



NCDOL

N.C. Department of Labor

Josh Dobson, Commissioner

Labor

LEDGER

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Commissioner Dobson Tours Newly Constructed Belmont Middle School

By Natalie Bouchard, Public Information Officer

Labor Commissioner Josh Dobson visited Belmont Middle School in Belmont on Monday, April 12, to celebrate the successful completion of the construction phase of the new 155,000 square foot school. He met with officials from the Gaston County school system, Beam Construction Co. and LS3P Associates, the architectural design company for the project, during a walk-through of the campus after the project’s completion.

The construction phase of the \$33.54 million project spanned two years and Beam Construction, the general contractor, reported no lost time workplace injuries of employees. This included over 80 subcontractors, vendors and suppliers that were involved in the project.

“We always hope that any project results in zero injuries or accidents,” Labor Commissioner Josh Dobson said. “And with a project of this scale, that’s not always a guarantee. Beam Construction demonstrates exceptional care when it comes to the safety and health of its employees and all those involved in the work to build this new school. That is not only something to celebrate, it is something to replicate so that we can ultimately lower workplace injuries, illnesses and fatalities in workplaces throughout North Carolina.”

Beam Construction Co. was recognized last year by the N.C. Department of Labor for earning its second consecutive year gold award under the NCDOL Safety Awards Program and the company is slated to receive its third consecutive gold award in 2021. Companies that receive safety awards must be free of fatal workplace accidents at the site for which the awards are given to be eligible. Gold awards are based on DART rates that are at least 50% below the statewide rate for its industry. The rate includes cases of days away from work, restricted activity or job transfer.

“As a district, we pride ourselves on school safety,” said Dr. Jeff Booker, superintendent of Gaston County Schools. “If you look at the largest urban districts in North Carolina, we are the No. 1 district for safety. We’re talking student safety. Worker safety runs hand in hand with that.”



Officials line up for a photo after a walk through of the newly completed \$33.54 million construction project of Belmont Middle School on Monday, April 12, 2021. (L to R): Dr. Jeffrey Booker, superintendent of Gaston County Schools; Labor Commissioner Josh Dobson; Johnny Westmoreland, superintendent for Beam Construction Co.; Dylan Smith, assistant project manager for Beam Construction Co.; Robert Browne, executive vice president, Beam Construction Co.; Paul Nault, project manager of Gaston County Schools; David Bellamy, principal of LS3P Associates LTD; Gary Hoskins, associate superintendent and CFO for Gaston County Schools; Morgen Houchard, executive director of auxiliary services for Gaston County Schools.

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From Labor Commissioner Josh Dobson

We've seen so much positive change since the last edition of the Labor Ledger. In just two months, the COVID-19 vaccine has become readily available to all adults which has allowed more businesses to fully reopen and more people to safely gather in-person for professional and social events. I'm thankful for the incredible work of the medical community, without which none of this progress would be possible.

Due to the loosening restrictions, I've been able to travel our state and visit with companies and worksites more frequently. In April, I visited the new Belmont Middle School in Gaston County. Beam Construction, the general contractor, and Gaston County Public School officials invited me to tour the newly completed school which will open to students in August. During the two-year construction project, Beam Construction reported no lost time workplace injuries of its employees or any of its subcontractors. Read more about my visit to this impressive project on Page 1.

Later in April, I attended my first Carolina Star Ceremony in Durham. We presented the certificate and flag to Amentum, the on-site contractor for GE Aviation. I was so impressed by Amentum's commitment to the safety of its workers and I look forward to returning to the facility soon for a tour. See Page 4 for more information about the Carolina Star presentation.

As we enter summer, teenagers are looking for jobs and businesses are looking to hire. As you may know, in May our Wage and Hour Bureau rolled out a new process for issuing Youth Employment Certificates. I recognize that this is a significant change for employers, and our staff is committed to helping every business, parent or guardian and youth work through this new process. See Page 3 for more details.

