

Logging/Arboriculture SEP Team Meeting Minutes

09/20/18

10:00 am – 12:00 pm

3rd Floor Conference Room (ORB)/Asheville office/WS office/others as requested

Attendance:

Asheville: Gary Thorpe, Kay Knezevich, Denese Ballew

Charlotte: George Thrower

Raleigh/ORB: Mildred Rivera, Robert O’Neal, Eric Smith, Chuck Murdock, Rose Gray, Judyth Niconienko, Kevin O’Barr

Winston-Salem: Paul Sullivan

Old Business:

July minutes review

- Continue to encourage CSHOs to enter all logging sites.
- OSH received notice of:
 - o One arborist fatality in October (Taylorsville - 10/25/17).
 - o One arborist fatality in November (Summerfield – 11/10/17)
 - o One late reported arborist fatality in January (Winston-Salem 01/23/18)
 - o One arborist fatality in June (Fayetteville -06/26/18)
 - o One arborist fatality in July (Pinnacle – 07/26/18)
 - o One late reported arborist fatality in August (Arden – 08/31/18)

Our fatality rate is currently positioned at .017

New Business:

*Marcy Collyer is working to initiate a potential alliance with our NC arborists.

*Chuck Murdock found a Virginia OSH standard which provides specific guidance for arboriculture operations. We’re evaluating to see if we could use their approach. Chuck recommended a sub-committee take on the task of evaluating and presenting the proposed document. The VA standard incorporates the major sections from ANSI Z-133, industry-specific as well as general standards. The standard incorporates essentially the same information as that included in our proposed “Industry Guide”.

*Karen Bogner has indicated that the 1st quarter 2018 data has been released, but not in our possession as yet. That new data should not impact our fatality rate much, if any.

Eric Smith stated that Consultative Services is working to recalculate/revamp the SHARP program to make it more appealing to the Logging community. Judyth may be able to help put the changes into a public notice/article.

Open Discussion:

**How are we going to increase our presence on SEP operations/sites? We are a bit behind our goal.

Goal = 60

Current = 51

Logging/Arboriculture SEP

9/20/2018

We have a good number of trained CSHOs across all districts. Encourage increased inspections in the SEP. Take a less experienced/confident CSHO out for familiarization. Continue to offer assistance and guidance where you/we can and provide referrals to Consultative or Compliance where appropriate. When conducting inspections on construction sites, public sector, or other activities where the employer/employees are conducting tree trimming/removal operations, please continue to mark the Emphasis/Initiatives blocks according to OPN 88I.

Schedule next SEP Meeting – 13 December 2018, 10:00 AM at ORB Conference Room & teleconference locations. ORB Conference Room confirmed scheduled after the meeting.

Close

After the meeting had adjourned, Kevin O'Barr noted that the OPN addressed site clearance and public sector industries whereas the Strategic Plan did not provide any support. Previous iterations of the OPN addressed those industries as well but did not translate into the previous Strategic plans. Further discussions and evaluation to be undertaken with PSIM and associated committee members to evaluate appropriate approach.

Logging/Arboriculture SEP Team Meeting Minutes
06/21/18
10:00 am – 11:00 pm

Attendance:

Asheville: Gary Thorpe, Steve Able, Matt Gruber, Michael Greer

Charlotte: Rob Jacobson

Raleigh/ORB: Mildred Rivera, Robert O’Neal, Eric Smith, Rose Gray

Winston-Salem: Paul Sullivan

Wilmington: Becky Appling, Howard Laurie, Donald Payne, Julie Martin, Vaughn Rizzo

Old Business:

