

Jennifer Haigwood - Director's Office

- Expansion Budget Request
 - We submitted our initial request to the Governor's Office in December and followed up with the full request on January 11.
 - The full request included extensive justification language and backup material, including an updated salary and staffing report. Thanks to Grant Quiller for working on the report.
 - Our budget request includes money for additional salary increases within the OSH Division.
 - The Governor's Budget will be presented in the Spring, and the General Assembly will follow up with a biennial budget in the summer.
- Rulemaking Petitions – Update
 - As mentioned in earlier meetings, the N.C. Justice Center and other worker advocacy organizations filed two rulemaking petitions with NCDOL on December 14.
 - Both rules address worker protections against airborne infectious diseases and would only apply when the Governor or other designated state/federal official declares a public health emergency.
 - One rule applies to all employers covered under the OSH Act; the second rule applies to migrant housing.
 - Commissioner Dobson responded by letter on January 12 officially accepting both petitions. The first step in the rulemaking process is the completion of a fiscal note, which must be submitted to the State Budget Office for approval. Only after the fiscal note is approved by OSBM may the department move forward with notice of text. Acceptance of the petitions does not guarantee that either will be adopted, as there are many steps in the rulemaking process and many opportunities for outside comment and approval or opposition.
- Federal Civil Penalty Adjustment
 - Federal OSHA penalties were adjusted upward effective today, January 17, in accordance with the Inflation Adjustment Act.
 - As a state plan state, North Carolina has until July 15 to adopt the new maximum penalties.
 - Jill will submit notice in the N.C. Register and North Carolina's updated penalties will become effective on July 1, 2023 (and annually thereafter).
 - The new maximum penalty for serious violations will be \$15,625. The maximum penalty for willful or repeated violations will be \$156,259. The FOM and all other references to the penalties will be adjusted before July 1.
- I am attending the OSH 10 Hour General Industry Course at LBT on Wednesday and Thursday of this week.

Paul Sullivan – Assistant Director’s Report

- We've posted an HCO position in Charlotte with the new language that the position will be evaluated as an HCO Trainee if there are no fully qualified HCO candidates. While we've done that in the past, the HCO trainees now would come in at the minimum salary for the NC17 pay grade (\$55k) instead of the old NC06 pay grade. I've identified two additional positions in Charlotte that we'll be doing the same thing with. The trick will be evaluating candidates with a science degree and no safety or IH experience and hiring based on that science background and their potential to learn...as well as oral/written communication skills.
- I am in the process of updating some of our policies and procedures regarding fatality inspections. It would allow some non-work-related fatalities to result in a partial-scope inspection, particularly those where the CSHO did on-site work and put significant time/effort into the case. Here is some proposed revised language for the OFIR:

The report lists only those workplace fatalities that **were determined to be work-related per 29 CFR 1904.5 AND** have been or are being inspected by the OSH Division. The report lists fatality inspections by the OSH field offices to which they are assigned: Asheville, Charlotte, Raleigh, Wilmington or Winston-Salem. Workplace fatalities that have not been inspected by OSH (e.g., some heart attacks, vehicular fatalities) are not included in this report, **nor are workplace fatalities where the victim did not fall under the jurisdiction of the OSH Act of North Carolina (e.g., sole owners as they are not employees of an employer).**

- Conference attendance for the first half of the year:
 - AIHA Carolinas Section Conference/PDC is in Charlotte – March 8-10. Folks need to send DOLB-8 forms this week if they want to attend. Usual suspects are Matt Gruber, Ushang Desai, and Jill Warren.
 - NC Industrial Ventilation Conference, North Raleigh – May 8-12, 2023
 - AIHCE, Phoenix Arizona – May 22-24
 - ASSP Safety 2023, San Antonio, TTX – June 5-7, 2023
- I have started a complete overhaul of the Tech Writing module on the Violation Worksheet. It will be ready by the class next week.
- I'll also be doing a presentation in Raleigh on Thursday, January 26th for the National Black Workers Center in conjunction with USDOL Wage & Hour. It will cover general "all about OSHA" information as well as typically hazards/violations in the food processing industry.
- Where's the AD?
 - February 6-9, 2023 – in Vancouver, WA for OSHSPA
 - February 16-17, 2023 – Notre Dame JPW
 - March 11-18, 2023 - Cruise

