

**Jennifer Haigwood - Director's Office**

- FAME Questions/Comments – Thank you to Paul, Nicole, Lee and Beth for reviewing and responding to Kim's questions on the compliance files. Most comments were found to be in error, and the remaining issues were all minor. Again, the fed OSHA reviewers were highly complimentary of the overall quality of these files. Thank you!
- Penalty Increases – As mentioned in the last meeting, federal OSHA released the revised penalties, which will become effective in North Carolina on July 1. Jill Cramer has submitted the public notice to the Office of Administrative Hearings, which is a required step for us to adopt the new penalties. The text will appear in the February 15 edition of the N.C. Register.
- Airborne Infectious Disease Proposed Rules – Received rulemaking petitions in December 2022.
  - Two sets of rules – one covering GI/Construction and one covering migrant housing
  - Public hearings were held on January 23 at the Labor Building (10 am for migrant housing; 1 pm for GI/Construction)
  - Between the two hearings, nearly 100 members of the public spoke on the proposed rules. The overwhelming majority opposed the rules, and some speakers seemed to misunderstand the content of the rules.
  - The public comment period is open until March 4.
- We are working with Government Affairs/Legal Affairs to draft legislation that would address the verbatim adoption provision that was removed from the general statutes during the last legislative session. The legislature will convene for the short session in May.
- New Partnership Application received from Barnhill for the demolition of the old Administration Building and the construction of the new education campus in downtown Raleigh. Bruce Pearson is working on scheduling a time for Barnhill to formally present their plan.
- OSHSPA Winter Meeting – I will be out of the office February 5 – 8 attending the meeting in Nashville.
- Next BC meeting is scheduled for February 13.

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

- Thanks to the BC's for their responses on the case file comments. Several of the comments were not issues at all (i.e. the comment was 100% incorrect) and the rest were incredibly minor.

- I ran the first quarter numbers yesterday for the OSH Update and we are at 74% of expectations for inspection numbers and have safety and health lapse times of 67 days, which is almost 10 days higher than FY2023. Please keep working with staff to maximize inspection numbers and reduce lapse time.
- Nicole and I participated in a meeting with USDOL/W&H and the National Black Workers Center. Those meetings will continue monthly beginning in March. Nicole and I will alternate with attending.
- The Carolina Section AIHA spring conference/PDC is in Raleigh March 6-8. I will be presenting the OSHA Update. If you have folks interested in attending, please have them complete the DOLB-8 ASAP.
- Other upcoming conferences include the following:
  - Industrial Ventilation Conference (Raleigh), May 6-10. I expect nearly all the HCO Trainees that were in the IH Sampling course last week will be attending. The DOLB-8 should be completed in late February.
  - AIHCE in Columbus, OH is May 20-22. Please start identifying your attendees per the APN and submit the DOLB-8 NLT early March. The ASSP conference is not until early August this year.
- Here is my anticipated out-of-town/leave schedule for the first half of 2024:
  - OSHSPA in Nashville, February 5-8
  - AIHA Spring Conference in Raleigh, March 6-8
  - Spring Break (Leave), March 11-15
  - Easter (Leave), March 28
  - MN Trip (Leave), April 25-26
  - Industrial Vent Conference, May 6-10
  - Tiana's Graduation, May 17 & 20

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

- LAD just approved of us using MS 365 photo for our PPTs.
- OPN 123 – with Rob for signature. Incorporated everyone's changes into them.
- Marcy needs to know if the proposed dates for the core courses will work for compliance.
- Waiting on responses for the annual survey. Marcy will be scheduling a meeting soon.
- Proposed dates for OTI electrical is April 8 – 17, 2025.
- We get our webroom back on Thursday after a year and a half. Trainers and Nick are excited by the news.
- Star Conference is set for Sept 17 – 20 with the theme "Keep safety rolling".

