

Statewide Supervisor Meeting

Date: 8/9/18

Start Time: 10:00am

Adjourned: 3:00pm

Scribe: Nicole H. Brown

Attendees:

Lafayette Atkinson

Kevin Beauregard

Nicole H. Brown

Jennie Cagle

Laura Crawford

Nancy Hall

Ben Harris

Neesia Hill

Kaye Knezevich

Wanda Lagoe

Scott Mabry

Bruce Miles

Chris Moore

Judyth Niconienko

Lauren Norton

Lee Peacock

Cynthia Richardson

Jackie Spangler

Paul Sullivan

Ric Schumann

Anne Weaver

Hollis Yelverton

Welcome – Paul

- ❖ Congratulated everyone on making it most of the way through NCVIP appraisal process; despite the system going down prior to a deadline
- ❖ BCs expressed their appreciation for the time Supervisors/Managers put into making comments on the appraisals
- ❖ Informed everyone they need their meetings with staff
- ❖ Outlined things planned for this meeting
 - OPN 64 presentation
 - Presentation to address items the AGs asked to be discussed (i.e., expanding the scope)

OSH Director's Update – KEVIN BEAUREGARD

- ❖ *We received 2017 final FAME at the end of July; it will be posted online; overall, we had a positive review; we had no findings; had 4 observations
- ❖ *Observation - employer referrals; when they reviewed those the documentation did not always show the alleged hazards were abated by the employer; need to make sure we fully document
- ❖ *Small number of cases there was no air sampling data when there should be sampling (i.e., complaints/referrals alleging exposure) or an explanation as to why the sampling was not done
- ❖ *Director and BCs did not agree with this one; had an issue with our classification of violations on some of the items; some things classified as NS would have been classified as Serious on Federal inspections; most of them had to deal with health related inspections; we cited the

employer as NS b/c our AGs office has indicated we did not have sufficient information to support the serious citation

- ❖ Is a EDB observation; discrimination files were not always docketed in webIMIS; they had a number of cases where things were not being entered until the case was resolved; and they were not printing out a page and not including it in a file
- ❖ *FedOSH looked at 136 case files and they looked at procedures and our mandated measures; this was a full comprehensive FAME and next year will be a partial FAME
- ❖ We were notified recently of the Supervisor Training; email was sent out last week for mandatory Supervisor training
- ❖ 8/30 - 1pm-5pm at LBT; if you cannot make the one in your office you can go to another office
- ❖ NCVIP HR indicated at last senior staff meeting that any evaluations that had someone evaluating as a 1 or a 3 they will be returning it back to the Supervisor to add additional documentation;
- ❖ In the new NCVIP they are eliminating the safety Value and adding an ethic value
- ❖ Class and comp project; all safety and health professionals classified as Compliance Officers; at the time they were doing this we asked for them to have separate classes; A STAR position posted which is in this comp class and they do not have sufficient people to meet the qualifications; OSHR has agreed to develop a new classification for consultative; down the road we will have some different classes
- ❖ they have had an error on the education and experience;
- ❖ Attended the Steel erection training on the CP Buckner in Graham, NC; it was good training (class room portion where people were reviewing the standards; and a practical where they took the attendees out to review the process in the field)
- ❖ Has spoken to ETTA BC Wanda to see if we could have some training at some of the STAR sites
- ❖ CP Buckner sold part of their business; they sold their steel erection business and the name has since changed to
- ❖ SAD news Larissa from the AGs Office is leaving and is going to the Durham County Government; they will be short an Attorney; this will probably be a snowball effect; She is an Attorney 4; they will be posting this statewide
- ❖ Employee of the Year submission is due soon; if you have someone you want to nominate please submit them
- ❖ the Commissioner Award of Excellence nominations have been submitted
- ❖ we are making some significant purchases
- ❖ revenue building, they are trying to purchase some carpet; the carpet in the ORB is 20 years old; they had to do an asbestos assessment in the ORB prior to any work to be performed in the building; One 8'x8' area contains Asbestos;

- ❖ filing systems for PSIM (LBT, PSIM, and Wilmington); the old lektriviers are no longer serviceable; total is about \$300,000.
- ❖ purchasing a lot of inspection equipment
- ❖ trying to spend these funds before the end of the fiscal year
- ❖ we are trying to follow the policies and procedures outlined in budget which takes some time
- ❖ State Budget - we did not get an increase in State funding; most Agencies did not get an increase; we will likely request an increase again
- ❖ 2% increase was obtained; as we fill vacancies
- ❖ still experiencing turnover
- ❖ On Federal side not, sure what is going to occur; The current President stated that he would not sign a budget if it did not have funding in there to build a wall; both democrats and republicans want to see a budget
- ❖ May have an opportunity to buy new iPads or the tablet; Elite X2 tablet (which could have a data plan; touchscreen and detachable; protective case; stylus); it also has WORD; EXCEL - ; need to let Kevin know whether or not we want to keep what we have or upgrade the iPad or switch to the tablet; provide him with a list do we need data plans for the devices
- ❖ Paul - the iPad Pro has the bigger screen; he doesn't think we need a data plan; he uses the Apple Pencil- also can download WORD; EXCEL on this device as well

Assistant OSH Director's Update – SCOTT MABRY

- ❖ working on some construction forums in the upcoming year; Jennie and Ted are working with ETTA (Wanda and Marcy) to schedule the forums
- ❖ Appreciate the East and West staff, and ASH working on a triple zero inspection files project
- ❖ *documentation in the narrative that tells us why we did not open an inspection
- ❖ they have requested files for all of the fatalities since 2016; this request came out of Washington from a firm that owns the local papers
- ❖ we have a little time to go to work in the current appraisal year; we are on pace for about 2500 inspections; this time last year we were on a pace for 2624 inspections
- ❖ 60-day list that Jackie sends out has 85 cases currently; only 13 are over 120 days; this has improved over the past couple of months
- ❖ paying attention that 60-day report will help us work on our lapse time; over the past year our lapse time has crept up a little bit over the previous year; in 2017 we were around 30 days for S&H but so far this year we are at 38 days for both S&H
- ❖ new procedure b/w 60-90 days schedule a meeting with BC, Assistant Director for all fatalities to discuss this should include the CSHO, Assistant Director and BC; nothing to get alarmed about but it allows us to pull together our resources
- ❖ we have not had as many CFR meeting; we are trying to handle things differently to work things out ahead of time; this should help us out with lapse time;
- ❖ hopefully we can get a new video conference system in so that Wilmington Office staff do not have to drive to Raleigh to meet to discuss casefiles
- ❖ 15 vacancies in OSH Compliance - 11 posted; 4 with applications with the managers
- ❖ AGs contract we are covering with lapse salary, but that is how we pay for their salary
- ❖ 1 Supervisor position that we had interviews for
- ❖ Apps for the OSH Reviewer position; we hope to get those interviews done

Lee - Q. Is it being pulled from Opening to Issuance?

- ❖ Response (Kevin/Scott) That is what our program is evaluated on. The federal mandated measure does not include in-compliance cases.
- ❖ Complaints were handled by letter first and then they were assigned for an inspection due to a poor response;

ASH Update – Lauren Norton

- ❖ Beth is celebrating her birthday
- ❖ Recently hired a bilingual Admin (Carla Delgado)
- ❖ Grant Quiller - assisted with some training; sudden new adherence to the new OPN 64 and they are taking out a lot of new CSHOs in training; they get to see a world they are not accustomed to seeing (if you want your CSHOs in training to see pre-occupancy this is not the season)
- ❖ apple season in the West and Christmas trees

Consultative Update – Provided by Scott Mabry

- ❖ 1.5 mailing has started monthly to increase the timeliness of employee notification; it will be updated on OSH One Stop Shop
- ❖ Kevin O. ordered new cyclones for Consultation Services that allow for a sample to be collected in a 1/2 hour; they will be ordering new pumps; currently there is no OSHA method for the using these cyclones to monitor for silica

ETTA Update – Wanda Lagoe

- ❖ Kevin B. was gracious to approve certification seats for anyone interested in the datachem software for the different certifications; email will be sent out
- ❖ video streaming has been renewed
- ❖ drone software that will “scrub” photos and videos; James Washington is the person that will be handling this for ETTA
- ❖ Podcast equipment
- ❖ reposting the STAR position
- ❖ Annual training will be offering a Health Hazards OCSS course and a Residential Construction OCSS course
- ❖ 30 seats in the Safety and health management systems course (11/6 -11/8) at LBT; BCs will prioritize
- ❖ OCSS confined space courses will be scheduled for later this year
- ❖ Training room (LBT/Charlotte) tables will be arriving around 8/29; no estimated time for delivery of the chairs
- ❖ old table and chairs will have to be surpluses; all training rooms will receive new chairs

PSIM Update – ANNE WEAVER

- ❖ Public Sector Survey - 200 non-responders; PSIM is getting ready to start their calling process before they turn it over to the Districts; for the past several years we have had a 100% response rate;

- ❖ dealing with an increase in court orders, subpoenas and case file requests
- ❖ upcoming Acton Request related to the form that CSHOs use when they receive documents from Public Agency - Receipt of Public Records; there will be some changes in the FOM that will address the changes (this change has resulted from a disclosure and legal concerns)
- ❖ Submitted the 5-year strategic plan; FY 2019 - 2023; dropped accommodations and added amputations to the strategic plan
- ❖ Will be a new SST program coming out shortly; it is in relation to the electronic reporting (tracking application that the Feds have implemented)
- ❖ OFIR Report - click on the "other" tab there is a lot of information that is on this report; Can read the summary of the report in some great detail and report at the AGC meeting; this is already on the website and is public information (tabs at the bottom); CSHOs can look at it to find things are similar

Administrative Update – JACKIE SPANGLER

- ❖ Vacant position in Raleigh; one filled (Katlin Wood); another new employee hope to come in by the end of the month
- ❖ Motor Fleet in all of the field offices will be replacing old cars with Ford Focus; please remind the staff to take care of the cars (wash/and clean them up); \$15/month LBT have someone that come in and clean up the cars
- ❖ Reports - will continue to monitor the Open Inspection Report
- ❖ Cynthia and Jackie will begin to send out monthly reports
- ❖ Open inspection looks for "other" those inspections should be closed; should not have more than 2 -3 on the report
- ❖ Admin should send out notifications that the penalties have been paid and items abated
- ❖ Admin will send out the unsatisfied activity report (currently we have one page and it looks pretty good); will only send to the supervisors that are on the report; BCs have been provided a copy
- ❖ biggest thing they are seeing CSHOs are not checking the file has been satisfied
- ❖ unprogrammed related inspections they are not marking the complaint satisfied
- ❖ OFIR vs. fatality report in OE
- ❖ found this month that there were a bunch of inspections that were on the fatality report that was not on the OFIR;
- ❖ Jackie asked Supervisors if there was an additional need for training (include the CSHO IIs) on UPAs and serious fatal log
- ❖ scanner project - is moving forward; John Helberg was in WS in July; worked with staff in WS and got them familiar with the scanners in WS office
- ❖ WS is live now; (Sherrie scans live into OE); the scanner actually scans the document into OE and then goes into the particular queue and you find the inspection and it goes into the document section of the report
- ❖ training on 8/21 - 8/22; on 8/23 in WS you can sit in and watch but the training is for the Admin staff; no one else will have authorization to work on the scanners

- ❖ this will not impact the ability to “tiff” in documents
- ❖ this will include that anything that’s received via the mail (OSHA 2Ds, SAs, IC request, contestment, etc.); hardcopies will continue to be placed in the file
- ❖ will go live with the scanner project 9/1/18
- ❖ *10/1/18 CSHOs are having to tiff in their no inspection files; they will assembly like they use to do and the admin staff will scan in the no inspection tiles “000”; they will no longer have to tiff their information into the system and Admin will queue the Supervisor to let them know it needs to be reviewed

- ❖ Lee Question - Are we considering electronic signatures in OE? Response: Currently “no”.

