

Statewide Supervisor Meeting

Date: 11/7/19

Start Time: 10:00am

Adjourned: 3:00pm

Scribe: Dawn H. Eason

Attendees:

Lafayette Atkinson
Kevin Beauregard
Nicole Brown
Jennie Cagle
Laura Crawford
Leaton Jones

Ben Harris
Beth Rodman
Kay Knezevich
Marcy Collyer
Scott Mabry
Deidre Duncan

Chris Moore
Judyth Niconienko
Alta Guzman
Lee Peacock
Dawn Eason

Paul Sullivan
Scott Justice
Anne Weaver
Kaye Thibodeaux
Nancy Hall

Welcome – NICOLE BROWN

- ❖ Congratulated Deidre Duncan on her new promotion to Administrative Coordinator
- ❖ Welcomed everyone, announced that Alta Guzman was sitting in for Bruce Miles, District 11 and Scott Justice was sitting in for Neesia Hill, District 9
- ❖ Dawn Eason will be taking minutes

OSH Director's Update – KEVIN BEAUREGARD

- ❖ Fatalities have been increasing, unsure how accurate this data is because some incorrect information has been entered in the spreadsheet on the "F" drive. Team Leaders need to calculate with real ESC data
 - FY 2017-35, FY 2018-49, FY 2019-54, FY 2020 – 6 in 1st month (on pace for 72)
 - Construction 12, 24, 18
 - Services 0, 3, 7
 - Transportation & Utilities 2, 4, 7
 - AG 3, 6, 5
- ❖ Employment levels in 9/2019 were 4,578,000 and is now up by 102,000 over last 12 months
 - Transportation and Utilities are up 32,000
 - Services is up 67,600

- ❖ Open enrollment is 11/2 through -11/19/19
 - If no action is taken by state employee, they will stay or be moved to the 70/30 plan and pay \$60 more for premium without completing tobacco attestation
 - State employees wanting to participate in 80/20 plan must sign up for that plan before open enrollment ends and complete the tobacco attestation if required to receive the premium credit
 - 80/20 with tobacco attestation - \$50 employee only, w/o TA -\$110
 - 70/30 with tobacco attestation - \$25 employee only w/o TA -\$85
- ❖ Quarterly meeting with OSHA is scheduled for November 14, 2019 in Raleigh, end of the year data will be reviewed, supervisors should attend this meeting at least once, talk to your BC to attend
- ❖ OSH Advisory Council meeting will be on November 20, 2019 in Asheboro. Scott and/or Nicole will be giving a presentation on the Scaffolding Collapse in downtown Raleigh
- ❖ On-Site FAME will be December 9 – 13, 2019, case files have been requested by OSHA. Please review before sending to PSIM; also, the auditors may want to speak with employees. Next year they will be looking at electronic copies
- ❖ Supervisor report review is very important, especially as we are now paperless
- ❖ OE coding -important for supervisors and reviewers to check
 - NAICS codes—only those in SEP, Industry (Maritime, Mining), Migrant Housing, SEP, NEP, Strategic Plan
 - Make sure to run reports for your district to review to ensure items are being coded correctly
- ❖ Focus on conducting inspections early so we don't start in a big hole
- ❖ Interims- make sure you are talking to your staff throughout the year. If needed, do documented counseling, improvement plans, coaching, written warnings, etc. Address issues as issue arises
- ❖ Jennifer Stackpole has been sending out mileage report emails to DOL offices. Assigned state vehicles should be driven at least 1050 miles per month, if we don't put the miles on them that is required, we may have to turn in some cars, and we do not want that to happen. As staff are cut loose, they will need the cars for travel
- ❖ There is still no state budget, legislative has shut down and won't be working on the budget anymore this year. We have same funds as we had last year, and the federal budget is running on a continuing resolution until November 20th.
- ❖ Xtnd is going away in January and there will be a new system.

Assistant OSH Director's Update – SCOTT MABRY

- ❖ Legislature will be back in session in March and hopefully will pass budget next summer.
- ❖ Vacancy rate in Compliance is 18 vacant, we just received a 2.5% raise; however, vacant positions do not get the pay increase. Supervisors should move fast with the hiring process. Get interviews scheduled and packets forwarded to BC and Director's Office for approval as soon as possible. If we do not fill the positions prior to the next 2.5% raise that we are supposed to receive next year those vacant positions pay range will be 5% less than other positions. A lot of

the same people are being interviewed for positions at different locations, please make sure to give good justifications as why they are not hired or interviewed.

- ❖ Two IH Trainee positions posted this week, one for Winston-Salem and one for Raleigh
- ❖ Tablets have been ordered for the CSHOs, 9 were shipped and then 100 were shipped; however, they were the wrong tablets. Hope to get the new tablets within the next 2 weeks or no later than November 20, 2019
- ❖ Goals may need to be adjusted due to staff leaving for other employment; The Bureau Chiefs have been asked to provide projected inspection numbers based on current staffing.
- ❖ Telematics have now been installed in State Cars and motor fleet has hired a person to manage state cars and incidents that arise on the telematics. We do not have DOL policy on this yet, we are waiting on Motor Fleet to issue their policy.
- ❖ Video Conferencing equipment is working well. There will be online training for Admin staff coming in the next two weeks. Anyone can sit in on this training. Staff need to be careful and not unplug any of the equipment
- ❖ An updated APN 16J was released, CFR cases now require the Director's Office to approve and agree to Settlement Agreements. If there are significant changes made to the agreement after it was approved the Bureau Chief and the Director's office (Scott and Leaton) should be notified and approval of the changes should be obtained again. For all settlement agreements, proposed settlement agreements and/or a written email/memo outlining the proposed settlement agreement changes sent to the Bureau Chief and Director's office, please include an explanation as to why you are recommending the changes. Also, include any stipulations that will be included in the settlement agreement. Supervisors and CSHO IIs should not participate in settlement discussions on inspection files that are "Final Order". Non-CFR cases that result in a 35% or less reduction do not require BC or Director's office approval.

