



Statewide Supv. Mtg. 2/9/17

Robby Jones  
Nicole Moore

Ben Harris

Nesha Hill

Aura Crawford

Hollis Yelverton

Kew O'Bar

Fleda Anderson

Kaye Thibodeaux

Ladayette Atkinson

John Saunders

Danny Jones

LaMonte D. Smith

Guthrie Richardson

Jacqui Spangle

Lee Pearson

Bruce Miles

Anne Weaver

Regina Colles

Lane M. Sullivan

Jennie Craig

Kim Beazley

Scott Mabey

Harry Allen

Nicole welcomed everyone to the meeting and introduced Cynthia Richardson, AA for Lake Boone Trail.

Director's Office – Kevin Beauregard

- Jane Gilchrist will be leaving the department at the end of the month. She will be going to work at the NC Department of Public Safety.
- Everyone should be working on their interims in NCVIP; there are 3 steps (employee, manager, and employee review).
- The OSHA meeting was last week. Federal OSH is in limbo, as there is no direct leadership at the moment. There was a lot pushed through in the last 6 months and they are unsure what will be approved and/or stayed. They do not want to move forward with rulemaking if they will not be adopted. Some of the items in discussion are beryllium, silica, injury/illness tracking (OSHNC was going to use this for public sector reporting), recent directives (psm and workplace violence) and penalties (promulgated the rule, but it can be rescinded). If the penalties are not rescinded, we will act next session.
- The Secretary of Labor nominee is Andrew Pudzer.
- The annual report is being completed. They are awaiting figures to finalize the report, as it is due next week. Annual reports are posted on line and staff are encouraged to review them.
- A budget request was put in for OSH and IT (to pay for servers). With the administration change, we were required to resubmit the request.
- An across the board funding request was made to address salary issues.
- The job reclassification is on hold; not sure if the new administration will stick with the reclassification or develop something else.
- A meeting with FAN was held. There are concerns with bathroom issues. Case Farms was mentioned.
- Quarterly meeting with FedOSH is scheduled for 02/22/17.
- The Feds have gone to some State Plans asking them to codify their VPP programs; the Commissioner has indicated that she is interested in such.
- We have had an increase in fatalities in Mecklenburg County; productivity is down due to the vacancy rate. We may be looking at doing additional outreach and compliance activities with other districts.
- Incompliance rate is up significantly 42-43%. The number of violations is averaging about 3 per inspection (1.5 serious and 1.5 non-serious). We have had to hire some people that may not have as broad a scope of knowledge. Robby and Nicole have done some hazard recognition training and they will continue those efforts.
- There have been a lot of complaints from American Airlines (Charlotte and Raleigh offices affected). They have switched their uniform manufacturer. The employer has done some testing on the uniforms and nothing has been detected that is concerning or that we can address at this time; it appears the employer is taking action. We recently received an identical complaint from Piedmont Airlines, who is a subsidiary of American Airlines. The same thing happened several years with Alaskan Airlines. NOTE: Lee has followed up with the ER and was told legal counsel is holding the testing information and not providing a report at this time.
- NCDOL will have a COOP exercise (emergency process for contingency plan); it will be a brief overview meeting and will involve a handful of personnel.

- Vacancy rate - turnover has stabilized (currently 18 vacancies); most of them in compliance.
- There is now legislation in place that if you have a vacancy for more than a year you could lose the position. If you are having difficulty filling a position, talk with your BC and let's consider moving the position into another field office and moving it back when another position opens up.

#### Director's Office – Scott Mabry

- Cases on the 45 and 90 day reports are going up; let's focus on bringing them down. There are several with very high lapse times.
- Work on the annual report is taking place.
- Office visits will take place shortly to assess supervisor and CSHO needs. Any assistance would be appreciated.

#### Staff IH – Ric Schumann (not in attendance, report was sent prior to the meeting)

- Paul asked why we continue to get referral/complaint number updates when they are available in OE. BC Brown indicated the information is reported because Ric had been requested to show the increase in referral activity. In addition, it lets the supervisors know the volume they process to help explain why there may be a delay in getting some things processed.