- Sent out the five or more serious letter this month to 36 employers.
- Have received 500 online safety award applications so far. Most like the new online process.
- Posted the Grain Safety Stand UP to the website and posted a billboard.
- Will send out an email on the ASP/CSP course to gather interest now that we have three quotes.
- Western Safety School is requesting several trainers from staff. Just be aware that we support all the safety schools and provide trainers, but we are not meant to be their sole source for trainers otherwise it becomes an NCDOL safety school event.

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

- Meeting with the national OSHCON board this afternoon.
- Tomorrow, 1/31, meeting with SC consultation management at LBT to assist with paperless process.
- Friday, 2/2, NCDOL will issue a statewide news release discussing consultative services with a link to our new client testimonial video.
- Next week, CSB is meeting with Tom Whalen, the safety and health director of the Division of Natural and Cultural Resources to sales pitch him a little more for the over 100 natural and cultural sites managed by the agency. This is connected to the National AIHA push to outreach to the museum and cultural heritage industry nationwide.

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

- Preocc Stats: 1757 registrations; 562 inspections conducted, 362 certificates issued, 495 provisional
- Upcoming core courses, Gabe Valente needs all three courses.
- NCDOL has asked if more of their staff can get trained to do preoccs.
- Motion to compel was denied as Judge was concerned about making them provide testimony and future prosecution.
- WHD Government Agency Training Academy. I have meeting on 3/6/24
- Currently have one employee out on FMLA and one open position. Paperwork has been submitted to post Myra's position.
- Gold Star event is Feb 1 at McKimmon Center, starts at 10.
- Compliance: 1 open CFR cases – Barnes Farming
- We are having challenges with the new program and working with IT and Imagesoft to find solutions.

## Anne Weaver – Planning Statistics and Information Management Bureau

### Nicole Brown- East Compliance Bureau

- Staffing/ CFR File updates
  - District 10
    - CFR files/vacancies
      - Johnson Paving (Ben Teal); was sent to AGs office on 12/14; must issue date 3/20/24 – in BC queue
      - Piedmont Airlines (Indira/Ted); Ted is completing this file; had CFR meeting last 1/15; no citations will be recommended
      - 3 vacancies; 2 positions posted; one position not posted
      - Two Trainees – Kel Pate and Lindsey Miller
  - District 9
    - Thalle Construction (Sheldon) – CSHO working on file; must issue date 3/29/24
    - CSHO in training Agustina V. is writing reports – OPN 64 6-month meeting conducted
    - CSHO R. Packer – DS plans to take out on checkout once they complete the CFR files.
    - 4 vacancies
      - SCO I (T) 60013173; closed on 1/9/24, rec'd referrals on 1/10/24 - **interviews conducted**
      - HCO I (T) 60013114; Hannah Overton started 1/30/24
      - SCO I (T) 60013130 – position closes on 1/25/24
      - SCO I (T) 30013102 – interviews conducted (DS compiling interview scores)
  - District 8
    - Aces LLC dba Little Caesars Pizza 318274529; CSHO Mills (1 violation – GDC) – returned to DS/CSHO w/ BC comments
    - Home Depot 318278447; CSHO Mills (no citations) – BC review complete and file was returned to DS/CSHO on 1/16/24
    - Asplundh Tree Expert 318274990; CSHO Smith (no citations) must issue date 4/3 – BC review complete file returned to DS/CSHO on 1/22/24
    - Pentair Water Pool and Spa (Horace) – w/BC, must issue date 2/28/24 (one citation) – under review now
    - All SCO I positions are filled.
    - Shawn Foran, SCO (T) – started 1/2/24
    - Brent Serozi, HCO I (T) – started 1/8/24