OSH Administration Update – JUDYTH NICONIENKO

- ❖ FAME Review is beginning soon and will last about 1 week and there will be many people on site for the review.

Administrative Update – DEIDRE DUNCAN/DAWN EASON

- ❖ There is a Report Manual out on OE
- ❖ The Raleigh Office will be without power on Friday, November 8, 2019 due to the main electrical panel for the building being replaced. The computers will be down, and the office will be closed. The Complaint Desk staff are relocating to ORB for that day
- ❖ Last Administrative Associate II position was filled in the Raleigh Office, Charmaine Burnett accepted the position and started about a month ago and is learning quickly
- ❖ Raleigh Field Office/Wilmington have pulled all the requested files for the FAME audit and will be reviewed by staff soon before sending to PSIM
- ❖ Kevin Commented – it came to his attention that a lot of staff think they are not able to enter documents and pictures into OE since the paperless process began. Chapter IV has a section regarding instructions for photos. Put the 3 to 4 best photos in OE, it does cost more to enter a lot of photos in OE. There is a 6-month period that we will be using hard copies and paperless together to provide for a learning curve. Three other states are paperless and haven't had any problems
- ❖ Alta, Question – is there going to be a training offered to staff on the paperless process, Scott suggested we could have a "Lunch and Learn" session with a video

- ❖ Marcy Commented – in the Legal Aspects class CSHOs made comments that they were told to scan the entire employer manuals into OE, Kevin said no; however, if you need certain pages to support your case it is ok to scan the first page of the manual and the supporting page(s)

OSH Health Consultant Update – LEATON JONES

- ❖ Went over the highlights of APN-16, the Citation and Settlement Agreement wording needs to be changed in OE. For CFR files on the 60-day lapse report, Supervisors are required to have a weekly meeting regarding the case progress. When an open inspection has a >90 day lapse time the Supervisor and CSHO is required to email the Bureau Chief and Director's Office weekly to explain the delays. (see attached presentation that was reviewed in the meeting for the types of explanations we should expect to receive).
- ❖ Paul Commented – In the comments the Supervisors should include an estimated date of the next movement of the file in addition to adding more detailed comments
- ❖ Staff are required to have a meeting with the BC within 45 days of a fatality
- ❖ Nicole Commented – Supervisors should be meeting with their staff, especially when they are proposing a general duty citation (GDC). The purpose is to ensure the CSHOs have obtained the information needed to support the GDC.
- ❖ There is a 90-day lapse time goal for CFR cases

Compliance Update – PAUL SULLIVAN & NICOLE BROWN

- ❖ PowerPoint presentation went over some processes in OE (see attached PowerPoint). There is a new electronic signature space on the Inspection Report, supervisors date it the day given to Admin. staff. Once signed, dates can't change
- ❖ Deidre Commented – different person can sign on top of another signature, on the next OE build, the date will be flexible
- ❖ There was a discussion about what information needs to be included on the communication log in OE. The communication log replaces the casefile summary log for the paperless inspection files. The issue was whether there should be a notation placed on the communication log for when the file was routed to assist with the manual calculation of lapse time since the dates on the new OSHA 1 (Inspection Report) cannot be changed currently. Some people wanted to only use the routing queue for internal movement of the file and not require an entry to be made on the communication log when the file was routed to CSHO/Supervisor/BC/AG/Director's Office, because they felt it was extra work. Other people felt the entry should be made on the communication log because it kept all the information about the file in one central location and the communication log could be printed out. It will assist with tracking the CSHOs lapse time. The discussion was tabled during the meeting and there was no decision made. Currently, lapse time must be manually tracked until the new build in OE comes out. Take out the time that the AG's office and Director's office has the file, do not count this in the CSHO's lapse time
- ❖ Make sure everyone is using the queue in OE
- ❖ Make sure everyone is using the Communication Log by entering your name for contact, if you are contacting someone else, put their name. In the "type" choose either phone, email or other
- ❖ Kevin Commented – the Evidence Worksheet stating there are photos on a CD needs to be clarified in the manual
- ❖ Previous 1Bs for repeat citations should be in "Attachments" in OE; the "Documents" section should have the Abatements, Witness Statements, Correspondence with employers, victims and NOK, appendices, etc.

- ❖ When scanning in Witness Statements, make sure the name of the document is named Witness Statement and include the name of person making the statement in the document name
- ❖ Budget office is looking closer at Travel Reimbursements that are submitted, make sure you are deducting commute miles from your travel and you should claim the shortest distance, either from home or work when traveling

ASH Update – BETH RODMAN

- ❖ ASH will begin conducting preoccupancy inspections for 2020. If you have trainees that need to go out with ASH, please email her as soon as possible

ETTA Update – MARCY COLLYER

- ❖ Thanked everyone for their support for training this year
- ❖ The year goals were met for internal and external trainings
- ❖ Legal Aspects training ends today, and upcoming trainings are OTI, Work Zone and Introduction to Safety Standards for Safety
- ❖ Corey Dunphy went to the Standards Section, please email Marcy now for internal trainings
- ❖ Training records will be looked at during FAME audit

PSIM Update – ANNE WEAVER

- ❖ As mentioned earlier, Compliance and ASH Bureaus have been sent their lists of files for the upcoming FAME audit with a deadline for them to be received in PSIM by December 3rd
- ❖ PSIM will begin calculating the fatality rates for the Construction and the Logging SEP's to bring consistency to how these are calculated
- ❖ PSIM will be working with Legal Affairs to revise the FOM to provide more detailed guidance on how Compliance and ASH will handle trade secret and confidential information where, instead of just referencing in the narrative or 1B, the decision is made to actually include in a case file. Neesia will be submitting an Action Request regarding this matter
- ❖ Currently, there are only 2 non-responders to the Public Sector Injury and Illness Survey. There are 4 employers that have submitted their surveys where corrections must be made, and they will not respond with those corrections. PSIM will forward to Nicole and Paul next week any of these 6 employers who might still have not responded to PSIM

