

**North Carolina Department of Labor
Occupational Safety and Health Division**

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 124U

Subject: Site Specific Targeting of Inspection Assignments

A. Purpose.

This Operational Procedure Notice (OPN) establishes and implements a site specific special emphasis inspection program as authorized by North Carolina General Statute 95-136.1 to target for inspection those employers with a high rate of recordable work related illnesses or injuries. Specifically, those employers with high Days Away from Work Injury and Illness (DAFWII) Case Rates as well as the Days Away, Restricted, or Transferred (DART) Case Rates as reported through the OSHA Data Initiative and further defined by this OPN, are those which may be targeted for inspection.

B. Scope.

This OPN applies to all assignments included in this special emphasis inspection program and is effective until canceled by the director.

C. Discussion.

The OSH Division has elected to adopt the inspection targeting plan established by federal OSHA Directive CPL 02 "Site Specific Targeting". The plan is based on establishment-specific employer DART and DAFWII data obtained through the OSHA Data Initiative. The OSHA Data Initiative (a.k.a. Data Survey or ODI) is a nationwide collection of establishment-specific injury and illness data from employers. The OSH Division collects data on certain private sector employers within North Carolina. This targeting program uses data from the Data Initiative and parallels the federal OSHA SST program set forth in OSHA's Directive CPL 02 (11-03). The federal OSHA Directive is on file as 11-03 (CPL 02), September 9, 2011.

D. Objectives.

This special emphasis inspection program has been initiated to target for inspection, specific private sector work sites where the DAFWII or DART rate is high.

NOTE: The **2009** injury and illness data that was collected by the **2010** Data Initiative is used in the **2011** Site-Specific Targeting Program.

E. Inspection Procedures.

1. Procedures and guidelines for inspection, administration of the SST program by OSH, and IMIS data entry are set forth in the OSHA Directive 11-03 (CPL 02), September 9, 2011. Some differences will exist, however. The SST program administrator will supply the assignments to the East and West Compliance Bureaus via the OSH Targeting System webpage (SST Assignments). CSHO's will normally conduct only comprehensive safety inspections instead of both a comprehensive safety and a comprehensive health inspection.

Health inspections will be limited to certain situations, referrals, etc. (para.XIII.A1). Consequently, sections in the OSHA Directive relating to Primary Inspections Lists (para.X.A2) assignment of a group of low rate establishments from high rate industries, non-responders to the ODI Survey (para.X.A.3), Secondary Inspections Lists (para.X.B.), Cycle Size (para.XI.B), Use of SST Software (para. XI.C), Deletions (para.XII) and Previous Inspections within 36 months (para.X11.A) will not be used by the OSH Division. **Other provisions of OSHA Directive 11-03 (CPL-02), September 9, 2011 including a provision to clarify procedures when an establishment is an office only site (para.X.J)** and Appendix B "Compliance Officer Checklist" are to be followed by OSH.

2. Inspections conducted under this plan will be **comprehensive programmed safety inspections** as defined by the N.C. Field Operations Manual. **A cross trained health compliance officer will conduct a comprehensive safety and health inspection when resources are limited. The health compliance officer will mark the inspection type as a comprehensive health inspection. CSHOs will conduct the inspection in accordance with the procedures described within this document and in other guidance documents.** Targeted inspections under this inspection program will receive the highest inspection priority among all other general industry programmed inspections (see FOM Chapter II.E.1.). Programmed inspections under other OSH Division initiatives including Health Hazards; Long Term Care; Logging and Arboriculture Fatality Reduction; Sawmills, Veneer, Manufactured Home and Other Wood Products; Food Manufacturing; and Construction Fatality Reduction carry inspection priority equal to SST inspections. Compliance Bureau management will determine the appropriate strategy for meeting inspection activity levels in each area of strategic focus. Consultation deferrals will apply to sites selected for inspection under this OPN.
3. Once an inspection is planned, the supervisor should insure the development of an intervention strategy to address those safety and health problem areas identified through review of employer specific data included in the ODI and IMIS databases.
4. **Since these sites are targeted for a safety only inspection and if the CSHO determines that both safety and health hazards are present, referrals should be made if necessary.**
5. Establishments that have received a **comprehensive safety and health inspection** within the previous two years will automatically be put on the "inspected" list.

F. **Calculation of DART and DAFWII.**

1. During inspections under this notice, the OSHA 300 logs for 2008, 2009 and 2010 will be reviewed. The CSHO will calculate the DART rate for 2008, 2009 and 2010 and record on the OSHA-1 Form. Also, the DAFWII case rate will be calculated for all three years. The DART rate and DAFWII will be rounded to the nearest tenth decimal place. If the hundredth decimal place is < or = to 4, the number will be rounded down. If the hundredth decimal place is > or = to 5, the number will be rounded. Example: If the number calculated is between 4.15 and 4.19, the number will be rounded up to 4.2. If the number calculated is between 4.11 and 4.14, the number will be rounded down to 4.1. (See OSHA Directive 11-03 (CPL 02), September 9, 2011, for additional guidelines).