- ❖ Jennie - the process does not change; they don’t have to tiff in the documents for no inspection files they will hand all the required/relevant documents in order for Admin to tiff into OE;

- ❖ ADMIN Staff will not be reviewing the file; they will scan it in like it is provided to them; it is not their job to determine what goes in the file.

- ❖ there will be a lot that changes and there will be some things that will remain the same, but the processing may be different. It will take until the first of the year to get the new Admin staff fully trained;

- ❖ Kevin B. added- at some point the plan is to go completely paperless, but that is not scheduled to happen anytime soon; before that happens, we have a lot of work through; the scanners is the first phase

- ❖ Jackie has already cut off the automatic tiffing when you print the letter.

- ❖ Special thank you to IT (Donnell and Brent) for getting the scanners set up and ready for use in the different Bureaus.

Staff Industrial Hygienist/ Complaint Desk – RIC SCHUMANN

- see attached Staff IH/Complaint Desk report

Compliance Update – PAUL SULLIVAN & NICOLE BROWN

- ❖ BCs Wanda Lagoe and Nicole Brown presented the new OPN 64
- ❖ *BC Paul Sullivan did a presentation on “expanding the scope” (see attached presentation)

ATTACHMENTS

- 1. Staff IH Report**
- 2. Revised OPN 64 Table Contents**
- 3. Compliance Presentation** (Do not print and handout b/c it contains screen shot examples from our current general schedule assignment list)

STAFF INDUSTRIAL HYGIENIST/COMPLAINT DESK UPDATE

Complaints/Referrals/FatCat FY 2018

	East					West					ASH					Cumulative Total
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	
Complaints	241	262	312			288	317	349			5	2	3			1779
Referrals	87	78	78			87	117	107			8	5	7			574
Events (Fat/Cat)	13	10	11			16	18	19			2	0	1			90

Notes:

1) Includes all complaints, referrals and fat/cat that were entered but not necessarily inspected.

In addition to the complaints that were entered in OE, there were others that were not entered and placed on our unprocessed complaint log. These include complaints that are not in OSH jurisdiction (wages, discrimination, worker's comp, questions, beyond statute of limitation time frame, etc.)

1st Qtr	654
2nd Qtr	748
3rd Qtr	738
4th Qtr	
Total	2140

2) Referrals include employer reported accidents/hospitalizations and CSHO self-referrals, government agencies, media, etc.

Of the total referrals, the following numbers were from hospitalizations/amputations:

1st Qtr	163
2nd Qtr	175
3rd Qtr	158
4th Qtr	
Total	496

3) "Unprocessed" Accidents/Referrals - due to not meeting reportable guidelines, not within OSHNC jurisdiction, etc. Not entered in OE, but logged for tracking.

1st Qtr	23
2nd Qtr	36
3rd Qtr	24
4th Qtr	
Total	83

4) Events (Fat/Cat) include fatalities resulting from heart attacks and other natural causes.

STATEWIDE SUPERVISOR MEETING – 8/9/18

FY 2018 – 2ndst Quarter (Jan/Feb/Mar 2018)

- Complaints – 581 (262 East, 317 West, 2 ASH)
- Referrals (incl. hospitalizations/amputations, media and CSHO) – 200 (78 East, 117 West, 5 ASH)
*Hospitalizations/amputations – 175
- Events – 33
- Unprocessed complaints – 748
- Unprocessed accidents – 36

3rd Quarter (Apr/May/Jun 2018)

- Complaints – 664 (312 East, 349 West, 3 ASH)
- Referrals (incl. hospitalizations/amputations, media and CSHO) – 192 (78 East, 107 West, 7 ASH)
*Hospitalizations/amputations – 158
- Events – 31
- Unprocessed complaints – 738
- Unprocessed accidents – 24

Hospitalizations & Amputations to date (thru Aug 3) - 563

HH SEP Sampling FY 2018

2nd Quarter

- (18) samples with detectable results
- (10) inspections with detectable results
- Average severity rate = 2.19 (Silica), 0.42 (Lead), 0.04 (Hexavalent chromium), 1.45 (Isocyanates)

In addition, there were (2) wipe samples for lead, (5) bulk samples for asbestos and (4) personal air samples for isocyanates that were below the limit of detection. No personal samples were collected for asbestos.

3rd Quarter

- (20) samples with detectable results
- (9) inspections with detectable results
- Average severity rate = 10.25 (Silica), 0.63 (Lead), 0.03 (Hexavalent chromium)

In addition, there were (3) personal air samples for silica that were less than the limit of detection, (3) personal air samples for lead that were below the limit of detection, (1) personal air sample for asbestos that was below the limit of detection, (1) personal air sample for Cr (VI) that was below the limit of detection, (3) bulk samples for lead and (1) bulk sample for asbestos. There were no personal samples collected for isocyanates.

Action Requests

(10) action requests have been received so far in FY 2018, (6) since our last statewide meeting in February.

- (5) resulted in changes to FOM Chapter 16
- (1) resulted in miscellaneous changes to FOM Chapter 13
- (1) for Chapter 16 Appendix numbering (pending)
- (1) for Chapter 6 on language referencing the annual summary and correct standard (pending)
- (1) for proposed changes to One Stop Shop formatting (pending)
- (1) for proposed changes for procedures requesting purchasing of equipment or supplies (pending)

Analytical Laboratory

We are currently using Analytics in Richmond (prior to 2000). The Charlotte field office will be beginning a trial period with Galson in October. Jackie is setting up a purchase order for the Charlotte office to use. Galson will be at the Charlotte office on September 5 to conduct training and setup profiles for the CSHOs.

The other field offices will continue to use Analytics and after an evaluation period with Galson, it will be determined whether to start using them in the other offices.

Equipment

Purchase orders have been submitted for annual service/calibration and Curt has been working on obtaining return authorizations and contacting the field office equipment managers to send out the equipment.

Purchase orders are being entered for new equipment. Some of the equipment, such as noise monitoring equipment and parts (3M/Quest), is being put on the internet for bids.

CSHO Progression Notebook

Name: _____ Supervisor: _____
(Please print)

Field Office: _____

Table of Contents

- **Tab 1 – CSHO Release Documents**
 - Final Release Letter
 - CSHO Recommendation for Release Memo
 - Supervisor Evaluation On-Site and Subsequent Report
- **Tab 2 – Training Records**
 - OPN 64 Excel Spreadsheet
 - ETTA Training Record
- **Tab 3 – Inspection Reports and Evaluations for Inspections**
 - CSHO Accompanied Inspection Report (AIR)
 - Inspection Activity Reports for Consultation Visits
 - Inspection Activity Reports for Agriculture Visits
- **Tab 4 – Supervised Inspection Reports**
 - Unprogrammed Inspection Report
 - Follow-up Inspection Report
 - Special Emphasis Inspection Report
 - Multi-Employer Inspection Report
 - FAT/CAT Inspection Report
 - ASH Inspection Report
- **Tab 5 – PPT Presentation and Case File Summaries**
 - PowerPoint Presented at District Meeting
 - Summary of Three Case Files
- **Tab 6 – Performance Evaluation (NCVIP)**

Inspection/Case File Issues



**OSHNC Supervisor Meeting
August 9, 2018**

Presented by:

Paul Sullivan & Nicole Brown
NC Dept. of Labor/Occupational Safety & Health Division

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Objectives

Gain a better understanding on several topics recently brought-up by the AG's Office and/or the Director's Office:

- Nature/Scope of inspections, including when to expand.
- Handling comments from DOJ consultations.
- Employer knowledge
- Multi-employer vs. Joint employer



This presentation was created by the N.C. Department of Labor for safety and health training.

Assignments/Scope/Expansion

General Schedule

Programmed Planned

Emphasis Program

Programmed Related

Complaint

Accident

Referral

Unprogrammed
Related

Comprehensive

Partial Scope

Focused Scope

No Inspection

Triple Zero



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Unprogrammed Assignments

- Fat/Cats, accidents, complaints, and referrals are all handled the same way.
- The FOM specifies how they “will normally be partial scope inspections...”
 - “...focusing on the accident.”
 - “...limited to the specific hazards listed in the complaint.”
- **“However, the scope may be expanded in certain circumstances as outlined below.”**



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Expansion of the Scope

SEARCH AND SEIZURE

FOURTH AMENDMENT

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no Warrants shall issue but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.



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Limited Expansion

- Items brought to the CSHO's attention by an employee or an employee representative. They must document the details and how that information was presented to them.
- "Plain view" *hazards*. CSHOs must document how the hazard was identified:
 - Note the details on the circumstances in which the **hazard was observed**.
 - Information supplied during an employee interview that alleges a violation.
 - Note that there is no requirement that it be a serious hazard.
 - These are still considered partial-scope inspections.



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Program/Records Review

Records Review. The CSHO will review all injury and illness records required by the OSH Act. Programs associated with the unprogrammed activity will be evaluated fully. A review of the employer's general safety and health program will be conducted as support for penalty reductions as outlined in FOM Chapter VI - Penalties, but programs unrelated to the original assignment will not be evaluated unless the scope of the inspection is expanded to cover those areas.



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Town of Swansboro - Fire Department	
Site Location (Street, City, State, ZIP)	- Should the CSHO be reviewing the employer's Respiratory Protection and Bloodborne Pathogens programs? Should citations be issued for deficiencies?
609 W. Corbett Avenue Swansboro NC 28584	
Mailing Address (Street, City, State, ZIP)	
609 W. Corbett Avenue Swansboro NC 28584	
Management Official	
Mark Tessing	
Complaint Assigned To	- How about Hazard Communication?
C7621	
Hazard Description:	
1. The wall separating the offices and living quarters from the vehicle/equipment bay is not a fire separation wall as required: the wall does not go all the way up to the roof; there are internal doors and windows in the wall which are not fire rated; and the floor space under the second floor is not sealed, such that, in the event of a fire in the vehicle/equipment bay, smoke could enter the space under the second floor.	
2. The electrical extension cords in use to connect the on board equipment in the trucks to the power supply, to charge it, are not of the appropriate rating, and are 'daisy-chained'.	
3. Electrical wiring, including but not limited to the wire above the word 'SWANSBORO' in the vehicle/equipment bay, is not enclosed in conduit as required.	
4. The exhaust ventilation is not effective such that, when vehicle engines have to be run inside the facility, vehicle exhaust fumes build up inside the building.	
5. Flammable substances, including paint thinner and plumbing supplies, are stored in a regular, non fire-safe cabinet, and lawn care equipment, with gas in the fuel tanks, is stored inside the building.	
6. The upper storage area does not have proper access or edge protection.	
7. There is no fire alarm or fire suppression system, (e.g. sprinklers), in the building.	