Staff Industrial Hygienist/ Complaint Desk – RIC SCHUMANN

- see attached Staff IH/Complaint Desk report and update

District Updates

- ❖ **DISTRICT 10** – Lafayette Atkinson shared a fatality case, House of Raeford, employee fell and was caught between the auger blade and the wall of a chiller. The employer seems to be stalling and holding information. They inspected the site and there were no employees there. They are having problems getting the number of employees and the employee names. The office got a subpoena and the employer is objecting to that; however, they are now offering to let Lafayette and his staff meet with their employees
- ❖ Kevin Commented – this case is being watched
- ❖ **DISTRICT 9** – Scott Justice announced they have a newly released CSHO, Wesley Herron

- ❖ He shared a case involving a Human Trafficking Safe House, there was concern that the Safe House's address was being shared and that should be kept confidential due to it being a safe house. If you need confidential information, you need to get it from the AG's office. Contact Jill Cramer if this happens again to see how to handle
- ❖ **DISTRICT 8** – Kaye Thibodeaux shared that they are working on a case where a trash hopper was being used as a basket to go up 37 feet to go on a roof. Multi citations are being issued to sub-contractors
- ❖ **DISTRICT 7** – Chris Moore shared that they are working with the AG's office on a trench collapse, Vertical Walls, there is a lot of going back and forth with Victoria
- ❖ **DISTRICT 6** – Nancy Hall shared that they received a complaint from a current employee regarding a Public Sector repairing a school bus. The bus fell off the vehicle lift. Inspector went and confirmed the lift was too short to hold the bus. It was installed in the early 1990's with no inspections. The event happened in October 2018 and nothing had yet been repaired in May or June 2019
- ❖ **DISTRICT 5** – Ben Harris shared that they have a case where the employee died, he was caught between material in a shipping container
- ❖ **DISTRICT 4** – Laura Crawford said that as of Friday, November 8, 2019 they have 0 active partnerships, if you know of anyone please let her know
- ❖ **DISTRICT 3** – Jennie Cagle said that the amputation letter email will go out to OSH and Consultative Services
- ❖ She shared that they have a case where the employer said if they can't settle in 2 weeks, they will go to court
- ❖ **DISTRICT 2** – No update
- ❖ **DISTRICT 1** – Kay Knezevich shared a case regarding a lineman that was up a 60-foot pole with a chainsaw, the chainsaw fell and hit his butt-squeeze and cut it, he fell and died.

Additional Comments

- ❖ Kevin Commented - Todd McNoldy heads up the Statistical Section and shared the following case rates:
 Private – 2.3% to 2.4%
 Manufacturer – 2.9% to 2.8%
 Retail – 3% to 2.6%
 Construction – 1.8% to 2.5%
 State Government – 2.6% to 2.3%

Being no future discussion, meeting was adjourned.

ATTACHMENTS

- 1. New APN-16 OSH Director's Office Citation and Settlement Authorization**
- 2. OE PowerPoint Presentation**
- Staff IH/Complaint Desk Report and Update**

NEW APN-16

OSH Director's Office Citation and Settlement Authorization

Cases requiring CFR/Settlement Authorization

- All work-related fatalities within OSHNC's jurisdiction
- Two (2) or more hospitalized following the same incident
- All loss of eye injuries
- Amputation of multiple digits (toe, finger)
- Amputation of a limb (foot, hand, leg, arm)
- Hospitalization or single digit amputation to a worker younger than 18 years old
- Inspections with failure to abate or willful citations
- Hospitalizations or single digit amputations that result in repeat citations as the proximate cause
- Inspections with media involvement
- Inspection with private sector penalties >\$50,000
- Inspection with public sector penalties >\$10,000
- Inspections where a 1910 standard is cited in construction and not previously identified as applicable
- Inspections involving poultry and poultry processing
- Inspections initiated by the director's office
- Corporate-wide/State-wide settlements

Highlights

- 60-day lapse time report
 - CSHO and Supervisor must have a weekly meeting regarding case progress
 - >90 days lapse time- weekly email to Bureau Chief and Director's Office explaining delays
 - Large case load
 - Uncooperative employer
 - Difficulty in documenting case
 - Difficulty in identifying citations

Highlights cont.

- Fatality meetings
 - Conduct within 45-days of fatality
 - Can be held sooner if CSHO and Supervisor agree on facts of the case
- Settlement agreement changes
 - Major changes, i.e. reclassification of citations, further penalty reduction; must be submitted for approval again
 - Minor changes, i.e. non-admittance clause, rewording of stipulation; **does not need** to be submitted for approval again

Highlights cont.

- Lapse time goal
 - 90-days

OSHA Express - Enforcement

Signing the OSHA-1

Inspection Update - 318176906

366 Establishment: The Manual Woodworkers and Weavers, Inc.
3737 Howard Gap Road Hendersonville, NC 28792

Emphasis/Initiatives: OSHA-1AC OSHA-1671 Health Violations OSHA File

Employer Site: TEMP AGENCY
EMPLOYER SITE: TEMP AGENCY
EMPLOYER SITE: NS WITH CITATIC

3. Optional Report Number: 023-20 Corporation

18. Legal Entity: Home Decor Manufacturer

20. Type of Business: Safety Joint

21. Inspection Category: 314912

22. Primary NAICS/SIC: 2394

23. Secondary NAICS/SIC: NAICS/SIC Xref

a. Guide

b. Inspected

24. Inspection Type

25. Inspection Classification: Safety Manufacturing Migrant

26. Employed in Establishment: 152

27. Covered by Inspection: 4

28. Controlled by Employer: 287

29. Union?: No

30. Employees Walk Around: No

31. Employee Interviewed: Yes

35. Scope of Inspection: Partial Inspection

43. Reason No Inspection: Unknown

97. Federal Contractor: Yes

98. Attempt to collect info: No

99. Imminent Danger Notice: 00/00/0000

5. Related Activity

Type: Referral Number: 203463641 Sat Safety? Sat Health? Cmp Ref Close Related Close Date