NOTE: The OSHA-300 Logs for 2011 (and 2012 when applicable) may also be reviewed for possible injuries and illnesses occurring during the year, but are not to be substituted for the calculations below.

2. The DART rate (calculated by the compliance officer) is to be compared to the DART rate (2009) reported by the employer to the OSHA 2010 Data Initiative data collection. CPL 02 contains a full discussion of the targeting program upon which this OPN is based. Consult the federal OSHA Directive 11-03 (CPL 02), September 9, 2011, for an example of DART calculations and additional details. A recalculation will not be performed if, for any reason, the relevant records are not available.
3. Compliance officers will check OSHA 301 Forms, Form 19's (or equivalent), as they deem appropriate to validate the OSHA 300 Forms. If records are not available for compliance officers to make this determination, the workplace comprehensive safety and health inspection will proceed and appropriate citations under 29 CFR 1904 will be considered.

For reference: Twice the private sector 2009 national incidence rates: For DART rate $1.8 \times 2.0 = 3.6$; or DAFWII case rate $2 \times 1.1 = 2.2$.

4. If any two of the CSHO-calculated 2008, 2009 or 2010 DART rates are at or above **3.6**, proceed with the inspection.

If any two of the DART rates are below **3.6**, **but** any two of the CSHO-calculated DAFWII case rates are at or above **2.2**, proceed with the inspection.

If for any two of the three years the DART rates are below **3.6**, **and** the DAFWII case rates for the **same** two years are below **2.2**, then do a records review for the most current year in which the establishment's DART and DAFWII rates fall below twice the private sector 2009 national incidence rates. Then recalculate the DART and DAFWII for that most current year and if the DART is below **3.6**, **and** the DAFWII is below **2.2**, classify the inspection as a "records only" inspection and conduct a partial walkthrough inspection. **If either the DART rate is at or above 3.6, or the DAFWII case rate is at or above 2.2, proceed with the inspection.**

5. If recordkeeping violations are discovered, they will be cited in accordance with OSH Division policy. A partial walkthrough must be conducted to interview workers in order to confirm and verify the injury and illness experience. Any serious violations that are observed in the vicinity or brought to the attention of the compliance officer will be investigated and may be cited.

G. **Recording and Tracking.**

1. Recording and tracking of SST inspections will follow OSHA procedures set forth in OSHA Directive 11-03 (CPL 02), September 9, 2011. For all SST-only inspections, the OSHA-1 form must be marked as "programmed planned" in item 24. For all unprogrammed inspections conducted in conjunction with an SST inspection, the OSHA-1 form must be marked as "unprogrammed" in item 24 with the appropriate unprogrammed activity identified. For all programmed inspections such as NEPs and LEPs conducted in conjunction with an SST inspection, the OSHA-1 form must be

marked as “programmed planned” in item 24. In addition, the “NEP” box is to be checked and the value “SSTARG11” recorded in item 25d for all of the above.

2. In addition, OSH will code the OSHA-1 in field 25f (Strategic Plan Activity) with the value “SST”.
3. **Dun & Bradstreet’s Number (DUNS)**, which is a required entry for all SST inspections, must be recorded in the appropriate field on the Establishment Detail Screen. In establishments where ownership has changed, enter the DUNS number for the new owner. If the new owner does not have a new DUNS number, enter the old DUNS. Since the DUNS number is site-sensitive the old number will give some useful data. The field on the establishment detail screen can be accessed by pressing F5 in item 8 to access establishment processing. Once establishment processing is completed, the DUNS number will appear in item 9b.
4. Conducting comprehensive inspections at employer sites selected for inspection on the basis of site specific data is a key initiative for the OSH Division. In addition, tracking improvement in injury and illness rates at these sites, reinspection of sites where improvements are needed and reporting employer results are an essential part of the SST program set forth in this OPN.

