

**Kevin Beauregard - Director's Office**

- Supreme Court opinion on OSHA's ETS2 stayed standards effective 1/13/22
- Decision in NC still pending on Healthcare COVID Standard (aka ETS1)
- NCVIP interims launch for employees 1/18, management step 2/1-2/16
- BC FY2022 Strategic Goal Revisions meeting 2/22
- OSHSPA meeting scheduled 2/8-2/9 in VA switched to virtual due to COVID-19
- OSH Advisory Council appointments/reappointments completed. Meetings scheduled for May 12<sup>th</sup> (LBT) and November 3<sup>rd</sup>
- New Class and Compensation system to roll out this year
  - New Grade levels NG instead of GN
  - Increased ranges and minimums
  - Funds?
- Short Session Legislation
  - Penalties (OSHA maximum levels)
    - \$14,502 Serious/OTS, posting
    - \$145,502 Willful Repeat, minimum \$10,360 (Willful)
    - \$14,502 per day FTA
- Statute of limitations – change to Issuance of citations within 6 months of inspection date, as opposed to date of violation

**Scott Mabry – Assistant Director's Report**

- Keep an eye on compliance activity, our inspection numbers are lagging somewhat. It's likely that we will meet to discuss lowering our goals and submitting a revised goal to the Feds.
- Stay on top of postings and interviews. Don't let interviews drag on as we need to move these along as fast as possible. We can't afford to have any additional positions eliminated by the legislature.
- Don't be shy with your wish list items that Tammy has requested. We will have a substantial amount of lapse salary funds available.
- Let me know if you need any COVID PPE supplies.

**Wanda Lagoe – Education, Training and Technical Assistance Bureau**

- Trainer position closes this week.
- One Stop Shop contextual enquiry meetings this week with ETTA, Compliance and CSB.

- Survey on Spanish online training went out last week. Please encourage staff to respond.
- Survey sent out last week to staff to get input on preference for spiral or bound standard books. Placing order soon.
- Have 56 five or more serious violation letters that will be sent out by EOM per Construction SEP SMP goals.
- Have legal aspects going on this month. Jay worked with the AGs office on conducting it virtually.
- SHMS core course modules are being placed on the One Stop and should be completed in its entirety soon.

#### **Kevin O'Barr - Consultative Services Bureau**

- CSB expects to maintain a 20% safety vacancy rate until the federal budget is passed and implemented
- Kevin O'Barr will present Robbie Zimmerman with his service certificate in the Winston-Salem office on 1/24. Robbie's retirement is effective 2/1.
- CSB has a supervisor meeting this afternoon at 1:30
- CSB safety committee has its regular quarterly meeting tomorrow 1/19.
- The final two telematics upgrades for CSB cars were delayed by winter weather. They will be completed before the deadline.

#### **Beth Rodman- Agricultural Safety and Health Bureau**

- Preoccupancy
  - 2022: 1493 registrations, 444 inspections conducted, 287 certificates issued, 205 provisionals
- 2022 GS canceled. All GS growers have been notified via phone. J Haigwood is working with Commissioner on letter to be sent with certificates.
- Martina started on 1/12/22
- 1/31/22 – Roundtable discussion with USDOL W&H about human trafficking in Ag
- 2 open CFR files right now for a poultry inspection and one COVID-19 fatality.
- ASH IT program: Met with ImageSoft and NCDOL IT on 11/16/21, will resume meetings soon.
- Training for GAP Connections for various dates in February
- Staffing
  - Fully staffed
  - Office staff: 100% vaccinated; CSHOs (teleworkers): 66% vaccinated.
- Current meetings/groups - COVID-19 workgroup (once per month), Migrant Health and Housing (once per month), Farmworker COVID Vaccine task force (once per month),

Plant Outbreaks (monthly); farm machinery safety workgroup (periodic); Farmworker Vaccine Plan Project Management Team Advisory Group (twice per month)

#### Anne Weaver – Planning Statistics and Information Management Bureau

- Last week I met with Victoria Voight, Jill Cramer, Kevin, and Scott to discuss needed changes in disclosure procedures for PSIM and the Labor Section of the AG's Office, specifically related to contested cases and any files requested by the company or company attorney in conjunction with contested cases. As a result of the meeting, both the AG's Office and PSIM Bureau made changes to procedures and those procedures were shared between staff in PSIM and the AG's Office.

