



NCDOL

N.C. Department of Labor
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From the Director's Office

In last month's column, I predicted (optimistically) that the General Assembly would pass a new biennial state budget in time for this month's OSH Update. Despite additional political and policy hurdles that came up as the final details were worked out, I am happy to report that the state budget will be enacted by the first week of October. The legislature gave final approval to the budget conference report on September 22, and the Governor indicated that he would allow the provisions to become law without his signature (ten days from the date of final legislative passage).



What does this mean for the OSH Division? Of importance, the budget grants an across-the-board salary increase of 4% for the current state fiscal year (July 1 – June 30) and an additional 3% for the next fiscal year. While we have not received official notification from the State Budget Office or the Office of State Human Resources, the 4% increase for the current fiscal year will likely be reflected in the late October paycheck. The salary increase will be retroactive to July 1, which means that our October checks will also likely include the retroactive pay for the last three months (July – September). Please note that this information is still speculative, but we should know more definitive details very soon. The budget also appropriated to the entire department an additional \$291,722 in recurring funds to address labor market salary adjustments. The Commissioner and department leadership will

decide in the coming days how best to spend that money throughout the department, and how much will be available to the OSH Division.

In addition to fiscal appropriations, the budget also includes hundreds of statutory and policy changes that impact the entire state. This year's budget conference report includes two statutory changes of significant importance to the OSH Division. Section 13.2 amends the OSH Act regarding the statute of limitations on issuing citations. As you know, last year's budget amended the Act to allow OSH to issue citations six months from the initiation of an inspection, rather than six months from the occurrence of the violation. We sought this change to address instances of late (or non) reported fatalities and accidents. Without our knowledge or input, this year's budget reverts the language back to its original form (six months from the occurrence of the violation).

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Additionally, Section 21.2 deletes the OSH Division's long-standing exemption from the standard rulemaking process for the adoption of any federal OSHA rule change. We are still gauging the full impact of these changes on the OSH Division and will provide you with more information in the coming weeks.

On a much lighter note, I was thankful to attend and participate in several OSH-hosted and sponsored events in September. The Construction Forum on September 7 in Statesville was hosted by the ETTA Bureau and was well-attended by internal staff and external safety professionals representing the private and public sector. You can read more about the Forum in this edition. The Carolina Star Conference was held September 20-22 at the Koury Convention Center, and – as always – was a very well-attended event. A big thanks to LaMont Smith, his Recognition Program team and the Carolina Star Board for coordinating and hosting such an exciting and educational conference program!

Commissioner Dobson joined me and several other folks from the department at the Fall 2023 OSHSPA meeting, hosted by the New York Department of Labor in Saratoga Springs, N.Y. The meeting, held September 26-27, was a great opportunity to connect with representatives from other state plan states, as well as federal OSHA officials. Scott Mabry serves on the federal Advisory Committee on Construction Safety and Health and provided an update on that group's recent work. We also heard updates from federal OSHA on various topics including the federal budget, heat stress, other items on the rulemaking agenda, and the upcoming FAME reviews. North Carolina's on-site FAME review is scheduled for the first week of December.

I'm excited that the OSH Division's partnership with Holder-Edison Foard-Leeper (Charlotte Douglas International Airport terminal project) has been expanded to include activity on Phase 5. Bruce Pearson, partnership chair, visited the site on September 27 and officially signed off on the extension. I'm proud of and grateful for Bruce's and the partnership team's hard work on this long-standing partnership. We will soon sign a new partnership with Whiting-Turner Contracting Co. for a large project in Chatham County.

I look forward to seeing you October 9-11 for Annual Training at the McKimmon Center. This year's program is full of relevant topics, and I am particularly interested in hearing from our compliance group on several of our significant inspections. Thank you to ETTA and Marcy Collyer for working so diligently to coordinate a productive and fun agenda. Have a great October and enjoy the fall weather!

~Jennifer

OSH Promotions

Congratulations to the Following Staff on their recent promotions

- **Chris Sholar**, previously an HCO I for West Compliance-District 2, was promoted to a Health Consultant for ETTA.
- **Mildred Rivera**, previously a Document Coordinator for PSIM, was promoted to a Targeting System Administrator for PSIM.
- **Doreen Makaya**, previously an HCO II for East Compliance-District 7, was promoted to a Supervisor for East Compliance-District 8.
- **Adam Key**, previously a SCO I for West Compliance-District 5, was promoted to an HCO I for West Compliance-District 5.

Congratulations



Carolina Star Conference

The Carolina Star Safety Conference was held in Greensboro, September 19 to 22. The Carolina Star Conference is a collaboration comprised of over 150 leading companies throughout North Carolina and governed by a volunteer board of directors from Carolina Star Program companies who are passionate about worker safety.