Expansion Question

I know you are busy but I have a question that inspectors give different answers to.

If on a complaint inspection I observe a forklift being operated, while addressing unrelated complaint items, can I inquire if the operator is certified, and can I cite if he is not? The same question for Hazcom issues. If an unlabeled container is observed during the walk, can I cite that? and can I inquire about Hazcom program/training?

How would you answer this question?



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Expansion Answer

Those are good questions. As you know, complaints are partial scope inspections, limited to the complaint items. Chapter IX of the FOM addresses expansion of complaint inspections. If you observe a hazardous condition in plain site, you can expand to address that item. However, it needs to truly be a hazardous condition. The simple operation of a forklift is not a hazard, so asking about training would be an unlawful expansion. If that forklift is being operated in a reckless manner, then you can certainly expand to address the training of the operator.

The same thing applies to hazard communication. If you observe an unlabeled chemical container, then you can address that as a plain site hazard and, likewise, inquire about their hazard communication written program and training. However, simply the presence of chemicals in the workplace (with no observed hazards) would NOT be enough to ask about a hazcom written program and training.



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Full Expansion (to Comprehensive)

- Programmed assignments – expand to a comprehensive inspection if the establishment is on the General Schedule list (and not deferred by CSB or had a comp. inspection in last three years).
 - This needs to be identified prior to opening the unprogrammed assignment. It really helps to have a supervisor or CSHO II that is very knowledgeable of the companies listed on the district's GS assignment list.



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Full Expansion (to Comprehensive)

- Observation of multiple (5+) serious plain view hazards outside the scope of the inspection. CSHO shall notify the supervisor, who may consider expanding to a comprehensive.
- Facility (or a process) covered by an OPN or SEP. CSHO needs to *first* secure approval to do the complaint/accident inspection and then discuss the OPN/SEP for possible expansion.

Whenever the scope of the inspection will be extended, the CSHO will advise the employer and the employee representatives of the extended scope at the opening conference or at the earliest opportunity.



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OSHNC Targeting System

Assignment Status Report

GS Targeting Reporting System

1. Safety GS Assignment 2018 (NAICS 623, NAICS 311 and Health Hazards SEP sites removed, updated combustible directive incorporated) (01/30/2018)
2. Health GS Assignment 2018 (NAICS 623, NAICS 311 and Health Hazards SEP sites removed, updated combustible directive incorporated) (01/30/2018)
3. Safety/Health LTC Assignments 2018 (NAICS 430000) (01/30/2018)
4. Health Hazards Assignment (includes both Safety & Health General Schedule Health Hazards Assignment 2017, 2018) (01/30/2018)
5. Safety Food Manufacturing Assignment 2018 (01/30/2018)
6. Public Sector Assignment Status Report 2017 (08/29/2017)
- 7a. ASH Assignment 2017 (06/07/2017)
- 7b. ASH Assignment 2018 (06/01/2018)
8. NEP Assignment (modified 05/31/2012)
9. Miscellaneous

These are all General Schedule assignment lists. Those GS assignments that are ALSO part of an emphasis program are pulled out of #1 and #2 (forming #3, #4, and #5) to assist with selection.



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General Industry Assignment Schedule

- Covered under FOM Chapter II
- Selection process uses two hazard indexes, one for safety data and one for health data.
- Safety index is a function of:
 - Lost workday case incidence rate or total cases with days away from work, restricted work or job transfer (DART case rate), compiled by BLS.
 - National industry rank report by serious safety violations (SSV) of 1.5 or higher per inspection, compiled by Federal OSHA Office of Statistics.



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General Industry Assignment Schedule

- NAICS codes are ranked in descending order by their hazard index. For safety:
 - Safety Class I: Any industry with the DART equal to or greater than twice the average national private sector rate or the SSV ranking is in the highest 25% (the 75th percentile and above)
 - Safety Class II: Any industry with the DART equal to or greater than 1.5 times (but less than twice) the average national private sector rate or the SSV ranking is between the 50th and 75th percentile.
 - Safety Class III, IV, and V – Industries with lower DART rates and SSV rankings (see FOM)



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General Industry Assignment Schedule

Miscellaneous Assignment Report

[Fatality Reinspection List](#)

[Communications Tower List](#)

[Search for All Assignments](#)

[2011 NAICS for NC GS Targeting Class](#)

[2012 NAICS for NC GS Targeting Class](#)

[2013 NAICS for NC GS Targeting Class](#)

[2014 NAICS for NC GS Targeting Class](#)

[2015 NAICS for NC GS Targeting Class](#)

[2016 NAICS for NC GS Targeting Class](#)

[2017 NAICS for NC GS Targeting Class](#)

[2018 NAICS for NC GS Targeting Class](#)



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NAICS Codes for Safety Class 1

1/30/2018

List_naics_in_each_class.cfm

NAICS Codes for Safety and Health Class (2018 Targeting)

Date run: 30-Jan-18 Beware this report is using the current year data. For new years, be sure data files are ready for current year.

Safety Class 1

311351 311411 311511 311513 311611 311612 311613 311712 311812 311813 311830
311911 312111 312113 312130 313230 313320 316210 316219 321213 321214 321900
321912 321920 321991 321992 326191 327390 327910 331318 331511 331513 331521
331523 331524 331525 331529 332111 332117 332311 332321 332812 332994 333414
333514 333995 334416 336111 336211 336212 336214 336370 336611 337124 337125
337127 337211 337212 337215 423310 423320 423330 423390 423510 424400 424410
424420 424430 424440 424450 424460 424470 424480 424490 424810 424820 444100
444110 454310 454311 454312 481110 481111 484210 485113 485119 485210 485510
485991 485999 488310 488320 488390 492110 492210 493110 493120 493190 562111
562212 562920 621910 622210 623110 623210 623220 623300 623311 623312 623990
713110 713120 713920 721211 812331 812332

Safety Class 2

221310 221320 221330 311119 311320 311330 311352 311412 311421 311423 311512
311520 311615 311820 311823 311824 311919 311941 311991 311999 312112 314994
316110 316991 316998 316999 321113 321114 321211 321911 321918 321999 322230



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General Industry Assignment Schedule

Health index is a function of (only):

- National industry rank report by **serious health violations (SHV) of 0.5 or higher per inspection**, compiled by Federal OSHA Office of Statistics.
 - Each industry must have 10 or more inspections (nationwide) and 0.5 or more SHV to be included in the rankings. The results are then separated into five categories (Class I – V).
 - This single method of industry health hazard classification can be problematic. For example, NAICS 451110 includes sporting gun shops (with some lead and respirator citations), but also includes bike shops, sporting goods stores, and golf pro shops.



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NAICS Codes for Health Class 1-5

Health Class 1

325612 327110 327113 327120 327121 327910 327991 331513 331529 332117 332812
332994 333120 333911 335912 335999 336120 336214 336510 337127 337212 337215
339920 339950 423320 423910 441120 451110 531390 621210 621399 713930 713990
811121 811420 811490 812113 812210 813990

Health Class 2

321999 325611 326191 327331 331110 331111 331112 331524 332312 332313 332322
332410 332813 332999 333111 333249 334416 334418 336212 336412 336611 336612
337110 337122 339999 423120 423510 423830 423930 488210 561790 562219 562998
621910 623312 712190 713110 811111 811198 812112 812910

Health Class 3

321918 321920 321992 325510 325991 325998 327215 331491 331492 331511 331523
332323 332710 332991 333241 333243 333318 333413 333514 333517 333922 336211
441110 442110 444190 444220 531311 541320 562211 621111 621511 623220 624120
624190 721110 811118 811192 811310 812199 812320

Health Class 4

311942 311999 321113 321214 323113 325314 325411 325620 326111 326112 326220
327390 327993 331222 332119 332311 332439 332919 332996 333511 333999 334419
335312 336413 423610 423840 424910 441310 448120 488190 493190 531110 531120
541940 561730 561910 562910 562920 611310 812930

Health Class 5

213111 311411 321211 321911 322299 323111 324122 325180 325181 325188 326122
326199 327212 331210 332321 332420 332618 332721 332811 332992 333112 333924
334412 335311 336320 336322 336370 423310 424480 441228 446110 452910 453310



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Occupational Safety
& Health Division

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Health GS Classes

Inspection: 1197335.015 - 105691 - Parabellum Firearms LLC

Inspection Information - Office: Indiana

Nr: 1197335.015 Report ID: 0551800 Open Date: 12/12/2016

105691 - Parabellum Firearms LLC

8217 Kingston Street

Avon, IN 46123

Union Status: NonUnion

SIC: 5941/Sporting Goods Stores and Bicycle Shops

NAICS: 451110/Sporting Goods Stores

Mailing: 7702 Meadow Violet Drive, Avon, IN 46123

Inspection Type: Complaint

Scope: Partial

Advanced Notice: N

Ownership: Private

Safety/Health: Health

Close Conference: 06/12/2017

Emphasis: N:Lead

Close Case:

Related Activity: Type

ID

Safety

Health

Complaint

1159800

Yes

Case Status: PENDING ABATEMENT OF VIOLATIONS



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Occupational Safety
& Health Division

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Health GS Classes

#	ID	Type	Violation Items							
			Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001A	Serious	19100134 C01	06/12/2017	07/14/2017	\$600	\$600	\$0		Z - Issued
2.	01001B	Serious	19100134 E01	06/12/2017	07/14/2017	\$0	\$0	\$0		Z - Issued
3.	01001C	Serious	19100134 F01	06/12/2017	10/14/2017	\$0	\$0	\$0		Z - Issued
4.	01001D	Serious	19101025 F02 I	06/12/2017	07/14/2017	\$0	\$0	\$0		Z - Issued
5.	01002	Serious	19101025 H01	06/12/2017	07/14/2017	\$600	\$600	\$0		Z - Issued
6.	01003	Serious	19101025 L01 I	06/12/2017	07/14/2017	\$600	\$600	\$0		Z - Issued
7.	02001	Other	19100132 D02	06/12/2017	07/14/2017	\$0	\$0	\$0		Z - Issued
8.	02002A	Other	19100134 D01 III	06/12/2017	10/14/2017	\$300	\$300	\$0		Z - Issued
9.	02002B	Other	19101025 D03 I	06/12/2017	10/14/2017	\$0	\$0	\$0		Z - Issued

General Industry Assignment Schedule

- From FOM Chapter II: All Class I assignments for safety and health will be reviewed by the compliance supervisors using their **professional judgement** to determine if a safety and/or health inspection is warranted based on the industry's Class I ranking and taking into consideration **the nature of the industry**.

Health Assignments

[illegible]

These are all part of NAICS 451110. They are not likely to have serious hazards and should NOT be assigned.

OSHC has conducted 24 Prog. Planned inspections in NAICS 451110 since 1/1/13 and identified serious violations at only 3 locations (and all were safety violations).