- Nija Newton, HCO (T) – start date 1/16/24
    - CSHO Jennifer Sitzman – is on military leave for one year
    - D8 still has one HCO vacancy.
    - CSHO Deane may be going out on limited FMLA, he is currently having conversations with HR; to assist with a family member
  - District 7
    - Three CFR files (multi-employer site) with BC. (Wagler Custom Homes; 318271137- 1 citation, Ramirez Framing; 318271145 – 1 citation, and Buckingham Construction; 318270972 – no citation); AD review completed– must issue date 2/1/24
    - Bharat Forge Aluminum USA (Jerry); met with AD to discuss file and it was decided to have two inspections for the two different employer reported referrals
    - Rec'd referrals for HCO I position 60013812 – interviews have been conducted
    - Reposted 60013198 due to not qualified candidates being referred; paperwork sent to HR on 1/3/24
    - Reposted 60013220, it closes on 1/18/24
    - CSHO Mark Rasdall – may be going out on FMLA soon for a medical procedure – Out until March
    - Lanika Williams – OPN 64 6-month meeting completed
  - OEDM
    - DSs are now handling all of their complaints/referrals until OEDM position is filled – had one applicant, but they were not eligible: having conversations about reposting and/or reclassifying.
  - Complaint Desk
    - position # 60013093 referrals were sent over. Interviews scheduled for 2/9
  - Conducted East Supervisor Meeting on 1/29/24
- FAME Audit findings reviewed along with covering other Compliance topics.

### **Lee Peacock -West Compliance Bureau**

- Personnel update: Nancy returned to full duty on 1/29; Mike transitioning back to SCO II effective 2/1.
  - Current Status out of **58 CSHO positions** (27 Health and 31 Safety).
    - **9 Current Vacancies**
    - **Reclassifying HCO 1 and SCO 1s to HCO IIs in D4, D5, D6; positions weren't able to be filled due to no qualified staff; not that we have qualified applicants, will reclassify. Working with DO HR on PAR and postings.**

### CASE UPDATE:

\*Southside Constructors & Taylor Painting; electrical shock accident from contacting OH power line from lift. Closing conference conducted- Each er issued WS citation.

\*Waterford Apartments: Closing conference conducted and citations issued on 1/30.

\*H&S Roofing; Met with AGs, LAD, DO on 1/31 to discuss criminal penalties referral.

\*Smith Douglas Homes; two day hearing last week. Stacey, CSHOs and supervisors did great job at hearing explaining evidence of controlling er. HE to receive briefs on 2/14. The case was well laid out and couldn't think of any additional evidence or material to present to show SDH was a controlling er.

\*Working toward settlement for Darling Ingredients; maintaining two citations, deleting one training citation and maintaining approx. 94% of the penalty.

### OTHER ITEMS:

\*CAGC work zone- Meeting with NCSU rep to provide guidance on Susan Harwood grant proposal for training program on 2/1.

\*NUCA and ACGC meetings next month; OSH update presentations

\*Sent 6 AIHA conference DOLB-8s for signature.

\*Beverly Stone has offered a Fundamentals of IH Course to trainees; both east and west on a weekly/biweekly basis. Will discuss IH topics and specific health issues identified during inspections.

\*Working with ETTA on scheduling several core training classes in spring.

### Judyth Forte – State Plan Coordinator

#### **NOK**

- 318279460 Cranewerks - Received an email from Communications indicating that Mr. R Ruiz had been in touch asking for assistance. I made contact and found it was the cousin of the wife (NOK) who had reached out. He was asking for assistance getting a copy of the police report. I explained our involvement. He said to expect a call from the brother of the NOK who would be helping on her behalf. I did get a call from the NOK brother Gilbert and explained our process and to look out for a NOK letter. He asked when they would know if the process was complete. I told him to expect another NOK letter with the results of the investigation and then what processes may come into play regarding timelines after that fact.
- 318239662 Sanford Contractors – Mrs. Culbertson is a regular caller asking for updates. She was asking about the results of the January 24<sup>th</sup> prehearing. The employer asked for more time to gather more information. The hearing officer declined and will set a

hearing date. Spoke with Supervisor to confirm information. (We are now at 2 yrs. past incident date). NOK will call again.

- 318272556 Catalina Galaviz DBA Galaviz Harvesting. - Family relation Jessica Perez calling for family due to a language barrier and wanting to be able to explain to the NOK what happened and what will happen from here. I explained the process and indicated that the ASH inspector was bilingual and that the ASH has bilingual employees so feel free to call them for assistance.

- Submitted Deadly Mistakes.