#### ASH – Regina Cullen

- Gold Star meeting was held the week of 1/30/17.
- A recent training session at NC State was discussed. Regulators came in to talk to the group, USDOL, ASH. The moral of the story is there is work to be done.
- About 3.5 years ago, NCDOL received a CASPA. However, OSHA is only supposed to take the complaint if it meets specific criteria; the complaint alleged they were not doing ash activity. After the investigation was completed, they received a glowing letter stating otherwise.

#### PSIM – Anne Weaver

- New general schedule assignments were uploaded in January.
- The OFIR data was just verified for communications annual press release. There were some issues that had to be resolved. Karen sends the report out monthly for verification, please ensure it is correct.
- There was discussion regarding the occupation column and where the data comes from. Anne stated the standard is laborer, but if the BCs would like to make a change they can get with Karen to have it corrected. Robby recommended Karen look at the Investigation tab (OSHA 170) for the most reliable information.
- The question was posed "which NAICS code do we use to categorize the fatality on the OFIR?" Response - PSIM uses the primary NAICS code. Robby discussed a case that was in Doug's district where the primary NAICS was a general industry code, but the activity was construction.

#### Legal Affairs – Jane Gilchrist

- CSHO available dates should be sent to Carla by the date requested.
- They have received a notice of docketing on American Airlines.

- If a CSHO encounters a problem when requesting copies of officer or ems reports, let her know. There is a standard form letter that we can provide for requests.
- They have completed department wide DMV checks. Checks will continue on new employees and randomly. Employees are to notify their supervisors if they receive a moving violation.
- Equipment going to surplus should be cleaned out, to include hard drives from computers and printers. ITs policy is to remove the hard drives prior to being surplus.
- Her last day with the department is 02/28/17.

#### ETTA – Lamont Smith (STAR)

- They are celebrating their 71<sup>st</sup> year of the safety awards. Most banquets have been scheduled and applications are being reviewed.
- The 21<sup>st</sup> Annual Star Conference is scheduled for September 19-22, 2017.
- The 9<sup>th</sup> Annual Special Star Team Member (SSTM) training is coming up, March 1-3, 2017 in Raleigh and March 15-17, 2017 in Greensboro.

#### ETTA – Hollis Yelverton (Standards)

- Kevin Beauregard was asked if walking working surfaces was one of the standards put on hold. Kevin stated there has not been a lot of talk of that particular one.
- They have a new standards officer, Melissa Scally. She has put together a color coded comparison for the old and new walking working surfaces standards. A draft was sent to the BCs.
- The confined space in construction saves have been drafted and are under review. They will be uploaded soon.
- There are a lot of old publications in the offices. Please review them. If they are not the most current version, recycle them. The test is to see if it is the current version on the NCDOL website.
- Standards has a new administrative person, Michelle Schmitt. She is managing publications and assisting Nick in the library.

#### ETTA – Marcy Collyer (Training)

- Ed Geddie recently sent out updates to the FIS, which included a frequent asked questions for presentation guidelines and photo review guidelines. These will replace APN 27. If you have not read them, please do so. The photo review guidelines are for everyone.
- James Washington is reviewing all of the photos, as well as graphics. Any photos needed for presentations should be send to him as soon as possible to allow adequate time for review.
- Presentation development guidelines should be followed for presentations, including one time use presentations. It provides guidelines for using the standard template (from Carl) and how to develop the presentation. It does not have to be reviewed by ETTA, but if you would like it reviewed, they are willing to do it, if you can allow adequate time.
- The question was posed “once a photo is approved, can it be used in other presentations?” Response – yes, but for any photo being used, the reference must be incorporated in the presentation.
- Internal training – half of the calendar has been posted.

- Cory will be sending out a proposed agenda for annual training after meeting with the management team. There are a lot of training needs due to turnover.
- Logging training will be offered again this year. They are working with our alliance to host the logging training. If you have people you know will do the inspections, they need to be signed up for the class. They are offering to provide the training for free in exchange for NCDOL providing a donation letter. They also obtained a grant to supplement the food, lodging, and other expenses.
- For webinar training, they are in the process of changing systems. The new system will allow more participants and will process certificates for immediate distribution.
- The training division of ETTA, extended a thank you to OSH Management and the staff for assisting with the training this past year.
- PSM training just wrapped up and it was, by far, the best class they have ever had. Reviews were very positive. Howard Laurie and Paul Chavis did an excellent job.
- Upcoming excavation training is limited to 20 employees per class, per the instructor.