Health Assignments

[illegible]

There are lots of low-hazard industries on the list. NAICS 621210 for dentist offices is a good example.

- DART rate is 0.2 per BLS
- OSHNC has conducted 127 programmed planned inspections since 1/1/2013.
- In-compliance rate is 46.5% (compared to 29.9% for all programmed planned inspections)
- Only 22.0% of inspections had an SWR violation (55.6%).
- Averaged 0.35 SWR Items per inspection (1.26).
- Averaged \$728 penalty per SWR Item (\$1178)

OSHNC Targeting System

Assignment Status Report

GS Targeting Reporting System

1. Safety GS Assignment 2018 (NAICS 623 , NAICS 311 and Health Hazards SEP sites removed, updated combustible directive incorporated) (01/30/2018)
2. Health GS Assignment 2018(NAICS 623 , NAICS 311 and Health Hazards SEP sites removed, updated combustible directive incorporated) (01/30/2018)
3. Safety/Health LTC Assignments 2018 (NAICS 423000) (01/30/2018)
4. Health Hazards Assignment (includes both Safety & Health General Schedule Health Hazards Assignment 2017, 2018) (01/30/2018)
5. Safety Food Manufacturing Assignment 2018 (01/30/2018)
6. Public Sector Assignment Status Report 2017 (08/29/2017)
- 7a. ASH Assignment 2017 (06/07/2017)
- 7b. ASH Assignment 2018 (06/01/2018)
8. NEP Assignment (modified 05/31/2012)
9. Miscellaneous

Again, these are all from the safety or health General Schedule assignment lists. The inspections conducted from these assignments are comprehensive in scope. The employer shall be informed this is a general schedule inspection conducted based on their NAICS code being on the Class I or II Safety or Health list. They may also fall under an SEP program.



This is a comprehensive general schedule assignment from the Safety list.



This NAICS code is also listed on one (or more) of the lists on the Health Hazards SEP, indicating the possible presence of lead, silica, etc.

GS Safety Assignment Information Sheet

Assignment Run Date:	01/29/2018
Company Name:	TIMBER WOLF FOREST PRODUCTS INC
UI:	0190936-00000
Address:	3189 FREEZER LOCKER ROAD, LENOIR, NC 28645
NAICS/ SIC:	337215/ 2426
Predecessor Name:	n/a
Inspection History(3 yrs):	None
Codes:	3: Health Hazards NAICS



Same as before – but this assignment is from the Health GS list and also has a NAICS code on the Combustible Dust NEP.

GS Health Assignment Information Sheet

Assignment Run Date:	01/29/2018
Company Name:	CALICO COATINGS
UI:	0148510-00000
Address:	5883 BALSOM RIDGE ROAD, DENVER, NC 28037
NAICS/ SIC:	332812/ 3479
Predecessor Name:	n/a
Inspection History(3 yrs):	None
Codes:	1b: may have Potential for Combustible Dust Explosions/Fires 3: Health Hazards NAICS



This is a comprehensive general schedule assignment from the Safety list – and also in a NAICS code for our Food SEP

GS Food Manufacturing Safety Assignment Information Sheet

Assignment Run Date:	01/25/2018
Company Name:	NEESE COUNTRY SAUSAGE INC
UI:	2041077-00001
Address:	1452 ALAMANCE CHURCH RD, GREENSBORO, NC 274069432
NAICS/ SIC:	311612/ 2013
Predecessor Name:	n/a
Inspection History(3 yrs):	None
Codes:	None

This is a comprehensive general schedule assignment – usually from the Safety list.

This NAICS code is also part of our LTC SEP. That is in addition to the fact it is a Class I general schedule assignment.



This heading needs to be changed.

LTC Assignment Information Sheet

Assignment Run Date:	01/25/2018
Company Name:	LIBERTY NURSING SVC
UI:	V004312-V0000
Address:	3504 FLINT ST, GREENSBORO, NC 274053488
NAICS/ SIC:	623110/ 8051
Predecessor Name:	n/a
Inspection History(3 yrs):	None

DOJ Consultations

- Please keep in mind DOJ is swamped. With Larissa leaving, they are short-handed. Victoria is handling nearly all of the CFR consultations and doing so very quickly.
- Supervisors need to participate in the consultation process.
 - Comments from DOJ must be addressed. If you or the CSHO have questions, please send an email to Victoria, see your BC, or request a CFR meeting.

Employer Knowledge

- We are still seeing employer knowledge as a frequent problem area during file review.
- We need to remember to include the **name of a specific supervisor** and **specific facts** that would support a conclusion that he or she was in a position to have observed or otherwise known about the **hazard** to which the employees were **being exposed**.



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Employer Knowledge

- From NCGS 95-127
 - A "serious violation" shall be deemed to exist in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use at such place of employment, **unless the employer did not know, and could not, with the exercise of reasonable diligence, know of the presence of the violation.**



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Employer Knowledge

- “Unless the employer did not know, and could not, with the exercise of reasonable diligence, know of the presence of the violation.”

“Actual” Knowledge

“Constructive” Knowledge

- Just the presence of a violative condition is not sufficient to establish employer knowledge.



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Employer Knowledge

- CSHOs should be specifically looking to impute knowledge to the employer through the front line manager (e.g. foreman, supervisor) and NOT the plant manager, safety director, or owner (who are seldom in the area).
- Actual knowledge is almost always established through interviews – when the CSHO asks and the manager admits to being aware of a particular hazardous condition.



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Employer Knowledge

- For constructive knowledge, we have to explain how and why we believe the employer could have known that employees or subcontractors were **exposed** to the **hazardous condition**.
 - Hazard duration and frequency of exposure are very important in proving constructive knowledge. The longer the hazard has been there and the more often it happens, the easier it is to say the employer “could have known” about it.
 - For site violations, we often need to place the employer representative at the “scene of the crime” when he or she could have seen it.
 - Is there evidence that non-compliance has been ongoing (e.g. only two sets of harnesses for eight roofers, video showing employees typically drive a forklift with the forks elevated or without seatbelts)?
 - Keep in mind, in addition to knowledge of the hazard (e.g. employees not utilizing energy control procedures), we also have to show knowledge of exposure (e.g. that employees were doing servicing and maintenance work).



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Multi- vs. Joint Employers

- Joint employer is used primarily when a temp service agency supplies employees to a host employer. They are considered to have joint responsibility for the safety of the workers.
 - There is no multi-employer analysis in this situation and the host employer is NOT the “controlling,” “creating,” or “correcting” employer.
 - If you have a question, please send Victoria an email. It is better than a phone call as it allows for a more thorough answer.



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Statewide Supervisor Meeting

Date: 2/21/18

Start Time: 10:00am

Adjourned: 3:00pm

Scribe: Nicole H. Brown

Attendees:

Lafayette Atkinson	Ben Harris	Kevin O'Barr	John Saunders
Kevin Beauregard	Neesia Hill	Lee Peacock	Lamont Smith
Nicole H. Brown	Kay Knezevich	Cynthia Richardson	Jackie Spangler
Jennie Cagle	Scott Mabry	Beth Rodman	Paul Sullivan
Laura Crawford	Bruce Miles	John Saunders	Kaye Thibodeaux
Nancy Hall	Judyth Niconienko	Ric Schumann	Anne Weaver

OSH Director's Update – KEVIN BEAUREGARD

Finished the first quarter OSHA Evaluation-

- * mandated measures, concerns include - high IC rates; number of inspections with past due abatements. Please continue to evaluate the IC rates and address the past due abatements
- * Consultative MARCs looked good
- * SAMMs look good for the most part;
- * Increase in fatalities in Construction is an area of concern; requested the Construction SEP team leader work with the committee on ways to address the increase; Kevin has been in conversation with the Construction SEP team leader to consider a construction blitz
- * in FY2017 we had a total of 12 fatalities
- * 1st quarter of FY2018 NCDOL has had 10 fatalities

We will participate in national campaigns - Safe and Sound; Trenching Campaign in response to this increase in fatality rate.

Heads up on – Heave ad a few conversations with new budget director (Jennifer Stackpole). Budget has expressed concern with the following:

- documentation for expense reimbursement; specifically travel documentation; many state audits focusing on travel reimbursements; change to 33 cents and 54 cents > 100 miles; Please do not play games with the mileage. Mileage should be reported as actual miles, i.e., if travel 120 miles than report 120 miles at \$.33 do not report 100 miles at \$.54.
- the expense reimbursement sheet may be modified or an addendum may be added to obtain additional documentation; examples were given to Kevin and Phil Hooper; currently some submitted reimbursement forms did not contain sufficient information on the sheets.

- proposing a document like the example passed around; beginning odometer reading and ending odometer reading; if you are stopping at multiple places throughout the day make sure that you document your travel. Example: Jane travels from Charlotte to Raleigh but goes through Winston Salem on the way for business purpose – staff need to document all stops to show the correct mileage.

- make sure the Supervisor includes the justification if there is a purchase that is normally not a purchase that you would not expect staff to purchase; why did they have to purchase the item instead of purchasing through our state contracts, Example: out on inspection and need a note pad.

- it is possible that budge may start rejecting some of the travel expense forms.

- Equipment inventory

- * Offices will be getting contacted soon to make sure our mobile devices are updated; the previous list that was provided are outdated

- * they want us to update our mobile devices monthly

- * tracking surplus items; the Department has about 2 million dollars that is unaccounted for currently; any equipment originally signed to staff/department should be documented to indicate it has been logged as surplus. We should track all of the surplus data. Ensure inventory is up to date and maintained.

- * Does everyone use a standardized equipment inventory form. Jackie to provide standardized form to Kevin Beauregard.

- * NCDOL had an external hard drive stolen; the concern is that there is no encryption on these devices;

- * the new laptops have “bitlocker” that has an encryption software; it can encrypt the external data on your drives; so, if your equipment is lost or stolen they cannot retrieve your data; Kevin has talked to IT and they intend to send something to Kevin with instructions on how to set up the “bitlocker”. It is on the Windows 10 package. Anyone who does not have bitlocker should talk with IT to inquire about an alternative security encryption software. **NOTE: Following the meeting on 2/23/18 Kevin B. sent an email to BC’s requesting that Jackie Spangler work with IT to see if the new security software “bitlocker” can be put on the new laptops out West before we deploy this across the board.**

- * Consultative Services must find out if his computers have a similar encryption software’s

In the State Budget - we are putting in a request for an expansion budget; the plan is for the Legislative to fund positions that were funded by indirect cost

- * the reason is a lack of federal funding

- * it fluctuates year to year; and can leave a short fall in funding positions.