One of the best sources of information for NCDOL's activities and accomplishments is our annual report. Our 2020 annual report is now complete and posted on our website. This report highlights the impressive work of our staff here at NCDOL, but it also highlights the many ways in which our department works together with employers and employees across the state.

Enjoy these first weeks of summer, and I look forward to seeing you soon!

Josh Dobson



Nova Development

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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. For a complete list of **Star** and **SHARP** sites, visit the **NCDOL website**.

Building Star *Recertification

Robins and Morton Group, *Raleigh**

SHARP *Recertification

Amano Pioneer Eclipse Corp., *Sparta**

Piedmont Endodontics, *Greensboro**

Eastern Wrecker Sales Inc., *Clayton**

Independent Beverage Co. LLC, *Charlotte**

Carolina Rest Home, *Roanoke Rapids**

City of Cherryville Fire Department, *Cherryville*

Town of Mooresville, Water Treatment 1, *Mooresville*

Town of Mooresville, Water Treatment 2, *Mooresville*

Town of Mooresville, Wastewater Treatment Plant, *Mooresville*

Town of Mooresville, Water and Sewer Maintenance, *Mooresville*

City of Hendersonville, Fire Station No. 2, *Hendersonville*



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Layout and Design..... Jeff Wilson

1101 Mail Service Center, Raleigh, NC 27699-1101

1-800-625-2267 • www.labor.nc.gov



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NCDOL Launches New Process for Obtaining Youth Employment Certificates

By Dolores Quesenberry, Public Information Officer

NCDOL recently began the rollout of a new process for obtaining youth employment certificates that aims to streamline the process and better ensure youths are working in safe jobs. After a soft launch in April, the new process took effect on Monday, May 3.

“We changed the process for obtaining youth employment certificates to better ensure that our state’s young employees end up working in safe and acceptable jobs,” Labor Commissioner Josh Dobson said. “We understand this will be a big change for employers, but we are ready to assist any employer, parent or youth who has questions about the new process.”

The NCDOL Wage and Hour Bureau administers youth employment certificates, which are required under the N.C. Wage and Hour Act. The certificates, commonly referred to as a work permit, are designed to alert parents, teens and employers of certain prohibited jobs and hour limits for workers under the age of 18.

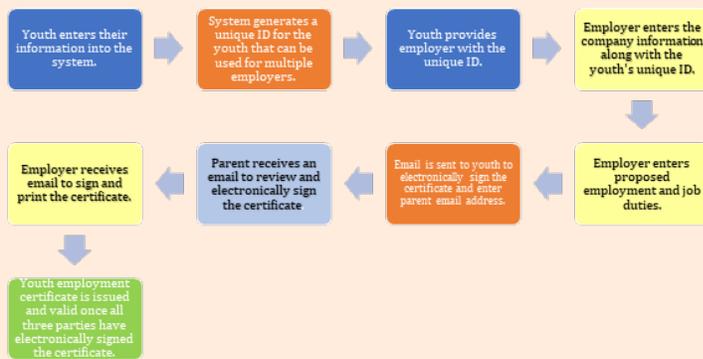
In North Carolina, 14- and 15-year-olds may only work between the hours of 7 a.m. and 7 p.m. when school is in session and no more than three hours on school days. In addition, 14- and 15-year-olds are not allowed to work more than eight hours per day on non-school days and no more than 18 hours per week when school is in session and no more than 40 hours per week when school is not in session. Between June 1 and Labor Day when school is not in session, they may work between 7 a.m. and 9 p.m.

Teens under 18 years of age and older than 13 years of age can work in most office jobs or retail and food service establishments. They may not work in processing, mining or in many workplaces where goods are manufactured because of the hazardous nature of the work being performed. If an employer has an on-premise ABC permit, then teens under 16 years of age and at least 14 years of age may only work on the outside grounds with written consent from a parent or guardian as long as the youth is not involved with the preparation, serving, dispensing or sale of alcoholic beverages. For instance, a 14- or 15- year-old may work at the tennis courts or golf course at a private club but would not be allowed to work as a server or busboy if alcohol is served inside.