- March minutes review
- Continue to encourage CSHOs to inspect any logging, arborist, or land clearing activity.
- OSH received notice of:
 - o One construction site clearance fatality in October (Winston-Salem – 10/16/17).
 - o One arborist fatality in October (Taylorsville - 10/25/17).
 - o One arborist fatality in November (Summerfield – 11/10/17)
 - o One fatality in January (unreported) (Winston-Salem -1/23/18)
- * The fatality rate is down. However some recently reported fatalities were outside the jurisdiction of OSH due to employer/employee relationship considerations. The current fatality rate is 0.0080.
- * Sawmills - Continued discussion regarding increased attention for sawmills due to several injuries. Lafayette Atkinson previously suggested that injury/fatality data could be collected and an appropriate decision made. Lafayette also previously suggested it would be more appropriate to reactivate the Woodworking/Furniture OPN and Special Emphasis Program should need to target sawmills. No new comments were forwarded.
- * Logging operations (NAICS 113310) are no longer exempt under the recently updated Appropriation Act CPL effective 4/25/2018. This discussion is further addressed in new business.
- * Continue to evaluate the potential of removing logging or other employment sectors (i.e. logging, land clearing, arborists) from SEP. This could be based upon injury/illness and fatality rate. An important consideration is the Appropriations Act exclusions/inclusions. The possibility of whether an employment sector should or should not be included in the SEP could be based upon fatality or injury rates published by USDOL Bureau of Labor and Statistics’ NAICS/SIC data.

New Business:

- ** Logging operations (NAICS.113310) are no longer exempt under the recently updated Appropriation Act CPL effective 4/25/2018. Appendix A of this CPL has been updated since the previous meeting. Logging operations employing 10 or less employees are now subject

to programmed-planned (formerly known as drive-by/self-referral) inspections. Logging operation since the effective date are not to be coded as “no inspection/triple-000. Promote the targeting of logging and other tree felling operations to promote SEP goals. Please explain to the loggers you encounter that nationwide injury/illness rates resulted in the removal of the exemption, not our NC loggers. Inform CSHOs of this change. The Department has received phone calls from smaller logging employers expressing concern because they are no longer subject to the Appropriations Act exemption.

- * Marcy Collyer is working to initiate a potential alliance with our NC arborists. Mark Rasdall is searching for any local point of contact for the same purpose.
- * Chuck Murdock is attempting contact with other states who may have specific guidance for arboriculture operations. This is to include Federal interpretations. We’ll evaluate to see if we could use their information/approach. We need to be mindful of copy-right considerations with publications.
- * Standards is working with us to make the recommended changes to the OPN 88 to separate the need to identify all tree operations as “Logging” from the “Tree Felling” operations.
- * Hollis Yelverton and the Standards Division recommended the following additional changes to OPN 88;
 - Remove references to SICs as they are being replaced/suborned to the NAICS codes
 - Change Section D to refer the reader to the FOM where appropriate. The intention is to streamline this Section and refer to the FOM.
 - Delete Section H which requires Bureau Chief monthly evaluations/reports. OSHA Express system makes this data conveniently available.
 - Update the five-year fatality status from the previous reference
 - Delete Appendix A (NAICS to Industry cross reference). It did not prove to be useful.
 - Other minor administrative corrections.
 - Please forward any other suggestions.

Open Discussion:

- ** How are we going to increase our presence on SEP operations/sites? We are lagging behind our goal.

Goal = 60
Current = 34

The Appropriations Act has impacted the aforementioned numbers. Ten inspections under the SEP were conducted during May.

Encourage inspections in the SEP to meet goals. Take a less experienced/confident CSHO out for familiarization for cross-training. Refer any logging, land clearing, or arborist (AKA tree felling) to Consultative or Compliance Bureaus as appropriate.

Possibly reduce goal 10% from last year. Consider the perception rewarding the industries for their safety initiatives.

When conducting inspections on construction sites, public sector, or other activities where the employer/employees are conducting tree trimming/removal operations, think about reporting OE Block #23b (Inspected) as either 561330/0782(0783) or 113310/2411. Identify and address this activity when present. This often applies to public sector inspections where employees are engaged in tree trimming, arborist, and storm clean-up activities. Please mark the Emphasis/Initiatives blocks according to OPN 88H when appropriate with “logging” and “tree felling” codes. Enter appropriate secondary NAICS/SIC as logging, land clearing, or arborist when it applies.

DO NOT code inspection as “logging” where the operation is arborist or land clearing exclusively.

Howard Laurie asked for comment regarding a fatality investigation. How should it be coded, how should be classed in NAICS/SIC. Employees were clearing a creek for flood control purposes, accessing their work by boat. A drowning occurred. It was suggested that 1910.266 (the logging standard) would be applicable given the scope of the operation.

Eric Smith reported that Consultative Bureau has not a lot of interest amongst loggers that would participate in possible SHARP program. A review and adjustment of CSB procedure make a SHARP participation more attractive to loggers. The hope is to have at least one SHARP logger by the end of the year.