- * looking at it in Consultative and Compliance

Federal side is on their 3rd continuing resolution that expires March 3rd; there is a possibility we can get a slight increase on the consultative sides; doubt we will get anything on the Compliance side

- * nothing that calls for a decrease in federal funds

- * it’s an election year, so it is unlikely

We submitted our annual report to the Communications Division which will be publicized in the legislative report

PSIM is working on a special emphasis report that is due March 1st

- CFR meeting last week; following the meeting; both the AGs office and internal legal rep. have indicated that Supervisors are telling employers that they do not have the ability to make changes to citations during the IC procedures; Supervisor can make up to a 35% reduction without BC approval;
- * Kevin told them he did not believe that to be the case and that he provided information from FOM to the AGs office

- * We should not roll over when we have a good case. AGs office do not have a dog in the fight; if they end up giving up 3/4 of the citations/penalties

- * If there are weaknesses in the case we should identify those in the IC stage and work towards a settlement; Kevin is not saying settle or don't settle, but to look at the case and decide if there is a reason to settle

Assistant OSH Director's Update – SCOTT MABRY

- Not sure that the conversation w/ Kevin and the AGs office may have been an exaggeration about the ICs

- Work on past due abatements; b/c they continually come up and evolve

- 90-day report (approximately 40 cases; 1/2 are CFR files); if it is going to be late on something give the Director's Office heads up

- vacancy OSH Compliance (14 openings; 3 have start dates; 1 posted; other 10 are in process (interviews are being scheduled)); we have some open positions that have been sitting for a while, but we don't have any that we have not been working on

- we are moving towards having 10 positions vacant; which is the cut-off b/c these are the positions we have been using to pay the AGs office

- physicals due by end of May; please make sure your staff is scheduling

- LMS training required (Security training; policy change for harassment and discrimination). The harassment and discrimination policy change is simply an acknowledgement that you have read the policy changes.

- Supervisors can go into their staff to see what is pending on the LMS training; remind staff to stay on top of it and not ignore the email reminders

- Notes in OE for CFR files; You don't have to acknowledge that they corrected each note; but need to acknowledge that they corrected and/or addressed the comments/notes in the section. This is helpful during CFR.

ASH Update – BETH RODMAN

Fully staffed

4 released; 2 in training;

* email Beth if you have any trainees that need to accompany ASH on an inspection; OSH trainee will generally meet the ASH staff in a centralized area. Normally ASH works greater than 8 hours a day, so be aware that the CSHO IT may have an extended work day. If Supervisor has any concern with that then the CSHO IT should make plans to be able to end their workday, i.e., drive independently of the ASH CSHO.

* B/w now and June migrant inspections are in full swing.

* Getting ready to interview for an intern this summer

Consultative Update – KEVIN O'BARR

* Related to construction fatalities Consultative is available to go out on the blitz

* He has bought some brochures; safety consultants do not have a long back log now; he would like Compliance to handout these brochures and let employers know about consultative services

* They want to give construction more attention to address the increased fatality rates

* In the past they have done an annual mailing for the 1.5 ERM;

* Kevin met with the rate bureau to learn about their functions; they use different industry classifications than what we use; they do not use NAICS; he is working on understanding their classification system

* they will begin to request the list monthly; theory is to mail 100 letters a month in a timely manner than in December when over half of the ERMS are out of date

ETTA Update – LAMONT SMITH

TRAINING SECTION – Reported, for Marcy Collyer (Training Supervisor), on the upcoming OSH 125 course at the end of February (2/26 – 3/9) which will be held in the Charlotte field office.

STANDARDS SECTION – Reported, for Hollis Yelverton (Standards Supervisor), new standard books will be available sometime in March or April. They are scheduled to be delivered earlier this year than in previous years.

LIBRARY SERVICES – Reported, for Nick Vincelli (Librarian), that the consensus standards list, ANSI IBR Portal and NC Building Codes are on OSH One Stop Shop under the Library Resources page. (see attached ETTA full report for link)

RECOGNITION PROGRAM SECTION / STAR - Lamont provided an update on the Safety Awards. They are gearing up for their 72nd Safety Awards season. Each STAR Consultant have been assigned to attend and assist with 4-5 banquets.

They have Special STAR Team Member (SSTM) training courses scheduled. They will be conducting two (2) recertification training classes and two (2) initial training classes. The coordination of these classes was led by STAR Consultant Kimberly Bostic. (see attached ETTA full report to obtain the dates of the training). At the completion of the training the STAR Program will have 67 SSTMs on their roster.

All STAR sites were required to submit a STAR Annual Report to the Recognition Program Manager by February 15, 2018. The STAR consultants and Recognition Program Manager will be reviewing the reports and providing feedback to their clients (the employers). STAR Consultant Michelle Evans led the project to convert hardcopy submission of the report to electronic submission.

The Carolina STAR conference has been scheduled for October 3 -5, 2018. Monthly Board of Directors meetings are being attended by Lamont and his staff to ensure the conference is well planned. This year's theme is – "Safety.....No MYSTERY".

The Recognition Program (STAR Consultants) will continue to promote participation in the Carolina STAR Program and Safety Conferences by having exhibits and the various North Carolina Safety Schools. The coordination of the Recognition Programs participation was led by STAR Consultant Carlene Harris. The Consultants will have an exhibit booth at 11 safety schools this year. (see attached ETTA full report to see who has been assigned to be the lead STAR Consultant at the different safety schools throughout the State.

Lamont and his staff are currently conducting an annual review of their policies and procedures. Some of the documents being reviewed are as follows: Carolina STAR Policies and Procedures Manual, SAR Guidelines, Star Program and Safety Awards Bureau Operating Procedures, and SSTM Policies and Procedures.

Lamont provided an update on the STAR Program status for 2018:

18 pending STAR application, 38 recertifications

144 STAR sites: 98 Carolina STAR, 21 Building STAR, 4 Rising STAR, and 20 Public Sector STAR

PSIM Update – ANNE WEAVER

- Communication Tower letter was mailed out recently; Building inspectors to submit to OSH PSIM any information on permits issued for Communication Towers (new construction, alteration, repair, operation, inspection, and maintenance)

Lee raised a concern - the speed of obtaining the information on Communication Towers

Karen ran a quick report that was coded as Communication - on average 10-11 Communication Tower inspections per year

Communication Towers has been on the exempt list; Appropriations Act

* Supervisors voted to only put on the new construction on the assignment list

- We are currently in the 5th fiscal year of the 5-year Strategic Management Policy (In mid-April we will be meeting to begin that new process of developing the new 5-year Strategic Management Plan)
- New Targeting Assignments posted end of January
- Targeting system: Making sure CSHOs are using recent available assignments and not old assignments

Administrative Update – JACKIE SPANGLER

- * Changes in work flow process; will officially start 3/1
- * Payment transmittal are no longer being printed out; it will be screen snapped and forwarded via email to CSHOs and Supervisors; will begin 3/1/18
- * Changes in budget; paperwork is no longer printed out to budget; staff can utilize OnBase (send a one-line email to Gwen to process the request to send to collections); Supervisors and CSHOs will be copied on the email correspondence to Gwen
- * also using abatement date as the receipt date if we do not receive “green card” or USPS mail receipt
- * these changes are being implemented to reduce the paperwork and emailing/facing
- * Greenshot can be loaded on computer by IT; all admin staff has it on their computers
- * Administrative meeting on 3/7/18 in Winston Salem; Another one will be scheduled in October at LBT office; will try to have 2 meetings a year
- * Wanted to Thank Tena Clark and Melinda Boyette; Tena had discovered that some of the letters were incorrect; Melinda has been through the Excel training class
- * Scanners were purchased in July last year; Brent and Jackie met South Carolina personnel to see how their paperless system works;
- * NCDOL is paperless with complaints and referrals; No inspection files will become paperless on 3/1/18
- * IT Department talked to our vendor; we are waiting on approval; there are scanners for each field office; One will be purchased for ASH as well; any questions contact Jackie; at the beginning stages of this project
- * if it is picture on a piece of paper it should be uploaded as photos and not in the documentation section
- * Remind your staff to utilize the OE queues

Kevin Beauregard commented “if you get documentation from the employer that information should be uploaded into the system; copies of letters should be uploaded into the system”

Question raised during the meeting: If they Supervisor generates a letter does OE automatically tiffed into OE? Should the signed copy be uploaded into the system?

NOTE: If you hit print from in OE it would automatically tiff the letter into the system. If you hit control P it will print to the printer; sign/ scan and tiff them into the system.

Kevin Beauregard's preference is to have signed copies of letters tiffed into OE.

NOTE: Attachments stay 3 years after closed; Photos stay 5 years after closed; Documents stay 10 years after closed

* Jackie was working with Victoria on creating a packet of information from the documents in OE. If you have a lot of information in your documents you can take the following steps to get all the documents into one large packet/document.

STEPS TO TAKE: Documents - Tools - Export (specified folder on your desktop); documents are transferred over to that folder that you have created; open the folder (highlight PDF; save to PDF as a binder; then it becomes a binder; all documents are in one location)

* Soft completion date for the OE manual is 10/1/18; plan to work with Ed in ETTA to have it setup on OSH One Stop Shop

* Spoke with the vendor; he will work with us with getting the casefile summary sheet (CFS) converted and embedded into OE; we will discontinue using the communications log; begin using the standard format that people are accustomed to using once this has been completed.

State Plan Coordinator – JUDYTH NICONIENKO

FAME review (5 inspectors on site); snow closures during that time; reviewed 125 files;

* Qtrly meeting held yesterday (possible findings/observations discussed)

Findings- issued that needs to be corrected; its and effectiveness issue. Observation - they would like for us to look at; we are not required to respond. NCDOL does respond. We look at it and determine if we agree a change needs to be made; if we do not agree we will inform FedOSH of our investigation into their observation

* We received a draft document on Friday afternoon;

* NOK letters (we located 3 of the 4 NOK letters that were listed on FedOSH draft report)

* Classification (severity issues)

* Sampling

* Additional Abatement RRI (Rapid Response Investigations)

* OSHA 300 logs

At this point in time staff interviews have not been conducted; however, she still may contact personnel

Paul shared lessons learned from FAME. His review of the lessons learned contained the OSH BCs investigation into FedOSH draft report that were discussed during the FedOSH quarterly meeting on 2/20/18.

Brief overview of the Lessons Learned/Findings

- in-compliance results NOK letter
 - severity classification of citations
 - acetylene storage tank citation
 - isocyanates related
- OSHA 300 logs (if you are not going to have the 300 logs in file make sure there is a summary of the good faith section in the narrative); Previous 2015 FAME there was an observation about not having the OSHA 300 logs included in the file

There was further discussion that occurred during the meeting on OSHA 300 logs. It appears that whether or not to obtain the hardcopies of the OSHA 300 logs has been handled differently in each Bureau, District, and/or Field Office. As a result of the 2015 FAME NCDOL required a detailed description of the CSHOs evaluation and review of the OSHA 300 logs be documented in Good Faith section of the Safety and Health Program Evaluation in the Narrative. CSHOs should indicate if there are trends and discussing the DART rates in comparison to the national average.

* Supervisors were informed that if the OSHA 300 logs are not included in the file then a detailed summary in Good Faith has to be included in the file; Supervisors can use their discretion as to whether or not the actual OSHA 300 logs will be included in the casefiles; It was explained by BC Brown that inclusion of the OSHA 300 logs allows the Supervisors to review the logs to ensure that there are no trends that have been overlooked, especially on CFR (fatalities/accidents "referrals") that involve incidents involving machine guarding. In discussion with Assistant Director Scott Mabry it indicated the requirement to include the OSHA logs would be left up to the Bureau Chiefs and Supervisors. (BC Brown stated that following the FAME 2015 findings she prefers her staff obtain and include copies of the OSHA 300 logs in the inspection files so that the Supervisors can review them as part of their file review)

Question from Supervisor Atkinson - What is the status of the electronic OSHA 300 logs (ITA)?