#### Human Resources – Angela Hamilton

- NCVIP “Inbox” Quick Reference Guide will be added to transcripts.
- Supervisors were provided with the current NCVIP status of their direct reports.
- If you are interested in changing goals for next year, now is the time to start thinking about it.
- If you have a question related to NCVIP, it can be emailed to [ask.ncvip@labor.nc.gov](mailto:ask.ncvip@labor.nc.gov) and Angela or Terri will answer.
- New employee’s goals will have to be entered.

#### Human Resources – Terri Harris

- Draft policies are in the works for performance management and discipline. Once reviewed, they will be going to OSHR.
- There was discussion on managing performance and tracking core values.
- The Employee Assistance Program was discussed. See attached brochure.
- Training courses through the LMS were discussed.
- There was discussion on employees transferring from other agencies or departments and how to address the NCVIP process. It was noted that if the other agency does not close out their goals, NCDOL can contact that agency or supervisor requesting a document that summarize how they performed.
- A “One on One Meeting Form” was handed out. It suggests managers meet with employees once per month to keep communication continuous. Statistics support that communication improves morale and overall productivity.
- The question was posed “do you have advice/ information we need to know relating to grievances?” It was noted that progressive disciplinary actions are grievable, written warnings are not.

#### Consultative – Kevin O’Barr

- They have (2) open positions, East Supervisor and a consultant.
- 1.5 annual mailing went out in November. There were 225 letters to non-responders.

- NAICS 4244XX – mailed 200 letters to provide information on the SEP and the services CSB provides.
- The question was posed “does anyone need to know the deferrals on any given date?” Response – “not really if the database is updated frequently”.
- Private Sector 21D audit is coming up in February.
- The question was posed “how can compliance see previous years of who was mailed a 1.5 letter?” There was discussion of posting previous years of the F drive.
- It was noted that if the corporate headquarters are not in NC, the 1.5 letters are not mailed to the employer.
- They have proposed a change in legislation regarding the amount of time insurance companies have to notify the rate bureau of changes in rates.

#### OSH Review – Laura Crawford

- Posed the question “is there any value of sending IC files to the AGs office first?” Response – “no, send to BCs and director’s office first”.

#### Compliance – Bureau Chiefs

- Reviewed the supervisor meeting discussion topics, see attached.



# OSH SUPERVISOR MEETING NCVIP/ER/TRAINING UPDATES

February 9, 2017

## 1. NCVIP Updates

### Technology

- NCVIP "Inbox" Quick Reference Guide will be added to transcripts
- Status of Interim Reviews
- Goals for 2017-2018

### Policy and Process

- Draft PM policy going to HR Commission in April
- Managing performance
- Core Values tracking

## 2. EAP

### Manager Support

- Available 24/7 with unlimited access
- Supervisor training
- Newsletters
- [www.mygroup.com](http://www.mygroup.com)

U: manager

P: manager1987

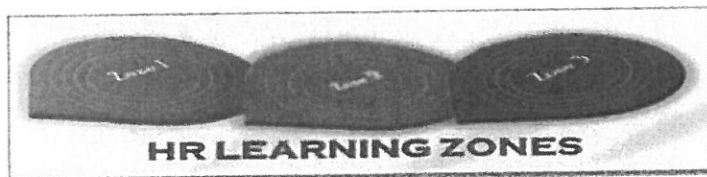
### Other resources

- Skill Builders
- Articles
- Webinars

## 3. Training

HR Learning **Zone 3** on LMS home screen for supervisors.

- Organizational Effectiveness
- Emotional Intelligence
- Compliance Training



## Reasons to Use

An EAP is designed to help with all kinds of life situations. Examples include, but are not limited to:

- Marital difficulties
- Family problems
- Parenting
- Stress
- Balancing work and family
- Relationship issues
- Work-related concerns
- Depression
- Alcohol and drug use/abuse
- Grief and loss
- Elder care
- Healthy living
- Crisis events



**www.mygroup.com**  
**User: nclabor**  
**Password: guest**

## How to Access

Simply call 888-298-3907 or 704-717-5295 to access the NC EAP. An employee assistance professional may assess your situation prior to scheduling an appointment to ensure that you are receiving the most appropriate care.