These are the Five Key Elements of the Carolina Star Program:

- Management Commitment and Leadership
- Employee Involvement and Participation
- Hazard Identification and Evaluation
- Hazard Prevention and Control
- Safety and Health Training

The Carolina Star Safety Conference is not a state entity, rather the companies work in partnership with NCDOL's Carolina Star Program to facilitate safer work environments through the promotion of best practices that prevent or minimize the potential of workplace incidents that could result in injuries and illnesses.

The program recognizes employers who implement effective safety and health management systems and maintain injury and illness rates that meet the criteria for participation. Carolina Star Program participants are proactive and partner with the OSH Division and the Star consultants.

The Carolina Star Safety Conference celebrates the hard work and cooperative nature of employers and employees who are passionate about safety. The agenda includes many sessions and opportunities for workers to continue safety and health professional development. Conference attendees have the opportunity to share ideas and best practices with other safety and health professionals.

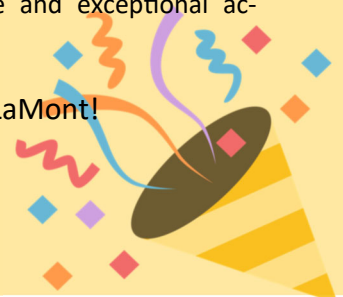
Commissioner Josh Dobson and OSH Director, Jennifer Haigwood addressed the conference on the last day.



Cheers to Thirty Years!

Commissioner Dobson presented LaMont Smith with the Order of the Long Leaf Pine. LaMont has worked for the OSH Division for 30 years and currently serves as the Recognition Program Manager in ETTA. Since 1963, North Carolina's governors have reserved this award for persons who have made significant contributions to the state and their communities through their exemplary service and exceptional accomplishments.

Congratulations LaMont!



Ten Year SHARP Award

Southland Electrical Supply celebrated over ten consecutive years in SHARP recently. The company is located in downtown Burlington and had their first visit with consultative services in 2009 and were awarded SHARP near the end of 2012. Southland Electrical Supply was built on the values of service, people, and hard work. The family business has grown for 30 years through three generations and thousands of customers.



Charlene Sykes, Safety Coordinator for Southland Electrical Supply, receiving the Ten-Year SHARP award from Kevin O'Barr



Lunch &



**Wednesday, October 4
12:00-1:00 p.m.**

During this informal lunch and learn, participants will learn to navigate the One Stop Shop. Hollis Yelverton, the standards supervisor, will walk participants through the organization of the One Stop Shop and show what information is stored in each section. Other items covered include how to register and log in to an individual account, how to use the search features, and various shortcuts. There will also be an opportunity for questions. Please join us!

2023 Annual Construction Safety Forum

Concrete, the world's foundation, was the theme of the 2023 Annual Construction Safety Forum hosted by the Education, Training, and Technical Assistance Bureau. Approximately 80 people attended the all-day forum on September 7, held at the Statesville Civic Center.

Guest speakers from Donley's Concrete and Old Castle Infrastructure discussed manufacturing, installation, and safety processes of concrete construction. ETTA Trainer Andy Sterlen covered Concrete and Masonry Construction Safety and a timely topic of Net Zero Emissions for Concrete. Other topics included municipal applications of concrete and the importance of safe digging via the 811 system. Jennifer Haigwood, Deputy Commissioner and Commissioner Dobson were both on hand to welcome and greet all.

The forum, by all measures, was a success and well received by all attendees. A special thanks to George Campbell, City of Statesville, Risk and Safety Manager, who generously provided the Statesville Civic Center to host the forum.



Jennifer Haigwood and Andy Sterlen making opening statements.

You Look Familiar, Are You New Around Here?

Meet Matt Gruber. Matt was born and raised in western Montana, where he grew up in a rural community. Starting at an early age, Matt took advantage of the freedom the outdoors provided and managed to not get into too much trouble. Matt developed a passion for adventure and the outdoors throughout his childhood and could be found bagging peaks, backpacking, backcountry skiing or out with his friends on multi-day rafting trips.



Matt attended the University of Mon-

tana where he earned a Human Biology degree. During this time, Matt received funding that allowed him to get his foot into the door of a microbiology lab where he researched vector cloning for antibiotic resistance. Matt then took the benchtop skills learned and worked as a research technician in a genetics lab while completing his biology degree.

It was the work in the genetics lab that introduced him to industrial hygiene. While conducting field research outside Grand Teton National Park, researching disease transmission for brucella abortus, he started asking how much of the bacterium his field crew was exposed to, how much is too much, the associated health effects and how to better protect the field crew conducting lymph nodes necropsies. A quick Google search resulted in lots of industrial hygiene information. Matt immediately applied for admission into a master's program at Montana Tech and six short weeks later he started the program. A highlight for Matt was being able to use the previous research from the genetics lab for his master's Thesis, *Using QPCR for rapid quantification or occupational exposures to Brucella abortus.*

Following the completing of the master's degree, Matt moved to Green Bay, Wisconsin to work as a regional industrial hygienist in the pulp and paper industry. Matt worked half a mile from Lambeau Stadium and was able to make eleven home games in his two seasons in Green Bay, Go Pack Go!