42. Optional Information

Type	ID	Value
S	01	1.19
S	03	26.8
S	05	8/27/19

Type		Number		Satisfied		Type		Number		Satisfied	
R		203463641		Safety							

Employed in Establishment	152 Advance Notice?	No	Category	S Safety
Covered By Inspection	4 Union?	No	Interviewed?	Yes
Controlled By Employer	287 Walkaround?	No		
Primary SIC	2394 Secondary SIC		Inspected	
Primary NAICS	314912 Secondary NAICS		NAICS Inspected	

Inspection Type	P Referral-Employer Reported Reason No Inspection
Scope of Inspection	B Partial Inspection
Classification	Safety Manufacturing

Anticipatory Warrant Served?	No	Denial Date		Date ReEntered		Date ReDenied		ReEntered	
Anticipatory Subpoena Served?	No	00/00/0000		00/00/0000		00/00/0000		00/00/0000	

Entry	08/28/2019	08:45	First Closing Conference	09/10/2019	10:45
Opening Conference	08/28/2019	09:00	Second Closing Conference	00/00/0000	:
Walkaround	08/28/2019	10:00	Exit	09/10/2019	11:00
Days On Site	2		Case Closed	00/00/0000	
			No Citations Issued		

Strategic Plan	
National Emphasis	
Local Emphasis	

Type	ID	Optional Information
S	01	1.19
S	03	26.8
S	05	8/27/19
N	01	318176906

Initial CSHO/Supervisor	Date	Final CSHO/Supervisor	Date
C:	00/00/0000	C:	00/00/0000
S:	00/00/0000	S:	00/00/0000

Initial CSHO/Supervisor	Date	Final CSHO/Supervisor	Date
C:	00/00/0000	C:	00/00/0000
S:	00/00/0000	S:	00/00/0000

- The last supervisor signature date (whether initial or final) should be the date the file is given to the admin staff.

Workflow Queues - User pmsullivan

Use	Activity	Type	Stat	Route Date	Establishment	Route Notes
	318176945	I	MI	10/29/2019	The Manual Woodworkers and Weavers	(Route) CFR REVIEW - MULTIPLE EMPLOYER SITE - H
	318177144	I	MI	10/29/2019	Defender Services, Inc.	(Route) CFR - MULTIPLE EMPLOYER - TEMP AGENCY
	318177151	I	MI	10/29/2019	Alisan Services, LLC	(Route) CFR - MULTIPLE EMPLOYER - TEMP AGENCY
	318171246	I	MI	10/29/2019	Duke Energy Carolinas, LLC	(Route) CFR - NOTE AG CONCERNS WITH CITATIC
	318174133	I	MI	10/30/2019	Maymead, Inc.	(Route) FILE FOR CFR
	318174208	I	MI	10/30/2019	Western Carolina Safety, LLC	(Route) FILE FOR CFR
	318175247	I	MI	11/01/2019	Snavelly Forest Products, Inc.	(Route) CFR REVIEW/WO CITATION
	318168911	I	MI	11/05/2019	Taylor Roofing, Inc.	(Route) BC REVIEW

Row 1 of 8

Route Notes: (Route) CFR REVIEW - MULTIPLE EMPLOYER SITE - HOST ER

Date

Time

Route By

Route To

Diary

Route Notes

10/23/2019

13:37:49

mpgreer1

ckknezevic

(Route) ROUTED TO SUPERVISOR

10/24/2019

10:55:45

ckknezevic FI

10/29/2019

10:44:27

ckknezevic pmsullivan

(Route) CFR REVIEW - MULTIPLE EMPLOYER SITE - HOST ER

Route Document To:

District 06

Bryson, Kristi

Cherry, Alexa

Dempsey, Jim

DeShield, Russ

Dickinson, Deena

Hall, Nancy

McGuire, Kevin

Perkinson, Mary

Rayborn, Melissa

Save, Mike

Route Notes

Normal Priority

Diary Days

Diary Date

11/06/2019

Route

File

- Use of the queue is very important in a paperless system to ensure files are routed and reviewed in a timely manner.
- If done properly, you can calculate the number of days the CSHO and managers each had the file for calculating lapse time.

Workflow Queues

Search Queues

Workflow History

Route

Document Indexing

Scanner Settings

Select Source

Team Queue

User Queue

Label Queue

Workflow (Routing) History

per: 318176906 143366 Establishment: The Manual Woodworkers and Weavers, Inc.
 ate: 08/28/2019 3737 Howard Gap Road, Hendersonville, NC 28792

Establishment

Dates | Contacts | Emphasis/Initiatives | OSHA-1AC | OSHA-1671 | Health | Violations | OSHA File

Referral Employer Reported

24 Inspection Type

25 Inspection Classification

Greer, Michael

Safety Compliance Officer

Knezevich, Kay

Supervisor Assigned

Trainee(1)

Trainee(2)