Paul Sullivan stressed the importance inspecting arborist, tree trimming, and general chain saw use. Many of the recent fatalities and reportable incidents involving tree felling activities were are not logging. Because these operations are short duration and transitory, target these activities for immediate inspection when possible. These fatalities and incidents often involved a sole owner with one or two employees working a small job such as removing one tree. Some events, the sole owner was victim. Stop and inspect these operations as one would inspect trench/excavation activities. The more inspections conducted addressing small non-logging operations under this OPN, the better.

The continuation of logging camps was questioned. While the training is informative and effective, the costs associated are increased and benefit to OSH are reduced due to most CSHOs already trained. Once the CSHO turnover increases, the training will be revisited.

The East Compliance Bureau reported that they have stepped up the cross-training of CSHOs for inspection subject to the SEP.

NCDOL has used billboards to promote initiatives. Could a billboard possibly be used to promote the goals of this SEP?

Robert O’Neal reported that ETTA is reworking internal training that addresses tree felling activities. Current training resources are available on One-Stop.

Forestry Mutual is willing to assist us with logging accident investigations.

Schedule next SEP Meeting – 20 September 2018 10:00 AM at ORB Conference Room & teleconference locations?

Close

Logging/Arboriculture SEP Team Meeting Minutes

3/22/2018

10:00 am – 10:30 am

ATTENDEES:

Asheville: Gary Thorpe, Michael Greer

Charlotte: Rob Jacobson, Tom Hardesty, Brian Kemppainen

Raleigh (ORB): Judyth Niconienko, Mildred Rivera, Marcy Collyer, Robert Oneal, Eric Smith, Mark Rasdall, Gregory Greene

Wilmington: Vaughn Rizzo, Lafayette Atkinson, Donald Payne, Becky Appling

OLD BUSINESS

The previous committee meeting minutes were approved without comment.

NEW BUSINESS

- Coding of Compliance Division Inspection reports - Gary Thorpe stated that we can expect a change to OPN 88H regarding the coding of Inspection Reports. The proposed change will eliminate the use of the “LOGGING” code in the Local Emphasis Program field. Gary emailed committee members the following regarding inspection coding prior to the meeting.
- Still no updated Appendix A for CPL 02-00-051. Explore the possibility of eliminating logging compliance inspection goal if logging activity remains of the Appropriations list next update.
- Sawmills have seen an increase in injuries. Gary inquired on thoughts about including sawmills in OPN 88H. How do we track data to support its inclusion? Could we/Should track sawmill injuries reported through amputation and serious injury reports? Lafayette Atkinson suggested that it was just a matter of pulling appropriate data and making the decision. Lafayette suggested it could be more appropriate to reactivate the Woodworking/Furniture OPN and Special Emphasis Program.
- Information from National Safety Council reported that fatalities were down 22% and recordable incidents 16% for logging operations. Gary was curious of the possible reasons for the decline, including: 1) Are the insurance companies up-charging rates or otherwise chasing out bad actors; 2) industry has become more effective policing themselves; and/or 3) less storm damage and less storm chasing.
- Compliance needs to continue to pursue inspections under this Special Emphasis Program and promote Consultative Services.
- Eric Smith reported that CSB has a logger that expressed interest in the Sharp Program.
- Be sure to code public sector compliance inspections as “tree felling” when appropriate

Open Discussion:

Continue to offer assistance and guidance where you/we can and provide referrals to Consultative or Compliance where appropriate.

When conducting inspections on construction sites, public sector, or other activities where the employer/employees are conducting tree trimming/removal operations, think about reporting OE Block #23b (Inspected) as either 561330/0782(0783) or 113310/2411. Please continue to mark the Emphasis/Initiatives blocks according to OPN 88H.

Next meeting for this meeting scheduled for Thursday, June 21, 2018.

END OF MEETING

/rj

Logging/Arboriculture SEP Team Meeting Minutes

12/14/2017

10:00 am – 10:45 am

3rd Floor Conference Room (ORB), Asheville, Charlotte, and Winston Salem Offices

Attendees:

<i>Asheville:</i>	Gary Thorpe, Michael Greer
<i>Charlotte:</i>	Rob Jacobson
<i>Raleigh (ORB):</i>	Kevin Beauregard, Scott Mabry, Fleda Anderson, Judyth Niconienko, Mildred Rivera, Marcy Collyer, Robert Oneal, Mark Rasdall, Gregory Greene
<i>Wilmington:</i>	Vaughn Rizzo

Meeting minutes from the last meeting were reviewed, SEP Chairman asked if there were any corrections that needed to be made. A correction to the attendance roster was noted and the minutes were approved.

