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# OSH Update

**May 2023**

## From the Director's Office

I'm writing this column on April 28, which is the day that we recognize as Workers' Memorial Day. Earlier today, Commissioner Dobson and other NCDOL staff attended the Workers' Memorial Day ceremony on the State Capitol grounds, which was coordinated by the state AFL-CIO. The ceremony honored and memorialized the men and women who died at work in 2021. Commissioner Dobson and other officials and family representatives spoke briefly about the heartache associated with each of these deaths, and the importance of continual improvements in workplace safety and health. The Commissioner restated his (and NCDOL's) commitment to supporting and growing our OSH Division staff, increasing efforts to hire bilingual staff, and building our existing partnerships with all stakeholders. Every person deserves to earn a fair wage at a safe job and come home healthy to his or her family at the end of the day.



April 28 also marks the anniversary of the passage of the federal Occupational Safety and Health Act more than 50 years ago. The OSH Act is the reason why the OSH Division exists, and it drives our mission, goals, and work every day. Every person working in every bureau has a role to play in improving workplace safety, whether you're conducting compliance inspections throughout the state, or analyzing data to determine where best to target our resources. Days like today – Workers' Memorial Day – are a good reminder of the purpose that has been created for us and the opportunities we have to impact lives.

One part of what makes North Carolina's OSH program so successful is our multi-pronged approach – blending compliance, consultation, education, and training. Building on that is our ability to actively participate in events like the Safety Stand-Down to Prevent Falls in Construction. This year's Stand-Down is May 1-5, and I'm grateful that the OSH Division is involved from several angles. We have several Labor One events during the week, including the Barnhill Contracting / DHHS Project site on May 1, the HEFL Partnership / CLT Airport project on May 2, and the Jacobs Engineering Partnership in Holly Springs on May 4. I am looking forward to participating in some of these events, and I sincerely thank our Division staff who plan and coordinate these activities.

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#### Director's Message Continued

May is a busy month for all of us, and I'll highlight a few additional upcoming events that may be of interest. The Occupational Safety and Health Advisory Council, a statutorily created body made up of management, employee, and public sector representatives, will meet May 2 at the Lake Boone Trail office. The OSH Council meets twice per year, in the east and in the west, and covers current events in the Division, policy matters and open discussion among the members. OSH Council meetings are open to the public and anyone is welcome to attend. May also features several safety awards banquets across the state, and I commend LaMont Smith, Kiley Willard, and Melodie Braswell for a successful start to the 2023 season! Finally, the Eastern Carolina Safety and Health Conference will take place May 10-12 in Greenville, and I look forward to attending and participating in the program.

Senate Bill 542 (DOL / Omnibus Law Changes) is our "agency bill," which includes statutory changes requested by the department. This bill includes a change to the OSH Act, allowing for electronic issuance of citations, and repeal of Article 22 (Safety and Health Programs and Committees). Thanks to our Governmental Affairs Team – Julie Ryan and Edgar Starnes – the bill has advanced smoothly through the Senate, and is expected to be approved by the full Senate on May 1. At that point, the bill will move to the House and follow a similar committee process. Work on the biennial budget continues, and we expect the Senate to release its version of the budget shortly.

Thank you for your work, and have a wonderful May!

*~Jennifer*



## OSH Promotions

**Congratulations to all the staff who received promotions over the last six months!**

Name	Promotion Date	Previous Position	New Position
Jim Zepede	10/26/2022	East Compliance - SCO I - District 8	Consultation - Safety Consultant
Ted Hendrix	2/1/2023	West Compliance - District 2 Supervisor	East Compliance - District 10 Supervisor
Chris Jasion	2/6/2023	East Compliance - SCO II - District 9	Consultation - Safety Consultant
Robert Maedje	2/10/2023	West Compliance - HCO II - District 2	West Compliance - District 2 Supervisor
Michael Greer	2/15/2023	West Compliance - SCO I - District 1	West Compliance - SCO II - District 1
Wesley Herron	3/6/2023	East Compliance - SCO I - District 9	East Compliance - SCO II - District 9
Curt Hobson	4/3/2023	West Compliance - HCO I - District 2	West Compliance - HCO II - District 2



## Maine Achieves Full State Plan Status

The U.S. Department of Labor's Occupational Safety and Health Administration has issued a Federal Register notice for public inspection approving Maine's revised State Plan, which documents that Maine has completed all the required structural and developmental aspects since becoming a developmental State Plan in 2015 and will become a certified State and Local Government OSHA State Plan. The official notice was published March 21, 2023.