Response provided by Kevin Beauregard - The rules are in effect in NC and in FedOSH. Employers are required to have everything on line by July 1, 2018.

Staff Industrial Hygienist/ Complaint Desk – RIC SCHUMANN

- see attached Staff IH/Complaint Desk report

Drone Update on Training – LEE PEACOCK

Last week pilot training at LBT; CSHOs and staff are excited about the new program NCDOT Aviation Division partnered with NCDOL (24 personnel within NCDOL); 12 people from State Highway Patrol and SBI; Elevator and Boiler Division attended the class

The core competencies for the pilots; next phase is for the Pilots to take the core competency test (cost associated with the test); Have the CSHOs schedule a test with FAA at the licensing board; Each district except for Wilmington and Asheville will have 1 pilot take the core competency test. Kevin Beauregard requested a list of the pilots be provided so that they could forward to budget so they are aware of who should be reimbursed for the test.

The department will pay for the test after they successfully complete/pass the test.

There was a question raised by BC Brown as to if the “spotters/observers” identified would receive training. A discussion was held and it was decided that all CSHOs would be trained as “spotters/observers” to ensure everyone received the same level of training and understood their responsibilities. Lee Peacock will work with the BCs to coordinate a training class for all spotters/observers.

Compliance Update – PAUL SULLIVAN & NICOLE BROWN

-Informal Conferences/ Settlement Agreements Discussion

* There was follow-up discussion to a previous discussion regarding Supervisors drafting settlement agreements following an informal conference. This discussion specifically addressed the requirement to have stipulations included into the settlement agreement that goes above and beyond the standard language that is provided in the settlement agreement templates. Paul stated that at least a couple of times a year an employer should say “for what we are being asked to do in these stipulations, it is not worth the additional \$1000 reduction”. It was stressed that the Supervisors and CSHO IIs should have stipulations that are directed at ensuring the hazards cited are being addressed. There was discussion about employers are already granted reductions and therefore any further reductions should be due to weaknesses in our citation. Both BC’s discussed that Supervisors should be looking at the citations to and seeing if there are any weaknesses. If so that should be documented and using those weaknesses to work towards a settlement.

*Further discussion was had on formal settlements involving the AGs office. The BC’s informed Supervisors that we have informed the AGs office that they should start settlement discussions with the Supervisor and/or CSHO II that conducted the informal conference. It was explained that if for any reason the Supervisor and Attorney are unable to come to an agreement then they can involve the Bureau Chief; however, it is expected that the Supervisor work with the AGs office on settlements.

*Kevin Beauregard stated that we should not be deleting and reclassifying citations that are strong. If there are issues we need to document and note what those issues are but he is perfectly fine going to court with strong citations.

-BC Paul Sullivan did a presentation on RRI’s (see attached presentation)

Roundtable Discussion Items

BC Brown wanted to discuss questions raised by Supervisor Kaye Thibodeaux regarding the memo titled “Accident and Fatality Processing in OSHA Express”

- This memo references CPL 02-01-052 that is currently no longer available; this was pointed out by Supervisor Thibodeaux
- The question raised by Supervisor Thibodeaux was if an OSHA Inspection form should be entered.
 - o Prior to the meeting BC Brown and Supervisor Thibodeaux had discussed this issue and her concerns were addressed; however, prior to the Supervisors meeting she indicated she wanted it to be included on the agenda. BC Brown forgot to include it on the agenda which is why it was brought up in roundtable discussion.
 - o It was pointed out during the review of the memo that Accidents have specific requirements that differ from the Fatalities. Based on the memo an Inspection Report will be entered for Fatalities. If an Accident is not assigned for an investigation or an inspection the Supervisor can close the referral "accident" and documents on the Notes tab of the associated referral form as to why no additional activity will be taken.

Supervisor Kaye Thibodeaux asked if a "000" needs to be entered to follow up on construction site related abatements.

- It was reiterated that Supervisors should exhaust all means to obtain abatements by following the guidance in the FOM. It was further explained that if the unabated items were physical hazards and the CSHO/Supervisor verified the construction site was complete and no other activity was ongoing, they could go in and mark those items as "abated"; however, for programmatic citations they would need to be marked with a "W". Supervisors were told that no Inspection Report "000" should be entered and classified as follow-up inspections.

ATTACHMENTS

- 1. ETTA Full Report**
- 2. Staff IH Report**
- 3. RRI Presentation**

Education, Training and Technical Assistance Bureau Update

Library Services

Nick Vincelli wanted to direct your attention to the Library Resources page on the One Stop Shop and the links to the consensus standards list, ANSI IBR Portal & NC building codes:

http://10.35.133.11/etta_one_stop/listingDetails.cfm?&catid=16&subcatid=201

Recognition Program Section

First (1st) and 2nd Quarter-FY 2018

- Safety Awards Update –
 - We are in preparation of 72nd Safety Awards season. Our Safety Awards Coordinator, Eursula Joyner, has scheduled 31 Safety Award Banquets with the cooperation and assistance of banquet co-sponsors. Each Star Program Consultant along with LaMont Smith (Recognition Program Manager) has been assigned to assist Eursula and Commissioner Berry with at least 4 to 5 banquets each. Thus far, Eursula has reviewed and processed >2000 Safety Awards applications. In addition, Eursula has processed 47 - Million Hour Award applications, for which the applications and 300 log data were reviewed by LaMont. The first Safety Award Banquet will be held on March 20, 2018 in Lincolnton at Lincoln Cultural Center. The deadline for Safety Awards applications was February 15, 2018. However, we encourage all worksites including our NCDOL OSH Bureaus, who may qualify for participation, to take the time to submit their application for further recognition of their annual safety performance.
- Special Star Team Member (SSTM) Training –
 - SSTMs are team members that support that Star Program's efforts to conduct Star worksite evaluations. The Star Program will conduct four training classes to include: two (2) recertification training classes and two (2) initial training classes. This effort to coordinate these four classes was lead by Kimberly Bostic (Star Program Consultant). The training dates are as follows: Raleigh February 27 (Recertification), and 28-29, 2018 (Initial); and Greensboro March 7 (Recertification), and 8-9, 2018 (Initial). These four (4) classes will be taught by LaMont Smith and Kimberly Bostic. At the completion of the training the Star Program should have a total of 67 SSTMs on the official roster.

- Star Annual Report (SAR) –
 - The SAR is an annual comprehensive review of each Star worksite’s safety and health program and management systems. Each worksite that has been in the Star Program for an established period of time was required to submit a SAR by February 15, 2018. Star Program Consultants and the Recognition Program Manager are tasked with the responsibility to review and provide feedback for 130 plus SARs and provide an analysis of the worksites overall annual safety and health performance and goals. Michelle Evans (Star Consultant) led the project to convert this process from the worksites submitting hard copies to electronic submission.
- 2018 Star Conference Activity –
 - The Carolina Star Safety Conference is scheduled for October 3-5, 2018. LaMont and his staff meet monthly with the Board of Directors and their respective regional team to ensure the success of the conference. The conference has already established a conference theme which is “Safety...No Mystery”! In addition, classroom sessions have been determined. Currently, the board members are seeking opening and closing speakers.
- 2018 Safety Schools –
 - To promote participation in the Carolina Star Program and Safety Conference, the Star Program Staff is assigned to participate as an exhibitor at the various North Carolina Safety Schools. Coordination of this effort was led by Carlene Harris. For 2018, the Carolina Star staff is scheduled to exhibit and promote at 11 North Carolina Safety Schools. Carolina Star Program staff scheduled as the lead exhibitor is as follows:

➤ Hickory Safety School – TBD March 2018	(Tim)
➤ Charlotte Safety School – April 19-20, 2018	(Michelle)
➤ ESI Conference, Raleigh – May 24-25, 2018	(Kimberly)
➤ Statewide, Greensboro – May 15-17, 2018	(Tim/LaMont/Michelle)
➤ Eastern Carolina, New Bern – June 14-15, 2018	(Carlene)
➤ NCALGESO Safety Conference – TBD July 2018	(Morgan)
➤ Wilmington Safety School – July 26-27, 2018	(Morgan)
➤ EEHS, Raleigh – August 6-7, 2018	(Carlene)
➤ Carolina Star Conference – October 3-5, 2018	(ALL)
➤ Western Carolina, Asheville – November 5-7, 2018	(Kimberly)
➤ Safety Congress, Charlotte – November 15-16, 2018	(Michelle)
- Annual Policy and Procedures Review –
 - LaMont and his staff are currently reviewing and updating their policies and procedures to include:
 - Carolina Star Policies and Procedures Manual
 - SAR Guidelines
 - Star Program and Safety Awards Bureau Operating Procedures (BOPs)
 - SSTM Policies and Procedures

- 2018 Current Star Program Status –
 - 18 Pending Star applications/approximately 38 recertifications
 - Total of 144 Star sites
 - 98 Carolina Star
 - 21 Building Star
 - 4 Rising Star
 - 20 Public Sector Star

Standards Section

LaMont Smith indicated that Hollis Yelverton (Standards Supervisor) said that the new standards books will be available earlier this year than in previous years. The new editions should be available sometime in March or April.

Training Section

LaMont Smith indicated that Marcy Collyer (Training Supervisor) stated “The 125 course is coming up at the end of February and will be held in Charlotte. February 26-March 9th.”

STAFF INDUSTRIAL HYGIENIST/COMPLAINT DESK UPDATE

FY 2018 – 1st Quarter (Oct/Nov/Dec 2017)

- Complaints – 534 (241 East, 288 West, 5 ASH)
- Referrals (incl. hospitalizations/amputations, media and CSHO) – 182 (87 East, 87 West, 8 ASH)
*Hospitalizations/amputations – 163
- Events – 31
- Unprocessed complaints – 654
- Unprocessed accidents – 23

Hospitalizations & Amputations to date in 2nd Quarter

January – 74

February (through 2/16) - 32

HH SEP Sampling FY 2018 – 1st Quarter

- (14) personal samples with detectable results (4 silica, 9 lead, 1 hexavalent chromium)
- (4) personal samples below the limit of detection (2 silica, 1 lead, 1 hexavalent chromium)
- (7) inspections with detectable results
- Average severity – silica (1.89); lead (12.12); hexavalent chromium (0.39);
No personal samples were taken for isocyanates or asbestos

Other sampling done with overexposures noted: 1-bromopropane, methylene chloride, noise, PNOC/total and respirable dust

Action Requests

Four action requests received so far in FY 2018, (0) since our last statewide meeting. Three resulted in changes to FOM Chapter 16. One was for miscellaneous changes to FOM Chapter 13 (OE form name changes, adding **three** days for posting the ISA).

Equipment

Inventory due by May 4. Curt has some equipment from the West that was turned in and he has entered it for surplus. Hopefully this will go through prior to the inventory being done. If anyone has any other equipment to be surplus, let either me or Jackie know so it can be entered and removed from our inventory.

