

MEETING NOTES			
Meeting Description: District 9 Meeting			
Date: 4/28/2023, 2:00 PM			
#	District 9 Team Members	#	Members that Participated in the Meeting:
1	Neesia Hill (Supervisor)		All present
2	Wesley Herron (SCO II)		
3	Sheldon Joseph (SCO I)		
4	Frank Castillo (SCO I)		
5	Sharon Owens (SCO IT)		
6	Roxie Packer (SCO IT)		
7	Tyler Bobo (HCO I)		
8	Bolaji Fawole (HCO IT)		
9			
10			
1	Welcome: Roxie and Bolaji!		
2	Sharon Owens- OPN 64 presentation- LOTO		
3	Frank Castillo- Sharing interviewing techniques overview from KY class		
4	Wesley Herron- Citation Discussion 29 CFR 1926.102(a)(1): The employer did not ensure that each affected employee used appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation: 29 CFR 1926.102(b)(1): Protective eye and face protection devices did not comply with any of the following consensus standards: ANSI/ISEA Z87.1-2010, Occupational and Educational Personal Eye and Face Protection Devices, incorporated by reference in § 1926.6; ANSI Z87.1-2003, Occupational and Educational Personal Eye and Face Protection Devices, incorporated by reference in § 1926.6; or ANSI Z87.1-1989 (R-1998), Practice for Occupational and Educational Eye and Face Protection, incorporated by reference in § 1926.6:		
5	Drive By Construction SEP sites- We are not permitted to ride around all day looking for construction inspections. You should be obtaining programmed assignments from myself or Wesley in the areas that you want to visit where you suspect there to be active construction sites. You can look at new home guides online etc. It is OSHNC's procedure to provide the CSHOs with a few fixed assignments from one of the targeting lists once		

	<p>approved to look for construction. If the CSHO sees an active construction site where serious hazards are observed from the public right of way while on route to the assigned site, they can stop and open an inspection. CSHOs have the approval to spend a few extra minutes on the way to the assigned inspection site to look for construction; however, they <u>should not spend more than an hour looking for construction</u>. If they cannot find any construction, they need to open the assigned inspection. If they do find a construction site, they can open the assigned inspection at a later date/time.</p>
6	<p>Contact with complainants (formal complaint or willing to sign employees)- Make sure that you are calling the complainants prior to inspection and read over the complaint items with them. If when you call, they are not available and they call you back, make sure you go over the complaint items and if they ask to add additional info, you can't add it to the complaint at that time, but you can request additional info from the employer as it is still an open inspection. Make sure to document your interaction with the complainant in section G of the narrative.</p>
7	<p>OPN 149 Amputation-Special Emphasis Program (SEP)- Has been revised and uploaded to the FIS System as OPN 149A. There were several relatively minor changes made to the OPN, but here are the highlights:</p> <ol style="list-style-type: none"> 1. The data for the targeting program was updated from the 2015-2018 time period to 2018-2021. As before, only those NAICS codes with 3+ amputation or pulled into machinery events <u>and</u> an event rate greater than or equal to 1.5 per 1000 North Carolina employees in that NAICS code were included. The table in Appendix A has been redone so that it is sorted by NAICS code. That should make it much easier to look-up a particular NAICS code to see if it's one that is "targeted" per the established criteria. The first three pages of the table are NAICS codes that met the criteria and are part of the targeting program (random assignments pulled by PSIM). The last 11+ pages of the table are ones that did <u>not</u> meet the criteria, such as supermarkets – which had 20 amputation events (mostly on meat slicers), but a rate of only 0.2 due to the high number of employees in the industry. 2. The coding directions have been expanded to make it clearer which unprogrammed inspections should be coded as an "Amputations SEP" inspection. It's more than just accidents that result in an actual amputation. An accident where an employee suffered a fractured finger or serious lacerations while reaching into an unguarded machine would also be coded under this OPN. Here is the new list: <ol style="list-style-type: none"> i. Complaints/referrals with one or more allegations related to machine guarding or the failure to properly control hazardous energy during servicing and/or maintenance activities. ii. Employer-reported referrals involving an amputation or other traumatic injuries from machinery (e.g., fractured finger or wrist).

	<p>iii. Follow-up inspections where citations for machine guarding and/or lockout/tagout violations were issued on the original inspections.</p> <p>That section also makes it clear that the <i>only</i> programmed planned inspections coded as an “Amputations SEP” inspection are the ones selected using the OPN 149 targeting criteria. A general schedule inspection would NOT be coded as an Amputations SEP inspection even if machine guarding or LOTO violations are cited. It’s important for us to be able to evaluate the success of this OPN 149 targeting program, so we don’t want to include any other programmed inspections in the coding – such as an unguarded saw on a drive-by construction inspection. That would be marked with the Construction SEP code, but NOT the Amputations SEP code.</p> <p>Since the start of this Amputations SEP targeting program, we’ve conducted 184 programmed planned inspections. The in-compliance rate is very low at 17.4% and we’ve identified serious, willful, or repeat violations on 76.6% of inspections. We’ve averaged over 2.0 SWR citation items per inspection, which is 35% higher than for all programmed planned inspections...plus the contestment rate is only 2.2%. We’re clearly getting to the places where we’re needed, and CSHOs are doing a great job identifying and citing serious machine guarding and LOTO violations.</p>
8	<p>For the purpose of encouraging transparency on CFR Cases- Communications between CSHOs, district supervisors, assigned attorneys, bureau chiefs, and the director’s office, notes shall be shared between all parties. CSHOs are required to address all comments prior to proceeding to the next step of the CFR process. This should be done by making the appropriate revisions in the case file and <u>not</u> by adding written replies to comments in OE Notes. If a reviewer’s comment(s) cannot be addressed as directed, the CSHO should discuss it with them in person or by phone.</p> <p>CSHOs and supervisors are encouraged to seek a “non-CFR consultation” on cases with questions or where contestment is likely.</p> <ul style="list-style-type: none"> • The more folks that review the case, the stronger it will be. • Depending on the particular questions/concerns, it can be routed to either the AG’s Office, the BC, or the Director’s Office. It doesn’t have to be all three or in any order. <p>*District 9 will send all LOTO related citations for at least consultation due to the sometimes-complex nature of those citations.</p>
9	<p>Fatality meetings- Must be scheduled within 30 days of the opening conference and conducted within 45 days. There are no exceptions.</p> <ul style="list-style-type: none"> • A PowerPoint presentation must be completed and shared during the meeting. It doesn’t need to be anything elaborate. • Text slides with a summary of the events and victim information

