



**NCDOL**

N.C. Department of Labor

Josh Dobson, Commissioner

[www.labor.nc.gov](http://www.labor.nc.gov)

1-800-625-2267

**LEDGER**

## NCDOL Releases Workplace Fatality Count for 2021

By Jennifer Haigwood, Communications Director and Erin Wilson, Public Information Officer

Struck-by incidents caused the largest number of non COVID-19 work-related deaths last year in the Tar Heel state, based on preliminary information released by the N.C. Department of Labor (NCDOL). The department's Occupational Safety and Health (OSH) Division inspected 49 non COVID-19 work-related fatalities in 2021. The division also inspected 25 cases reported as deaths related to COVID-19.

"Workplace fatalities keep me up at night," Labor Commissioner Josh Dobson said. "Every time there is a workplace fatality, I am notified of it and no matter what the cause, it weighs heavy on my mind. Although I am encouraged by the overall reduction in workplace fatalities, we still have work to do. As we continue to navigate this pandemic, our department will continue to put safety and health first, provide education, training and compliance resources on high hazard industries and work to continue to reduce the risk of COVID-19 in the workplace."

The OSH Division tracks work-related deaths that fall within its jurisdictional authority so it can pinpoint where fatalities are occurring and place special emphasis on counties or regions where deaths on the job are happening. By tracking fatalities in real time, the department can also notify industries of any concerning patterns or trends identified and issue hazard alerts.

"The overall reduction in occupational fatalities from 2020 to 2021, during a time that the overall workforce increased in our state, is very encouraging," Kevin Beauregard, director of the state OSH Division, said. "In particular, North Carolina experienced significant reductions in fatalities among employees in the construction and manufacturing industries, while employment in those industries increased. Unfortunately, COVID-19 work-related fatalities accounted for 33.8% of all work-related fatalities in North Carolina last year."

NCDOL began enforcement of OSHA's COVID-19 Healthcare Emergency Temporary Standard (ETS) in July 2021. The aim of the ETS is to protect workers who provide healthcare or healthcare support services from COVID-19 in the workplace. The Healthcare standard will remain in effect in North Carolina until the OSH Division determines the standard is no longer necessary to protect healthcare workers from COVID-19 hazards.

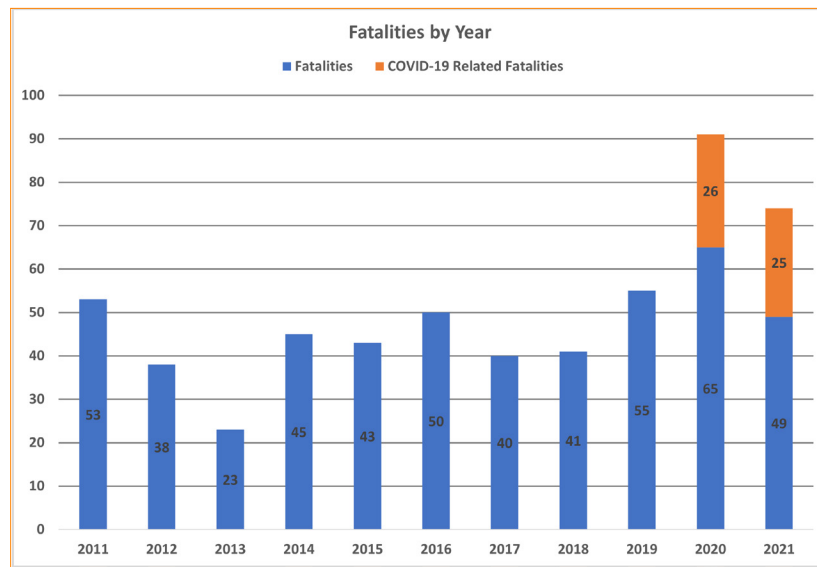
"Over 68% of the COVID-19 work-related fatalities investigated were associated with employees within the service industry, and the majority were employed in healthcare," Beauregard said. "These standards were adopted with the specific purpose of reducing COVID-19 work-related illnesses and fatalities among healthcare workers. The primary goals of NCDOL's OSH Division include reducing the rates of occupational injuries, illnesses and fatalities."