Administered by the Maine Department of Labor's Workplace Safety and Health Division, the State Plan covers approximately 2,400 state and local government employers and nearly 80,000 workers in state, county and local governments and quasi-municipal agencies. The plan also covers volunteers under the direction of a state or local government employer.



**Lunch  
&  
Learn**



**Wednesday, May 31, 12:00 noon**

Stay tuned for our next installment of Lunch & Learn where we will be discussing recent updates to the FOM, OPNs, and APNs. As we continue to evolve and improve, so to must our policies and procedures. Please take advantage of this opportunity and tune in on Wednesday, May 31, at noon via Lifesize.

## Trench Safety Stand Down Month is June

The Trench Safety Stand Down (TSSD) was first held in 2016 by National Utility Construction Association (NUCA), with federal OSHA joining as a partner a year later. The goal of the event is to reach out to the many workers who work in and around trenches and excavations to provide them with information about current excavation requirements and safety procedures for working in trenches.

By reaching as many workers as possible, the number of fatalities and serious injuries that occur each year in the industry can be reduced and make others, such as municipal and industry workers who are also exposed, aware of these serious hazards. NCDOL held a joint podcast with our alliance partner NUCA and we will also be posting a billboard, advertising the Trench Stand Down, with our alliance partner Lamar Advertising.



### General Trenching and Excavation Rules:

- Use a protective system-sloping, shoring and shielding.
- Never enter a trench unless it has been properly inspected by a 'competent person.'
- Ensure there is a safe and separate way to enter and exit the trench.
- Keep heavy equipment away from trench edges.
- Identify other sources that might affect trench stability.
- Keep excavated soil (spoils) and other materials at least two feet from trench edges.
- Test for atmospheric hazards, such as low oxygen, hazardous fumes and toxic gases when greater than four feet deep.
- Inspect trenches at the start of each shift and following a rainstorm or other water intrusion.
- Do not work underneath suspended or raised loads and materials.
- Ensure personnel wear high-visibility or other suitable clothing when exposed to vehicular traffic or mobile earth-moving equipment.

# Certifications and Designations

Most employees within the OSH Division are aware that the Director's Office supports certifications and designations for employees in promoting professional growth. OSH Division employees currently hold 62 certifications. This includes 29 Certified Safety Professionals (CSP), 11 Certified Industrial Hygienists (CIH), eight Associate Safety Professionals (ASP), three Certified Hazardous Materials Managers (CHMM), six Construction Health and Safety Technicians (CHST), and two Occupational Safety and Health Technologists (OHST).

The certifications listed above allow for a salary increase upon a passing an examination if funds are available. As such, more DataChem (online software program) seats have been purchased to assist employees in achieving their goals toward certifications. The seats purchased include those for the ASP, CSP, CHMM, CHST, OHST, and Certified Instructional Trainer (CIT). These DataChem seats as well as many other study materials can be accessed via Nick Vincelli, the NCDOL Librarian. To learn more about the certifications (i.e., reimbursement costs, travel expenses, study time), refer to the Administrative Procedure Notice (APN) 3 – Professional Certifications.

## MESH and OCSS Certifications

Other designations are available to meet the professional growth goals for employees. These include the Manager of Environmental, Safety and Health (MESH) certificate programs and the OSH Construction Safety Specialist (OCSS) certificate program. The MESH certificate programs are sponsored by NCDOL, NC State - Industry Expansion Solutions (IES), and the Safety and Health Council of North Carolina (SHCNC).

### ♦ MESH Certification

These programs include regular MESH (General Industry), Construction MESH, Industrial Hygiene MESH, Public Sector MESH, Emergency Preparedness MESH and the Environmental MESH. Each designation can be obtained after completing 100 hours of continuing education. Please note that most of the courses provided internally to OSH employees count toward the various MESH certificate programs.



**NC STATE UNIVERSITY**

Industry Expansion Solutions

Additionally, the SHCNC waives the MESH certificate application fee for current NCDOL employees. OSH Division employees currently have 187 MESH designations including 69 MESH, 44 Construction MESH, 53 Industrial Hygiene MESH, 19 Public Sector MESH, one Emergency Preparedness MESH and one Environmental MESH. To learn more about the MESH certificate Program, go to the NCDOL website.

### ♦ OCSS Certification

The OCSS certificate program was originally developed through the Construction Special Emphasis Program committee. It was later transferred to the Education, Training and Technical Assistance bureau to manage and host the OCSS training modules. To obtain the OCSS designation, an employee must complete all core courses and have completed six OCSS construction modules. This designation is an internal OSH Division certificate program so there is no cost involved to obtain the OCSS. APN 21 – OSH Construction Safety Specialist Program provides more specifics regarding the OCSS program. Within the OSH Division, 67 employees currently have the OCSS designation.

