

NORTH CAROLINA DEPARTMENT OF LABOR
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
RALEIGH, NORTH CAROLINA

Field Information System

Operational Procedure Notice 110B
SN/OPN

Subject: Criteria For Scheduling Programmed Compliance Inspections For Employers That Have Requested And/Or Completed Consultative Visits

Purpose: This OPN transmits a change to the North Carolina policy regarding site selection criteria for programmed compliance inspections. It will be incorporated into future updates to the Field Operations Manual.

Scope: This policy applies to all site specific employer worksite locations that have initiated an onsite safety and/or health consultation. Upon receipt of a request for a consultation survey, the site specific employer worksite which is the subject of the request, shall be assigned to the Bureau of Consultative Services for the safety and/or health assistance as requested. No programmed compliance inspection shall take place, during the consultation waiting period, at specific employer worksite locations which have been assigned to the Bureau of Consultative Services. Additionally, unless recommended otherwise, sites that complete a full service (comprehensive) consultation shall be deferred from a corresponding health and/or safety programmed compliance inspection for 15 months from the consultation onsite opening visit date.

Background: A committee was formed to evaluate the best utilization of the Division's most critical resource, our people. Previous policy for scheduling programmed compliance inspections did not give any consideration to employers who had voluntarily solicited OSHNC support and requested a safety and/or health onsite consultation by the Bureau of Consultative Services. This group of employers, who are committed to correcting all hazards identified, could nonetheless be randomly be selected for a programmed compliance inspection during the consultation waiting period and also immediately upon completion of the consultative visit. Considering the number of employers in North Carolina, and the limited resources of the Division, it was concluded that an employer site which has requested a consultation should not receive a programmed compliance inspection during the consultation waiting period. Additionally, employers that have completed a full service consultative visit should be deferred, for a period of time, from the pool of employers being considered for a future random programmed compliance inspection.

Action: Employers that request a consultation from the Bureau of Consultative Services shall not be scheduled for programmed compliance inspections during the waiting period from receipt of the request until the onsite visit begins. Additionally, consultation clients that complete a full service (comprehensive) safety and/or health onsite consultation will be deferred from a corresponding programmed safety and/or health compliance inspection, except where the consultant determines that the employer is not acting in good faith and recommends a deferral not be granted. The deferral period shall begin from the time of the consultation opening visit date and be for 15 months thereafter to allow time for full implementation of the consultant's recommendations. Limited service consultative visits (partial site survey) shall be deferred only through the hazard correction period. Consultation requests that are withdrawn prior to the consultation visit shall be immediately returned to the Management Information and Evaluation Bureau (MIE) for reinstatement in the scheduling pool.

Consultants shall complete the appropriate forms to be forwarded to the Management Information and Evaluation Bureau (MIE) to accomplish these objectives.

Deferred employers will be encouraged to apply for consultation recognition programs such as SHARP (Safety and Health Achievement Recognition Program) or Carolina Star.

This revised procedure is effective immediately and supercedes OPN 110A.

September 2, 1997

Date

(Signed on Original)

Charles N. Jeffress
Deputy Commissioner

OSH Director