**McLAUGHLIN YOUNG GROUP**  
A People Approach To Profitability

CORPORATE HEADQUARTERS | McLAUGHLIN YOUNG GROUP  
5925 CARNEGIE BLVD | SUITE 350 | CHARLOTTE, NC 28209  
888-298-3907 | MYGROUP.COM

**Supervisor/Manager Login**  
**www.mygroup.com**  
**User: mygroup**  
**Password: manager1987**

**The Best Kept  
Secret at Work**





## What's the Secret?

Your employer knows that there are times when life and work can be stressful. That's why they have partnered with McLaughlin Young to provide you with an employee assistance program (EAP). An EAP is an agency-sponsored benefit that offers the support and resources you need to address personal or work-related challenges and concerns. Best of all, it's free for you and your household.

## You are Covered

McLaughlin Young offers you and your immediate household members unlimited access to:

- Free, confidential help with personal or work-related concerns
- Referrals to other sources for assistance
- 24-hour emergency coverage

## EAP is Confidential

Confidentiality is an essential part of the EAP. Your company will not know of your participation in the services nor have access to any information without your consent. The only exceptions are when someone's safety is in question.

## How our EAP Works

When you call the EAP, you are offered a needs assessment by an experienced, licensed counselor. If it is determined that the concern can be resolved through problem-solving sessions, the employee assistance professional will assist in resolution. If it is determined that a referral is needed for ongoing support, the EAP will connect you with the most cost-effective resources for care.



SUPERVISOR MEETING DISCUSSION TOPICS for Feb 2017		DISPOSITION OF TOPIC
Update from the Director		
Update from the Assistant Director	Kevin	
Update from Staff IH - Complaint Desk, Accidents, Action Requests	Scott	
Update from ASH	Ric	
Update from PSIM	Regina	
Update from Legal Affairs	Anne	
Update from ETTA	Jane	
	Lamont, Marcy, Hollis	
Update from HR	Renathe, Terri	
Update from Consultative	Kevin	
Update from AG's		
Since the admin in Raleigh who processes sampling invoices has retired, Ric is temporarily handling these duties. To assist him, send an email to him when you ship samples for testing. Include the inspection number, company name, substance being tested and how many samples are being tested. In addition to samples that are shipped for analysis, please have CSHOs send me a note when they are ordering media. Some media has a fee and if not, Analytics still sends an invoice for FedEx shipping charges if we ask for next day. If it is regular ground shipping, there is no charge.		
Please double check figures/info for your district, as we don't want OFIR fatality counts changing after this info is published. Keep this up to date monthly.		
It is possible for a employer reported accident to start as RRI and turn into a referral inspection (similar to complaints handled initially by letter turning into an inspection). If we want to maintain statistics for those employer reported accident referrals that were investigated via RRI only, then if an RRI turns into an inspection the "RRI" coding should		

<p>be removed. However, the referral investigation information would then need to be included in the inspection report (otherwise there will be questions about the delay in responding to the reported accident). My recommendation is to remove the “Yes” under RRI for those that result in an inspection, as that way we could accurately report on the # of RRI’s ( Rapid Response <b>Investigations</b>) and all others would count as referral <b>inspections</b>. If we want a way to differentiate between referral inspections from employer reported accidents and all other referral inspections conducted, then we would likely need a code (emphasis code or other code that would allow filtering by OE IS Report). Currently there is no way to filter referrals based on employer accident reports and all other referrals (they are all classified as referral inspections). It will likely depend on what info PSIM wants to include in the Annual Report and/or whether or not OSH wants to be able to look at stats for each category of referral investigations and inspections.</p>		
<p>Our compliance role as a State Plan OSHA program is both regulatory and preventative. I don’t believe it is in the best interest of employee safety and health to wait until we see employees in high hazard industries exposed to specific hazards, prior to initiating preventative compliance actions. If that is necessary, there is no need for a compliance portion of the SEP, as we already have authority to initiate an inspection in instances where employees are exposed to known hazards. The primary purpose of the SEP’s is to be proactive to prevent accidents and fatalities, rather than to be reactive (post exposure). We may want to include more statistical support of construction and logging injuries, illnesses and fatalities in those SEPs to better support the preventative approach. Scott will be attending the upcoming Construction SEP and can fill everyone in regarding the rest of our thoughts on the Construction SEP. I think we can also use the same approach to logging.</p>		
<p>In an effort to keep State Plans and Consultation informed of current OSHA activities, attached is the latest memorandum on the <i>Replacement of Appendix A for CPL 02-00-051, Enforcement Exemptions and Limitations Under the Appropriations Act</i>. The new Appendix A, now effective for any inspection opened as of January 10, 2017 and thereafter until the next revision, contains the latest Bureau of Labor Statistics’ (BLS) occupational injury rate data at the most precise industrial classification code. It will also be added to</p>		