### ♦ Additional Designations

Other notable designations that are tracked by the OSH Division include Certified Public Managers (CPM), Virtual Observers (VO - Drone), Remote Pilots (RP - Drone), Safety Trained Supervisor - Construction (STS-C) and Graduate Safety Professional (GSP). Within the OSH Division, employees currently have eight CPM, 13 VO, ten RP, one STS-C, and five GSP.

To learn more about the certification and designation process, go to the One Stop Shop webpage on Certification and Designation Resources.





# You Look Familiar, Are You New Around Here?

Meet Rob Maedje. Rob is the District 2 Supervisor in the OSH Division's West Compliance Bureau and has been with the department for five and a half years. He started work on December 28, 2017. On Rob's first day, he



Rob and his wife Andee

arrived at the office and only Lee Peacock, then District 2 Supervisor, was there. After asking Lee why no one was around, Lee said it was "because Charlotte received half an inch of snow last night." Which was amusing considering Rob had just left Erie, Pennsylvania which had received 60 inches of snow in one day.

Rob has a bachelor's degree in Occupational Safety and Health Management from Slippery Rock University, which is a real university, even though most of his colleagues believe it to be a made up school. Following college Rob worked as a Safety Consultant for 3 years, then moved on to a Safety Management position in plastic manufacturing. At this point Rob decided the private industry was not for him and moved on to work for the state of New York. Rob was the Safety Program Manager for Western New York Schools and is still certified in conducting playground safety inspections. After his wife Andee, then girlfriend, finished school they decided, or she made the decision for him, to move south for better weather and something new. Little did Rob know that his wife would get a job offer in three days and he had not yet applied to any.

Once Rob had moved to Charlotte and started working for the DOL, he quickly realized things were a little different down here. During his orientation at the Labor Building, he met a very nice lady who instantly pulled him into a hug, very much not a northern thing to do. Come to find out later, that nice lady was then Commissioner of Labor Cherie Berry. One other thing Rob found very confusing about the south was how to order at Cookout and that they sold wine at a fast-food place. This was where Rob learned that Cheerwine is in fact a cherry soda and not regular wine.

While at the DOL, Rob worked as a Safety Compliance Officer for two years and then was promoted to Health Compliance Officer. After three years as a Health Compliance Officer Rob was promoted to Health Compliance Officer II, which was short lived because after four months Rob was promoted to District 2 Supervisor. While Rob has seen a lot of Compliance Officers come and go, he considers this to be the best job he has ever had. With all the diverse backgrounds and wealth of knowledge inside the OSH Division this is the perfect job to continue learning every day.

In his short term as District Supervisor, Rob quickly learned that it is a revolving door of challenges and tasks and that his plate will never be empty. There are many things he still needs to learn, and he can thank his office neighbors Laura Crawford and Jennie Cagle for all their assistance, even if he sometimes believes they are conspiring against him. More importantly though, Rob believes that all the hard work in the OSH Division

really makes a difference in the lives of North Carolina workers. What we do is not easy to measure, let alone convey to the public. He believes that on almost every inspection we do, we either prevent someone from being killed or having life altering injuries, because at the end of the day our goal is to send North Carolina workers home to their families.



Rob's family dogs, Sadie and Teddy

Outside of work, Rob enjoys spending time with his wife, Andee, and his two dogs, Sadie and Teddy. He tries to play disc golf at least once a week, which is a hobby he picked up only after moving to the Charlotte area. He isn't the greatest at disc golf but at least beats Grant Quiller on a regular basis. He recently joined a weekly trivia league, which he discovered is taken much more seriously than he initially thought. In the last year he and his wife purchased their first home in the Belmont/Mount Holly area, where he is supposed to be spending most of his time doing yard work but instead chooses to play video games. Rob also wants everyone to know that he is a huge Buffalo Bills fan and is fortunate to be young enough to not remember them losing four Super Bowls in a row.

# OSHA Beat the Heat Contest!

OSHA is sponsoring a “Beat the Heat Contest” to raise awareness about the hazards of heat exposure in indoor and outdoor workplaces and identify how businesses across the nation control these hazards. Participants are asked to submit an awareness tool (e.g., infographic, poster, training curriculum, webpage, logo etc.) to increase heat hazard recognition among employers and workers. The contest is open to stakeholders nationwide, in any industry; this is where your help is needed!

Heat illness prevention is feasible, and we need your help to show it. Heat hazard recognition and heat illness prevention are essential not only for the well-being of workers but also for the success of the American workplace. Entering this contest can help your organization gain recognition for its efforts to protect workers and provide an opportunity to learn from other stakeholders.

