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June 2023

OSH Update

From the Director's Office

The month of May turned out to be a busy month for the Director's Office and the OSH Division. We kicked off the month by participating in the National Safety Stand-Down to Prevent Falls in Construction. While primarily coordinated by the ETTA Bureau, folks from across the Division assisted with these events throughout the week. I was grateful for the opportunity to visit two Labor One training sites and meet with employers and employees working on those projects. We will share more information about the week's events later in this edition. A big thank you to our staff for making Stand-Down week a great success.



On May 2, Commissioner Dobson convened the OSH Advisory Council in Raleigh for the group's spring meeting. The Council, chaired by Debbie Rogers-Lowery, heard remarks from Commissioner Dobson, as well as OSH Division updates from Wanda Lagoe. Julie Ryan provided a departmental legislative update, and Paul Sullivan presented details from a significant fatality inspection (Lake Phelps Grain, Inc.) and provided an overview of OSH's strategic plan revisions as well as compliance recruitment changes. Council members frequently respond that our presentations on significant cases are one of the most valuable components of the meetings, and often lead to deeper discussions about safety and health standards and best practices. I also find this time valuable and effective, as it highlights the experience and competence of our compliance staff. The next Council meeting is November 1 in Asheboro.

Supervisors, bureau chiefs and representatives from the Attorney General's Office gathered at Randolph Community college on May 18 for the second compliance supervisor meeting of the year. Each district shared an update on significant cases and current staffing, while other OSH Division folks provided relevant information from their groups. Discussion topics included progress on annual inspection and lapse time goals, a new process for penalty collections / write offs, a new accident victim next-of-kin letter, and more. Vanessa Totten, head of the Labor Section in the AG's Office, gave a presentation on criminal penalties under the OSH Act and potential procedures for pursuing criminal charges against employers in certain situations. The AG's Office will continue exploring those options, with more information to come later. Thank you to Nicole Brown and Lee Peacock for planning and leading the meeting.

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During the week of May 22, Scott, Paul and I traveled to the Occupational Safety and Health State Plan Association (OSHSPA) spring meeting. The OSHSPA group gathers three times per year to discuss issues pertinent to all state plans and to meet with federal OSHA officials to receive updates on federal initiatives, budget changes, and the regulatory agenda. These meetings offer a great opportunity for our program to connect with counterparts across the country, as other state plans often share similar challenges and may be able to offer creative solutions. Staffing and funding continue to be a consistent issue in most states, but I also came away from the meeting with validation that North Carolina's OSH program is one of the strongest and most comprehensive programs in the country.

As we move into June, the safety awards program will co-sponsor the remaining banquets of the season. One of the largest banquets – Raleigh/Durham/Sanford – takes place this Friday, June 2 in Raleigh. I look forward to attending and I congratulate the Consultative Services Bureau, the PSIM Bureau and OSH Administration on qualifying for Gold Safety Awards. Those awards (in addition to awards for the Boiler Safety Bureau and the Financial Services Division) will be presented at the Raleigh banquet.

During the first two weeks of June (June 5-16), several of our newer Health Compliance Officers and HCO Trainees will take the OSH 125 – Introduction to Health Standards course at the Charlotte field office. This course will be taught by an impressive group of our staff instructors from Compliance, Consultative Services and the Director's Office. This course will provide a solid educational foundation for our HCOs, and I'm grateful for the time and expertise that our instructors will be sharing during this time.

Despite the many meetings, responsibilities and activities occurring in June, I hope that you are able to enjoy the June weather and find time for a break!

Jennifer

OSHA Atlanta Region 4 Office Visit

On April 19th Kurt Petermeyer, OSHA Area Director of Region 4 and Chris Adams, Deputy Regional Administrator for Region 4, accompanied by Kim Morton, our Area Office Director, visited NCDOL to meet and greet the new administration.

Region 4 operates out of Atlanta and oversees State Plans in North Carolina, South Carolina, Tennessee, and Kentucky. OSHA also covers private sector employers and workers in Alabama, Georgia, Florida, and Mississippi. Region 4 staff indicated that they were hoping to visit all their State Plans.