Analytical Laboratory

We are currently using Analytics in Richmond (prior to 2000). We are considering the possibility of trying another lab (Galson) and have compared pricing for samples collected during the last fiscal year. Some analytes are more expensive, some are less. Galson does not charge for most media, where Analytics charges \$5 for pre-weighed media and other specialized filters and tubes. One advantage with Galson is that they have multiple offices in different time zones, along with an online IH chat, so CSHOs can contact them with questions after our normal business hours.

I had considered this several years ago and met with a rep from Galson. I compiled information and was to try a pilot program to see how their services were and received feedback from Budget that a small purchase order had to be entered, and when it was spent, to enter another one..... In addition, I was not sure about the practice of selecting a lab/vendor, without putting anything out for bid or going through a more formal process of selection, in case other labs made complaints. For these reasons, nothing was done at the time.

Last year, a CSHO asked about using Galson and recently put together some information to propose a pilot program. I provided all our sampling and cost/invoice information to the CSHO and comparisons were done. Information was forwarded to Budget that we were considering using a new lab and we are awaiting guidance.

*Is anyone aware of any problems/issues that CSHOs are having with Analytics?

- Sample result turnaround
- Not being able to speak with someone with questions
- Any other problems?

Handling Complaints & Referrals



**OSHNC Supervisor Meeting
February 21, 2018**

Presented by:
Paul Sullivan & Nicole Brown
NC Dept. of Labor/Occupational Safety & Health Division

Objectives

Review the OSHNC Complaint & Referral evaluation process to ensure consistency state-wide:

- Formal vs. Non-formal complaints
- Entering information into OE
- Managing the Dashboard
- Documenting extensions



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Complaint Definition

A complaint is a notice of a safety or health hazard that threatens physical harm to employees or a violation of the act believed to exist in a workplace. The complaint can be filed by an individual who was an employee at the time the complaint was filed, an individual who was a representative of employees at the time the complaint was filed, or any other non-referral source, to the commissioner or his authorized representative.



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Valid Complaint

- To constitute a valid complaint the notice must allege that a hazard exists or could recur in the workplace or that the act (meaning a standard, regulation, or general duty clause) is violated.
 - A. If the notice is so vague and unsubstantiated that the complaint desk or a CSHO is unable to make a reasonable judgment as to the existence of the alleged workplace hazard that threatens physical harm, there is no valid complaint. In such a case, however, every reasonable attempt should be made to contact the person giving the notice to obtain more specific information.
 - B. If, as a result of a recent inspection or on the basis of other knowledge of the worksite, it has been determined that the hazard which is the subject of the notice is not present; e.g., it has already been corrected, such a notice is not a valid complaint.



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Formal Complaints

- **Formal Complaint.** To meet the formality requirements outlined in NCGS 95-136(d)(1) a complaint will:
 - i. Be reduced to writing (either on a complaint form or in a letter);
 - ii. Allege that an imminent danger, a violation of the act, or a violation of an OSHA standard exposing employees to physical harm (e.g., a hazard covered by a standard or by the general duty clause) exists in the workplace;
 - iii. Set forth with reasonable particularity the grounds upon which it is based. This does not mean that the complaint must specify a particular standard; it need only specify a condition or practice that is hazardous and, if uncommon, why it is hazardous; and
 - iv. Be signed by at least one employee or employee representative.



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Non-formal complaints

- **Non-formal Complaint.** Any complaint alleging safety or health violations that does not meet any or all of the formality requirements identified in paragraph A.2.d.v. and does not come from one of the sources identified under referral is a non-formal complaint and is to be handled in accordance with the procedures in paragraph A.8. Other examples of such complaints include the following:
 - A. Oral complaints filed by employees.
 - B. Unsigned written complaints filed by employees.
 - C. Written and oral complaints filed by non-employees (persons or groups other than employees or their representatives).
 - D. Complaints of hazards not covered by a standard or by the general duty clause (e.g., second hand tobacco smoke See Appendix IX-B for more information on this issue.)
 - E. Complaints of violations of regulations, such as recordkeeping, (rather than standards).



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Cherie Berry, Commissioner of Labor

Discrimination Complaint

- The complainant will be advised of the protection against discrimination afforded by NCGS 95-241 and will be informed of the procedure for filing a discrimination complaint with the Employment Discrimination Bureau (EDB).
 - i. **Safety and/or health complaints filed by former employees who allege that they were fired for exercising their rights under the act will generally be processed as formal complaints.** Such complaints will be recorded on a complaint form with a copy referred to the EDB office.



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Formalizing Oral Complaints

If the employee or employee representative has filed a notice orally and indicates a willingness to formalize the complaint, as reflected on the complaint form, **the district supervisor will secure the complainant's signature either by mail or in person.** An inspection need not be delayed for a signature if the complaint alleges serious hazards that could cause death or serious physical harm immediately or during the period of time in which attempts are made to secure the signature. The response time on the OS0100 letter to the complainant, who gives them the options of signing the complaint, will be seven (7) working days.



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Example Complaint

Reporting ID 0453720	Complaint Number 209605682	Complaint Date/Time 02/14/2018 02:45 PM	Optional Number 8319	City 2130	County 089	Employer ID
Establishment Name Advance Auto Parts, Inc. dba Advance Auto Parts #8044	Ownership A Private Sector					
Site Address 2302 Asheville Hwy Hendersonville, NC 28791	Site Phone 828-698-7083	Site Fax - -				
Mailing Address 2302 Asheville Hwy Hendersonville, NC 28791	Mailing Phone 828-698-7083	Mailing Fax - -				
Complainant Name Ducker, Dustin	Phone 828-674-6423	Fax - -				
Complainant A Employee	Method Received Telephone					
Complainant Address 280 Bobcat Spur Lane Hendersonville, NC 28792	Willing to Sign? Yes	Supervisor(s) Assigned Q8066				
Org Name	Title					
Valid Complaint? Yes	Formality Non-Formal	Intake Deborah Samad	Send OSHA-7? Yes	Primary SIC 5013	Primary NAICS 441310	
Complaint Classification Safety - Serious Health - Serious	Inspection Planned? No	Priority	Close Complaint			



This presentation was created by the N.C. Department of Labor for safety and health training.

Example Complaint

Hazard Description:

1. The roller door at the back of the building free falls when unlocked; an employee has been struck by it.
2. Items weighing up to 30 lbs. are stored on shelves up to 13 feet high, such that retrieving them could be hazardous.
3. There is no LOTO policy or equipment.
4. Cleaning and other chemicals are not stored properly: at times, they are left on the water fountain.
5. There are no hard copies of SDS (Safety Data Sheets), and the online version is not readily accessible to employees.
6. Where employees handle and change auto batteries, neither aprons, gloves, nor eye protection is provided, and employees are not trained.
7. There is an oil recycling station and no oil spill kits are available.
8. There is no sprinkler system in the building.
9. There is no emergency evacuation map in the building.
10. There are only 3 fire extinguishers, and it appears that the expiry dates on them have been altered.

Hazard Location:
Facility.



This presentation was created by the N.C. Department of Labor for safety and health training.

Complaint Desk Notes

02/15/2018 16:52:22 dasamad

The complainant stated: he has worked for the employer for 3 months; there are 10 employees; he has brought up the safety hazards to the employer "numerous times", and the employer says he will work on it, but no action has been taken.

Some officials (he does not know from which agency, possibly environmental) came to the facility in October 2017, and took a lot of pictures; he has heard nothing more about that.



This presentation was created by the N.C. Department of Labor for safety and health training.

Complaint - 209605682

Complaint Number: 209605682 Establishment: Advance Auto Parts, Inc. dba Advance Auto Parts #8
 Complaint Date: 02/14/2018 2302 Asheville Hwy., Hendersonville, NC 28791

Establishment
 Complaint info

☒ Complaint
 ☒ Details
 ☐ Emphasis/Initiatives
 ☐ OSHA File

8. Hazard Description

1. The roller door at the back of the building free falls when unlocked, and an employee was struck by it.
 2. Items weighing up to 30 lbs. are stored on shelves up to 13 feet high making retrieving them hazardous.
 3. There is no LO/TO policy or equipment.
 4. Cleaning and other chemicals are not stored properly, sometimes being left on the water fountain.
 5. There are no printed Safety Data Sheets available. The online version is not readily accessible to employees.

9. Hazard Location

Facility.

☒ UPA Actions
 ☒ UPA Response
 ☐ 39. Send Letter
 ☐ 40. Receive Letter

Action Date	Action Type	Date Due	Communication
02/16/2018	Do Inspection - Y	02/20/2018	
02/16/2018	Contact with Source	02/27/2018	Mail Letter

Add Delete

This presentation was created by the N.C. Department of Labor for safety and health training.

Complaint - 209605682

Complaint Number: 209605682 Establishment: Advance Auto Parts, Inc. dba Advance Auto Parts #8
 Complaint Date: 02/14/2018 2302 Asheville Hwy., Hendersonville, NC 28791

Complaint Details Emphasis/Initiatives OSHA File Complaint Info

Documents Pictures Attachments Notes Current Activity Related Activities

Notes Communication Log Audit Log

Contact Date: 02/16/2018 08:15 Type: Other Intake: ckknezevich 02/16/2018 08:15

Contact Name: Kay Knezevich Add

Phone: Email: Delete

Subject: Complaint

Comments: Receipt & review complaint from current employee. Assigned for inspection to CSHO Steve Able. Send OSHA-7 to employee for signature.

#	Date/Time	Contact Name	Subject	Comments
1	02/16/18 08:15	Kay Knezevich	Complaint	Receipt & review complaint from current employee. Assigned for
2	02/16/18 08:24	Tena Clark	OSHA-7	Mailed OSHA-7 to complainant.

Row 1 of 2

Complaint - 209605682

Complaint Number: 209605682 Establishment: Advance Auto Parts, Inc. dba Advance Auto Parts #8
 Complaint Date: 02/14/2018 2302 Asheville Hwy., Hendersonville, NC 28791

Complaint Details Emphasis/Initiatives OSHA File Complaint Info

Documents Pictures Attachments Notes Current Activity Related Activities


Notes Communication Log Audit Log

02/15/2018 16:52:22 dasamad
 The complainant stated: he has worked for the employer for 3 months; there are 10 employees; he has brought up the safety hazards to the employer "numerous times", and the employer says he will work on it, but no action has been taken.

Some officials (he does not know from which agency, possibly environmental) came to the facility in October 2017, and took a lot of pictures; he has heard nothing more about that.

02/16/2018 08:19:26 ckknezevich
 Reviewed complaint and assigned to CSHO Steve Able for inspection.

Date Stamp

 Occupational Safety & Health Division
 N.C. Department of Labor
 Cherie Berry, Commissioner of Labor

This presentation was created by the N.C. Department of Labor for safety and health training.