The contest is open now, and submissions are due by **June 9, 2023**. For more information or to enter the contest, visit OSHA’s Beat the Heat Contest webpage.

## NCDOL Attends Federal OTI Training In Kentucky

NCDOL staff joined the Kentucky contingent at the Transportation Cabinet Office Building and the State Office Building in downtown Frankfort in April. Four staff members were enrolled in the Federal OTI 1310 Investigative Interviewing Techniques, and one in the OTI 7505 Accident/Incident class. The Federal OTI trainers were led by Signey Hernandez and assisted by John Gallagher and Martin Garcia. The classes were three days long, but staff were able to sneak in a bit of sightseeing during their stay, enjoying some Kentuckyesque activities at the Buffalo Trace Distillery and the Keeneland racetrack.



Participants in training session



Indira Jagdeo, Tyler Smith, Sharon Owens, Frank Castillo and Lanika Williams standing in front of the Kentucky Transportation and State Office Building.



Back (left to right): Griselle Negron, Christina Medina, Nathan Bond, Jennifer Hartle, Tom Lyons, Adam Key. Front (left to right): Roberto Gonzalez, Stephen Way

## Status of Fiscal Year Compliance Inspection Goals (through 3/31/23)

Type of Inspection	FY2023 Goal	6-Month Goal	6-Month Actual	% of Goal to Date	Trend
Total Compliance Inspections	1,900	950	788	83%	↑
Construction Inspections	800	400	399	100%	↑
Public Sector Inspections	95	47.5	69	145%	↑
Logging/Arborist SEP Inspections	20	10	5	50%	↓
Health Hazard SEP Inspections	60	30	55	183%	↑
Long Term Care SEP Inspections	24	12	16	133%	↑
Grocery & Related Products SEP Inspections	20	10	10	100%	↑
Food Manufacturing SEP Inspections	25	12.5	13	104%	↑
Amputation SEP Inspections	150	75	85	113%	↑

## Status of Fiscal Year Compliance Strategic Goals (through 3/31/23)

Strategic Goal	Goal	Actual to Date
In-Compliance Rate (all inspections in FY2023)	<35%	35.2%
SAMM In-Compliance Rate – Safety (based on closed/issued cases)	<35%	29.9%
SAMM In-Compliance Rate – Health (based on closed/issued cases)	<35%	36.3%
SAMM Lapse Time – Safety	< 40 days	55.4 days
SAMM Lapse Time – Health	< 40 days	63.3 days
Follow-up Inspections (%)	5%	2.7%
Logging Fatalities	7 fatalities during baseline year	1 (on pace for 2 fatalities)
Construction Fatalities	32 fatalities in baseline year	12 (on pace for 24 fatalities)

## Status of Fiscal Year ASH Compliance Strategic Goals

Strategic Goal	FY 2023 Goal	6-Month Goal	6-Month Actual	% of FY Goal to date
Pre-Occupancy Camps Inspected	1,875	938	1,706	182%
Certificates Issued	1,750	875	1,542	176%
Outreach to Hispanic Farm Workers	100	50	29	58%
Education Material Distributed	2,400	1,200	4,648	387%



### Status of Fiscal Year Consultation Strategic Goals

Strategic Goal	FY2023 Goal	6-Month Goal	6-Month Actual	% of FY Goal to date
Hazards Eliminated	4,800	2,400	3,123	130%
PRIVATE Consultative Visits	1,125	563	615	109%
Construction Visits	290	145	216	150%
Logging Visits	15	8	9	113%
LTC Visits	30	15	23	153%
Documentation of Health Hazard Inspections	125	62	122	197%
Food Inspections	12	6	10	167%
Program Improvements	750	375	637	170%

### Status of Fiscal Year ETTA Strategic Goals

Strategic Goal	FY2023 Goal	6-Month Goal	6-Month Actual	% of FY Goal to date
Construction SEP 10 Hour Course	5	2	6	300%
Construction SEP 30 Hour Course	1	1	2	200%
Logging/Arborist Events	5	2	6	300%
LTC Events	2	1	0	0%
Health Hazard Events	20	10	12	120%
Public Sector Training Events	5	2	8	400%
Program Improvements	60	30	60	200%
Total Star Sites (new/recertifications)	20	10	7	70%
Total Star Program Interventions	100	50	78	156%
Total Persons Trained by ETTA	5,350	2,675	3,357	126%
Total Persons Trained in Identified Areas	1,500	750	1,353	180%
Publications Distributed	45,000	22,500	24,897	111%

**Thanks for all you do!**

*Jennifer & Paul*