3. Optional Report Number

18 Legal Entity

20 Type of Business

21. Inspection Category

22 Primary NAICS/SIC

23 Secondary NAICS/SIC

a Guide

b Inspected

5. Related Activity

26 Employed in Establishment

27 Covered by Inspection

28. Controlled by Employer

29 Union?

30 Employee Walk Around

31. Employee Interviewed

35 Scope of Inspection

43 Reason No Inspection

97. Federal Contractor

98 Attempt to collect info

99. Imminent Danger Notice

Health Manufacturing

Health Construction

Health Maritime

Partial Inspection

Unknown

Yes

No

00/00/0000

Add

Delete

42. Optional Information

Type

ID

Value

S

01

1.19

S

03

26.8

S

05

8/27/19

Add

Delete

Queue History

Date	Time	Status	Routed By	Route To	Route Narrative	Dept	User	Folder	Diary
09/20/2019	14:50:02	MI	mpgreer1	rmewart	(Route) ROUTED INSPECTION TO CSHO II FOR REVIEW.	OSHA	rmewart		
09/24/2019	12:47:16	FI	rmewart	FI		OSHA			
09/30/2019	13:01:11	MI	mpgreer1	ckknezevich	(Route) MADE CORRECTIONS AND ROUTED TO SUPERVISOR	OSHA	ckknezevich		
10/01/2019	09:39:00	FI	ckknezevich	FI		OSHA			
10/16/2019	09:13:54	MI	mpgreer1	ckknezevich	(Route) ROUTED TO SUPERVISOR AFTER CORRECTIONS.	OSHA	ckknezevich		
10/16/2019	09:46:36	FI	ckknezevich	FI		OSHA			
10/17/2019	14:13:07	MI	ckknezevich	vlvoight	(Route) FOR CFR	OSHA	vlvoight		
10/21/2019	15:30:33	MI	vlvoight	ckknezevich	SEE NOTES	OSHA	ckknezevich		
10/22/2019	09:12:38	MI	mpgreer1	vlvoight	(Route) ROUTED TO AG OFFICE	OSHA	vlvoight		
10/22/2019	15:09:47	FI	vlvoight	FI		OSHA			
10/23/2019	11:45:53	FI	ckknezevich	FI		OSHA			
10/23/2019	13:37:49	MI	mpgreer1	ckknezevich	(Route) ROUTED TO SUPERVISOR	OSHA	ckknezevich		
10/24/2019	10:55:45	FI	ckknezevich	FI		OSHA			
10/29/2019	10:44:27	MI	ckknezevich	pmsullivan	(Route) CFR REVIEW - MULTI-EMPLOYER SITE - HOST ER	OSHA	pmsullivan		

Inspection Number: 318176906 143366 Establishment: The Manual Woodworkers and Weavers, Inc.
 Inspection Date: 08/28/2019 3737 Howard Gap Road, Hendersonville, NC 28792

Inspection | Dates | Contacts | Emphasis/Initiatives | OSHA-1AC | OSHA-1671 | Health | Violations | OSHA File

Documents | Pictures | Attachments | Notes | Current Activity | Related Activities

Notes | Communication Log | Audit Log

Contact Date: 08/27/2019 13:30 Type: Other Intake.mpgreer1 09/20/2019 09:18

Contact Name: Michael Greer

Phone: Email:

Subject: Assignment

Comments: Received assignment from supervisor

Add Delete

#	Date/Time	Contact Name	Subject	Comments
1	08/27/19 13:30	Michael Greer	Assignment	Received assignment from supervisor
2	08/28/19 08:45	Michael Greer	Inspection	Opened and conducted inspection
3	08/28/19 14:00	Michael Greer	Inspection	Conducted onsite preliminary closing conference
4	09/06/19 10:00	Ester Ajiboye	Acc Victim Interview	The CSHO contacted Mrs. Ajiboye to conduct a phone interview
5	09/10/19 09:00	Michael Greer	Inspection	Returned to the facility to obtain video footage and request a
6	09/20/19 10:00	Michael Greer	File prep	Submitted to supervisor
7	09/30/19 10:04	Michael Greer	File prep	Made corrections and returned to supervisor for approval
8	10/15/19 12:41	Kay Knezevich	File review	Reviewed case file and returned to CSHO for revisions/changes
9	10/16/19 09:00	Michael Greer	File prep	CSHO made corrections and resubmitted to supervisor.
10	10/17/19 13:36	Kay Knezevich	File review	Reviewed file and prepared for CFR.
11	10/23/19 12:55	Michael Greer	File Prep	Made corrections from AG's recommendations and returned to

Establishment

Inspection Number: 318171246 142736 Establishment: Duke Energy Carolinas, LLC
 Inspection Date: 06/25/2019 3032 E. US Hwy. 19 E, Burnsville, NC 28714

☒ Inspection
 ☒ Dates
 ☒ Contacts
 ☒ Emphasis/Initiatives
 ☒ OSHA-1AC
 ☒ OSHA-1671
 ☒ Health
 ☒ Violations
 ☒ OSHA File

☒ Current Activity
 ☐ Related Activities

☒ Documents
 ☒ Pictures
 ☒ Attachments
 ☒ Notes
 ☒ Audit Log

☒ Notes
 ☒ Communication Log
 ☒ Audit Log

Contact Date: 06/25/2019 00:00 Type: Phone Intake stable 10/17/2019 13 26
 Contact Name: Brandi Sumlin
 Phone: Email: Add
 Subject: Delete
 Comments: Inspection opened via telephone

#	Date/Time	Contact Name	Subject	Comments
1	06/25/19 00:00	Brandi Sumlin	Inspection opened via telephone	
2	06/26/19 00:00		Walk-through	
3	07/02/19 00:00		Employee interviews	
4	07/12/19 14:11	Tena Clark	Rec'd disclosure request ltr. from atty. for Estate of Joshua Merri	
5	08/30/19 00:00		Employee interview	
6	09/23/19 00:00		Employee interview	
7	10/04/19 00:00		Submit file	
8	10/08/19 00:00		Return to CSHO	
9	10/15/19 00:00		Resubmit	
10	10/18/19 10:47	Kay Knezevich	File Review	Reviewed file and prepared for CFR.