Kurt and Chris met with the Commissioner, the Chief of Staff, OSH Director, OSH Assistant Director, State Plan Coordinator, and the agency Bureau Chiefs. There was a round table of professional introductions and discussions of job duties and accomplishments from all parties. Region 4 staff discussed priorities and initiatives for OSHA and NCDOL staff discussed the many and varied ways that we interact and support the safety and health of North Carolinians.

There was a lot of discussion about hiring and retention issues, disclosures, getting safety information out to employees and employers, education and consultation initiatives and the use of drones in inspections within both agencies.



Karen's Retirement

Karen Padgett had a small retirement party with her PSIM group on April 28th. Commissioner Dobson stopped by to wish her well after her nearly 37 years with state government. Karen will be greatly missed.



Karen was awarded the Order of the Long Leaf Pine by Scott, and the NCDOL Certificate of Appreciation by Jennifer and Anne.

Workers' Memorial Day



The Commissioner joined the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) at a press conference and solemn memorial service at the State Capitol on Friday, April 28th. All faiths were represented at the event and prayers were said for those that were lost. A bell tolled 179 times – once for each person in North Carolina who died while working for a better life in 2021. The N.C. Department of Labor and the N.C. State AFL-CIO share a common commitment to ensuring safe and productive workplaces, with the ultimate goal of returning workers home to their families at the end of the day. It was declared that the fight for strong safety and health protections to help reduce the number of fatalities at work will continue.

NCDOL Library Update

By Nick Vincelli, NCDOL Librarian

The library's subscriptions to the Training Network NOW (TN NOW) streaming safety and health video service (Streamery) and Reference Solutions Government (fka, ReferenceUSAGov) database access were renewed in March and will not expire until August 2024. Streamery is available to the public (i.e., registered NCDOL library patrons who reside or work in the state) as well as to NCDOL staff members who request it. Please note, however, that only NCDOL staff can access Reference Solutions Government's database of employers.



Feel free to contact Nick for the password or instructions on logging into this database—do not request a new password from the site as this will reset the password for NCDOL staff. The library also ordered additional certification seats (e.g., ASP, CIH, CHST, CSP) earlier this year from Datachem. These certification exam prep seats are assigned to eligible OSH employees with the approval of Wanda Lagoe, ETTA Bureau Chief.

Nick continued to order consensus standards (e.g., ANSI, ASME, ASSP, NFPA) and other safety/health-related books as permitted by NCDOL and state government

registered in NC E-procurement (with some rare exceptions) and must request quotes from three vendors if/when the amount exceeds \$200. Unfortunately, there is a current snag ordering consensus standards from I.H.S./S&P Global as this vendor (the only one currently registered in NC E-procurement who sells them) has recently been acquired by Accuris. The vendor is required by state accounting policies to submit a completed Substitute W-9. Nick has made numerous attempts to obtain this form and hopes the vendor will comply with the request so the department can continue ordering them. If NCDOL cannot resolve this issue, it will become very difficult (perhaps nearly impossible) to order consensus standards, as other suppliers may not be willing to register in NC E-procurement.

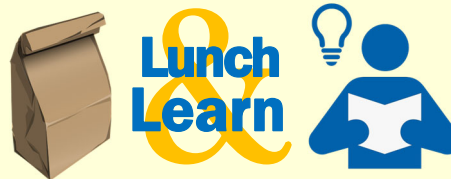
Please keep in mind that only NCDOL staff can borrow consensus standards but the library is more than willing to assist anyone outside NCDOL in providing information on a consensus standard (and in some cases referral to a free electronic version) and the public may visit the library to review the collection. Announcements of new books, periodical issues and other resources will appear in the "What's New @ Your Library" article in the monthly Labor NC newsletter.

Please refer to the [Library Resources](#) webpage on One Stop Shop for information pertaining to consensus standards, certification preparation resources, NC Building Codes, Reference Solutions/USAGov, etc.--and feel free to contact the library (dol.library@labor.nc.gov ; 919-707-7880) if you wish to check out (or access) any of these resources.

New Standards Books Scheduled for Delivery

The Education, Training and Technical Assistance Bureau will be receiving the new standards books for general industry and construction in June.

