



NCDOL

N.C. Department of Labor

Cherie Berry, Commissioner

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LEDGER

New Construction Safety Partnership Signed

By Neal O'Briant
Public Information Officer

Officials with Holder Construction Co. and the N.C. Department of Labor signed a construction safety partnership Jan. 8. The partnership covers the construction of the North Hills Tower II project in Raleigh.

The partnership covers the North Hills Tower II for the duration of the time that Holder Construction Co. has control of the site. All applicable elements of the partnership will also be adopted by subcontractors on-site.

"We are trying to reach out to subcontractors," Labor Commissioner Cherie Berry said. "All of us know that they are only on site for a short time, and our chance at training and refresher training for them is limited."

Jorge Cisneros, corporate safety director for Holder Construction Co., talked about the goals of the partnership as related to subcontractors.

"The ultimate goal is for our subcontractor force to leave this site with their OSHA 10-hour cards, Spanish and English," Cisneros said. "They may not work for us again, but when they go to the next contractor, at least they're trained."

The partnership will also provide incentives to participating contractors to voluntarily improve their safety and health performance. Incentives will include but not limited to recognition from OSH that will allow limited scope inspections. This partnership is consistent with the OSH Division's long-range efforts to develop partnerships within the construction industry.

"This partnership is very important to us," Cisneros said. "We have had to do a lot more than we are doing with other partnerships in other states—both federal and state. We appreciate the opportunity you guys gave us to come out and present. We appreciate that you decided to have a partnership with us and we're very excited."

Holder Construction Co. has a history of being a leader in safety. The Construction Users Roundtable awarded the company with the SIC 15 (Building Construction: General Contractors and Operative Builders) Safety Award. The Associated General Contractors of America (AGC) named Holder the Safest Contractor in America. The company has also received the First Place Safety Excellence Award from the Georgia Chapter of AGC for four out of the last five years.



Scott Maegeer leads a walk-through of the North Hills Tower II project. OSH Division personnel will conduct quarterly inspections of the worksite during construction.

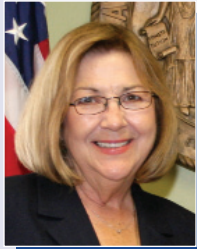


Scott Maegeer, senior superintendent for Holder Construction Co., and Labor Commissioner Cherie Berry sign copies of the construction safety partnership agreement.

"We just posted a milestone last week with 2 million man hours without a lost-time accident," said Chad Martin, vice president.

Headquartered in Atlanta since 1960, Holder Construction Co. now has offices also in Charlotte, Dallas, Washington, Phoenix and San Jose. Holder has been named the largest contractor in Atlanta for the last eight years. The company primarily focused on office buildings in the early years but has since expanded to the following market sectors: corporate headquarters, commercial office buildings, higher education, data and technology centers, hospitality/public assembly, and commercial interiors.

Construction on the North Hills Tower II project began in August 2014. Construction is scheduled to be complete by April 2016. The \$82-million, 18-story building will provide more than 275,000 additional square feet of office space to the North Hills development. Tower II will become the tallest office structure on the I-440 Beltline, with 10 floors of office space atop seven levels of structured parking.



From Labor Commissioner Cherie Berry

Safety award season kicks off soon with our first banquet in Lincolnton at the end of March. Now is the time to apply for safety awards. The Feb. 15 deadline is approaching quickly.

I always look forward to being able to recognize companies for their successful safety programs. I enjoy getting the chance to thank managers and workers in person for making safety a priority. Last year, we held 30 banquets and presented more than 2,900 awards. Let's make it 3,000 this year.

If you have not participated in our Safety Awards Program, I encourage you to start. Even if your company does not qualify for an award, the process of looking at the information gathered for the application can help you improve the safety and health of your employees.

We saw a spike in workplace fatalities in 2014. These deaths are tragic. I never lose sight of the fact that these are human lives lost at work, and I take each one personally. These were someone's husband or wife, mother or father, brother or sister, son or daughter, and in some cases grandparent. They were best friends and co-workers. The average age was 43 years old, much too young to become a workplace statistic.

The Occupational Safety and Health Division has added more free training classes, especially ones aimed at the construction industry, which accounted for 43 percent of the 44 fatalities. We created public service announcements addressing top hazards that began airing on Univision during the last quarter of 2014 paid for by Builders Mutual and Univision. Thanks to another donation by Skanska Building USA and Univision, the PSAs will continue airing through March of this year.