Matt then made his way south to work in a global safety and health role out of Atlanta, where he completed industrial hygiene exposure assessments, combustible dust hazard evaluations and started to get his feet wet in process safety management. Matt spent considerable time on the road and found western North Carolina was a great escape during the weekends to get outdoors for camping, climbing, and cycling. This is when Matt first came to Asheville. Within the first few minutes in town, Matt knew that he would live in Asheville. Eight months later, he earned a promotion to Industrial Hygiene Leader and became a home-based employee. Within a week he moved to Asheville from Atlanta and rented a room on Craigslist. Shortly upon moving to Asheville, Matt met his future wife. He continued to live the road warrior lifestyle, and after another three years, Matt decided he needed to get off the road, set roots and was fortunate to join the OSH Division in 2018.

Matt loves the life-work balance that the OSH Division provides. Since joining the state, Matt has been married, had his first child and is expecting his second in December of 2023. Matt loves being a father, traveling with his family, riding bicycles and living in Asheville, all while continuing to practice as an IH. Being a lifelong student and having a strong dedication to the health and safety profession, Matt recently started a PhD program in Safety Science at Indiana University of Pennsylvania. Matt has served as the president of the Western Carolina ASSP Chapter, Treasurer and Outreach Coordinator for the Carolinas AIHA Section and sat on the board of the Western North Carolina Safety and Health Conference. Matt also serves as the Health Hazard SEP committee chair for the OSH Division. Matt is a CIH and CSP and looks forward to pursuing other certifications throughout his career.



Status of Fiscal Year Compliance Inspection Goals (through 8/31/23)

Type of Inspection	FY2023 Goal	11-Month Goal	11-Month Actual	% of Goal to Date	Trend
Total Compliance Inspections	1,900	1,742	1,611	92%	↔
Construction Inspections	800	733	826	113%	↑
Public Sector Inspections	95	87	117	134%	↔
Logging/Arborist SEP Inspections	20	18	21	117%	↔
Health Hazard SEP Inspections	60	55	99	180%	↔
Long Term Care SEP Inspections	24	22	32	145%	↔
Grocery & Related Products SEP Inspections	20	18	23	128%	↔
Food Manufacturing SEP Inspections	25	23	26	113%	↔
Amputation SEP Inspections	150	138	163	118%	↔

Status of Fiscal Year Compliance Strategic Goals (through 8/31/23)

Strategic Goal	Goal	Actual to Date
In-Compliance Rate (all inspections in FY2023)	<35%	37.1%
SAMM In-Compliance Rate – Safety (based on closed/issued cases)	<35%	31.6%
SAMM In-Compliance Rate – Health (based on closed/issued cases)	<35%	34.6%
SAMM Lapse Time – Safety	< 40 days	55.9 days
SAMM Lapse Time – Health	< 40 days	57.0 days
Follow-up Inspections (%)	5%	3.0%
Logging Fatalities	7 fatalities during baseline year	1 (on pace for 1 fatality)
Construction Fatalities	32 fatalities in baseline year	22 (on pace for 23 fatalities)

Status of Fiscal Year ASH Compliance Strategic Goals

Strategic Goal	FY 2023 Goal	11-Month Goal	11-Month Actual	% of FY Goal to date
Pre-Occupancy Camps Inspected	1,875	1,719	2,046	119%
Certificates Issued	1,750	1,604	2,027	126%
Outreach to Hispanic Farm Workers	100	91	29	32%
Education Material Distributed	2,400	2,200	5,904	268%

Status of Fiscal Year Consultation Strategic Goals

Strategic Goal	FY2023 Goal	11-Month Goal	11-Month Actual	% of FY Goal to date
Hazards Eliminated	4,800	4,400	5,684	129%
PRIVATE Consultative Visits	1,125	1,031	1,143	111%
Construction Visits	290	266	420	158%
Logging Visits	15	14	15	107%
LTC Visits	30	28	37	132%
Documentation of Health Hazard Inspections	125	114	197	173%
Food Inspections	12	11	13	118%
Program Improvements	750	688	1,221	178%

Status of Fiscal Year ETTA Strategic Goals

Strategic Goal	FY2023 Goal	11-Month Goal	11-Month Actual	% of FY Goal to date
Construction SEP 10 Hour Course	5	4	7	175%
Construction SEP 30 Hour Course	1	1	2	200%
Logging/Arborist Events	5	4	11	275%
LTC Events	2	2	3	150%
Health Hazard Events	20	19	20	105%
Public Sector Training Events	5	4	17	425%
Program Improvements	60	55	104	189%
Total Star Sites (new/recertifications)	20	19	29	153%
Total Star Program Interventions	100	91	139	153%
Total Persons Trained by ETTA	5,350	4,904	9,046	185%
Total Persons Trained in Identified Areas	1,500	1,375	4,345	316%
Publications Distributed	45,000	41,250	60,950	148%

Thanks for all you do!
Jennifer & Paul

