

**Jennifer Haigwood - Director's Office**

- OSHSPA Spring Meeting
  - Hawaii's Department of Labor and Industrial Relations hosted the meeting; private OSHSPA meeting included committee reports, state updates, and a list of items to cover with federal OSHA.
  - Relevant updates – SAMM Workgroup (continues to meet monthly to revise measures and further review levels; will ultimately be approved by OSHA), Heat Stress (approved by committee, next step is the small business regulatory impact study), South Carolina lawsuit (round two in federal court, arguing that penalty levels should not be an ALEA issue); Prosecutorial Discretion (we are seeing a coordinated effort around the country with groups encouraging state plans to issue letters of interest for jobsites, a July meeting is planned with fed OSHA)
- OSHA NEP on preventing falls in all industries – OSHA issued the new NEP on May 1. We have 60 days (June 30) to respond and six months to make any changes. Hollis's group is currently reviewing the NEP.
- ISG/Blastco vs Dobson/Haigwood
  - Stacey Phipps represented NCDOL at the federal Court of Appeals in January, arguing that NCDOL is entitled to 11<sup>th</sup> amendment sovereign immunity. On May 16, the court issued its ruling, finding in favor of the plaintiff (ISG/Blastco).
  - Importantly, this case focused entirely on technical and procedural points, and not at all on the merits of the case. We have not yet argued the merits.
  - This ruling sends the lawsuit back to the district court in Asheville. The AG's Office is working on a motion to dismiss, which may not be heard by the district court for several months.
  - This lawsuit alleges that NCDOL's performance evaluation measures (specifically, number of citations issued) violates the federal OSH Act, which prevents federal OSHA from evaluating compliance officers based on "quotas."
- No new updates on legislative items (budget / agency bill)

**Paul Sullivan-Assistant Director's Report**

- I'll be teaching in the OSHA 125 course or auditing the other instructors/content over the next couple weeks. We currently have nine attendees, eight are HCO trainees and one is a fully qualified HCO (though still in training). After one day, I've been very impressed with the group. It looks like our district supervisors have done a good job finding some top-notch candidates.
- We are good to go for the upcoming penalty changes on July 1<sup>st</sup>. I checked with Jackie Spangler, and she said Jon Helberg previously set it up so the annual penalty increases

can be done internally, so an OE change request is NOT needed. Any draft citations in OE as of June 30<sup>th</sup> with a High/Greater assessment (at the maximum penalty) will need to have the penalty revised as of July 3<sup>rd</sup>. Grant has completed the FOM Chapter VI revisions and they are in my queue for review.

- It looks like the Bimbo Bakeries combustible dust case has been settled. They agreed to accept the GDC and housekeeping citations related to the flour dust. They are also accepting the LOTO and machine guarding citations as issued. Kudos to the Asheville office staff for all their hard work on this 41-citation-item inspection.
- I will be on leave for parts of the first two weeks of July. My parents will be in town the week of July 3<sup>rd</sup> and then we'll be in Chicago the week of July 10<sup>th</sup> for Ainsley's softball camp.

#### **Wanda Lagoe – Education, Training and Technical Assistance Bureau**

- Julie started as the Instructional Designer on Monday.
- Standards books arrive June 19.
- Safety Awards – Lumberton banquet canceled due to lack of attendees.
- Tim Hogan to retire July 31 and position is posted.
- Todd and Julie's trainer positions will be posted concurrently so we can be efficient with interviews.
- Had a standards officer put in their resignation this week unexpectedly.
- Briefly discussed the history of the Logging book. JH concurred that the Logging SEP would be best suited to review the book to identify discrepancies, if any.
- Internal training courses posted include OCSS, 100, 105, and more.