H. **Managing the Inspection Assignment List.**

1. All sites on the OSH Targeting System webpage (SST Assignment Cycle lists) must be inspected prior to initiating inspections from subsequent OSH Division SST Assignment Cycle lists, unless otherwise determined by OSH Division management. All available assignments must be inspected except those skipped or deleted per paragraph H.4 below.
2. The Planning, Statistics and Information Management Bureau (PSIM) will provide each district office with inspection assignment lists via the OSH Targeting System webpage (SST Assignment Cycle lists) of eligible sites generated by a database supplied to the OSH Division by federal OSHA. This database contains all the establishments in the Data Initiative List for the state with the DART rate and DAFWII case rate at or above the Threshold DART as listed in Appendix A.
3. The SST Assignment cycle size (number of assignments on the SST assignment lists) will be based on consideration of available resources, strategic priorities, geographic range of the office, and the number of employers in the SST database who are above the specified DART. Within a list, the establishments may be scheduled and inspected in any order that makes efficient use of available resources. When a list is completed, the district office may request a new list through their respective bureau chief. **The old SST assignment lists will remain on the targeting system if a new list is added for the same data collection year.** All of the establishments in a cycle must either be inspected or removed from the list by the SST program administrator in the PSIM Bureau before any establishments on a new list may be inspected. **SST assignments will become eligible for inspection once the 24 month requirement from the opening conference date has been met (reference E.5 above) and will automatically move to the “uninspected” list on the targeting schedule as the 24 month period expires. Any SST assignment associated with a Consultative Services Bureau deferral will also automatically move to the “uninspected” list as the deferral period expires.**

4. District supervisors along with the compliance bureau chiefs will be responsible for making recommendations regarding sites on a SST Assignment Cycle list that should be skipped on the current list of SST sites planned for inspection. The compliance supervisor will note in the comments column on the SST targeting schedule for sites that are skipped and the reason for the decision.

I. **Administration.**

The OSH Site Specific Targeting Program (SST) set forth in this operational procedure notice will be administered through the PSIM Bureau.

J. **Expiration.**

OPN 124T is canceled. This OPN is effective on the date of signature. It will remain in effect until revised or canceled by the director.

Signed on Original
Anne Weaver
Bureau Chief

Signed on Original
Allen McNeely
Director

9/16/2011
Date of Signature

Appendix A: Current Site Specific Targeting Plan Parameters

The following format will be used to confirm management authorization of site selection criteria.

SST Programmed Inspection Plan

This form is to be completed to confirm OSH Division management authorization for inspection site assignment selection criteria. Inspection site assignments are prepared for a time limited cycle and all assignment listings expire on the date provided on this form. Existing SST Assignment Cycle lists may be extended or cancelled by the director. Such extensions will also be documented using this form.

Selection Criteria:

Primary List:

Manufacturing establishments with a reported DART of greater than or equal to: 7.0 or DAFWII case rate at or above: 5.0 for survey years: 2009

Non-manufacturing establishments with a reported DART of greater than or equal to: 16.0 or DAFWII case rate at or above: 13.0 for survey years: 2009

Nursing and personal care facilities establishments with a reported DART of greater than or equal to: 15.0 or DAFWII case rate at or above: 14.0 for survey years: 2009

Approximate number of sites available on the primary list for assignment with DART or DAFWII case rate at or above the threshold rates: 178

Secondary List:

Manufacturing establishments with a reported DART of greater than or equal to: 5.0 but less than 7.0 or DAFWII case rate at or above: 4.0 but less than 5.0 for survey years: 2009

Non-manufacturing establishments with a reported DART of greater than or equal to: 5.0 but less than 15.0 or DAFWII case rate at or above: 4.0 but less than 14.0 for survey years: 2009

Nursing and personal care facilities establishments with a reported DART of greater than or equal to: 13.0 but less than 16.0 or DAFWII case rate at or above: 11.0 but less than 13.0 for survey years: 2009

Approximate number of sites available on the primary list for assignment with DART or DAFWII case rate at or above the threshold rates: 286

Establishments that have received a comprehensive safety and health inspection within 24 months should be deleted from the inspection list. If an establishment has had only a comprehensive safety (alternatively, health) inspection within 24 months, then only a comprehensive health (alternatively, safety) inspection needs to be done, and the compliance officer may make a safety (alternatively, health) referral for any safety (alternatively, health) hazards observed. SST assignments will become eligible for inspection once the 24 month requirement from the opening conference date has been met and will automatically be moved to the "uninspected" list on the targeting schedule. Any SST assignment associated with a Consultative Services Bureau deferral will also automatically move to the "uninspected" list as the deferral period expires. Inspections planned under SEP/LEP, accident, complaint or referral monitoring or follow-up procedures are not affected by these types of deferrals.

OPN 124U cont'd.

The initial OSH Division SST plan targets individual worksites, as identified through the data initiative. The OSH Division SST plan initially targets those worksites with a DART or DAFWII case rate at or above the rate selected for the planning cycle as set forth on this form.

The Planning, Statistics and Information Management Bureau will provide inspection assignment listings to compliance bureau chiefs and supervisors via the OSH Targeting System web page.

Expiration Date:

Inspection assignments distributed under this authorization expire on: 9/30/12.