Consultative Services began mailing notification letters to employers with an EMR of 1.5 or higher on a monthly basis to share information in a timely manner with employers.
- NC identified and addressed overexposures to noise, silica, arsenic, copper, iron oxide, manganese, cadmium, and chromium.

### **IV. OTHER ISSUES OR ADJUSTMENTS**

The North Carolina program had a safety vacancy for most of FY 2019. Despite the continuing federal undermatch and flat funding, the program maintained strong production. At the end of FY 2019, the program was fully staffed. OSHNC respectfully requests that USDOL make securing matching federal funding for state plan consultation programs a budget priority in upcoming years. Congress intended funding state plan consultation programs with 90% federal funding, but this has not happened in a long time. Insufficient federal funding is having a negative impact on OSHNC's ability to meet the demand for consultative services. The backlog remains high even though the consultants work diligently and produce a high number of visits each year. The average health consultant backlog from request date to opening conference was 162 days. (range 113 to 231 days). North Carolina produced the 4<sup>th</sup> most visits of the 54 consultation programs, is the 9<sup>th</sup> largest state by population and is struggling with the 12<sup>th</sup> largest federal grant. Any assistance to gain additional funding for a health consultant position would have great beneficial effects on the program and provide great service to the employers and employees throughout North Carolina.

### **V. INTERNAL QUALITY ASSURANCE PROGRAM**

There is a system in place for any staff member to initiate a change request, if they identify opportunities for improvement. The complete text of our Bureau Quality Plan and Bureau Quality Operating Procedures is maintained as a controlled document on the Department's Intranet site. The Consultative Services Bureau continues to provide a quality system for auditing case files, hiring, training and supervising personnel. Consultative Services conducts quality meetings on as needed basis. CSB strives to provide efficient, effective and quality consultation services to all its customers. During FY 2019, two action requests were received, evaluated, and implemented. The change requests were related to quality forms used by consultants or supervisors and they resulted in needed changes to forms and documents related to going paperless. The program continues to operate smoothly at a high rate of production.



## Summary of activity for FY 2019

<b>ACTIVITY &amp; AREAS OF EMPHASIS</b>	<b>Safety</b>	<b>Health</b>	<b>Both</b>	<b>Total</b>
<b>1. TOTAL VISITS</b>	934	519	0	1,453
a. Agriculture (NAICS 11)	28	2	0	30
b. Construction (NAICS 23)	496	141	0	637
c. General Industry (not a, b, or d)	207	169	0	376
d. Manufacturing (NAICS 31 -33)	204	206	0	410
e. Maritime	0	0	0	0
<b>2. Visits Related to Emphasis Industries</b>	<b>Safety</b>	<b>Health</b>	<b>Both</b>	<b>Total</b>
Construction	391	101	0	492
Logging / Arboriculture	26	2	0	28
Grocery and Related Product Wholesalers	2	2	0	4
Long Term Care	40	26	0	66
Food Manufacturing	18	10	0	28
<b>Total Visits Related to Emphasis Industries</b>	477	141	0	618
<b>3. Visits Related to Emphasis Program</b>	<b>Safety</b>	<b>Health</b>	<b>Both</b>	<b>Total</b>
Health Hazards (Pb, Si, Asbestos, Cr6+, Isocyanates)	31	197	0	228
<b>4. Activities Related to Agency Measures</b>	<b>Safety</b>	<b>Health</b>	<b>Both</b>	<b>Total</b>
a. see NC Special Emphasis Programs				
<b>SHARP and Pre-SHARP / Compliance Assistance Activities Projections</b>				
5a. New SHARP sites in FY 2019	6			
5b. SHARP Renewals in FY 2019	44			
6. Total private sector SHARP sites at end of FY 2019	133			
7. Total Pre-SHARP sites in FY 2019	4			

<b><i>Hazards Identified per Consultation Visit</i></b>			
<b>Fiscal Year</b>	<b>Number of Total <u>Initial</u> Visits</b>	<b>Number of <u>Serious</u> Hazards Identified</b>	<b>Average Number of <u>Serious</u> Hazards Identified per Total Initial Visit</b>
FY 2017	1,160	7,415	6.4
FY 2018	1,202	6,508	5.4
FY 2019	1,212	6,559	5.4
<b>Average</b>	1,191	6,827	5.7
<b>Analysis:</b> The number of hazards identified by the North Carolina program remains strong and steady. This data is private sector initial visits.			