The OSH Division partners with businesses and organizations that represent some of the most hazardous industries through partnerships and alliances to heighten industry awareness and assist with education and training.

The services industry suffered the most work-related fatalities with 24 in 2021, two more than in 2020. Most of the services industry deaths were due to COVID-19. The construction industry had the second highest number of work-related deaths with 15, a decrease of 12 from the previous year. Manufacturing had the third highest number of work-related deaths with 10, five less than in 2020.

In addition, government had eight fatalities in 2021, a decrease from nine in 2020. There were six fatalities in the transportation and public utility industry, an increase from five in 2020. Agriculture, forestry and fishing experienced five fatalities in 2021, a decrease from 13 in 2020. There were also three work-related fatalities in wholesale trade, an increase from two in 2020. Retail trade experienced three workplace fatalities.

There were no work-related fatalities in 65 of North Carolina's 100 counties. Guilford county led with 11 workplace fatalities, followed by Mecklenburg with 10. Wake, Buncombe, Wilson, Henderson, Cumberland, Watauga and Forsyth experienced three fatalities each. Edgecombe, Catawba, Wayne, Cherokee, Union, Lincoln and Cabarrus experienced two fatalities each. Seventeen counties experienced one fatality.





## From Labor Commissioner Josh Dobson

2022 is off to a busy, but exciting start. This issue of the Labor Ledger is packed with interesting stories and important information that will impact many of you.

In January, our department released the Occupational Fatality Inspection Review (OFIR) figures for calendar year 2021. This report is compiled by our Planning, Statistics and Information Management Bureau and includes only those fatalities that fall within the Occupational Safety and Health Division's (OSH) jurisdictional authority. These numbers are important to the department because they help the OSH Division recognize certain trends in workplace accidents and allow us to target our resources to particularly hazardous industries and activities.

As you will see in the story on page 1, the number of work-related fatalities in North Carolina decreased from 2020. Of North Carolina's 74 fatalities in 2021, 25 of those were related to COVID-19. Fatalities in the construction and manufacturing industries saw significant declines. While I am pleased to see the reduction from 2020, we have more work to do. Please visit our website to get information on NCDOL's workplace consultation, education and training programs. Our goal is to help businesses put measures in place to prevent these accidents before they happen.

Speaking of safety programs, our Safety Awards Program is currently accepting applications for this year's banquet season. The application deadline is Feb. 15, so act fast. See the Safety Awards story on page 4 for more information about the program, including contact information.

On Jan. 13, the U.S. Supreme Court halted federal OSHA's Emergency Temporary Standard (ETS) related to mandatory COVID-19 vaccines and testing for employers with 100 or more employees. Subsequently, federal OSHA withdrew the rule from consideration. I commend the Supreme Court's decision on this matter, and appreciate federal OSHA's wise decision to withdraw the rule. This action brings much-needed closure to workers and to the business community.

Regarding federal OSHA's Healthcare ETS, North Carolina adopted the standard in July 2021, and it remains in effect. Though federal OSHA's standard expired on Dec. 21, 2021, North Carolina adopted the ETS as a permanent standard, which means it remains active until the department takes further action. We plan to reevaluate the COVID-19 metrics at the end of February to determine whether the rule is still necessary to protect the safety of healthcare workers.

Have a safe and healthy February!

*Josh Dobson*



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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**.