The certificate must be signed by the youth, parent/guardian and the employer before the job begins.

“The process for obtaining signatures has been streamlined by incorporating the ability to secure legally binding electronic signatures online,” said Kisha Holmes, administrator for the Wage and Hour Bureau. “We hope this step makes the process seamless for all parties involved while ensuring youths in North Carolina are doing age-appropriate work during the summertime or while school is in session.”

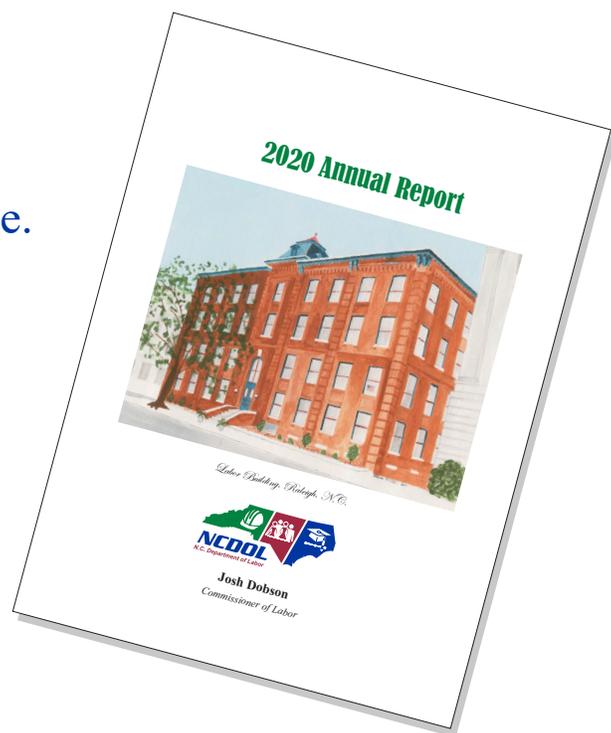
Any questions about the new process should be directed to the Wage and Hour Bureau Call Center at 1-800-625-2267. To learn more about youth rules and regulation, please visit the NCDOL [website](#).



To start the process, visit the [NCDOL website](#) and on the main page select “Apply for a Youth Employment Certificate.” There are five steps in the new process shown in the above flow chart. Each step generates an email that prompts the next step.

The 2020 Annual Report is now available on NCDOL’s website.

Read it here.



Amentum Celebrates First Carolina Star Certification

By Natalie Bouchard, Public Information Officer

Employees of Amentum celebrated their Carolina Star certification with a ceremony that took place at the GE Aviation Facility in Durham on Friday, April 30. Commissioner Josh Dobson was there to present remarks as well as the Carolina Star certificate and flag to company officials. Amentum was established in February 2020 and employs about 23 employees at this particular GE Aviation worksite. They provide facilities, electrical, cranes, hoists and production machines at the site.

“The employers and employees of Amentum should be very proud of their accomplishment,” Labor Commissioner Josh Dobson said. “The Carolina Star designation is an exceptional accomplishment for any business, and Amentum deserves to be recognized for its commitment to safety and health in the workplace.”

Becoming a Carolina Star site is a coveted accomplishment for workplaces in North Carolina. NCDOL Star consultants complete evaluation reports for each company seeking the Carolina Star certification to determine if they are qualified to become a Star site.

“I am extremely proud of our team for everything they have done to reach this incredible milestone,” said Zachary S. Kirkpatrick, safety, health and environmental specialist for Amentum. “The Carolina Star application and on-site evaluation were tedious and rigorous, but the real feat was the effort every single employee put in day after day in order to earn eligibility for the program. This took years of working safely, building and improving EHS programs, and establishing a culture where everyone looks out for the safety of not just themselves, but also their coworkers.”