The books include the state-specific standards adopted in the N.C. Administrative Code in addition to the federal OSHA standards. Once the books have been received into the department, every effort will be made to get them out to the field offices expeditiously.



June 21, 12:00 Noon

The next installment of Lunch & Learn will be on Wednesday, June 21 at 12:00 p.m. The full agenda has not been confirmed, however it will serve as a platform to discuss two recent updates: changes in the FOMs and OPNs, incorporating CPLs from Federal OSHA, and the adoption of the updated maximum serious penalty amounts (\$15,625 for a serious, and \$156,259 for a willful) beginning July 1, 2023.

If you have an idea for a 'Lunch & Learn' installment please contact Grant Quiller.

Highlights of the NCDOL Safety and Health Steering Committee Meeting

The last Safety and Health Steering Committee Meeting was held on Tuesday, April 11, 2023, and the following issues were discussed:



Odor in the ORB

There seem to be episodes of odor again. People are asked to report if they smell the odor and hopefully the basement will be able to be checked at that time to see if the ventilation is working correctly.



Labor Building Renovations

Painting and carpeting will be updated in the next few weeks. Labor building staff may work from home or occupy available space in the ORB temporarily as the work is completed floor by floor, but this will not disrupt regular business.



June is Safety Month

The Governor has proclaimed June as 'Safety Month.' The Office of State Human Resources will celebrate State Safety Day on June 14 at the Halifax Mall and Bicentennial Mall. State employees are encouraged to attend. ETTA will have an education booth at the event.



ORB Salisbury Street Stair Repairs

The stairs at the Salisbury Street entrance are under repair. Please be careful.



NCDOL Injury and Illness Report

There were three lost workday cases and one other incident reported in the last quarter. The lost workday cases included a fall from a ladder; a trip and fall; and a car accident.

Building Emergency Coordinator Comments

- ◆ There was difficulty hearing the tornado drill at the Labor building.
- ◆ An audit of the fire extinguishers in the ORB was conducted and identified that a fire extinguisher was missing in the basement. It was later replaced.
- ◆ It was identified that there is a call bell in the ORB stairwell that was initially installed years ago to summon help if needed. It was discussed that this bell calls the State Capitol Police Officer stationed in the building, but it was revealed that no one is responsible for responding to the call. A notice will need to go out addressing this issue or the bell needs to be removed.
- ◆ An air duct sensor set off the building alarm in ORB on March 20 and everyone successfully evacuated.

You Look Familiar, Are You New Around Here?

Meet Starsky Martin.

I am a Raleigh native. I graduated from Needham B. Broughton High School in 1996, and have been employed with the North Carolina state government since 2006.



Starsky and his son Starsky Jr.

I worked for the Department of Revenue from 2006-2007 as a scan technician and for the Office of State Treasurer from 2007-2018, as a Retirement Benefits Calculation Specialist, Employer Reimbursement Team Lead, Training Coordinator,

Workers Compensation Administrator and Safety and Facility Coordinator.

I joined NCDOL in 2018 as a Safety Compliance Officer in the OSH East Compliance Bureau and then in 2019 accepted a position as an OSH Safety Education Specialist in the Education, Training and Technical Assistance Bureau. I manage Labor One our mobile training classroom box truck.

I serve on the following committees at NCDOL: Safety and Health Steering, Ergonomics (Chairman), Grocery SEP, and Employee Insurance.

I attained the Public Sector, General Industry, Construction Industry and Industrial Hygiene Manager of Environmental Safety and Health Certificates (MESH), and I have an Advance Safety Certificate from the National Safety and Health Council of North Carolina. I am also an Accredited Ergonomic Evaluator through the Ergonomics Center of North Carolina, NCSU. I served two terms on the North Carolina Governor's Safety and Health Leadership Council and as a member of the North Carolina Safety, Health, and Wellness Planning Committee.

I am a single parent with a 22-year-old son named Starsky Martin Jr. No, naming my son "Hutch" was not an option! LOL! When I am not travelling all over the state of North Carolina training employees and employers on safety and health awareness topics, I am studying to teach and preach the gospel of Jesus Christ abroad. I am an Associate Minister at Good Hope Missionary Baptist Church in Knightdale. I am also a professional drummer. When I am not at work, I also enjoy cooking, baking, singing, free hand drawing, fishing, time at the gun range, playing video games, playing various musical instruments, and making beats with my son.