#### **Kevin O'Barr - Consultative Services Bureau**

- CSB had a SHARP renewal ceremony with Cape Hatteras Electric Cooperative, the Commissioner spoke and the event went well.
- Randolph county Chamber of Commerce sent out the CSB news release to all of its members with a link to the request form.
- Tomorrow, June 7, is the quarterly Region IV virtual consultation meeting. It starts at 10:00 ET.
- During this month, CSB must project visits for FY 2024 and get the draft plan to the Atlanta office for review.
- Staff are registering for the fall conferences now in order to pay registration with this year's funds.

- The national consultation meeting is in two weeks in Tampa, FL. Kevin O will be speaking briefly on the NC SHARP construction project.

### **Beth Rodman- Agricultural Safety and Health Bureau**

- Preocc Stats: 2093 registrations; 1981 inspections conducted, 1897 certificates issued, 549 provisionals, 0 outstanding provisionals.
- ASH IT program: meetings have resumed. Brian will be using new program in field to provide feedback from inspector perspective.
- Gold star program: Working with staff to revamp program and annual event .
- Compliance: Jameson Quinn Farms (Fatality meeting conducted on 2/13/23). File sent to AG's office on 5/26/23.
- Open position – position was reposted, previous applicant still under consideration. Two interviews are scheduled for tomorrow, both applicants are bilingual.
- Andy Sterlen with ETTA is conducting an electrical workshop for ASH on 6/13/23.
- Beth is off this Friday, Kathy will be POC.
- Current meetings/groups - Farmworker Vaccine Plan Project Management Team Advisory Group (once per month)

### **Anne Weaver – Planning Statistics and Information Management Bureau**

### **Nicole Brown- East Compliance Bureau**

- In – house Training
  - CSHO's Lisa Rayborn and Mike Saye are still working with two District 8 CSHOs, Jennifer Sitzmann and Tyler Smith. They have accompanied the CSHOs on inspections and are currently in the process of writing reports
  - CSHO Beverly Stone (Charlotte Field Office) has taken Osiel Gonzalez on inspection. He spent May 22<sup>nd</sup>- 26<sup>th</sup> in Charlotte working with Beverly
  - HCOs in East bureau attending the OSH 125 course: Lanika Williams, Omobolaji Fawole, Almeth Scott, and Indira Jagedo
- Staffing
  - SCO I Eddie Allen started on 6/5/23 in District 8; we are in the process of going over Manager's Checklist for New Employees; He has received his laptop.
  - Positions filled recently:
    - Doreen Makaya (District 8 Supervisor) – start date June 12, 2023
    - Agustina Verellen (District 9, HCO I) – start date June 30, 2023

- Ben Teal (District 10, HCO II; lateral transfer) – start date mid-to-late July
- District 8
  - Ongoing bi-weekly meetings with staff to ensure CSHOs in training are progressing and addressing any questions/concerns
  - Met with released CSHOs to discuss open caseloads and address file review comments
- Fatality / CFR cases ongoing
  - Squeaky Clean of NC; conducted IC on 6/2/23 - (Doreen sat in as part of her new DS training) – she will be drafting IC notes and proposed SA that will require settlement authorization review.
  - Have a proposed SA for file in queue to review for Smithfield Packaged Meats Corp.

**Lee Peacock -West Compliance Bureau**

**Judyth Forte – State Plan Coordinator**

- NOK – 318249380 Tyson Farms River Valley. Someone claiming to be NOK that was not verified as NOK upset because details could not be discussed.CSHO and Supervisor were notified. Documented in OE. Closed.
- NOK – 318253457 – BluSky restoration. Mom called to get an update. Case not closed. Contested – the withdrawn. CSHO notified - documented in OE. Open.
- NOK – 318173036 – Sanderson Farms –Mom called for an update. Contested, Informal Conference. She requested file from PSIM. Documented in OE.Closed.
- NOK – Sent from the Commissioner’s Office – AT&T – 318246360 – not work related .
- Attended Raleigh Safety Awards Banquet.
- REDB OSH Review Committee – 1 case.
- SPA COMMUNICATION FOR National Emphasis Program – Falls CPL 03-00-025. Response date June 30<sup>th</sup>.
- Trying to set Quarterly Meeting with Kim .