### Carolina Star \*Recertification

Cintas Corp., Location No. 223, Fletcher\*  
DSM Dyneema LLC, Greenville\*  
LANXESS Corp., Dallas

### SHARP \*Recertification

Boon Edam Manufacturing Inc., Lillington  
City of Mount Holly Public Utilities, Mount Holly\*  
City of Mount Holly Public Utilities - Waste Water, Mount Holly\*  
City of Washington Utilities Operations Center, Washington\*  
City of Washington Water Resources, Washington\*  
Coatings & Adhesives Corp., Leland  
Industrial Opportunities Inc., Andrews\*  
Jordan Lumber & Supply Inc., Mount Gilead\*  
Mannington Laminate Floors, High Point\*  
Metal Industries Inc., Marion\*  
OFS Brands Holdings, Archdale\*  
Pelican Packaging Co., Halifax\*  
Salem Industries Division of Gaston Skills Inc., Lincolnton\*  
Sonoco Recycling Inc., Raleigh\*  
Sysco Raleigh LLC, Selma\*  
The Chapel Hill Residential Retirement Center Inc. dba Carol Woods Retirement, Chapel Hill\*  
Town of Dallas Public Utilities, Dallas\*  
Town of Dallas Wastewater, Dallas\*  
Town of Dallas Water Treatment, Dallas\*  
Town of Harrisburg Public Works Department, Harrisburg  
Unilin dba Mohawk Industries, Thomasville\*



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# NCDOL Releases Workplace Fatality Count for 2021

*continued from page 1*

Whites accounted for 24 of the 49 non COVID-19 work-related fatalities. Hispanics accounted for 16, Blacks for seven, Asians for one and Other for one. Men accounted for 46 deaths and women accounted for three non COVID-19 workplace deaths.

The state figures exclude certain fatalities that fall outside its jurisdictional authority. These include traffic accidents, which account for nearly half of all work-related deaths, as well as some homicides and suicides that are investigated by law enforcement agencies. The count also excludes fatalities investigated by federal OSHA and other exemptions in which the department does not have the authority to investigate, such as on farms with 10 or fewer employees.

Federal figures compiled by the U.S. Bureau of Labor Statistics, with cooperation of NCDOL, include all work-related fatalities. The federal figures for 2020, the latest figures available, can be found on the BLS [website](#). Data for 2021 will be available in December.

Businesses may call 1-800-NC-LABOR to learn more about free safety training opportunities provided by NCDOL or visit our [website](#).

## Commissioner's Statement on the Healthcare Emergency Temporary Standard

*"What is the status of the COVID-19 Healthcare Emergency Temporary Standard?"*

*North Carolina adopted verbatim federal OSHA's Healthcare ETS on July 21, 2021. While the federal standard expired on Dec. 21, 2021, North Carolina's standard remains in effect. NCDOL adopted the standard as a permanent rule, which means that the standard will remain in place until the department takes action to repeal it. Based on current COVID-19 trends in North Carolina including the percent-positive rate of COVID tests and the high number of COVID-related hospitalizations, North Carolina's rule will remain in effect through at least Feb. 28. At that point, the department will evaluate current COVID-19 trends on a monthly basis to determine when the rule is no longer necessary. Please visit our website to learn more about the COVID-19 Healthcare rule and to stay apprised of any changes."*

# COVID-19 Guidance

Please check the NCDOL website for guidance regarding COVID-19.

The information is updated based on CDC guidelines.



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# Highland Brewing Co. SHARP Award Ceremony

By Erin Wilson, Public Information Officer

On Monday, Dec. 6, 2021, Labor Commissioner Josh Dobson attended a facility tour and an awards ceremony recognizing Highland Brewing Co. as a Safety and Health Achievement Recognition Program (SHARP) site. As the largest independent, family-owned brewery in the Southeastern U.S., Highland Brewing Co. has quite the reputation of being a pioneer for the craft beer industry in Asheville and their repertoire of beers.

Dobson presented the award to Brock Ashburn, Vice President of Highland Brewing Co., who raised the symbolic SHARP flag. Dobson spoke of the importance of safety and health and the N.C. Department of Labor's (NCDOL) commitment to keeping the North Carolina workforce safe.