While the fatalities are important to track in order to identify patterns and trends, we believe the injury and illness rate is a much better indicator of how our state is doing in terms of workplace safety and health. The state's injury and illness rate for private industry for 2013 dropped to an all-time low 2.7 per 100 full-time workers. When you look at the big picture of all 50 states, North Carolina is still one of the safest states in which to work.

Cherie Berry



Cherie Berry
Commissioner of Labor

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Recognition Roundup

Recognition Roundup identifies businesses that qualify for one of the N.C. Department of Labor's recognition programs. Congratulations to all of the recent award recipients. To view a complete list of all North Carolina Star recipient companies, click [here](#).

To view a complete list of all North Carolina general industry SHARP companies, visit www.nclabor.com/osha/consult/sharp_sites.pdf.



Safety and Health Achievement Recognition Program (SHARP) Award

Berkshire Corp., Whitsett
OFS Brands Holdings Inc./Carolina, Archdale



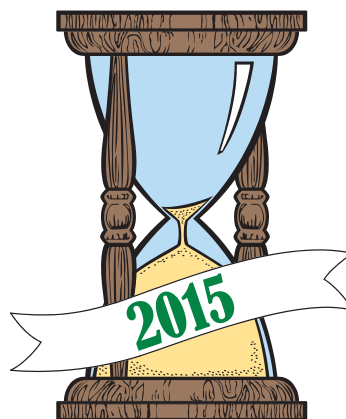
Carolina Star

Metal Tech of Murfreesboro, Nucor Steel Site, Cofield (recertification)



Building Star

Rodgers Builders Inc., Charlotte
Primoris Pipeline Services, Garner (recertification)



*Have a
Safe
2015!*

Two Truckers Toy Stores Receive SHARP

By Carl Weatherington, Safety Consultant II

The N.C. Department of Labor recognized Truckers Toy Store's Morehead City location as a participant in the Safety and Health Achievement Recognition Program (SHARP) on Tuesday, Jan. 13. Its Jacksonville location was recognized on Wednesday, Jan. 14.

Labor Commissioner Cherie Berry presented company officials with the SHARP flags and certificates at ceremonies at both locations.

"Every employee plays a part in creating a successful safety and health program," Commissioner Berry said. "The Safety and Health Achievement Recognition Program recognizes your success. You should be proud of what you have achieved."

The Safety and Health Achievement Recognition Program recognizes small to mid-size employers that have developed and maintained effective safety and health programs. There are 158 general industry sites in the program in North Carolina.

Truckers Toy Store is a privately owned retailer and installer of truck, van and automobile accessories with three locations in North Carolina.



Labor Commissioner Cherie Berry helps the employees of Truckers Toy Store's Morehead City location celebrate the company's SHARP Award.



"In our business the employee's safety and health are by far our company's number one concern," said Ginger Glover, co-owner. "With OSHA's guidance and training we feel confident that our employees have the knowledge and tools set forth to ensure every day is a safe day in the workplace. We will strive to set an example in our community for outstanding health and safety practices in hopes that others will do the same."

Labor Commissioner Cherie Berry helps the employees of Truckers Toy Store's Jacksonville location celebrate the company's SHARP Award.

Time to Apply for Safety Awards

By Neal O'Briant, Public Information Officer

The N.C. Department of Labor is now accepting applications from businesses that qualify for a workplace safety award.

Safety awards are given to companies that have above-average worker safety and health programs.

"A safety award shows employees and the community that you are committed to a safe work environment," state Labor Commissioner Cherie Berry said. "A good safety record is something to be proud of, and businesses deserve to be recognized for their efforts."

Businesses that qualify for the award must meet two requirements. They must be free of fatalities at the site for which they are applying. The site's injury and illness rate also must be at least 50 percent below that of their industry's average rate.

Award recipients will be honored in their communities throughout the state at safety awards banquets co-sponsored by the N.C. Department of Labor and local chambers of commerce and other organizations.

For more information on the Safety Awards Program or to download an application, go to the Safety Awards page on NCDOL website: www.nclabor.com/osha/etta/safety_programs/safety_award.htm. The deadline for submissions is Feb. 15.

Labor Department Recognizes Leland Facility

By Mark Taylor, Industrial Hygiene Consultant

The N.C. Department of Labor recently certified Carolina Pole as a participant in the Safety and Health Achievement Recognition Program (SHARP). The program recognizes companies for a commitment to the safety and health of their employees.

Labor Commissioner Cherie Berry presented company officials with the SHARP flag and certificate at a ceremony at its Leland facility on Wednesday, Jan. 8.