CPL 02-01-045 (Previous Discussion)

- Gary expounded on the new logging inspection restriction covered in CPL 02-00-051, Appendix A, which exempted small loggers from programmed-planned inspections. Gary emphasized that compliance officers are to continue to follow CPL 02-00-051 guidance for logging inspection(s). He stated that he knows that our logging inspection numbers will be reduced, and that we may have to adjust our goals based on that reduced footprint.
- Kevin/Scott are working on possible changes to our Strategic goals and additional discussions will take place during the Strategic Plan meeting in April.
- A discussion of the use of an Intervention Report for employers in the logging industry with ten or less employees and subject to the limitations under the Appropriations Act (CPL 02-001-051). No inspection activities could be tracked with properly coded inspection reports.
- Paul Sullivan stated that it would be more appropriate to complete an Inspection Report (i.e. OSHA-1) opposed to an Intervention Report (i.e. Form 55) for triple zero/no inspections. This reporting method would be consistent with other no inspection/triple-zero activity. Paul stated that he believed that Supervisors should provide credit for a completed inspection on a CSHO's work plan where a CSHO attempted a logging inspection where the employer was subject to the Appropriations Act and the employer agreed to allow an inspection type walkthrough to identify hazards for correction.
- In such cases where a logger is subject to the Appropriations Act and the inspection report is marked no inspection/triple zero, send the employer a recommendation letter when violations are observed. A sample letter had previously been distributed to the committee via email. The Compliance Bureau Chiefs are reviewing the letter with the expectation that this letter could be included in the document generation tab in OSHA Express.

Old Business and Updates:

- Eric Smith has been involved in North Carolina Forestry Association videos highlighting Consultative Service Bureau and awaiting news of final edit. Link for the videos will be distributed to committee members once available.
- Fatality update -- A new fatality was reported. Current fatality rate is 0.07796.

Previous Open Discussion:

- Members are encouraged to disseminate material, references, and information whenever they can.
- Encourage CSHOs to conduct drive-by (self referral) inspections associated with logging, tree harvesting, tree removal (site clearing) and arboricultural operations. Remind CSHOs that the Special Emphasis Program is on the work plan and will get additional credit for these types of inspections. If a CSHO does not feel comfortable conducting such inspections, encourage them to report to Supervisor or another CSHO to schedule inspection. Please allow cross-training opportunities for CSHOs and trainees to accompany more experienced CSHOs on these inspections.

New Open Discussion:

- Compliance Supervisor and CSHOs should remember that “Logging” be marked under the Local Emphasis Description tab and “Tree Felling” be marked under Strategic Plan Activity Description tab on Inspection Reports for all inspections conducted under OPN 88H. This coding should be used for arborist, land clearing, chipper with chainsaw, or applicable public-sector activity. in addition to traditional logging activities. The “Logging” coding was a Federal decision and we need to follow those guidelines. Kevin Beauregard can provide Federal contact information regarding any coding questions.
- Industry guide update – The project is well on its way. No projected publication date. Alliance partners have had opportunity to provide feedback on the guide. The draft publication is with ETTA. A hard copy will not be published. The publication will be available via the NCDOL website in PDF format. The guide will be made available to Alliance members for their publication if they wish to do so.
- Kevin Beauregard asked if we had any recent contact or meeting with the NCFA/FMIC/CLA Alliance. Marcy Collyer reported that we have regular contact and interaction through an annual meeting plus any additional meetings based on special needs. Alliance members asked for support with the printing of materials such as quick cards for limb-locks. We were unable to support the request due to available Publication Division resources and labor intensive nature of making quick cards. Printing can be done for internal needs but not external needs. Alliance members are welcome to have our images and documents for their printing needs. The limb-lock quick cards information had been provided. Alliance members provided feedback for logging industry guide project.
- CSB asked if Gary needed data regarding consultative visits. Gary responded no since this information is available via existing monthly report.

Next meeting for this meeting scheduled March 22, 2018.

END OF MEETING

/rj