"Congratulations to Highland Brewing Co. on their first SHARP award and being the only SHARP-certified brewery in North Carolina," Labor Commissioner Josh Dobson said. "This award is a testament of their commitment to safety and health in the workplace."



*Labor Commissioner Josh Dobson presents the SHARP award to Highland Brewing Co. during a ceremony on Dec. 6. From left to right: Labor Commissioner Josh Dobson, President/CEO and Family Owner Leah Wong Ashburn and Vice President Brock Ashburn.*



*Labor Commissioner Josh Dobson tours Highland Brewing Co. From left to right: Safety Consultant Buddy Amerson, Vice President Brock Ashburn, Labor Commissioner Josh Dobson, Industrial Hygiene Consultant Twanette Haiser, Public Information Officer Erin Wilson and Director of Communications Jennifer Haigwood.*

Oscar Wong founded Highland Brewing Co. in 1994 and it was the first

legal brewery since prohibition in Asheville. Highland began its brewing operation in downtown Asheville and in 2006 moved to the former home of Blue Ridge Motion Picture Studios in East Asheville. With the move to its new location, the production facility houses a 50-bbl (beer barrels) brewhouse, equal to about 1,550 gallons, where they can produce more than 60,000 barrels annually.

Highland Brewing Co. continues to grow and expand in its 40-acre property. In the nearly 16 years at its current location, Highland has expanded its facility, adding a rooftop bar, taproom, packaging hall, meadow, and event center. Currently, Highland distributes its beer in North Carolina, Virginia, South Carolina, Tennessee and Georgia.

SHARP is administered by the labor department's Consultative Services Bureau under its Occupational Safety and Health Division. The program is designed for small to mid-size employers that have established, implemented and maintained exceptional workplace safety standards.

## Safety Awards Application Now Open

By Meredith Watson, Safety Awards Coordinator

The N.C. Department of Labor has begun accepting applications from businesses that qualify for a workplace safety award. Safety awards are presented to companies that have demonstrated above-average worker safety and health programs throughout the year.

"Last year, I had the opportunity to experience my first safety award season and recognize employers and employees for their commitment to promoting a safe and healthy work environment," Labor Commissioner Josh Dobson said. "When a business or organization is a safety award recipient, that is a major accomplishment for not only that business or organization but also for their community. I look forward to getting back out there this season, hopefully in-person, and meeting more of North Carolina's stellar workforce."

The department is excited to get back to normal this banquet season. After one season completely virtual in 2020 and a hybrid schedule in 2021, the department is very hopeful and planning to have all the banquets this year in-person. Although the banquet season took place during the fall last year, the normal spring schedule will return this year.

Businesses that qualify for the award must meet two requirements. They must be free of fatalities at the site for which they are applying and the site's injury and illness rate must be at least 50% 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, local chambers of commerce, the Safety and Health Council of North Carolina and other organizations.

This is Labor Commissioner Josh Dobson's second safety award season, and he strongly encourages all businesses to apply.

For more information on the Safety Awards Program or to download an application, visit the NCDOL website. **The deadline for submissions is Tuesday, Feb. 15, 2022.**

# NCDOL, Sanders Utility Construction Co. Inc., Mark Completion of Safety Partnership with Ceremony

By Erin Wilson, Public Information Officer

The N.C. Department of Labor (NCDOL) and Sanders Utility Construction Co. Inc. celebrated the completion of the safety partnership for the design-build project to improve, up-size and replace sanitary sewer along the Irwin Creek Tributary to Irwin Creek Interceptor. Labor Commissioner Josh Dobson presented company officials with a certificate at the ceremony on Friday, Dec. 17, after giving brief remarks about the project.

"I want to congratulate Sanders Utility Construction Co. Inc. on the successful completion of the design-build project," Labor Commissioner Josh Dobson said. "I appreciate their commitment to workplace safety and their willingness to partner with our Occupational Safety and Health (OSH) Division. A project such as this with no serious lost time injuries is a major accomplishment and a testament to the prioritization of employee safety and health."