"I congratulate everyone at Carolina Pole for achieving SHARP status," Commissioner Berry said. "Each employee plays a part in developing and maintaining an excellent safety and health program."

The SHARP Award is designed for small to mid-size businesses. Companies that qualify for the award show that they have developed and maintained good safety programs for workers. To qualify for the program, injury and illness rates for the site must be below the national average for the industry, and NCDOL safety and health consultants must complete an assessment of the workplace. There are 158 general industry sites in the program throughout North Carolina. Carolina Pole is the only SHARP site in Brunswick County.

Carolina Pole has been owned by Cox Industries since 2006. Cox has been a leading manufacturer and distributor of treated outdoor wood products for the residential, commercial, industrial, and utility markets since 1954. Headquartered in Orangeburg, South Carolina, this family-owned and operated company produces a variety of quality wood products—from decks, fences and framing to utility poles, docks, retaining walls and other specialty items. The Carolina Pole facility in Leland primarily produces treated utility poles.

"Mike Rouse and his team continue to excel in all facets of performance in, what was once, an all but forgotten facility. Cox Industries is proud of the investments it has made and the investments it will be making in the future in this location," said Mikee Johnson, CEO and president of Cox Industries. "We are excited to model the efforts in Leland with many of our other facilities and thank you again for recognizing our achievement. Jim Healey, general manager of our Industrial Division, and Mike Rouse, facility manager, have both devoted their team to seeing this facility become a preferred place to work in the community, putting people ahead of profits."

"Naturally, Cox Industries is extremely proud of this outcome and would like to thank the North Carolina Department of Labor for providing the opportunity for this recognition."



Labor Commissioner Cherie Berry presents the SHARP certificate to Mike Rouse, Carolina Pole facility manager, in front of the facility's employees.

Construction Industry Leads in Work-Related Deaths

By Dolores Quesenberry, Communications Director

Work-related fatalities in North Carolina increased in 2014 based on preliminary figures released in January by the N.C. Department of Labor. The construction industry experienced 19 fatalities, 12 more than 2013. Construction fatalities accounted for 43 percent of the 44 workplace fatalities that occurred.

"These deaths are tragic," Labor Commissioner Cherie Berry said. "I never lose sight of the fact that these are human lives lost at work, and I take each one personally. These were someone's husband or wife, mother or father, brother or sister, son or daughter, and in some cases grandparent. They were best friends and co-workers. The average age was 43 years old, much too young to become a workplace statistic."

Other industry data show that many construction accidents are happening within the first 60 to 90 days on the job and in some cases on the first day of work.

"To hear that workers are getting injured on the first day or between 60 and 90 days on the job sends a red flag that the workers are not getting the necessary training prior to starting the work," Commissioner Berry added. "Whether the workers are new to the industry or returning after the lull in construction that began in 2007, the workers need training or refresher training before starting the job, training that we provide at no cost to the employer. Just call us at 1-800-NC-LABOR."

Struck-by events accounted for the most work-related deaths with 18. Falls accounted for 13 deaths, including one fall from the same level and 12 falls from an elevation. Seven workers died after being caught in/between objects.

"All of us—safety professionals, employers and employees—must do better in identifying struck-by hazards, which represented nearly half of the fatalities last year," said Allen McNeely, director of the Occupational Safety and Health Division. "Staying vigilant around heavy machinery and construction material is critical."

The Labor Department's OSH Division has taken a proactive approach to help prevent injuries, illnesses and fatalities in North Carolina workplaces by establishing partnerships with some of the most hazardous industries. The OSH

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Construction Industry Leads in Work-Related Deaths

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Division also issues industry hazard alerts on forklifts, struck-bys, heat stress, firefighter safety and other hazards to heighten awareness.

“The department detected a spike in construction incidents earlier in the year and began working with Builders Mutual Insurance Company to address the problem,” Commissioner Berry said. “We put our heads together and created public service announcements addressing top hazards that began airing on Univision during the last quarter of 2014 paid for by Builders Mutual and Univision. Thanks to another donation by Skanska USA Building and Univision, the PSAs will continue airing through March of this year.”

The public service announcements address falls and struck-bys—two of the construction industry’s “big four” hazards—which were the top two leading causes of work-related deaths in 2014. The PSAs also address the importance of returning home to loved ones at the end of the workday.

The OSH Division’s Education, Training and Technical Assistance Bureau will increase training opportunities for the construction industry and has put additional emphasis on outreach regarding falls and struck-by hazards.

