



NCDOL

N.C. Department of Labor

Josh Dobson, Commissioner

www.labor.nc.gov

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LEDGER

NCDOL Recertifies Butterball Turkey Processing Facility as Carolina Star Site

By John Mallow, Public Information Officer

Labor Commissioner Josh Dobson and representatives from the N.C. Department of Labor attended Butterball LLC's Carolina Star recertification ceremony held at their Mount Olive facility on Tuesday, March 22. Commissioner Dobson presented the Carolina Star award and gave brief remarks, followed by a tour of the turkey processing facility.

"We don't just hand out these Carolina Star awards – they have to be earned," Labor Commissioner Josh Dobson said. "Management and employee buy-in is a critical component of earning the Star designation. I'm here to thank you for your commitment to workplace safety and ongoing partnership with the Department of Labor."

The Carolina Star program recognizes leaders in occupational safety and health that successfully protect employees from death, injury and illness by implementing comprehensive and effective safety and health programs and management systems. Butterball participates annually in the Carolina Star Safety Conference and maintains a leadership role on its regional Star team.

Butterball LLC's Mount Olive facility has participated in the Star program since 2008. Tuesday's ceremony marked the second recertification as a Carolina Star site. This recertification gives Butterball the distinction of being the only poultry processing plant in the program, as well as the largest employer in the program, employing 2,800 workers.

"We are proud to be part of the Carolina Star program and value our continued partnership with the North Carolina Department of Labor," Craig Leviner, complex manager of the Mount Olive facility, said. "We are honored to fly the Carolina Star flag in front of our plant, and we believe this certification process has made our facility more effective, efficient and safer for all who work here."

The Carolina Star Program recognizes the commitment to workplace health and safety upheld by both Butterball leadership and employees. Their Safety Incentive Program incorporates many opportunities for employees to actively participate in contributing to a safer workplace.

According to a company spokesperson, Butterball has achieved a company-wide Total Recordable Injury Rate nearly 50% better than the poultry industry Bureau of Labor Statistics (BLS) average.

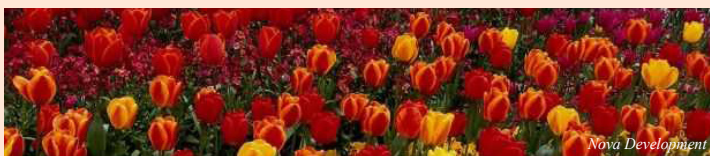
"Safety has been and will always be a top priority for Butterball. In fact, its importance has been baked into what we call The Butterball Way, the tenets of our ways of working that we hold each Butterball team member to," Butterball Chief Operating Officer Neal Walsh said. "We believe safety is everyone's job, every day. This recognition demonstrates how the Butterball Way is working in our Mount Olive facility and we're so proud that our team members have embraced our 'safety first' culture."

Butterball LLC is the largest producer of turkey products in the United States and is headquartered in Garner. One of every three turkeys at Thanksgiving is processed by Butterball. The Mount Olive Butterball facility began operating in 1986 and processes between 50,000 and 60,000 turkeys daily. The facility operates 24 hours a day and is approximately 800,000 square feet in size, located on 1,580 acres of land.



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Labor Commissioner Josh Dobson presents the Carolina Star award to Butterball employees at a recertification ceremony on March 22. From left to right: Labor Commissioner Josh Dobson; Complex General Manager Craig Leviner; Safety and Security Manager Brian Hughes and Star Consultant Carlene Harris.



Nova Development

Spring Into Safety



From Labor Commissioner Josh Dobson

If you've eaten turkey recently – whether in the form of tenders, a turkey burger or turkey bacon – it was likely processed at the Butterball LLC facility in Mount Olive. I visited the facility recently to celebrate the company's recertification in the Carolina Star program. The men and women who work in this facility play an essential role in bringing food to tables across the country. Butterball is the largest producer of turkey products in the United States and the Mount Olive facility alone processes an average of 55,000 turkeys per day. Read more about this impressive facility on Page 1.

The N.C. Association of Agricultural Fairs met March 3-5 in Cary for its annual convention. I was honored to participate in the program and personally thank fair managers and representatives for their role in creating safe, fun experiences for families across our state. After a tough year in 2020, these county fairs offered the first bit of normalcy that many folks, including me, finally experienced in 2021. Read more about the convention on Page 5. Agricultural fair season begins in a few short months – it's never too early to start planning your trip!