The project consisted of two 60-inch micro tunnels under I-77 and three 48-inch horizontal bores, one of which was on Barringer Drive. The other two went under S. Tryon Road. The project included laying approximately 18,000 linear feet of 12-inch and 24-inch sewer pipe, 89 manholes, rock blasting as needed and bypass pumping the existing sewer lines.

"Sanders Utility Construction Co. Inc. would like to express how much we enjoyed being in a partnership with the OSH Division on the Irwin Creek project in Charlotte," Safety Director Roger Richards said. "We as a company took away a lot of new ideas on job inspections and safety related things from the partnership. We also feel that the representatives that did the quarterly walk throughs learned from us about the different aspects of excavations and the micro tunneling that we do. Sanders Utility will be looking at doing another partnership with the OSH Division in the near future and would highly recommend this to other companies."

NCDOL and Sanders Utility Construction Co. Inc. signed the safety partnership on March 4, 2020. The OSH Division worked with Sanders Utility Construction Co. Inc. while providing guidance to improve employee safety and health, reduce injuries and illnesses, increase access to training and information, and develop safety and health management systems.

"Sanders Utility Construction Co. Inc. was NCDOL's first partnership with a utility contractor and with a company of their size (65 employees)," Safety Consultant Bruce Pearson said. "We appreciated the opportunity to partner with Sanders Utility as the partnership helped both the employer and the OSH Division employees grow their knowledge of construction hazards and reduce the injury and illness rate in the construction industry. Sanders Utility conducts construction work in only eight counties surrounding the greater Charlotte area. The customer base for Sanders includes local municipalities, manufacturing, industrial, energy and other general contractors. Sanders successfully completed the project during the COVID pandemic, which in itself was quite challenging. Sanders completed this project with one recordable injury and illness during the project. Sanders is to be commended for their safety and health commitment."

Sanders Utility Construction Co. Inc. is a family-owned company and was founded in 1957 by J.P. Sanders and his two sons. The company is recognized as one of the top civil general contractors in the region for water, sewer and stormwater projects, large and small, serving both the private and public sectors.



*Labor Commissioner Josh Dobson presents a certificate of partnership recognition to Sanders Utility Construction Co. Inc. for the completion of the safety partnership on Dec. 17. From left to right: Executive VP Freddie Young; Star Consultant Michelle Evans; Safety Consultant Gary Thorpe; Partnership Team Leader and Compliance Officer Griselle Negron; Compliance Officer Robert Maedje; Safety Director Roger Richards; Commissioner Josh Dobson; President Hazel Sanders; Manager Sherri Leonhardt; VP Gary Witherspoon; and Secretary/Treasurer Steve Sanders.*



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# Rodgers-Holt Brothers Construction SHARP Award Recognition and Site Tour

By Jennifer Haigwood, Communications Director

Labor Commissioner Josh Dobson visited the West Charlotte High School construction site on Tuesday, Jan. 25, 2022 to celebrate Rodgers-Holt Brothers Construction's participation in the N.C. Department of Labor's (NCDOL) construction SHARP (Safety and Health Achievement Recognition Program) award program and to tour the facility. This construction project is a joint venture between Rodgers Builders and Holt Brothers Construction.

"West Charlotte High School was established in 1938 and is an institution in Charlotte," Eric Reichard, Chief Operations Officer of Rodgers Builders, said. "West Charlotte is known for their school spirit, and we are so proud to be part of this project building a brand-new school – a new start – for these students. All the craftworkers on this project share that same spirit and are committed to completing the job safely."

West Charlotte High School has a rich history as one of Charlotte-Mecklenburg's oldest public schools. This construction project will provide a new 100-classroom school to replace the existing West Charlotte High School currently located on adjacent property. The new school will feature an indoor swimming pool, auditorium and large gymnasium. Construction is between 65%-75% complete and the school is expected to be occupied by students in August 2022.