Fall Stand-Downs with Labor One

The department participated in three National Fall Stand-Downs in May. These are some photographs of the Barnhill Contracting and Balfour Beatty Fall Stand Down at the DHHS campus construction site on Reedy Creek Road in Raleigh where Jennifer Haigwood spoke to the participants and staff from ETTA conducted hands-on training.



There were two other Stand Down sites with the Holder-Edison Foard- Leeper Joint Venture Partnership at Charlotte Douglas International Airport in Charlotte and the Fuji Film construction site on New Hill Rd in Holly Springs.

For the fall stand-down week, OSH hosted four webinars and participated in three Labor One events. Total participants trained during the week was 1,709.



Status of Fiscal Year Compliance Inspection Goals (through 4/30/23)

Type of Inspection	FY2023 Goal	7-Month Goal	7-Month Actual	% of Goal to Date	Trend
Total Compliance Inspections	1,900	1108	931	84%	↑
Construction Inspections	800	467	458	98%	↓
Public Sector Inspections	95	55	84	153%	↑
Logging/Arborist SEP Inspections	20	11.7	5	43%	↓
Health Hazard SEP Inspections	60	35	64	183%	↔
Long Term Care SEP Inspections	24	14	20	143%	↑
Grocery & Related Products SEP Inspections	20	11.7	14	120%	↑
Food Manufacturing SEP Inspections	25	15	19	127%	↑
Amputation SEP Inspections	150	88	107	122%	↑

Status of Fiscal Year Compliance Strategic Goals (through 4/30/23)

Strategic Goal	Goal	Actual to Date
In-Compliance Rate (all inspections in FY2023)	<35%	34.8%
SAMM In-Compliance Rate – Safety (based on closed/issued cases)	<35%	29.3%
SAMM In-Compliance Rate – Health (based on closed/issued cases)	<35%	35.8%
SAMM Lapse Time – Safety	< 40 days	57.0days
SAMM Lapse Time – Health	< 40 days	61.2 days
Follow-up Inspections (%)	5%	2.5%
Logging Fatalities	7 fatalities during baseline year	1 (on pace for 2 fatalities)
Construction Fatalities	32 fatalities in baseline year	15 (on pace for 26 fatalities)

Status of Fiscal Year ASH Compliance Strategic Goals

Strategic Goal	FY 2023 Goal	7-Month Goal	7-Month Actual	% of FY Goal to date
Pre-Occupancy Camps Inspected	1,875	1,094	1,876	172%
Certificates Issued	1,750	1,021	1,743	171%
Outreach to Hispanic Farm Workers	100	58	29	50%
Education Material Distributed	2,400	1,400	5,191	371%

Status of Fiscal Year Consultation Strategic Goals

Strategic Goal	FY2023 Goal	7-Month Goal	7-Month Actual	% of FY Goal to date
Hazards Eliminated	4,800	2,800	3,757	134%
PRIVATE Consultative Visits	1,125	657	712	108%
Construction Visits	290	169	252	149%
Logging Visits	15	9	12	133%
LTC Visits	30	18	25	139%
Documentation of Health Hazard Inspections	125	73	141	193%
Food Inspections	12	7	11	157%
Program Improvements	750	438	761	174%

Status of Fiscal Year ETTA Strategic Goals

Strategic Goal	FY2023 Goal	7-Month Goal	7-Month Actual	% of FY Goal to date
Construction SEP 10 Hour Course	5	3	6	200%
Construction SEP 30 Hour Course	1	1	2	200%
Logging/Arborist Events	5	3	7	233%
LTC Events	2	1	2	200%
Health Hazard Events	20	12	13	108%
Public Sector Training Events	5	3	9	300%
Program Improvements	60	35	73	209%
Total Star Sites (new/recertifications)	20	12	12	100%
Total Star Program Interventions	100	58	90	155%
Total Persons Trained by ETTA	5,350	3,121	3,996	128%
Total Persons Trained in Identified Areas	1,500	875	1,490	170%
Publications Distributed	45,000	26,250	35,647	136%

Thanks for all you do!
Jennifer & Paul