The state’s injury and illness rate for private industry dropped to an all-time low of 2.7 per 100 full-time workers for 2013. The U.S. Bureau of Labor Statistics compiles the injury and illness rate data. Based on the most recent data released by the BLS, North Carolina was one of 12 states with a rate statistically lower than the national average of 3.3.

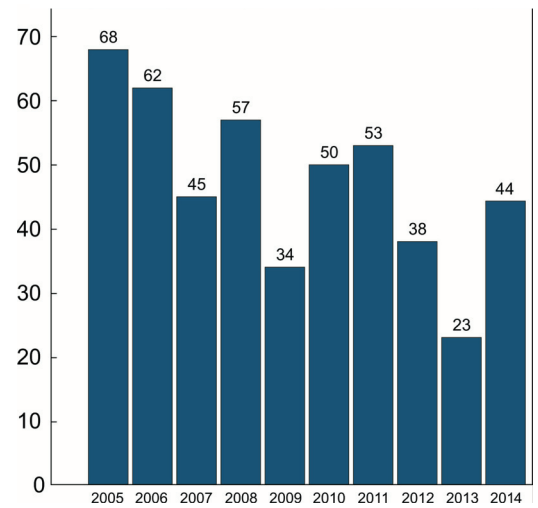
Manufacturing had the second highest number of work-related deaths with nine, five more than the previous year. The services industry increased from one fatality to six work-related fatalities.

Agriculture, forestry and fishing decreased from seven fatalities in 2013 to three in 2014. There were also three fatalities in the transportation and public utility industry, an increase from one in 2013. Government increased from no work-related fatalities in 2013 to two in 2014, and finance, insurance and real estate increased from none to one. Retail trade had no work-related fatalities, and the wholesale trade experienced one in 2014.

There were no work-related fatalities in 69 of North Carolina’s 100 counties. Mecklenburg County led with five fatalities. Union County and Wake County experienced three each. Forsyth, Gaston, Guilford, Henderson and Pender experienced two fatalities each. There were 23 counties that experienced one fatality.

Whites accounted for 26 of the 44 work-related fatalities. Blacks accounted for seven, and Hispanics for 11. Men accounted for 43 of the 44 deaths. One woman died in the services industry.

*Work-Related Fatalities in North Carolina
2005-2014*



Posting of Injury and Illness Summary Required

Employers must post OSHA Form 300A: Summary of Work-related Injuries and Illnesses

By Neal O'Briant, Public Information Officer

Employers are reminded that they must post a summary of work-related injuries and illnesses that occurred in 2014. The N.C. Department of Labor requires the summary be posted from Feb. 1 through April 30.

Most employers must keep a *Log of Work-Related Injuries and Illnesses* (Form 300) that records work-related fatalities, injuries and illnesses. The *Summary of Work-Related Injuries and Illnesses* (Form 300A) is compiled from the data on the log. Companies without any injuries and illnesses should post the summary with zeroes on the total lines. A company executive must certify that they have examined the OSHA 300 Log and that they reasonably believe that the annual summary is correct and complete.

“This posting requirement is an important way employers keep their employees informed about safety and health conditions in the workplace,” said Wanda Lagoe, bureau chief of the Education, Training and Technical Assistance Bureau.

Companies that had 10 or fewer employees at all times during the previous calendar year are exempt from keeping injury and illness logs and posting summaries. Certain businesses classified in specific low-hazard industry classifications are also exempt from keeping injury and illness logs and posting summaries unless requested to do so for survey purposes. The list of exempt industries changed effective Jan. 1, 2015. You are not required to post a summary if your establishment is newly exempted.

For more information about recording criteria or for a list of exempt industries, contact the Education, Training and Technical Assistance Bureau at 1-800-625-2267 or locally at 919-807-2875. To download a free copy of the OSHA 300, OSHA 300A or OSHA 301, as well as recordkeeping instructions, visit our website at www.nclabor.com, click on the *Publications* tab, then click on the *Forms* link. The list of exempt industries is also at www.osha.gov/recordkeeping/ppt1/RK1exempttable.html.

DEADLY *Mistakes*

By Steve Sykes
State Plan Coordinator

truck mechanic died as a result of being struck by and pinned under a tractor trailer that slipped off the hydraulic jack that was supporting the vehicle.

Investigation Findings: The victim worked for a long-distance trucking company that also performed maintenance on the company's 10 tractor trailers. At the time of the accident, the mechanic was replacing front springs on one of the tractor trailers. A 22-ton hydraulic jack was being used to support the tractor so that the mechanic could gain access to the springs requiring replacement. However, the tractor slipped off the jack and crushed the mechanic. Another 2-ton jack also being used to support the tractor did not have the capacity to support the tractor after it slipped off the 22-ton jack.