"The new West Charlotte High School is a state-of-the-art 300,000 square-foot project, and the school will be able to serve up to 2,500 students," Carly Morris, Senior Project Manager at Rodgers Builders, said. "All of the craftworkers on this project will be part of the lives of the students who walk these halls next year and for many years to come. It's exciting to watch the progress each day."



*Labor Commissioner Josh Dobson speaking with employees during a facility tour of West Charlotte High School.*



*Employees of Rodgers Builders and Holt Brothers Construction with Labor Commissioner Josh Dobson.*

in 1963. The company is headquartered in Charlotte and has offices in North and South Carolina.

"To the craftworkers – thank you for being part of an amazing industry. You are the people who build America," Pat Rodgers, President and CEO of Rodgers Builders, said. "We appreciate our long-term partnership with the N.C. Department of Labor and are proud of our SHARP designation."

Holt Brothers Construction was founded in 2007 and is based in downtown Raleigh.

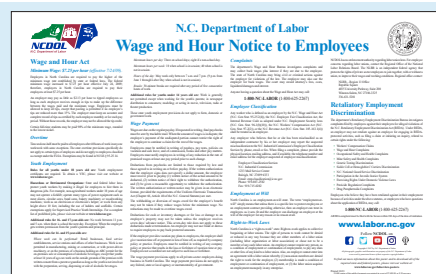
SHARP is administered by the labor department's Consultative Services Bureau under its Occupational Safety and Health Division. The program is designed for small to mid-size employers that have established, implemented and maintained exceptional workplace safety standards.

During the recognition ceremony, Dobson provided brief remarks with the assistance of Spanish-language interpreter J.P. Infante and presented the SHARP flag. Following the ceremony, Dobson spoke with employees of Rodgers Builders and Holt Brothers Construction and toured the project site.

"It was an honor to meet and speak with the men and women involved in the construction of the new West Charlotte High School," Labor Commissioner Josh Dobson said. "Their commitment to safety and health on the job site is to be commended. I was impressed with the employees' hard work and dedication to the construction of this new facility and the impact their work will have on the Charlotte-Mecklenburg community."

Rodgers Builders has an established history with NCDOL. They are a participant in NCDOL's Building Star program and received their ninth consecutive Gold Safety Award at last year's Charlotte Safety Awards Banquet. Rodgers Builders was founded

## FREE Updated Labor Law Posters and Poster Patches are Now Available.



# Tar Heel State's Workplace Injury and Illness Rate Continues to Decline

By Jennifer Haigwood, Communications Director

New figures released by the U.S. Bureau of Labor Statistics (BLS), an agency of the U.S. Department of Labor, show the nonfatal workplace injury and illness rate for North Carolina's private industry remains at a historic low for 2020 with a rate of 2.1 cases per 100 full-time workers. This represents a decline from the 2019 rate of 2.3 and is significantly lower than the national rate of 2.7. North Carolina's rate for private industry is the fourth lowest in the nation and is the lowest rate among all State-Plan states.

These data are estimates from the Survey of Occupational Injuries and Illnesses (SOII) compiled by the BLS. The rate accounts for growth and contraction in total hours worked in industry, which is an important factor in a state like North Carolina that has experienced significant growth.

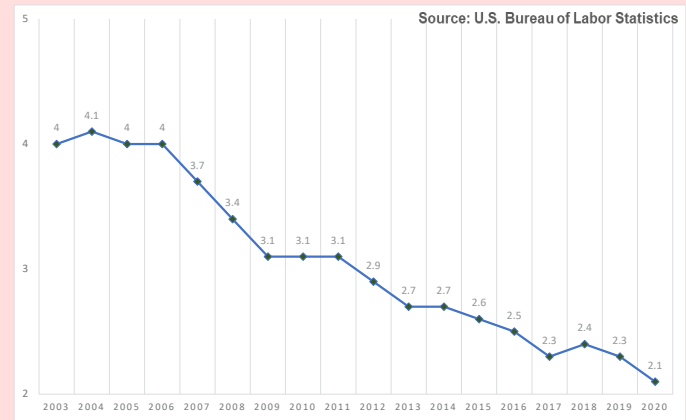
"I am pleased to see that the downward trend in workplace injuries and illnesses continued in 2020," Labor Commissioner Josh Dobson said.