#### Nicole Brown- East Compliance Bureau

- Staffing
  - Newly hired HCO Trainee Alexander Lee, D10, resigned from his position, effective 1/21/22
  - District 10 currently have 2 employees (1 SCO in training and 1 SCO released)
  - Several staff in East Compliance have tested positive for COVID and/or had a family member test positive, which has resulted in them having to quarantine. HR is notified when staff is having to quarantine.
  - Admin conducting interviews today for the vacant Office Assistant position
- Training
  - OSH 100 training conducted 1/12/22 (all day)
  - Tech Writing training scheduled this week (1/19/22, all day)
- Non-Responders to the NCDOL Public Sector OSH Injury and Illness Surveys
  - Sent email to Legal Counsel for NC DHHS trying to get responses for 2 surveys; Mildred Rivera in PSIM was copied on the email, as well as the listed POC for NC DHHS, Lee Collins. They were given until 1/24/22 to provide the completed surveys
- Inspection files and CFR High Profile Cases
  - BC Brown has 2 files in queue under review

#### Paul Sullivan -West Compliance Bureau

- Personnel update
  - Current Status out of 56 CSHO positions (26 Health and 30 Safety).
    - **41 released CSHOs (73%)** – 21 Health (81%) and 20 Safety (65%)
      - HCO Kevin Cosgrove retired on January 3, 2022
      - SCO II Kirby Atwood is transferring to CSB effective 2/1/22.
    - **7 CSHO Trainees (13%)**

- SCO Arthur Richards, HCO Chris Bellis, and SCO Kevin Barnes should be the next CSHOs released on the first quarter of 2022. SCO Tracey Wolfe should not be far behind.
- **8 vacancies (14%)**
  - We've recently had applicants from WA OSHA and Virgin Islands OSHA.
- Notable fatality cases where citations have recently been issued or are nearing completion:

CURRENT CASES (NOT YET ISSUED)

- **Jessie Lane's Landscaping & Trucking, Inc. (318226818)** – fatality where a dump truck driver was pinned between the bed of his truck and a skid steer. Two serious citations are pending for the lack of jobsite inspections and training, with a penalty of \$4200. The file has been approved by the BC.

PREVIOUSLY ISSUED FATALITIES

- **The Conlon Company (318224631)** – fatality where an employee was crushed when the UTV he was driving overturned. Two serious citations were issued on 1/13/2022, with a penalty of \$13,300.
- **Rowan Regional Medical Center (318226024)** – fatality where a Patient Access Specialist was infected with COVID and died. Three serious violations related to the lack of eye protection and N95 respirators when working with suspected or confirmed COVID patients (including one under the ETS) were issued on 12/16/2021, with a penalty of \$14,000.
- **Knapheide Truck Equipment Company Midsouth (318226644)** – fatality where a 26-year-old employee was asphyxiated after connecting his air supplied respirator to a nitrogen line. Citations for four serious violations and one NS violation for respirator and hazcom violations were issued 1/6/2022 with a penalty of \$13,125.
- **Hounds Ear Club, Inc. (318221348)** – fatality where an employee cleaning gutters from the roof fell 20 feet to his death. Citations for one WS and one S violation were issued 11/8/2021, with a total penalty of \$46,200k. The citations have been contested.

- **3M Company dba 3M Scott Fire and Safety (318223138)** – fatality where the HR employee was asphyxiated while transporting 200 pounds of dry ice in her personal vehicle after purchasing it at Harris Teeter with the company credit card. Citations for one willful serious, one serious, and one NS violation were issued on 11/24/2021, with a total proposed penalty of \$81k. An ISA was executed reclassifying the WS item to Serious with no change in penalty. Additional stipulations were included in the ISA. The citations are now final order.
- **31-W Insulation Company (318223740)** – fatality where a truck backed-up and ran over an employee who was loading product into the truck. Citations for three serious violations were issued on 11/29/2021, with a penalty of \$12,975. An ISA was executed in this case reducing the penalty to \$12,100. The case is closed.
- **S.M. Smith and Sons, Inc. (318220688)** – fatality where the operator of a Caterpillar compactor was ejected and killed when it rolled over. One serious citation was issued on 11/12/21 for not using a seat belt, with a \$4200 penalty. An ISA was executed in this case reducing the penalty to \$3780 in exchange for stipulations. The case is closed.
- **Waste Management of the Carolinas (318222080) and City of Winston-Salem (318222098)** – fatality where the Waste Management employee was struck and killed by a bulldozer operated by the City of WS at the Hanes Mill Road landfill. One GDC citation was issued on 12/6/2021 against the City of WS for not establishing and implementing methods to ensure pedestrian safety on the tipping floor, with a \$7000 penalty. An IC has been requested by the ER

**Judyth Forte – State Plan Coordinator**

- NOK – Contact regarding Insp 318222080 Waste Management of the Carolinas. Wife was wanting a follow up on a file request. PSIM was notified the case is closed but due to there being an attached case file that is not yet closed the file is not available to be release.
- ETS response was sent.
- Kim is currently working on the FAME and will be requesting information.