Case File Retention/Disposition Guide

1	FAT/CAT	All Other Cases	Documents/Photos/Attachments	Who	Location in OE	Comments
2	HP					
3	YES	NO	1 Photos or videos on CDs, DVDs, thumbnail prints, etc., (each marked with company name, inspection number, and source of photo or video).	Admin-CSHO	MRC	Medical Records Cabinet
4	YES	YES	2 Communication Log (Case File Summary)	Admin	OE	
5	NO	NO	3 Confidential Information Log	CSHO	Attachments	
6	YES	YES	4 Informal Conference Notes Form	Supervisor	Documents	
7	YES	YES	5 Citation or Settlement Authorization Form	Supervisor	In OE in 1671 Authorization Tab	
8	NO	NO	6 Certified Mail Receipt(s) and Green Card(s) or Receipt Verification(s)	Admin - Scan	Documents	These are to be part of a file copy when a "disclosure request is sent", as will be for contestments.
9	NO	NO	7 Medical Records Chain of Custody Form(s)	CSHO	MRC	Medical Records Cabinet
10	NO	NO	8 Multi-employer Inspection Medical Records Retention Request Form(s)	CSHO	Attachments	
11	YES	YES	9 Case File Audit	Admin	OE	
12	YES	YES	10 Abatements [2D(s) with detailed information; specific documentation; written programs for programmatic citations; etc.] Note: district supervisors must review abatement information to ensure appropriate documentation is retained in case file that will show hazard was abated. (Refer to FOM Chapter III Section E.4 "Verification of Abatement")	Admin /CSHO	Documents	Will route to csho with notification. If abatements come in an email or fax the Csho will tiff into the Document Section
13	YES	YES	11 All legal documents (contestment request, request for IC, PMA, signed copy of settlement agreement, settlement agreement cover letter, no change letter, notice of docketing, orders, final order, etc.) Note: If the employer refuses to sign the Settlement Agreement, maintain unsigned copy of Settlement Agreement in the case file.	Admin - Scan	Documents	
			Correspondence received subsequent to citation issuance in the order			This will change to vcs for All

A	B	C	D	E	F	G
YES	YES	11	All legal documents (contestment request, request for IC, PMIA, signed copy of settlement agreement, settlement agreement cover letter, no change letter, notice of docketing, orders, final order, etc.) Note: If the employer refuses to sign the Settlement Agreement, maintain unsigned copy of Settlement Agreement in the case file.	Admin - Scan	Documents	
YES	YES	12	Correspondence received subsequent to citation issuance in the order received; and all documents should be date stamped.	Admin - Scan	Documents	This will change to yes for ALL inspections
YES	YES	13	In Compliance Letter and Certificate (when applicable)	Admin - Scan	Documents	
YES	YES	14	Copy(ies) of issued citation(s) and 2D(s) with supervisor signature	Admin - Scan	Documents	
NO	NO	15	Draft response to complainant/referral source/NOK	CSHO	Attachments	
YES	YES	16	Inspection Report (OSHA-1)	OE	OE	
YES	YES	17	OSHA IAC (Inspection Contacts, Narrative, & Inspection Program Evaluation)	OE	OE	
YES	YES	18	Copy of response letter mailed to complainant/referral source	Admin - Scan	Documents	
YES	YES	19	Copy of all correspondence (letter, email) with NOK	Admin - Scan	Documents	
YES	YES	20	Copy of all correspondence (letter, email) with employer	Admin - Scan	Documents	
YES	YES	21	Copy of all correspondence (letter, email) with non-fatal accident victims	Admin - Scan	Documents	
YES	YES	22	Accident/Event Notification	CSHO - OE	OE	
YES	YES	23	Complaint Form	CSHO - OE	OE	
YES	YES	24	Complaint Form OSHA 7 if complainant signed	CSHO	Documents	
YES	YES	25	Referral Form	CSHO - OE	OE	
YES	YES	26	Copy of Workplace Measurement Summary Sheet	CSHO - OE	OE	
YES	YES	27	Accident/Event Investigation Summary	CSHO - OE	OE	
YES	YES	28	OSHA-2B(s): Failure to Abate Notices; NOTE: Follow-up inspections, but the notices will be in the original inspection case file.	CSHO - OE	Documents	
YES	YES	29	Violation Summary Process	CSHO - OE	OE	

	A	B	C	D	E	F	G
32	YES	YES	30	Violation Worksheet (OSHA-1B(s))	CSHO - OE	OE	
33	YES	YES	31	Inspection Health Sampling Report & OSHA Field Sampling Sheet(s), 91.92.93,98	CSHO - OE- One Stop Shop forms	OE or Documents	
34	YES	YES	32	Calibration Worksheet(s)	CSHO - OE	Documents	
35	YES	YES	33	Sampling Equipment Date Printouts (Direct Reading Equipment)	CSHO - OE	Documents	
36	YES	NO	34	Sampling Chain of Custody Form	CSHO - OE	Documents	
37	YES	NO	35	Property Evidence Form	CSHO - OE	Documents	
38	YES	NO	36	Receipt of Public Agency Records Form and Documents (except medical records.) NOTE: This form shall be in the file for any information (i.e., photos, police records, etc.) obtained from another agency.			
39	YES	NO	37	Air and Bulk Lab Test Analysis Request Form(s) and Analysis Reports	CSHO - OE	Documents	
40	YES	NO	38	Sketches or Diagrams	CSHO - OE	Documents	
41	NO	NO	39	Copy of Original Programmed Inspection Assignment Sheet	CSHO - OE	Attachments	
42	YES	YES	40	Witness Statements(s)	CSHO - OE	Documents	
43	YES	YES	41	OSHA-59: Employee Employer Rights and Responsibilities	CSHO - OE	Documents	
44	YES	NO	42	OSHA 300 Logs, 200	CSHO - OE	OE	
45	YES	YES	43	Secretary of State Verification Page		This will change to yes for ALL inspections	
46	YES	YES	44	Appendices/ Other Documents / Include a Table of Contents for Appendices)	CSHO - OE	Documents	
47	YES	YES	45	Clasped envelope(s) containing Trade Secret or Confidential Documents or Evidence per E.7., E.8.a., and/or E.8.b. of this FOM Chapter XVI.	CSHO - OE	Documents	
48	YES	NO	46	Clasped envelope containing materials obtained by Copyright Law.	MRC		
49	NO	NO	47	Medical Records from locked cabinet (verify all associated case files are closed).	MRC		Medical Records Cabinet
				OE Notes are not to be included in any inspection files. The OE Notes	MRC		Medical Records Cabinet