Complaint - 209605682

Complaint Number: 209605682 Establishment: Advance Auto Parts, Inc. dba Advance Auto Parts #8
Complaint Date: 02/14/2018 2302 Asheville Hwy., Hendersonville, NC 28791

Complaint Details Emphasis/Initiatives OSHA File Complaint Info

5. Mgmt Official Wade Bradley
7. Type of Business Auto parts retail
10. Brought to the attention of :
☒ Employer ☐ Other Gov Agency (See OSHA File Notes)
11. Reveal Name No
12. Complainant Employee

19. Reporting ID 0453720
21. Optional Complaint No. 8319
29. Date/Time Received 02/14/2018 02:45 PM
31a. Safety Sup Assigned
31b. Health Sup Assigned Knezevich, Kay
31x. Safety CSO Assigned 00/00/0000
31x. Health CSO Assigned Able, Stephen 02/16/2018
32. Primary NAICS/SIC 441310 5013
33. Complaint Classification
Safety ☐ Discrimination ☐ NAICS/SIC Xref
Health ☐ Imminent Danger ☐ Imminent Danger ☐ Migrant
☒ Serious ☒ Serious
☐ Other ☐ Other

36. Valid? Yes
37. Formal/NonFormal NonFormal
42a. Inspection Planned? Yes b. Priority
48. Close Complaint?
49. Employer Response

13a. Last Name Ducker
13b. First Name Dustin
14. Phone 828 674 6423 14b. Fax
15a. Address 260 Bobcat Spur Lane
15b. City Hendersonville
15c. State NC 15d. Zip 28792
18a. Org Name
18b. Title
99. Method Rcvd Telephone Send OSHA-7? Yes
Intake Info Deborah Samad 02/15/2018

35. Optional Information

Type	ID	Value
N	20	See OSHA File Notes

Add Delete

Electronic Complaints

Where a current employee or an authorized employee representative has provided their name and checked the "This constitutes my electronic signature" box on an electronic complaint, it shall be evaluated to be considered as a formal complaint and processed accordingly. The complainant must provide sufficient contact information (i.e. phone number, email address, mailing address) to allow the OSH Division to verify that they are a current employee or an authorized employee representative for processing a formal complaint. If the complainant is contacted and states that he or she is no longer a current employee or an authorized employee representative, the complaint will be processed as a non-formal complaint. If the complainant does not provide sufficient contact information, or cannot be contacted with the information provided, the complaint shall be processed as a non-formal complaint.

Notice of Alleged Safety or Health Hazards

Thursday 2/15/2018 16:44:41

Reporting ID	Complaint Number	Complaint Date/Time	Optional Number	City	County	Employer ID
0453730	209606674	02/16/2018 03:42 PM		0870	119	
Establishment Name	Premier Transportation, Inc.			Ownership A Private Sector		
Site Address	3606 N Graham St Charlotte, NC 28206			Site Phone	- -	Site Fax
Mailing Address	3606 N Graham St Charlotte, NC 28206			Mailing Phone	- -	Mailing Fax
Complainant Name	Stephens, Melvin			Phone	917-783-9419	Fax
Complainant Address	D Other			Method Received	Telephone	
Complainant Address				Willing to Sign?	Supervisor(s) Assigned	
Org Name				T3994		
Valid Complaint?	Formality	Intake	Send OSHA-77	Primary SIC	Primary NAICS	
Yes	Non-Formal	Jeffrey Mitchell		4789	488210	
Complaint Classification	Safety - Serious		Inspection Planned?	Priority	Close Complaint	
			No			



Cherie Berry, Commissioner of Labor

This presentation was created by the N.C. Department of Labor for safety and health training.

Hazard Description:

Employees are exposed to struck by hazards due employees operating the forklifts unsafely. There have been several near misses and the employer is allowing unlicensed employees to operate the forklifts. The forklift drivers are not using horns to warn employees.

Hazard Location:

Warehouse area

Type	ID	Optional Information
N	20	Complainant is a former EE as of 2/8/18



Cherie Berry, Commissioner of Labor

This presentation was created by the N.C. Department of Labor for safety and health training.

Complaint - 209605674

Complaint Number: 209605674 Establishment: Premier Transportation, Inc.
 Complaint Date: 02/15/2018 3606 N Graham St, Charlotte, NC 28206

Complaint Details Emphasis/Initiatives OSHA File Complaint Info

8. Hazard Description

Employees are exposed to struck by hazards due to employees operating the forklifts unsafely. There have been several near misses and the employer is allowing unlicensed employees to operate the forklifts. The forklift drivers are not using horns to warn employees.

9. Hazard Location

Warehouse area

UPA Actions UPA Response 39. Send Letter 40. Receive Letter

Action Date	Action Type	Date Due	Communication
02/15/2018	Do Inspection = N	02/19/2018	
02/15/2018	Contact with Employer	02/28/2018	Mail Letter
02/15/2018	Valid = Y	00/00/0000	

Add Delete

Dashboard

Dashboard Notifications Messages ☐ Keep on Top ☒ Open at Startup

Open Activities

	Activity	Act Date	CSHO	Sup	Establishment	Due Date	Q	Final
Inspections	209605427 C	02/14/2018		T3994	Miles-McClellan Const Co Inc	02/28/2018	0	
Complaints	209605419 C	02/14/2018		T3994	Barnday Corp.	02/28/2018	0	
Referrals	209605559 C	02/14/2018		T3994	Tryon House of Woodlawn Inc	02/28/2018	0	
Events	209605575 C	02/14/2018		T3994	The Rose Transportation, LLC	02/28/2018	0	
Interventions	209605641 C	02/14/2018		T3994	Ramada Charlotte Airport Hotel	02/28/2018	0	
Assignments	209605393 C	02/13/2018		T3994	Fournoy Construction Company	02/26/2018	0	
Discrimination	209605302 C	02/12/2018		T3994	Best Friends Pet Care, Inc.	02/26/2018	0	
Serious/Fatal	209605229 C	02/09/2018		T3994	Carter Lumber of South, Inc.	02/22/2018	0	
	209605054 C	02/07/2018		T3994	Social Status	02/20/2018	0	
	209605047 C	02/07/2018		T3994	Metrolina Greenhouses, Inc.	02/20/2018	0	
	209604685 C	01/30/2018		T3994	Regal Ideas	02/22/2018	0	
	209604461 C	01/29/2018		T3994	Creative Delivery	02/22/2018	0	
	209603927 C	01/22/2018		T3994	TEP Painting LLC	02/22/2018	0	

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 N.C. Department of Labor
 Occupational Safety & Health Division
 Cherie Beery, Commissioner of Labor

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Dashboard

Dashboard

Dashboard | Notifications | Messages | ☐ Keep on Top ☒ Open at Startup

Open Activities	Activity	Act Date	CSHO	Sup	Establishment	Due Date	Q	Final
Inspections	209605377	C 02/13/2018		F2142	Caswell Developmental Center	02/26/2018	0	
Complaints	209605443	C 02/09/2018		F2142	H & M Performance	02/26/2018	0	
	209605120	C 02/08/2018		F2142	PeopleReady, Inc.	02/20/2018	0	
Referrals	209602614	C 12/29/2017	A2210	F2142	Luxor's Cuts	02/19/2018	0	
Events	209605385	C 02/13/2018	W4949	F2142	Bryant Durham Electric Co Inc	02/19/2018	0	
Interventions	209605286	C 02/12/2018	W4949	F2142	RHA Health Services, Inc.	02/19/2018	0	
Assignments	209605732	C 02/16/2018		H1289	Lithium Corporation of America	02/19/2018	0	
Discrimination	209605211	C 02/09/2018		H1289	Old Stone Steakhouse, LLC	02/23/2018	0	
Serious/Fatal	209605062	C 02/07/2018		H1289	Vallen Distribution, Inc.	02/23/2018	0	
	209604776	C 02/01/2018		H1289	Gemma Power Systems, LLC	02/15/2018	0	
	209603919	C 01/22/2018		H1289	Meridian Specialty Yarn Group	02/05/2018	0	
	209603638	C 01/12/2018		H1289	Advanced Family Eye Care-Do	01/23/2018	0	
	209603240	C 01/10/2018		H1289	Allison-Smith Company LLC	01/22/2018	0	

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☒ Due Dates

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Complaint - 209603927

Complaint Number 209603927 Establishment: TEP Painting LLC
Complaint Date 01/22/2018 Lot 106, Sugaree Commons Road/Miller Road, Pineville, NC 28

Complaint | Details | Emphasis/Initiatives | OSHA File | Complaint Info

8. Hazard Description

- On or about December 18, 2017, an employee sustained a broken ankle due to the ground being uneven where part of the site being leveled/graded for the driveway was not barricaded to prevent other employees walking there.
- Employees engaged in painting were not trained to use ladders safely.
- Employees engaged in spray painting were not provided with eye protection.
- Employees were not provided with information or training on the chemicals and paints they were using on the site.

9. Hazard Location

At the jobsite.

UPA Actions | UPA Response | 39. Send Letter | 40. Receive Letter

Action Date	Action Type	Date Due	Communication
01/22/2018	Do Inspection = N	01/25/2018	
01/22/2018	Valid = Y	00/00/0000	
01/22/2018	Contact with Source	01/22/2018	Mail Letter
01/22/2018	Contact with Employer	02/04/2018	Mail Letter
02/05/2018	Contact with Employer	02/08/2018	Phone Discussion
02/09/2018	Contact with Employer	02/14/2018	Phone Discussion
02/16/2018	Contact with Employer	02/22/2018	Phone Discussion

Add Delete

Complaint - 209603927

Complaint Number: 209603927 Establishment: TEP Painting LLC
 Complaint Date: 01/22/2018 Lot 106, Sugaree Commons Road/Miller Road, Pineville, NC 28134

Complaint Details Emphasis/Initiatives OSHA File Complaint Info

Documents Pictures Attachments Notes Current Activity Related Activities

Notes Communication Log Audit Log

Contact Date: 02/16/2018 14:46 Type: Phone Intake m/peacock 02/16/2018 14:46

Contact Name: Thomas Perez Add

Phone: 980 307 5676 Email: Delete

Subject: Response

Comments: Called er; stated he would have friend call me. Explained needed response and would have to inspect if no response. Provided telephone number. Extend until 2/22.

#	Date/Time	Contact Name	Subject	Comments
1	01/22/18 12:30	Nancy Lisanti	Response	Paint One responded to the items outlined in the complaint and
2	01/22/18 12:31	Lee	Processing	Send D&E Letters
3	02/05/18 08:55	Thomas Perez	Response	Called/left message regarding response. Will extend until 2/8.
4	02/09/18 14:56	Thomas Perez	Response	CSHO GQuiller contacted er and explained information needed
5	02/16/18 14:46	Thomas Perez	Response	Called er; stated he would have friend call me. Explained nee

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Complaint Evaluation

- Is the complaint formal or NF?
- Are the alleged hazards best addressed by inspection or letter?
 - Unknown contractor construction complaints
 - Mold/IAQ complaints
- For complaints that are (or could be) formal, you need to get the okay from the complainant to investigate by letter.
 - Document that discussion in OE.
- Try to handle investigations by phone/fax or phone/email. Letters often don't reach a management official.

Referral/Accident Evaluation

- Keep in mind that some accidents require a one-day response (such as multi-digit amputations).
- Investigations by letter can be initiated for single-digit amputations or hospitalizations.
 - Usually for accidents that don't involve machinery.
 - Employer should be contacted by phone and then the letter can be emailed to the POC.
 - The employer's response **MUST** be closely reviewed to ensure the hazardous condition has been abated.