A review of the tractor operator's manual indicated that the vehicle should always be supported by an appropriate safety stand and that a jack was not adequate for supporting the vehicle. The owner indicated that on previous jobs that stands had been used to support the tractors. Stands were not on the site, however, on the day of the accident and had to be borrowed from another business when their use was required.

The company did not have specific written instructions or procedures for replacing the tractor springs and had not completed a hazard assessment for this job. The company did not have a safety and health program, and employees had not received adequate safety and health training. This included information on preparing a tractor for maintenance by chocking the wheels, engaging the

parking brake, using appropriate safety stands, and removing the key from the ignition so that it could not be started. In regard to the key, the owner indicated that he did not routinely remove the keys from the ignitions because they had been lost in the past. The company also did not have a hazard communication or a lockout/tagout program.

Discussion: Struck-by accidents continue to be the leading cause of death of workers in North Carolina. There were a total of 18 fatalities in 2014 classified as struck-by accidents out of the total of 44 fatalities for the year. Most struck-by accidents resulting in employee death involve moving vehicles. These vehicles range in variety from backhoes to dump trucks. To address these specific hazards, the OSH Division has prepared a variety of training materials including hazard alerts, fact sheets, and quick cards.

Recommendation:

- ✖ A hazard assessment should be performed for each job duty.
- ✖ Employees should be trained in the hazards associated with their job and instructed on safe methods to complete a job.
- ✖ Manufacturer recommendations relating to specific equipment should be followed when completing a task.
- ✖ A jack should not be used to support a raised load in place of a stand or other blocking device when work is taking place under a vehicle.
- ✖ When working on a vehicle on the ground, the wheels should be chocked, the parking brake applied, and the keys secured so that the vehicle cannot be started up when work is taking place.



Q. *Do the hours that I'm paid while I'm out on a holiday have to be counted when my employer figures overtime pay?*

A. No. Only hours actually worked are counted when figuring overtime pay. It does not matter if you worked or did not work on the holiday. If you did not work more than 40 hours during that workweek, then you are not due any overtime pay for that workweek. Therefore, an employee could work 40 hours one week and also get an additional 8 hours in holiday pay that week and be paid 48 hours straight-time pay with no time and one-half overtime pay being due for that workweek. (This is the same answer for vacation pay, sick pay, and other wage benefits where the employee does not actually work to be paid.)



**Eastern Carolina
Safety and Health
School**

April 16-17
New Bern

www.ecshs.com



April 16-17
Charlotte

www.charlottesafetyschool.com



Bulletin Board

Mine and Quarry Training

Part 48 Annual Refresher Training

Feb. 16, Greensboro

Part 48 New Miner Training

Feb. 17-19, Greensboro

To register for any of these classes,
call the Mine and Quarry Bureau at 919-807-2790.

10-Hour Construction Industry Awareness Course in Spanish

Feb. 17-18, Cary

Click [here](#) for more information.

This course provides a basic overview of the construction industry safety and health standards, 29 CFR 1926. The "Big Four" hazards (falls, electrical, struck by and caught in/between) will be included as part of the two-day training session.

30-Hour Construction Industry Awareness Course

March 2-6, Greenville

Click [here](#) for more information.

This course provides a comprehensive overview of the construction industry safety and health standards, 29 CFR 1926.

Hickory Safety School

April 9, Hickory

Contact John Saunders at 704-665-4341
for more information.

10-Hour General Industry Awareness Course

Feb. 10-11, Cary

Click [here](#) for more information.

This course provides a basic overview of the general industry safety and health standards, 29 CFR 1910.

10-Hour Construction Industry Awareness Course

March 2-3, Greenville

Click [here](#) for more information.

This course provides a basic overview of the construction industry safety and health standards, 29 CFR 1926.

OSHA Recordkeeping and Reporting

March 18, Raleigh

Click [here](#) for more information.

This two-hour course provides an overview of recording and reporting occupational injuries and illnesses, 29 CFR 1904.

OSH Webinar Courses

Visit the OSH Training Schedule Calendar [here](#) to view upcoming Internet training and other safety courses. Upcoming webinar topics include electrical safety, excavations and trenching, fall protection, hand and power tools, lockout/tagout, machine guarding, occupational noise exposure, personal protective equipment, recordkeeping, and respiratory protection. Check the calendar for new courses being added soon.