One of Amentum’s safety initiatives is known as the “Good Catch” program which encourages employees to report incidents, unsafe conditions, or safety hazards they observe. At the end of the month, all “Good Catch” submissions are put into a hat and one random selection wins a gift card. Also, the individual with the most “Good Catch” submissions in a month wins a gift card. The Good Catch program is not tied to injury and illness rates and encourages employees to report all incidents or near misses.

“Acceptance into the Carolina Star Program is an amazing accomplishment, but it’s even more impressive when you do it with a maintenance crew performing high-risk work day in and day out,” said Kirkpatrick. “Every member of the team brings their A-game to work, and I’m not just talking about safety. Our team truly cares about the work they do for our client. Our top priority is to make sure each job is performed as safely as possible and the quality of work is second to none. We are extremely fortunate to work for a client who wholeheartedly encourages and supports our company’s core value to live safe.”

As of April 2021, 150 companies in the state are active participants in the Carolina Star program.

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LaMont Smith, recognition program manager; Zachary Kirkpatrick, safety, health and environmental specialist for Amentum; and Labor Commissioner Josh Dobson hold up the Carolina Star flag at the Carolina Star certification ceremony in Durham on Friday, April 30, 2021.



Library Update

The NCDOL library’s subscription to the Training Network NOW safety and health video streaming service, now called Streamery, was recently renewed and will not expire until August 2022. Please contact the library at dol.library@labor.nc.gov or 919-707-7880 if you’re interested in accessing and streaming online safety, health and human resources related videos or other safety resources. Refer to the [library page](#) on the website for more information.

Summer is coming! Be prepared! [Click here](#) to learn about

HEAT STRESS



Follow NCDOL on:



Retaliatory Rights




By Harriet Hopkins, Administrator
Retaliatory Employment
Discrimination Bureau

Q: I worked for four years as a physician’s assistant at an urgent care office that was part of a chain of urgent care facilities in North Carolina. Several months ago, I complained to my manager, the district manager and the statewide manager of the company that proper precautions had not been taken with respect to COVID-19. I was concerned that patients were not being required to wear masks in the office and no pre-testing was being done, such as temperature checks and asking questions about symptoms. I also told them that although staff was provided with N-95 masks, no one had ensured that they fit properly. I also suggested that the facility set up a separate waiting area for people who came to be tested for COVID-19. We had not yet started COVID-19 testing but were going to do so within a few weeks. I thought it was a good time to bring up these concerns. I was terminated within 24 hours of making these complaints. My employer told me I was terminated because I refused to work with patients who tested positive for COVID-19. I never refused to work

with any patients. Can my employer terminate me because I complained about inadequate COVID-19 health and safety procedures at the urgent care center?

A: Under the Retaliatory Employment Discrimination Act (REDA), your employer may not retaliate against you because you made a good faith complaint about safety and health in the workplace. You may file a complaint under REDA with the NCDOL Retaliatory Employment Discrimination Bureau and we will investigate what you complained about and to whom, talk with your employer, and determine if REDA may have been violated. However, you must file your complaint within 180 days of the date you were terminated. Call the NCDOL helpline at 1-888-NC-LABOR and our staff can answer your questions and assist you if you decide to file a complaint.



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Inside NC Labor

Due to social distancing protocol, recent podcasts have been recorded over the phone.

Be sure to check out NCDOL’s podcast, **Inside NC Labor**.

In addition to NCDOL’s website, **Inside NC Labor** is available on YouTube, Spotify, Apple Podcasts, Anchor and Google Podcasts.

Inside NC Labor is designed to inform and educate North Carolina citizens on the role that the Department of Labor plays in state government.



WORKPLACE WORRIES



By Kisha Holmes, Administrator, Wage and Hour Bureau

Q: Has the process for obtaining a Youth Employment Certificate changed?