<p>the electronic version of CPL 02-00-051 on OSHA's website. In addition, this memorandum provides the most recent listing of the North American Industry Classification System (NAICS) codes for industries with a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate below the national private sector of 1.6 for 2016.</p>	
<p>The Following Standards and Saves (thank you Ed) have been added to the OSHA Express. NC automatically adopted all of these standards and will be expected to enforce them, so we will need to be able to cite them in the OE. Federal OSHA just released their build to their OIS site and the standards were included in their new OIS release. The CFR can be viewed at: <a href="http://10.35.133.11/ETTA_One_stop/userfiles/file/CFR/cfr127h.pdf">http://10.35.133.11/ETTA_One_stop/userfiles/file/CFR/cfr127h.pdf</a></p> <p>The penalty structure has been set on the <b><u>Administrative Penalty</u></b> side in the OSHA Express. This will mean that you <b><u>will not use</u></b> the Severity (14a) or Probability (14b) Rationale For Penalty Calculations in the OSHA-1B worksheet. Credits and Evaluations for Size (14e) and History (14h) are allowed on the OSAH-1B worksheet. The standards are classified in block (5b) <u>N</u> (Non Serious)</p> <ul style="list-style-type: none"> <li>o 1904.35(b)(1)(i) (procedure for employees to report injuries promptly) \$1000</li> <li>o 1904.35(b)(1)(ii) (inform employees of employer's reporting procedure) \$1000</li> <li>o 1904.35(b)(1)(iii)(A) (inform employees that they have the right to report injuries and illnesses) \$1000</li> <li>o 1904.35(b)(1)(iii)(B) (inform employees that employers are prohibited from discharging them or discriminating against them for reporting injuries and illnesses) \$1000</li> <li>o 1904.35(b)(1)(iv) (employer cannot discharge employees or discriminate against employees for reporting injuries and illnesses) \$5000</li> </ul>	

<p>The preliminary data indicates that 40% (20) of fatalities in FY2016 were Struck-bys. The next highest event category was Falls at 24% (12). Please make sure your staff is emphasizing these areas when in contact with employers/employees. If you are going to take leave, Wednesday appears to be the best day of the work week to take off if you want to avoid being killed at work.</p>		
<p>OE Fatality processing, 000's, all fat/cat investigations and inspections will have the "investigation" tab completed. (All 36's will have a 170, for all you "old-timers".)</p>		
<p>Discussion on "proximate cause" vs. direct, indirect</p>		
<p>Safety and health evaluation from in OE</p>		
<p>When mileage is this low, it is more advantageous for the state for her to use a state car or her personal car. I would recommend using 100 miles as the threshold for using a rental.</p>		
<p>Appropriations act CPL 02-00-051 Enforcement Limitations and Exemptions under the Appropriations Act (App A updated) - I notice that Logging is exempt this year. I ran an inspection summary report for NAICS 113310 for 1 to 10 employees and found that we conducted 43 inspections (out of 49) for FY 2016 that were coded as SEP. This will severely impact the Logging SEP numbers.</p>		

**Confidential Data is being shipped to surplus. Please help us protect you, your staff and your agency!**

Recently we have seen an increase in the amount of property sent to State Surplus Property Agency that are filled with documents/items that are either of a confidential nature or would bring embarrassment to The State of North Carolina and the surplussing agency. As part of the surplus process, it is the agency's duty to ensure that confidential information is removed before the property ever leaves their location. While we have been successful in removing this confidential material before it ever reaches the hands of the public, we are finding confidential material that was not disposed of properly on far too many occasions.

The most common areas that we find confidential material are in desks and filing cabinets that were not properly searched. Among the more recent finds have been documents that contain personal information such as social security numbers, medical records and banking records, all of which were for both state employees and private citizens. Recently we have found order forms for adult films with an employee's name on them, love letters between coworkers, boxes of ammunition, birth certificates, financial data, social security numbers, NCDL's & State issued ID's and printed jokes of an obscene nature. Again, it is important that all surplus items are thoroughly inspected to ensure that they contain no confidential or offensive material before they are ever sent to State Surplus Property or are sold from your facilities.