Wanda Lagoe – Education, Training and Technical Assistance Bureau

- As mentioned in the LT meeting, the Admin and Recognition Program Assistant positions have been filled by Elma and Melodie.
- We are looking to modify the vacant Health Trainer position into an Instructional Designer to move the training in a forward direction.
- One Stop Shop is now being fully used by staff. Pretty much everyone, if not everyone, has now registered.
- Working on getting quotes for more certification DataChem seats since money is available and requests for seats has been increasing.
- Received a quote for 20 more billboards so we will be processing that soon.
- Have been given approval from FS to stock up on Safety Awards for 2024 as soon as the contract is awarded later this month.
- I have received a lot of interest from staff currently using Babbel and they would like to continue to do so. I will look into that renewal as well.

Kevin O'Barr - Consultative Services Bureau

- Normal operations this week with SEP meeting and interim reviews.
- Meeting with Edgar Starnes and some business associations for marketing CSB services.
- Meeting with CSB supervisors to assure we have statewide consistency on personal car usage.

Beth Rodman- Agricultural Safety and Health Bureau

- Preocc Stats: 1621 registrations; 401 inspections conducted, 292 certificates issued, 183 Provisionals. Finalizing Gold Star agenda, meeting is scheduled for 2/2/23
- ASH IT program: Meeting with ImageSoft to discuss plans for moving forward
- Compliance: Murphy Brown (CSHO is finalizing file, no citations); Poultry Labor Services (submitted to BC for review)
- Taught OSH 100 course – ASH Chapter
- Staffing: 5 released, 2 in training. Open position closed on 12/30/22- Beth is trying to find time to interview – 2 applicants, not bilingual, 1 applicant is top candidate for West.
- Current meetings/groups - COVID-19 workgroup (as needed), Migrant Health and Housing (as needed), Farmworker Vaccine Plan Project Management Team Advisory Group (once per month)

Anne Weaver – Planning Statistics and Information Management Bureau

- Currently PSIM has 257 outstanding (releasable after processing) OSH file disclosure requests. There are also 20 REDB case file requests for non-public release. The REDB

cases are being used during the disclosure training process. Training has resumed after the holidays and has increased from 2 days a week to 3 days a week.

Nicole Brown- East Compliance Bureau

- Staffing
 - Received referrals for D10 District Supervisor Position. Only one applicant, DS Ted Hendrix. He and I will be meeting today, via Lifesize, at which time we will be discussing a start date.
 - Complaints received for D10 are being evaluated by D8 DS Katie Perry. She will be handling all non-formal complaints (i.e., investigations) until the D10 District Supervisor is in place. Those complaints/referrals/accidents requiring inspections will be discussed b/w the D8 Supervisor and BC Brown.
 - The two new SCOs for District 10 that were scheduled to start in January changed their minds and declined the offer. The positions will be reposted so that the new DS can conduct interviews for the position.
 - Submitting paperwork today, 1/17/23, for the SCO II position in District 9.
 - Admin interviews ongoing in the Wilmington office 1/17 – 1/19/23.
- Training
 - Participated in the OSH 100 training last week. Scheduled to week of 1/23/23.
- Fatality / CFR cases ongoing
 - The Goldsboro Milling Grain Co. 318253846 inspection file is under BC review.
 - Lemon's Wrecker Services LLC routed to BC Brown on 1/13/23 – former SCO Merville's file that was reassigned to Bruce Miles. Currently, just a failure to report violation, and must issue date is 1/30/23
- Miscellaneous
 - Will be in Wilmington field office on 1/20/23 in the morning. Luncheon w/ Lafayette and his staff.

Lee Peacock -West Compliance Bureau

- Personnel update
 - Current Status out of **58 CSHO positions** (27 Health and 31 Safety).
 - **38 released CSHOs (66%)** – 17 Health (63%) and 19 Safety (61%)
 - There are also two HCOs that were previously released SCOs. They are technically in training, but still available to do inspections, so the HCO release rate is actually 70% when including them.
 - **9 CSHO Trainees (15%)**
 - As noted above, two HCOs in training have previously been released SCOs.