Inspection Update - 318176906

Inspection Number: 318176906 143366 Establishment: The Manual Woodworkers and Weavers, Inc.
Inspection Date: 08/28/2019 3737 Howard Gap Road, Hendersonville, NC 28792

Establishment

Inspection

Dates

Contacts

Emphasis/Initiatives

OSHA-1AC

OSHA-1671

Health

Violations

OSHA File

Documents

Pictures

Attachments

Notes

Current Activity

Related Activities

#	Activity	Type	Date	User	Stat	Size	Ext	Description	Import	Export	Edit	Delete	Launch
1	318176906	1	08/20/2019	mugreen	M	55k	doc	Confidential Information Log					

Row 1 of 155k

Attachments - items such as:

- Confidential Information Log
- Draft response on complaint/referral
- Copy of original programmed inspection assignment sheet

The items purge after the case closes

Inspection Number: 318176906 143366 Establishment: The Manual Woodworkers and Weavers, Inc.
 Inspection Date: 08/28/2019 3737 Howard Gap Road, Hendersonville, NC 28792

Establishment

Inspection |
 Dates |
 Contacts |
 Emphasis/Initiatives |
 OSHA-1AC |
 OSHA-1671 |
 Health |
 Violations |
 OSHA File

Documents |
 Pictures |
 Attachments |
 Notes

Current Activity |
 Related Activities

Date Rcvd	Description	Pages	Form	Activity	Type
09/20/2019	CORRESPONDENCE	1	OS0016	318176906	1
09/20/2019	APPENDIX 1 - SAFETY OBSERVATION	5	OS0003	318176906	1
09/20/2019	APPENDIX 2 - SOP	2	OS0003	318176906	1
09/20/2019	APPENDIX 3 - INSTRUCTION BOOK	6	OS0003	318176906	1
09/20/2019	APPENDIX 4 - ALISAN ACCIDENT	1	OS0003	318176906	1
09/20/2019	APPENDIX 5 - MANUAL ACCIDENT	12	OS0003	318176906	1
09/20/2019	WITNESS STATEMENT	5	OS0013	318176906	1

Documents – permanent items such as:

- Correspondence with employer, victim, NOK
- Appendices
- Witness statements
- Abateements



Inspection Update - 318171246



Inspection Number: 318171246 142736 Establishment: Duke Energy Carolinas, LLC
Inspection Date: 06/25/2019 3032 E. US Hwy. 19 E, Burnsville, NC 28714

Establishment

Inspection | Dates | Contacts | Emphasis/Initiatives | OSHA-1AC | OSHA-1671 | Health | ☒ Violations | OSHA File

Documents | Pictures | Attachments | Notes | ☒ Current Activity | ☐ Related Activities

Date Rcvd	Description	Pages	Form	Activity	Type
06/27/2019	NEXT OF KIN-INITIAL LETTER	2	OS0530	318171246	I
06/28/2019	OBITUARY	1	OS0003	318171246	I
07/12/2019	PUBLIC RELEASE OF DOCS REQUEST	3	OS0250	318171246	I
10/18/2019	EH&S HANDBOOK PAGE 109	2	OS0003	318171246	I
10/18/2019	WORK METHODS MANUAL SEC 3.1	1	OS0003	318171246	I
10/18/2019	MILWAUKEE OPERATOR'S MANUAL	2	OS0003	318171246	I
10/18/2019	PRE-JOB BRIEF	10	OS0003	318171246	I
10/18/2019	WITNESS STATEMENT	3	OS0013	318171246	I
10/18/2019	WITNESS STATEMENT	2	OS0013	318171246	I
10/18/2019	WITNESS STATEMENT	2	OS0013	318171246	I

Inspection Number: 318168911 142478 Establishment: Taylor Roofing, Inc. DBA Taylor Roofing and Restoration, Inc.
 Inspection Date: 06/05/2019 17533 Paradise Cove Ct, Cornelius, NC 28031

Establishment

Inspection | Dates | Contacts | Emphasis/Initiatives | OSHA-1AC | OSHA-1671 | Health | ☒ Violations | OSHA File

Documents | Pictures | Attachments | Notes | Current Activity | Related Activities

Date Rcvd	Description	Pages	Form	Activity	Type
06/10/2019	NEXT OF KIN-INITIAL LETTER	2	OS0530	318168911	I
06/10/2019	NEXT OF KIN-INITIAL LETTER	2	OS0530	318168911	I
08/12/2019	ADMINISTRATIVE SUBPOENA'S	11	OS0000	318168911	I
08/12/2019	DAKOTA THOMAS WITNESS	3	OS0000	318168911	I
08/12/2019	TODD TAYLOR TESTIMONY	20	OS0000	318168911	I

Inspection Number: 318174133 143063 Establishment: Maymead, Inc.