# Statewide Supervisor Meeting

**Date:** 11/3/16

**Start Time:** 10:00am

**Adjourned:** 3:00pm

**Scribe:** Neesia Hill

---

## Attendees:

Fleda Anderson  
Lafayette Atkinson  
Kevin Beauregard  
Nicole H. Brown  
Kristy Hall  
Anne Weaver

Laura Crawford  
Lauren Norton  
Lamont Smith  
Kay Knezevich  
Ben Harris

Mary Perkinson  
Robby Jones  
Karen Kelly  
Neesia Hill  
Bruce Miles

John Saunders  
Jackie Spangler  
Lee Peacock  
Judyth Niconienko  
Kaye Thibodeaux

**Special Guest:** Commissioner Berry

## 2017 Meetings scheduled for:

February 9<sup>th</sup>, May 4<sup>th</sup>, August 3<sup>rd</sup>, November 2<sup>nd</sup>

---

## Opening Remarks/ Welcome – Robby Jones

- Everyone was greeted and welcomed to the meeting and informed that the meeting would follow the agenda until Commissioner Berry arrived.

## Director's Office Update - Kevin Beauregard

- Kevin introduced the State Plan Coordinator Judyth Niconienko. She met with Kim Morton and is still learning how everything works. We are glad to have her on board. Thanks to Laura for helping out on updates and NOK contacts.
- Hurricane Matthew- After hurricane Matthew the Eastern/Southeastern areas were impacted by flooding and we saw a lot of activity down trees and mold, homeowners exposed to hazards/illnesses. We drove around and it was a hit or miss on what we would find. Last update we had 350 roads closed due to damage and at the peak it was 650-700 roads closed. We gave out 284 pieces of personal protective equipment and gloves were most sought after. We met with 141 individuals within 31 counties. There were 39 counties East of Raleigh impacted. We still have 8 remaining counties to visit but have not yet entered due to difficulties entering them. We are resuming normal activity within all except for the 8 counties. Serious hazards were addressed in consultation and un-programmed activity was limited in scope. Some of the challenges we had were West volunteers trying to help out but hotels were filled up by the residents.

- In preparation for the Assistant Director position, Kevin Beauregard officially moved into Allen McNeely's old office. He had 17 years of stuff to move. Kevin's new phone number is (919)807-2861.
- Penalty updates- On August 1, OSHA increased serious/willful violations, \$12, 471/ \$124,000. A 78% increase in penalty since 1991. It was a congress prevision to modify the penalty along with the consumer price index. Every year the penalty will be adjusted. OSHA notified states to adopt identical max penalties. There is nothing within the OSHA Act that requires states to have the identical penalties as OSHA. States are required to have penalties that are as effective as OSHA not identical. A comment was submitted last summer to OSHA but no reply as of yet. If the max penalty is raised, \$7,000 to \$12,470, we still could modify through the reduction for size. To change the maximum penalty we have to go through the legislature as it is written in the labor laws and they would have to approve it. The next legislature will meet next summer where it could possibly be increased. It is predicted that OSHA's contest rate will increase. Changes to their FOM includes reduction for size. For 1-11 employees a reduction will be granted at 70%. For 12-25 employees a reduction is granted for 60%. This has been in effect for 3 months.
- Recordkeeping- January 1<sup>st</sup> OSHA modified recordkeeping. Employers still reporting 300 logs, some sending incident reports electronically submitted to OSHA website. Anne Weaver is on the workgroup. Over 250 employers reporting electronically to OSHA. July 1<sup>st</sup> next year, system going live in February 2017. Each employer in the country will have a unique identifier number for entries. High hazard NAICS code lists- 25 employees to 244 enter summary Public Sector reports as well. Information will be coming out soon regarding the reporting requirements. You have to respond to BLS survey and public sector survey.
- If you run into a situation regarding drug testing after a workplace incident contact the directors' office for discussion.
- November 16 quarterly meeting with OSHA. We have 2630 inspections for the year. Good job with the inspection numbers. Last year if a position was open for 12 months we lost the position. We need to do everything we can to fill the position. We lost 5 positions in the last 2 years which include 2 safety positions (1 East and 1 West). Vacancies are due to pay. Post and interview candidates in a timely manner.
- Gas shortage- Curtail travel to essential items. Carpool to compliance inspections. Let Nicole or Robby know about gas issues.
- Good News- BLS injury and illness rates decrease data: TRC Rate for Public 2.8, TRC Rate for Private 2.6, Construction TRC 2.7 and 1.5 DART, LTC TRC 5.9 and 3.5 DART, Grocery TRC 3.3 and 2.5 DART, Food TRC 4.2 and 2.8 DART, Logging did not see. NC is below national average.
- Judyth will put together the SOAR report. Contact BCs to submit bullets for items such as highlights, training. If you need preliminary statistics in the report, get the information from Anne Weaver's group.
- If you or your staff have questions for the Director's Update please send it to Judyth.