"Given the additional challenges presented by the COVID-19 pandemic, employers and employees should be commended for their dedication to safety on the job. Businesses in this state have embraced a culture of safety, which is reflected in the fact that North Carolina's injury and illness rate is the fourth lowest in the nation."

The 2020 rate for North Carolina's state and local government sector was 3.0 cases per 100 full-time employees. This represents a significant decline from the 2019 rate of 3.8 cases per 100 workers. Nationally, the rate was 3.9 for 2020. In North Carolina, the rate for private industry construction in 2020 was 2.0 cases per 100 full-time employees and the rate for private industry manufacturing was 2.5. These rates are statistically unchanged from 2019.

North Carolina is one of 22 states that operate an OSHA-approved workplace safety and health program covering both private, state and local government workers. State Plans are monitored by OSHA and are required to be at least as effective as federal standards in preventing workplace injuries, illnesses and deaths.

North Carolina's Occupational Safety and Health Division will continue its focus on hazardous industries, such as construction and manufacturing, through its special emphasis programs, by providing free safety training and education, conducting free safety and health consultative visits, and establishing partnerships and alliances with industries.



*Occupational Injury and Illness Rate Per 100 Full-Time Workers  
North Carolina, Private Sector, Calendar Years 2003 Through 2020*



By Harriet Hopkins, Administrator  
Retaliatory Employment  
Discrimination Bureau

**Q:** I work for a small, local nursing home. My employer mandated that all employees must be vaccinated against COVID-19 or be terminated. There were several of us who chose not to get vaccinated, and the employer accommodated several members of this group of employees by giving them alternative work assignments but did not offer the same accommodations to me. Instead, I was terminated. Can I file a REDA complaint against my employer for terminating me because I refused to get vaccinated?

**A:** Employment in North Carolina is "at will," which means that an employer can terminate you for any reason at all unless the reason is illegal. It is not illegal for an employer to require its employees to be vaccinated; employers have a constitutional right to require employees be vaccinated. And, as an employee, you do not have the right to refuse your employer's vaccination requirement. Unfortunately, the refusal to get vaccinated is not a protected safety or health complaint under the Retaliatory Employment Discrimination Act. Therefore, the N.C. Department of Labor would not have jurisdiction

to investigate your complaint. However, depending on your reasons for refusing to be vaccinated, the failure to accommodate you while accommodating other employees and then terminating you may be a violation of the federal Americans with Disabilities Act (ADA). The Equal Employment Opportunity Commission (EEOC) investigates complaints under the ADA. The EEOC may consider certain medical contraindications you have or sincere religious beliefs that informed your decision to forego vaccination.

To contact the EEOC regarding an employer's potential violation of the ADA, call 1-800-669-4000, or visit our [website](#) for more information.



## Inside NC Labor

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

Episode 47 features Labor Commissioner Josh Dobson as he discusses his first year in office and his goals for 2022.

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.



# DEADLY

## Mistakes



By Judyth Forte, State Plan Coordinator

**Fatal Event:** On Jan. 31, 2019, a 34-year-old man died when he was unloading lumber from the forks of a GEHL RS6-42 telescope handler forklift onto the edge of an open-sided third floor level of a house that was under construction. As he grabbed and pulled on the lumber, it fell off the forks and pulled him with it to the ground below.

**Investigative findings:** The employer had been subcontracted to frame a three-story residential home. A six-man crew was present working on the project which included two foremen and four carpenters. The employees were loading and transferring building material used for ceiling joists to the third floor of the structure. They positioned a forklift behind the garage and elevated the forks over the garage to reach the third floor.

