

**Jennifer Haigwood - Director's Office**

- Draft Heat Stress Standard
  - The group met after our last BC meeting (Oct. 25) to share the final versions. Commissioner, Scott, Julie and Jennifer agreed to contact 5-6 stakeholder groups each to discuss and share the drafts.
  - All stakeholder groups now have copies of the draft standards and we have asked the groups to provide written feedback by November 30. We will consider stakeholder meetings after the beginning of the year.
- OSH Advisory Council meeting held on Thursday, Nov. 3
  - Big thanks to Wanda, Lee and Paul for their presentations
  - We discussed, and the council members asked questions related to, the penalty increase, statute of limitations change and the proposed heat stress rules
  - Please think about ways we can make these meetings more engaging for members in the future.
- Meeting with Juanita Constible / Toxic Free NC – November 15
  - Jennifer called Juanita last week to let her know that NCDOL has also come up with a draft standard
  - We each shared our respective drafts with the other group so that everyone can have a chance to review and be prepared to discuss before the meeting
- Tree Care Industry Association Alliance
  - Attending the TCIA Expo at the Charlotte Convention Center on Thursday to participate in the Alliance signing with the Commissioner
- Employee Recognition Banquet
  - Registration closes tomorrow
  - Please encourage employees to stay for the banquet – great door prizes will be involved!
- Bordeaux Partnership Meeting
  - The partnership committee, led by Bruce Pearson, hosted Bordeaux Construction at LBT on October 31
  - Bordeaux is seeking a partnership agreement covering their project at the Fort Fisher Aquarium.
  - The partnership committee declined to enter into an agreement at this time due to an open compliance inspection with the company

**Paul Sullivan – Assistant Director's Report**

- Nicole will be out a couple weeks due to the death of her father. I'll be covering for file review and Chris Moore will be the after-hours POC.

- Update on the Heat Stress Prevention standard, including questions and feedback.
- Periodic training is next week. Here is the final list of presentations so far for the Case Studies module on Monday afternoon:
  - Katie Perry – Food truck electrocution fatality (multiple citations)
  - Amber Hartis – 3M dry ice fatality (Willful GDC citation)
  - George Calvery – Waste Pro fatality (Willful GDC citation)
  - Griselle Negron – Lance fatality involving lack of lighting (GDC citation)
  - Rob Maedje – skylight fatality (willful citations, multi employee worksite)
  - Mike Saye – Around the Clock Tree Service fatality (GDC for lack of hinge wood)
  - Paul Sullivan – Silica SEP case and order

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

- Trainer, Admin and Recognition Program Assistant positions are posted. Marcy set up interviews for Jay's position this week.
  - May change the health trainer position to a trainee if no qualified applicants this next go around.
- Still moving along on One Stop.
- LaMont has been scheduling the interviews for the recognition program assistant.
- Annual training schedule is looking good. Will have jury duty that week so I won't be there.
- LaMont has been scheduling the interviews for the recognition program assistant.
- Will be working on setting up webpage for complaints per the action request that Grant mentioned.
- Core courses on the calendar include initial compliance and technical writing for January.

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

- CSB advertised and received a referral list for its safety vacancy. It was advertised outside the agency.
- Kevin O'Barr will be presenting to the boiler bureau next week at McKimmon completing the cross training between the two bureaus.
- Mark Luniewski's mom died yesterday 11/7. He will be in Pennsylvania this week.
- I am out of town this week assisting my parents – if you have trouble reaching me, Fleda and Nelson are available for any emergencies.
- Shirley Curtis is assisting with ETTA interview at LBT this week.

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

- Preocc Stats 2022: 2118 registrations; 2049 inspections conducted, 2012 certificates issued, 680 Provisionals (0 remaining)
- Preocc Stats 2023: 357 registrations; 3 inspections conducted, 2 certificates issued, 0 Provisionals (0 remaining)
- End of year activities: 2023 District Map has been finalized, EOY letter and reg forms were mailed out. Beth is working on GS agenda, awards, presentations, etc.
- FLC training: 2 Farm Labor Contractor training events were conducted. One was held in Clinton, NC on October 19, 2022 (8 FLCs attended), another was held in Wilson on October 26, 2022 (21 FLCs). ASH staff presented on housing and Heat. Final numbers TBD.
- ASH IT program: Meeting three times per week to discuss concerns. Training for new program was conducted for ASH staff on Nov 2<sup>nd</sup> and 3<sup>rd</sup> at LBT. This was first time I had seen the program in its finished state. There were a lot of problems during training with functionality, processes that were inconsistent with procedures, etc. We are in testing phase.
- Compliance: Fatalities: Metrolina (CFR meeting conducted on 7/18/22); Bottomley Evergreens (Fatality meeting scheduled for 8/17/22); Murphy Brown (may be 000; waiting for more information from ME but nothing to indicate it was work-related so far); Fryar Farms (may be triple zero; CSHO still gathering information); Poultry Labor Services (CFR meeting scheduled for October 28, 2022)
- Staffing: 5 released, 2 in training. Danielle's last day was October 31, 2022. Open position closes today, was posted from 10/25/22-11/8/22.
- Current meetings/groups - COVID-19 workgroup (as needed), Migrant Health and Housing (as needed), Farmworker Vaccine Plan Project Management Team Advisory Group (once per month)

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

- PSIM has reached a 97% response rate for the Public Sector Injury and Illness Survey. The remaining non-responders (100 surveys) will be contacted by phone and/or email beginning next week.
- Disclosure training continues for REDB staff and will be prolonged due to one of the trainees being out some until the end of the year. There are 69 outstanding REDB non-public requests pending with PSIM, which are being redacted by REDB staff during their training period. PSIM currently has 698 total outstanding OSH disclosure requests. Four

hundred thirty-four (434) of those are currently not releasable to requesters, leaving 264 requests that are releasable pending the redaction process.