A: Yes, the process for obtaining a Youth Employment Certificate has changed. The new process requires the youth to go to our website, click on the link titled, “Apply for a Youth Employment Certificate” and enter their information. Once all information has been entered, the youth will receive a unique Youth Employment Identification (YEID) number and an email. The unique identification number can be used for multiple employers. Once an offer of employment has been extended to the youth, the youth should provide their unique YEID number to the employer. The employer will go to our website and click on “Employer, click here to begin the Youth Employment Certificate process,” to enter their information along with the youth’s unique YEID number. The employer should review the information entered, ensure that the youth is permitted to work in the occupation and electronically sign the certificate. Once this is completed, the youth will receive an email to electronically sign their youth employment certificate and provide their parent/guardian email address. Upon completion of the youth’s electronic signature, the parent will receive an email to also electronically sign the youth employment certificate. Once all parties, the employer, the parent and the youth, have electronically signed the certificate, the youth may begin work. Learn more about the new process on Page 3.



DEADLY Mistakes



By Judyth Forte, State Plan Coordinator

Fatal Event: A 30-year-old man was fatally injured and a second employee was hospitalized when they were struck by an uncontrolled vehicle on a major highway while providing traffic control services.

Investigative Findings: A traffic control service company was hired and was responsible for the setup, maintenance and break down of the traffic control devices to alert motorists to a closure and detour around a work zone on a four-lane divided highway, with a posted speed limit of 65 mph. The company was paid for the use of the equipment, including barrels, cones, signs, and message boards, and for the labor expenses of two employees who set up, maintained, and removed the road closure signage.

The lane closure was set up and activated at 9 p.m. and removed every day prior to 6 a.m. to allow for the free flow of traffic along the highway. Three off-duty police officers with patrol cars were on-site stationed at the initial closure barricade and along the detour route during the closure. There were three sets of temporary road signs on each side of the highway. One employee would stand up the right side signs while the other employee would walk across the live lanes of the highway to stand up the left side signs. A total of 12 trips were made across the live travel lanes daily to accomplish this task.

The accident event occurred just prior to 5 a.m. as the employees were removing the last temporary sign along the east side of the highway. The lane closure was already removed and all signage had been placed in storage along the roadway. The detour was deactivated and the police officers had been released from their assigned stations.

The employees had each parked on the right shoulder of the road, with two tires in the grass and their vehicles about 30-feet apart. This placed the driver side of the vehicle next to the travel lane. Vehicle-mounted strobe lights were flashing on their respective trucks as they walked back to their vehicles to head home. A Jeep Cherokee was traveling north along the highway at an estimated speed of 80 mph when it struck the first pickup truck just behind the driver’s side door but kept moving forward and struck the two employees. The Jeep continued along the paved shoulder of the highway until it veered off to the right, traveling down a grass embankment, over a ditch, through a fence, and finally coming to rest on a service road.

Discussion: The traffic control plan did not provide the safest environment for the employees during the most dangerous part of their workday activities. The employees were exposed to high speed traffic when crossing the live lanes of the highway to set up and take

down signs along the left side of the north bound highway. It is an accepted industry standard that employees do not walk across lanes of traffic that are posted over 35 mph.

When it is necessary for employees to cross the highway to put up or take down signage, they must be protected. Protection may be attained by a Truck Mounted Attenuator (TMA), or crash cushion vehicle, or a slow-moving operation caravan in addition to high visibility law enforcement vehicles. This arrangement would form a “rolling roadblock” to keep all lanes of traffic moving at a safer speed for a short amount of time while the specific operation is occurring. The work zone specialist or employee would drive their strobe-mounted vehicle in front of the caravan and stop and get in and out of their vehicles safely to install or take down the left lane signs. The caravan or TMA and police vehicles would provide protection for the employees.

The employer had not developed a program which addressed the proper techniques to be used to set up and take down left side signage to create the safest possible situation for their employees to work.