- Ric Schumann- Everyone received new equipment to include SLM, noise dosimeters, vapor analyzer, explosion proof cameras. Statistics from physical year 653 accident/ referrals took in last year of those 30% were inspected and 70% were handled by letter. Ric provided handout/ spread sheets of strategic goal data, IH emphasis program tracker for health hazards and the totals for FY 2016. Fit testing for health CSHOs November to December. Ric is to send Judyth a copy of the report for RRI.
- Lauren Norton for Regina- Regina is working on a safety module DVD with the University of KY and NC State is doing the production. They have had an increased number of poultry inspections to go through CFR due to the requirements to report. There is a growing trend of H2A workers most from Mexico in the past 2 to 3 years. Kevin- Once a year the publication Cultivator comes out and there is an article in it about H2A- H2LC (labor contractor). Some employers are putting people in motels so if there is something that looks odd we need to call Regina to make sure nothing is going on. Great turn out on at Grower meeting, where the best of the best agricultural people go. There are 6 inspectors within the agricultural division that conduct 1500 migrant housing inspections, 80 compliance inspections and enforce the 1910.142 Temporary Labor Camp standards throughout the state. Agricultural sites have to register with NC DOL.
- Anne Weaver- Pubic sector survey wrapping up only have 14 outstanding and they will be sent to Robby and Nicole. Injury tracking working to go live in February. Employers are required to report if they have an employment level of 250 or more by site, not by employer as a whole. A single employer may have lots of entries. OSHA will publish the data. We have the capability of uploading data into their system. Minimum 6 digit NAICS code employers will use to enter data.
- Robby- We are changing the scope of SEP/ FOM based on the Marjac decision regarding the authority to do comprehensive inspections as a result of denied entry.
- Lamont- ETTA- Nick from the library stated that the subscription on consensus standards has expired and we did not have supplemental money to renew. We have print copies of the CIH and CSP study guides and they can be checked out. If ANSI standard needed then library will obtain the print version. Not renewing the DATA Chem software for ASP, CSP, CHST, CIH as we have the prep books. The training calendar has been updated November through March. Training is also available through webinars. Beginning level training 10, 30 hour and internal training 105 course Nov 28. Jan 23 to Feb 3<sup>rd</sup> PSM course. The logging course is in the planning stages for August 2017. The recognition program 20<sup>th</sup> Annual Star Conference has been completed with a total of 740 attendees. The star annual report is due by Feb 15<sup>th</sup> every year. It is the 70<sup>th</sup> year safety award season.
- Lamont for Hollis- We discontinued the field extraction for isocyanates, OSHA decision to do the same. Training presentation on Silica webinars, soon. 2065 gold 510 silver awards.
- Robby- We will have a LTC basic class to get people trained and add additional classes such as ERGO and Workplace Violence and Hazard recognition in construction. Jackie is expanding the technical writing class. The first week of class will be OE training then the second week will focus on technical writing. Need volunteers to help teach. Legal aspects class coming in April. We need statewide meeting training elements subject ideas.