- As a result of issues at a Review Commission hearing with certain forms within OSH Compliance files (East and West Compliance Bureaus and ASH Bureau), which are documents within case files that are considered to be covered by attorney/client privilege (case file summary, communication log, OSHA notes, employer and employee confidential information log, and informal conference notes), the headings of these forms will be revised as needed by Compliance to clearly indicate to anyone internally or with the AG's Office reviewing any file that these documents should be treated as confidential. As with any other confidential information contained in case files (except for covered medical records or copyright protected material – which would be replaced by an insert in the case file to describe the referenced copyright protected material), Compliance staff will continue to include these type documents in certified copies of files that are provided to PSIM or the AG's Office.

#### **Nicole Brown- East Compliance Bureau**

#### **Lee Peacock -West Compliance Bureau**

- Personnel update
  - Current Status out of **55 CSHO positions** (26 Health and 29 Safety).
    - **39 released CSHOs (71%)** – 20 Health (69%) and 19 Safety (66%)
      - There are also two HCOs that were previously released SCOs. They are technically in training, but still available to do inspections, so the HCO release rate is actually 77% when including them.
      - SCO Stephen Way (D6) released 11/01/22
      - SCO Jeffrey Johnson (D4) released 11/01/22
      - SCO Russell DeShield and SCO Jennifer Hartle returned from Medical & Personal Leave
    - **9 CSHO Trainees (16%)**
      - As noted above, two HCOs in training have previously been released SCOs.
    - **9 current vacancies (16%)**

#### **CURRENT FATALITIES**

- **Cassell Electric (318250867)**- Employee underneath house performing electrical work and electrocuted; occurred on 08/22/22. CSHO Working on Report

- **The Proctor & Gamble Mfg. Co (318243474)**- Employee struck by tote that fell. Citations issued on 11/2
- **Principle Long Term Care (318250776)**- Er had patients and staff contract COVID. Employee tested positive for COVID on 8/15/22 then deceased. Fat Update Meeting 11/18.
- **Garden Villas Heritage (318250107)**- Employee working on crawl space and was electrocuted. Occurred on 08/08/22. Supervisor reviewing.
- **Home Depot (318251006)**- Employee fell from ladder. Occurred on 08/23. CSHO working on inspection.
- **Dee's Custom Homes (318246857)**- Employee fell from ladder or scaffold. Occurred on 06/19/22. BC Reviewing
- **Carl Rose & Sons (318246295)**- Employee was operating a compactor/roller when it rolled off the shoulder and fell approximately 25'. Occurred on 6/15/22. BC reviewing
- **Rosendin (318248994)**- Employee was found partially laying on pipes at ceiling level. Employee was working around an electrical junction box which was uncovered and contained potentially live conductors. ME's office is waiting on toxicology results before ruling on manner of death. CSHO working on report.
- **Wallace Industrial (318245255)** – fall from elevation fatality where a contractor cleaning the inside of large ductwork fell 70 feet to the inside of a cyclone after the PFAS yo-yo cable broke. Fatality meeting has been conducted and CSHO will be recommending multiple citations involving fall protection and confined space entry citations. BC reviewing file.
- **Granges Americas (318245446)**- struck by forklift at an aluminum rolling mill. Fat Update meeting completed; CSHO working on report.
- **Speck Builders (318247715)**- employee fell from elevated basket lifted by rough terrain forklift which did not contain a fall protection system. Fat Update meeting completed and CSHO working on report.
- **Brindle Site Services (318247723)**- trench collapse. Recommending potential willful citations for no protective system and inspections. BC Reviewing.
- **Tyson Farms (318249380)**- An employee was walking behind a trailer being moved by the shuttle driver and was struck. BC Reviewing

#### Safety and Health Conferences/Schools:

- Western Carolina- Wrapped up last week; approximately 70 attendees
- Charlotte- Oct. 14- 172 attendees

#### NCDOL & NCDEQ

- PSM MOU signed- sent to LAD and ETTA to post on OSS

**Judyth Forte – State Plan Coordinator**

- OSH Advisory Council Meeting 11.03.22
- Quarterly Meeting will be on 12.01.22
- Working on the SOAR report. I will be sending out requests for information. Also, I am having PSIM run our numbers at the end of November so expect a couple more request for information or checking on some of the numbers (Paul)
- I am on leave Thursday 10<sup>th</sup> Nov.