



OSH POLICY: MAXIMUM COMMUTE DISTANCE FOR OSH COMPLIANCE

ISSUED: February 1, 2019

EFFECTIVE DATE: Immediately

The Department of Labor's Occupational Safety and Health Division has historically responded to catastrophic events within the State of North Carolina that involve injuries to employees. The need for such a response became more evident after the historic Imperial Foods processing plant fire in Hamlet, North Carolina, on September 3, 1991, in which twenty-five employees died and more than forty other employees suffered serious injuries. No OSH Compliance employees were located within a reasonable driving radius of the catastrophe. Whereas, NCDOL has previously had an unwritten commute policy that applied to OSH compliance officers, management has discerned the need for such a policy to be more clearly defined and to be set out in writing.

The OSH Compliance Division currently has eleven (11) district offices located in five (5) geographic locations across the State of North Carolina to include Wilmington, Raleigh, Winston-Salem, Charlotte, and Asheville. These geographic locations allow for the supervisors and compliance officers to be within a reasonable commute distance to the employers they are charged with inspecting for the purpose of enforcement of the Occupational Safety and Health Act of North Carolina.

This Maximum Commute Distance Policy is intended to establish guidelines for a reasonable and consistent commute distance for those compliance officers, supervisors, and bureau chiefs based in the OSH districts.

A commute distance is defined as the distance between an employee's residence and his/her assigned district office (the shortest drive, not a straight line). For the purpose of this Policy, a maximum commute distance of no more than fifty (50) miles from the employee's residence to the assigned district office has been established.

This requirement shall be included on all compliance job postings.

Purpose

The purpose of this Maximum Commute Distance Policy for OSH compliance officers, supervisors and bureau chiefs is to allow such personnel to be within a reasonable driving distance of their district should there be a catastrophic event that requires them to access a location in their district within a reasonable amount of time to begin the inspection process. It is also important for employees to be readily accessible for all other types of compliance-related activities.

Policy

This policy applies to all probationary and permanent OSH compliance officers, supervisors, and bureau chiefs. For new hires, during the interview process, a copy of this policy will be shared with the applicant. Once hired, the new employee will be required to provide proof of residence via a NC driver's license on the date of hire. If the new employee does not currently reside within the required distance, they shall have ninety (90) days from the date of hire to relocate to a residence with a commute distance of no more than fifty (50) miles from the residence to their assigned district office. If an employee transfers or is promoted into a position in another district, they will be required to show proof of residency within ninety (90) days of the personnel action.

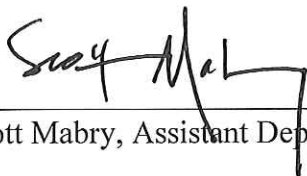
Exceptions

Current compliance officers, supervisors and bureau chiefs as of February 1, 2019, who live more than fifty (50) miles from their assigned office location, are grandfathered into this policy and will not be required to move within a fifty (50) mile commute of their assigned office location as long as they maintain a "meets expectations" on their annual performance evaluation. If an employee fails to receive a "meets expectations," they will be placed on a performance improvement plan. If improvement is not achieved within a 60-day performance improvement plan period, the employee will be required to move within a fifty (50) mile commute of their assigned district office. The employee will be given 90 (ninety) days to move. Failure to comply could result in disciplinary action up to and including dismissal.

Responsibilities

This is an internal policy that will be administered by the Department's OSH Division and applies to compliance officers, supervisors, and bureau chiefs employed within the OSH Division subject to the exceptions stated above.

OSH management, with the assistance of the NCDOL Human Resources Division if needed, will perform random checks to confirm that compliance officers, supervisors and bureau chiefs maintain their residences no more than a fifty (50) mile commute to the district offices to which they are assigned.



Scott Mabry, Assistant Deputy Commissioner, OSH Division

2.1.19

Date