At the time of the incident, employees were unloading and staging 2"x 10" x 16" lumber from the forklift onto the third floor of the house to continue framing the structure. The owner of the company was present observing and directing the employees during the unloading of the lumber off the forklift. All but seven of the pieces of lumber had been lifted onto the third floor. The employee moved towards the forks and tried to offload three pieces of lumber weighing approximately 159 pounds. While he was grabbing and pulling at the boards, the boards slipped off the forks and fell between the forklift's forks and the structure. The employee was holding onto the boards as they fell, and he was catapulted from the third floor and fell to the ground 30 feet below. The injuries were fatal.

**Discussion:** The owner was watching from the ground and a foreman was on the third floor assisting in the removal of the ceiling joists. No fall protection was provided to the employees who were working on an elevated platform, adjacent to an open-sided floor. The owner said he didn't require the use of fall protection and just told the employees to stay back from the edge of the third floor while they were unloading.

Per OSH construction industry standards, fall protection must be provided to employees when they are exposed to falls 6 feet or more above a lower level. The employer must also identify all areas where there is a potential of injury due to a fall and develop written fall protection policies and procedures relevant for the workplace. Each worker who might be exposed to fall hazards must be trained by their employer on the fall protection standard requirements. In addition, the training program must enable each worker to recognize fall hazards in their work areas and each employee must be trained in the procedures to follow to minimize these hazards. The employer must research what system works best for their job situation. These systems include: guard rail system, safety net system and/or personal fall arrest system. The employer must provide these systems and ensure they are being used.

### Recommendations:

The employer must:

- ❗ Collect and review information about the hazards present or likely to be present in the workplace before employees are onsite.
- ❗ Conduct a Personal Protective Equipment (PPE) Hazard Assessment for all employees on the job.
- ❗ Provide all the needed PPE for the employees ensuring the fit is appropriate for each employee.
- ❗ Train employees in the use of the PPE and ensure they use the PPE appropriately for the job task they are doing.
- ❗ Conduct initial and periodic jobsite inspections to identify new or recurring hazards and provide PPE as necessary.

## WORKPLACE WORRIES



By Kisha Holmes, Administrator, Wage and Hour Bureau

**Q:** I have a youth that would like to get some training on becoming a welder. His school offers a class that allows the youth to participate in a paid work experience. Do we still have to obtain a youth employment certificate since he will be working as part of a work experience through his school?

**A:** Yes, a youth employment certificate is required prior to the first day of work. Welding, along with several other occupations, is considered an occupation that is found and declared to be detrimental to the health and well-being of the youth. Unless the youth is at least 16 years of age but less than 18 years of age participating in a supervised practice experience, the youth cannot be employed as a welder. The youth employment certificate is issued directly from our office once the required, signed documentation is submitted and approved directly from the N.C. Department of Labor.

If you have additional questions, please contact the N.C. Department of Labor at 1-800-625-2267, or visit the NCDOL Youth Employment Certificate [site](#).



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# Bulletin Board

## Mine and Quarry Training

### MSHA New Miner Training

March 14-16, Wilkesboro

### MSHA Annual Refresher Training

March 17, Wilkesboro

To register for any of these classes, [go online](#) or call the Mine and Quarry Bureau at 919-707-7932.

## 10-Hour Construction Industry Awareness Course

Feb. 21, Asheville

[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 Construction Industry Safety and Health Standards, 29 CFR 1926.

## 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](mailto:whbinfo@labor.nc.gov) with the following information: requesting individual or business, location, desired topics and preferred dates for presentation.

## 30-Hour Construction Industry Awareness Course

Feb. 21, Asheville

[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 comprehensive overview of the Construction Industry Safety and Health Standards, 29 CFR 1926.

## 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](mailto: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.

## Pre-Recorded Webinars

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

## COVID-19 Related Pre-Recorded Webinars

- COVID-19 ETS Does the Standard Apply to You?
- COVID-19 Emergency Temporary Standard
- 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

## OSH Webinar Courses

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