- **13 current vacancies (22%);** D2 preparing hiring package (Tom Lyons)
- **3 CSHOs to be fully released on 2/1**
- **1 HCO retiring 1/31 (Chris Oberst)**
- **1 SCO FMLA (working with HR on work restrictions)**
- **1 Supervisor (Ted) applied for East Sup(Wilmington); if he is the selected applicant; will be requesting to post the position**
- **HCO 1/Trainee position posted for D3.**

CURRENT FATALITIES

- **Friends Masonry**- Mast climbing scaffold collapse; 3 fatalities and 2 injured. Onsite investigation continuing. Appears a bracket attached to the platform failed, resulting in the collapse. OSHA Engineer was provided specs, drawings, and additional pictures of the scaffold.
- **Town of Boiling Springs**- Employee was collecting leaves with a dump truck leaf vacuum attachment when he was run over by the truck. CSHO working.
- **Jordan Enterprises**- Employee was struck by tree limb while cutting down another tree. CSHO working.
- **Strates Shows (318254737)**- CO overexposure while sleeping in trailer; CSHO working
- **BlueSky Restoration (318253457)**- Fall through skylight (potential willful) CSHO working
- **Lintech International (318254331)**- Caught between dock and truck; CSHO working
- **Cassell Electric (318250867)**- Employee underneath house performing electrical work and electrocuted; occurred on 08/22/22. DS Reviewing
- **Principle Long Term Care (318250776)**- ER had patients and staff contract COVID. Employee tested positive for COVID on 8/15/22 then deceased. BC Reviewing. No Citations-
- **Garden Villas Heritage (318250107)**- Employee working on crawl space and was electrocuted. Occurred on 08/08/22. BC reviewing.
- **Home Depot (318251006)**- Employee fell from ladder. Occurred on 08/23. CSHO working on inspection.
- **Rosendin (318248994)**- Employee was found partially laying on pipes at ceiling level. Employee was working around an electrical junction box which was uncovered and contained potentially live conductors. ME Report listed electrocution as cause of death. Supervisor reviewing.
- **Brindle Site Services (318247723)**- trench collapse. Willful Citations issued \$66,000
- **Tyson Farms (318249380)**- An employee was walking behind a trailer being moved by the shuttle driver and was struck. CSHO addressing BC comments.
- **WestRock Limited (318256708)**- Fire at facility on 11/20/22; EE called in to turn a section of the power off for the building. On 12/3/22, EE went to VA hospital for shortness of breath, coughing, admitted and later deceased on 12/9/22. ME reported death may have been contributed to smoke and chemical fumes inhalation during fire.

- **Baxter Healthcare (318256781)**- EE struck in head with forklift. CSHO working
- **Parton Lumber**- Employee struck by Forklift while reversing; CSHO working
- **Paragon Site Solutions**- EE operating excavator was returning to the cab when he hit a lever, knocking him down and getting caught b/w the tracks and equipment. CSHO working.

*Issued 2 Highline Warren citation packages: complaint-8 citations and \$76,000 penalty; psm-14 citations and \$133,000 penalty.

*Tyson Farms Fatality- Citations being issued today

*Brindle Site Services- Willful Trench Fatality- 4 citations issued and \$66,000 penalty

RECENT TRAINING:

Completed the OSH 100 course last week. Will be presenting at Tech Writing/OE next week.

OTHER ITEMS:

*Construction inspection #s are low- challenged supervisors and CSHOs to conduct 1-2 construction inspections by end of month

*Received referral from Davidson County Fire Marshall regarding storage of material at Dollar General Store in Lexington. Has been a common problem and asked us to investigate.

Judyth Forte – State Plan Coordinator

- Quarterly meeting has been scheduled for February 28th 1pm.
- Have not heard anything from Kim about the FAME or the SOAR in the last week. She had requested some clarity of Tammy's numbers the prior week. Kim should have submitted the SOAR to the region already. We should get the Draft FAME from her by March 15th for a review.
- Participated in a REDB review committee last week.
- Please forward any stories or information to be used in the OSHNC Update