Recommendations:

Every work zone should have a traffic control plan in place that considers all dangers that could affect employees and motorists. Proper set up of work zones is critical for the safety of employees and motorists. Signs, cones and other devices are used to alert or warn motorists and guide them away from the work area. A work zone protects the road-side work area. Employees must be as visible as possible wearing reflective vests and helmets. Their vehicles need to have strobe lights and flashers to make them obvious to other drivers on the road.

A traffic management plan is usually required to outline the traffic hazards and specify the measures needed for traffic control. The traffic management plan should include:

- ☠ The hazards related to the vehicle traffic.
- ☠ Written procedures for setup, maintenance and removal of the work zone.
- ☠ Roles and responsibilities in setting up, maintaining, inspecting and removing the work zone.
- ☠ The layout of the work zone, including any changes as the work progresses.
- ☠ The maximum speed allowed for vehicles throughout the work zone.
- ☠ Types of signaling or traffic control devices to be used and their locations.
- ☠ Management of any hazards created by the road work.
- ☠ A communication strategy to inform the public in advance, where possible, about road work and temporary traffic diversion.
- ☠ What procedures to follow in case of an incident.

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Bulletin Board

Mine and Quarry Training

New Miner Training

June 7-9, *Virtual*

Part 48 New Miner Training

June 21-23, *Virtual*

Part 48 Annual Refresher Training

June 24, *Virtual*

Annual Refresher Training

June 10, *Virtual*

MSHA Annual Refresher Training

June 8, *Greensboro*

First Aid/CPR/AED Training

June 9, *Greensboro*

To register for any of these classes, call the Mine and Quarry Bureau at 919-707-7932.

10-Hour General Industry Awareness Course

June 22, Raleigh

Click [here](#) for more information.

This course is designed to help employers understand OSH regulatory requirements and also ensure employers and employees understand the requirements necessary in providing an acceptable safety and health program for the workplace. This course will provide a basic overview of the General Industry Safety and Health Standards, 29 CFR 1910.

OSH Webinar Courses

Visit the **OSH Training Schedule Calendar** to view upcoming internet training and other safety courses. Among the courses being offered include:

- ◆ Fall Protection (Spanish)
- ◆ Excavations and Training

Wage and Hour Presentations

Investigators from the Wage and Hour Bureau offer presentations to employers, employees, high schools and career development organizations. The presentation covers the provisions of the Wage and Hour Act, minimum wage, overtime, record keeping, wage payment and youth employment. The presentation is designed to enhance North Carolina citizens' knowledge of labor laws and to inform employers and employees of their rights and responsibilities in wage and hour matters.

To schedule a presentation, please email whbinfo@labor.nc.gov with the following information: requesting individual or business, location, desired topics, and preferred dates for presentation.

Pre-Recorded Webinars

Visit the **OSH Training Schedule Calendar** to view upcoming internet training and other safety courses.

- ◆ Bloodborne Pathogens
- ◆ Ergonomic Awareness
- ◆ Fall Protection
- ◆ Hazard Communication
- ◆ Health Hazards SEP
- ◆ Heat Stress
- ◆ Inspection Process
- ◆ Lockout/Tagout
- ◆ Machine Guarding
- ◆ Confined Space (Construction and General Industry)
- ◆ Occupational Noise Exposure
- ◆ Powered Industrial Trucks
- ◆ Recordkeeping
- ◆ Respirable Crystalline Silica
- ◆ Respiratory Protection
- ◆ Scaffolds
- ◆ Stairways and Ladders
- ◆ Toxic Hazardous Substances
- ◆ Walking Working Surfaces

COVID-19 Guidelines

Please check the NCDOL website for guidance regarding COVID-19. The information is updated based on CDC guidelines.

www.labor.nc.gov

COVID-19 Related Pre-Recorded Webinars

- N95 Filtering Facepiece Respirator COVID-19
- Personal Protective Equipment in Construction Industry COVID-19
- Personal Protective Equipment in General Industry COVID-19
- Respiratory Protection COVID-19