	<ul style="list-style-type: none"> • A few photos of the inspection site • A list of recommended citations
10	<p>Lapse time on CFR cases- For CFR cases that appear on the 60-day lapse time report, a <i>weekly</i> meeting shall be held between the CSHO and supervisor to determine the progress of the case. The date of that meeting must be included on the 60-day lapse report. Also include the expected date the file will be submitted for review to supervisor, when review completed or when it was routed to the AG, BC, or DO.</p> <p>For CFR cases with a lapse time of 90 days or greater, a weekly email shall be sent to the bureau chief and the Assistant Director's Office by the CSHO or supervisor explaining delays in completion of the case file. The email shall include the expected date the current step of case file development/review will be completed. A meeting may be scheduled between the CSHO, supervisor, bureau chief, and an Assistant Director's Office representative to discuss case progression.</p>
11	<p>Lock out/Tag out discussion- Always refer to the LOTO CPL.</p> <ol style="list-style-type: none"> 1. Does the work activity meet the definition of servicing and maintenance or is this a guarding issue? If servicing and maintenance is taking place, then LOTO. <p>Servicing and Maintenance- Workplace activities such as constructing, installing, setting up, adjusting, inspecting, modifying, and maintaining and/or servicing machines or equipment. These activities include lubrication, cleaning or unjamming of machines or equipment and making adjustments or tool changes, where the employee may be exposed to the unexpected energization or startup of the equipment or release of hazardous energy.</p> 2. The standard requires only 3 parts to be in writing. <ol style="list-style-type: none"> 1. Written LOTO procedures; 2. Training certification; 3. Annual audits. <ul style="list-style-type: none"> • The employer can be exempt from having written procedures for LOTO if all the exemptions apply. 3. Cord and plug connected equipment do not apply to the standard if all the energy can be controlled by removing the sole electrical plug. <p>For All LOTO Citations: Include the following information within section B1 of the citation.</p> <ol style="list-style-type: none"> 1. Discuss the types of energy sources. 2. Describe what they control and how they function. 3. Discuss what type of service/repair tasks employees perform on the machine.

	<ol style="list-style-type: none"> 4. Discuss the frequency of this task and how long it takes for employees to perform the task. 5. Describe how the energy sources would impact the machine if they were not adequately locked/tagged out of service. 6. Describe how the work performed places the employees in the point of operation. 7. If the employer is stating that they are exempt from having LOTO written procedures, include a discussion in the citation as to why that is not the case. 8. Discuss what procedures the employer had in place, if any, and why they were not adequate or utilized.
12	FOM/FIS/Technical Writing- Jeopardy! What is the hazard in the photo provided? What questions should I ask the employer? What questions should I ask the employees?
13	For Released CSHOs Run your Open Inspection Report Weekly- To keep track of your inspections and abatements.
14	SEP meeting attendance/ discussion- Thank you all for attending and participating in the SEP meetings.
15	Prior to the end of the evaluation period- citations issuance. For released CSHOs need to provide me with a copy of your inspection credit spreadsheet so that your credits can be counted for evaluation. I don't have the time to go back through each of your inspections and determine if they are additional credit. A copy of the spreadsheet needs to be emailed to me by mid- to late June. June 30 th is the final evaluation period date.
16	Question and Answer- Around the room. Any concerns?
	Keys to Success: <ol style="list-style-type: none"> 1. Monitor the progress of your work plan. Know where you are and where you need to be by tracking your inspection activity and running your reports in OE. Be self-accountable. 2. Ask for inspection assignments when you know you need one. <i>Everyone including trainees should be writing on 3 inspections at a time.</i> 3. Meet with the Supervisor at least bi-weekly to discuss performance or to answer questions that you may have. Take notes during the meeting. 4. Follow our written policies and procedures to include the FOM and Technical Writing. Review the updates to the FOM.

	<p>5. Ask for assistance early and often after you have done your own research and are confused. Don't get stuck, your lapse time will increase.</p> <p>6. When you submit an inspection report make sure that you have gone through and checked it for the correct coding, spelling, grammar errors and organization. Make sure that you have all the required fields in OE completed such as the employee exposure tables. Always do your best work because you never know when your case will be contested or audited.</p>
	Calendar of Events
	Next District Meeting June 2nd 10:00 AM, 2nd floor training room