<b><i>Visit Comparison</i></b>			
	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Initial</b>	1,160	1,202	1,212
<b>Follow-up</b>	100	101	109
<b>Training and Assistance</b>	135	149	132
<b>Total Visits</b>	1,395	1,452	1,453
<b>CAPP Projection</b>	1,125	1,125	1,165
<b>Percent of CAPP Projection Completed</b>	124%	129%	125%
<b>Analysis:</b> This data is private sector from the Visit Summary report. North Carolina overmatches the 21(d) funding and includes the visits conducted with the overmatch in this report.			



<b>Health Sampling per Initial Visits</b>			
<b>North Carolina</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
Private sector	600 samples 93 visits 38 initial with sampling	712 samples 120 visits 69 initial with sampling	766 samples 73 visits 38 initial with sampling
<b>Analysis:</b> North Carolina conducts sampling on all visit types. 38 initial visits with 127 samples collected, 34 training/assistance visits with 638 samples collected, and 1 follow-up visit with 1 sample collected. During FY 2019, NC consultants collected 766 private sector samples during 73 visits.			

<b><i>Safety and Health Achievement Recognition Program (SHARP) FY 2019</i></b>					
<b>New</b>	<b>Renewed</b>	<b>Withdrawal and non-renewal</b>	<b>Terminated</b>	<b>Total</b>	<b>Pre-SHARP</b>
6	44	5	0	133 private sector	4
<b>Analysis:</b> -- In addition to the 137 participants in general industry, there are six construction SHARP sites. Each Gen. Ind. site has an annual review, while construction sites submit a quarterly review.					

Federal chart of activities.

ACTIVITY & AREAS OF EMPHASIS*	Safety		Health		Both		Total	
	P	A	P	A	P	A	P	A
<b>1. Total Visits</b>	710	934	415	519	0	0	1125	1453
a. Agriculture NAICS 11	13	28	2	2	0	0	15	30
b. Construction NAICS 23	112	496	38	141	0	0	150	637
c. General Industry (not a, b, or d)	0	207	0	169	0	0	0	376
d. Manufacturing NAICS 31-33	0	204	0	206	0	0	0	410
e. Maritime	0	0	0	0	0	0	0	0
<b>2. Visits Related to Emphasis Industries</b>	Safety		Health		Both		Total	
	P	A	P	A	P	A	P	A
a. Nursing and Residential Care Facilities NAICS 623	20	39	25	27	0	0	45	66
b. Residential Building Construction (NAICS 236)	150	119	0	37	0	0	150	156
c. Commercial & Institutional Building Construction	0	0	0	0	0	0	0	0
d. Highway, Street & Bridge Construction	0	0	0	0	0	0	0	0
e. Site Preparation (Demolition)	0	0	0	0	0	0	0	0
f. Power and Communication Line and Related Structures	0	0	0	0	0	0	0	0
g. Primary Metals Industries	0	0	0	0	0	0	0	0
h. PSM Covered Chemical Facilities	0	0	0	0	0	0	0	0
i. Shipbreaking	0	0	0	0	0	0	0	0
j. Poultry Processing and Slaughtering	0	0	0	0	0	0	0	0
<b>Total Visits Related to Emphasis Industries</b>	170	158	25	64	0	0	195	222
<b>3. Visits Related to Emphasis Safety and Health Hazards</b> State plan has a health emphasis program that does not predict individual chemicals.	Safety		Health		Both		Total	
	P	A	P	A	P	A	P	A
a. Lead	0	1	0	18	0	0	0	19
b. Crystalline Silica	0	30	0	127	0	0	0	157
c. Combustible Dust	0	19	0	35	0	0	0	54
d. Hexavalent Chromium	0	0	0	27	0	0	0	27
e. Trenching	0	11	0	6	0	0	0	17
f. Isocyanates	0	0	0	13	0	0	0	13
g. Manufacturing Amputations	0	0	0	0	0	0	0	0
h. Confined Spaces	0	0	0	0	0	0	0	0
i. Other LEPs (Construction and Non-Construction)	0	15	0	8	0	0	0	23
<b>4. Activities Related to Agency Measures</b>	Safety		Health		Both		Total	
	P	A	P	A	P	A	P	A
a. For measure #4, see the approved state plan measures on page 3-7 of this report.								
<b>SHARP, Pre-SHARP, and Compliance Assistance Activities</b>	Projected				Actual			
5a. New SHARP sites in FY 2019	6				6			
5b. SHARP Renewals in FY 2019	40				44			
6. Total SHARP sites at end of FY 2019	134				133			
7. Total Pre-SHARP sites in FY 2019	2				4			
8. Total Compliance Assistance Activities(interventions)	200				250			