Inspection Date: 07/28/2019

Intersection of Hwy 421 and George Wilson Rd., Boone, NC 2860

Establishment

Inspection Dates Contacts Emphasis/Initiatives OSHA-1AC OSHA-1671 Health ☒ Violations OSHA File

Documents Pictures Attachments Notes Current Activity Related Activities

Date Rcvd	Description	Pages	Form	Activity	Type
08/01/2019	NEXT OF KIN-INITIAL LETTER	2	OS0530	318174133	I
10/11/2019	APPENDIX A	9	OS0000	318174133	I
10/11/2019	APPENDIX B	23	OS0000	318174133	I
10/11/2019	APPENDIX C	8	OS0000	318174133	I
10/11/2019	APPENDIX D	10	OS0000	318174133	I
10/11/2019	APPENDIX E	10	OS0000	318174133	I
10/11/2019	APPENDIX F	3	OS0000	318174133	I
10/11/2019	APPENDIX G	9	OS0000	318174133	I
10/11/2019	APPENDIX H	6	OS0000	318174133	I
10/11/2019	TABLE OF CONTENTS	1	OS0000	318174133	I
10/11/2019	WITNESS STATEMENT	12	OS0013	318174133	I
10/11/2019	MAPS	3	OS0015	318174133	I

Inspection Number: 318176906 143366 Establishment: The Manual Woodworkers and Weavers, Inc. Etab
 Inspection Date: 08/28/2019 3737 Howard Gap Road, Hendersonville, NC 28792

☐ Inspection ☐ Dates ☐ Contacts ☐ Emphasis/Initiatives ☐ OSHA-1AC ☒ OSHA-1671 ☐ Health ☒ Violations ☐ OSHA File
☐ Documents ☐ Pictures ☐ Attachments ☐ Notes ☐ Current Activity ☐ Related Activities

☒ Notes ☐ Communication Log ☐ Audit Log

10/18/2019 08:56:54 ckknezevich
 Routed to AG's office on 10/17/19.

10/21/2019 15:29:06 vlvoight

I have reviewed the narrative and proposed citations for this file. The narrative is well-written and the photos are very helpful.

Standard Number: 1910.144(a)(1)(iii) Citation #: 01 Item #: 001

I can't find any case law or guidance on this item and don't recall having seen it cited before. It looks like it would fit and I am fine with it going forward.

Standard Number: 1910.262(ee) Citation #: 01 Item #: 002

Do we know definitively if this equipment is a calendar or a printing machine since they are covered under different subsections [dd or ee]?

Standard Number: 1904.31(b)(4) Citation #: 02 Item #: 001

We have been citing the host under (b)(2). (b)(4) makes it sound like they have a choice but according to the OSHA Temporary Worker Initiative bulletin #1 on Injury and Illness Recordkeeping requirements, that is not the case. If the host is supervising the EEs, it goes on the host's log.

10/22/2019 09:07:58 mpgreer1

Thank you for your time reviewing the inspection files and for your feedback. I appreciate the assistance and below is my response. Looking forward to your recommendations.

Date Stamp



STATEWIDE SUPERVISOR MEETING – 11/7/19**Ric Schumann (Staff IH/Complaint Desk/Lab) Update****HH SEP Sampling FY 2019 – 4th Quarter**

- (19) personal samples with detectable results (9 silica, 8 lead, 2 hexavalent chromium, 0 isocyanates and 0 asbestos)
- (9) inspections with detectable results
- (7) personal samples below the limit of detection (4 silica, 2 lead, 1 isocyanates)
- Average severity – silica (2.48); lead (0.71); hexavalent chromium (0.24)

HH SEP Sampling - FY 2019

- (117) personal samples with detectable results (66 silica, 26 lead, 9 asbestos, 7 hexavalent chromium, 9 isocyanates)
- (61) inspections with detectable results
- (35) personal samples below the limit of detection (14 silica, 9 lead, 2 asbestos, 3 hexavalent chromium, 7 isocyanates)
- Average severity – silica (22.57); lead (0.60); asbestos (0.07); hexavalent chromium (0.08); isocyanates (0.04)

Complaints/Referrals/Events FY 2019 – see attached sheet for breakdown by quarter and bureau

Action Requests - (14) action requests received in FY 2019, (3) since the last statewide meeting in August. The three new ones dealt with proposed changes to:

- FOM Chapter III (what is considered to be a medical record)
- FOM Chapter III (handling of public agency records in case files)
- OPN 135 (NCDHHS referrals)

Equipment

We are finishing up with sending our equipment out to the manufacturers for annual service/calibration.

We received new light meters (one for each field office) that are capable of measuring LED lighting (our old ones did not).

Other Items**1) Health Sampling**

- Micrograms per cubic meter (unit of measure) – please have CSHOs use this code for air sampling results for hexavalent chromium and silica, since the exposure limits are in ug/m3. It makes it easier for reports when they are all in the same units. Some have been in ug/m3 and some still in mg/m3.
- Silica – the labs report the total respirable crystalline silica, along with the different types. The result for total respirable crystalline silica should be used, with the new 9000 code for crystalline silica, respirable. This is to be used for all silica sampling results and take the place of 9010, 9013 and 9015. CSHOs are not to use the other codes.
- Any samples that are reported below the limit of detection need to be coded as F in the exposure type column, with nothing entered afterwards.

2) Fatalities and accidents that OSH finds out about well after the incident

We are notified of fatalities and accidents requiring hospitalizations sometimes well after the actual event, either through the ME Office or from someone notifying our office. It has been discussed that OSH can cite for failure to report and inspect in order to determine if the hazard still exists. For incidents that occur beyond 6 months prior, could we discuss a time period, if applicable, for how long to go back to enter forms into OSHA Express?

Complaints/Referrals/FatCat

FY 2019

	East					West					ASH					Cumulative Overall 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	282	251	276	362	1171	265	353	344	438	1400	3	1	2	2	8	2579
Referrals	88	92	114	104	398	104	91	116	132	443	23	4	14	23	64	905
Events (Fat/Cat)	19	23	28	21	91	19	19	21	22	81	0	0	0	1	1	173

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	605
2nd Qtr	662
3rd Qtr	693
4th Qtr	824
Total	2784

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	187 out of 192
2nd Qtr	161 out of 183
3rd Qtr	196 out of 244
4th Qtr	212 out of 259
Total	756

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	25
2nd Qtr	27
3rd Qtr	31
4th Qtr	37
Total	120