- Kevin- OSP supervisor training was pretty good. Nicole working to identify courses to look into sending supervisors through CPM course. The CPM course is a two year commitment and a beneficial program.
- Robby for Renathe- Open enrollment extended to 11/5 any issues contact Beth Benson. Classification system Feb 1<sup>st</sup> implementation. Supervisor training through beacon learning system in late November early December. The DOL HR policy is to get 2 references. The state HR requirement is 1 reference. If you can't get two references you need to document your attempts to get the 2<sup>nd</sup> reference. After you have exhausted all avenues you can proceed to hire if management approves. Include applicant score total possible points. List 70 out of 100. Based on 100 points scale for each person interviewed. Complete the 101AB form and list all of the reasons why we don't hire someone such as poor communication, poor knowledge of safety and health. All supervisors will have access to the applicant tracking system. You will be able to review the applicant pool online.
- Robby for Kevin Obarr- Experience rate modifier 1.5 letters have been given out. Can verify through the office.
- Ric Forms- Accident/fatality forms updated. If assigned for inspection change to yes include CSHO ID, inspection number it is all tied together. For RRI if you send a letter put yes if inspected leave blank. Update Karen Bogner if inspection changed to No.
- Jackie- You cannot update a closed file. Go to date form right click open back up. We are to close OSHA Express a specific way by going to desktop then exit.
- Robbie for Victoria- Related inspections need to be included in the narrative so that they can review them together. The related cases should be sent to CFR at the same time.
- Nicole- If the report of a fatality is not clear don't wait on the ME report you need to go out to conduct the inspection. If you have an investigation via letter ask additional questions. Use your professional judgement. ME reports can take a long time we don't want inspections to sit there and the NOK waiting to get a response. If 36 completed then 170 needed. We don't call the forms 36 and 170 anymore reference what they are called in the system.
- Ric- If the event/investigation is started and the 170 isn't done you can't save the 36 final. The handling of isocyanates is consistent with FED OSH no differences in samples. You have to ship overnight cold. We are going back to the way we did it previously. Order samples as needed due to the short shelf life.
- Nicole- Informal conference notes and signed settlement agreements go into the documents tab. Draft settlement agreements go into the attachment tab. You need justification for the deletion of citations. You need to thoroughly address why you are deleting a citation and consult with the CSHO. Anything above 35% requires BC review and approval.
- Robby- Supervisors should be included in the contest process, AGs have been consulting with BCs directly. Communication with the AG's need to be in the notes of the inspection. Anything over 35% reduction will go to the BC. Any changes to the inspection information needs to be

communicated to the CSHO so that the CSHO knows what happens. Shaye Builders, construction/ fall protection issue- Employer was aware was stated in the knowledge section. It was an opinion, did the CSHO ask? No witness statements in the file. How long had the condition been in existence? A shorter duration of employee exposure to a hazard needs more questions for employer knowledge.

- Kevin- Victoria sent an email to Nicole and Robby regarding witness statements. Supervisors and CSHOs need to get all the information needed to support citations.
- Lee Peacock- Explained details of contested case regarding fall protection.
- Need a signed witness statement if not on site but you witnessed the hazard previously. For past or potential exposure you need signed witness statements. The burden of proof or proof or preponderance of evidence is on us. Build cases that are strong.
- Nicole- If you have an inspection at a LTC facility you will need to cover the elements. The team leader reviewed files and the elements were not being addressed. Assign inspections to CSHOs that feel comfortable addressing those elements of the OPN. LTC emphasis program.
- The FAME follow up is next month.
- Commissioner Berry- 1:25 PM- The most recently illness and injury rate went down. Send blessings to the department, grateful for everyone. Over 1 million people attended the fair with no injuries or mishaps. Everything we do is important.
- Best practices for Supervisors

Bruce- Communicate, learn how to build good working relationships, trust and respect.

Ben- Weekly check on past due abatements.

Kaye- Communication refer to staff as a team.

Fleda- Seek first to understand.

Lafayette- Be resourceful as possible.

Paul- Have flexibility for employees. Review files in detail. Limit cases to 3 to 4 at a time.

Jackie- Be fair and never compare yet be by the book.

Doug- Write down daily activities. Monthly district meetings.

Neesia- Be self-accountable for your work performance.

Robby- Be mindful of your work and how much everyone else would have to correct. Have a daily to do list and respond as fast as you can, no waiting.

John- Have good people assisting him. The key is prevention.

Nicole- Transparency, being engaging in meetings, communicate openly. We all have different experiences so assume nothing.

Kevin- Hire people to make you look good. Get them to take ownership and pride in what they are doing. With flexibility comes accountability. Ability to listen. If a problem arises come back with a solution then discuss. Be fair but don't compare.