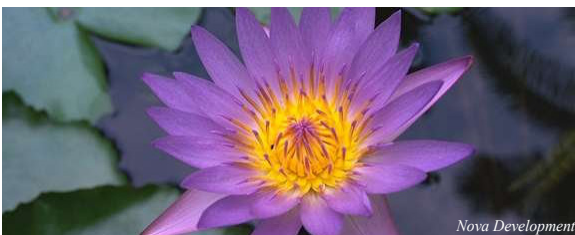
Two important safety awareness events are coming up on the calendar. Stand Up 4 Grain Safety Week is set for April 4-8. A safety stand up is an opportunity for employers to talk intentionally and directly to workers about hazards found in grain handling and storage environments. Any company interested in promoting workplace safety can participate in the stand up event. Visit standup4grainsafety.org for more information and to register.

The National Stand-Down to Prevent Falls in Construction is scheduled for May 2-6. Like Grain Safety Week, the construction stand-down is an opportunity for employers to take a break (stand-down) and help employees focus on fall hazards and the importance of fall prevention. Fatalities caused by falls from elevation continue to be one of the leading causes of death in the construction industry. We welcome your partnership in preventing construction injuries and deaths.

Annual safety award banquets begin this week and continue through June. I hope to see you at one of the 30 statewide banquets which are co-sponsored by our department and local organizations. Thank you for all you do to maintain a safe working environment.

Happy Easter and have a wonderful start to spring.

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**.

Carolina Star *Recertification

Biogen Inc. Drug Products Division RTP, Durham*
Bridgestone Bandag LLC, Oxford*
Cambrex Corp., Durham*
Cintas Location No. 410, Greenville*
Huntsman International LLC, Charlotte*
Norvartis Technical Operations, Wilson*

Building Star *Recertification

InServ Corp., Fuquay-Varina
Messer Construction Co., Charlotte
Monteith Construction Corp., Wilmington*

SHARP *Recertification

Blue Mountain Enterprises Inc., Kinston*
Cape Fear Public Utility Authority Administrative Services, Wilmington*
Cincinnati Thermal Spray, Rocky Point
Eastern Wrecker Sales Inc., Clayton*
Gaston County Dyeing Machine Co., Mount Holly*
High Point Pediatric Dentistry, High Point*
Tandemloc Inc., 110 Havelock*
Tandemloc Inc., 824 Havelock*
Town of Morrisville Fire Station 1, Morrisville*
Town of Morrisville Parks and Recreation, Morrisville*
Town of Morrisville Police Department, Morrisville*
Town of Morrisville Public Works, Morrisville*
Wrightsville Farm Mgmt. dba Jungle Rapids, Wilmington*



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Commissioner of Labor

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Caterpillar Safety Services Representative Presents “4 Domains of Safety Leadership” at Utility Contractors’ Meeting

By John Mallow, Public Information Officer

Representatives from the N.C. Department of Labor attended a Safety and Risk Management meeting held at Caterpillar Inc.’s Clayton facility. The event was organized by the National Utility Contractors Association (NUCA) of the Carolinas.

NUCA is an organization offering training and guidance to workers in the underground utility construction industry to improve the safety and health of their workplaces. The meeting featured several speakers who shared a similar message of promoting a culture of safety in the workplace.

Justin Ganschow, business development manager of Caterpillar Safety Services, presented “The 4 Domains of Safety Leadership,” which demonstrated the important role both leaders and employees play in developing, implementing and maintaining successful and effective workplace safety practices and values.

Near the end of the presentation, Ganschow took a moment to recall his experience working with a hydro-electric power company located in the Pacific Northwest. Following a serious safety incident, the company utilized Caterpillar Safety Services’ resources to approach workplace safety in a holistic manner.

“They embarked on a journey with us to improve their culture,” Ganschow said. “One where everyone was empowered to speak up when they saw something unsafe and where the employees became the guiding coalition for improvement alongside their leaders and safety professionals.”

Caterpillar Safety Services introduced their proprietary development tools to assist the electric company in its creation of Continuous Improvement (CI) teams. In Ganschow’s story, he discussed two employees at the company who were childhood friends and one joined the initial CI team.

“When RJ was first asked to serve on this team, he and his peers were vocally skeptical,” Ganschow said. “They had seen other safety programs come and go. If they held out long enough, leaders would get tired of trying to enforce it and give up. But that didn’t happen here.”

Despite the reservations held by some on the team, the implementation of the process of combined action between employers and employees was a success. RJ went on to join the company’s safety department, which RJ’s friend Josh was not enthusiastic about. Fast forward a couple of years and guess who flew out to visit RJ while he was speaking at a Caterpillar Safety Services event? It was Josh!

“What do people see when you and your leaders show up for safety? Do they see an enforcer, waiting to catch them doing something wrong,” Ganschow asked. “Or do they see RJ, someone who has made it their life’s mission to have their back—a credibly-conscious leader who is there to catch them doing something right and to acknowledge their talent and experience for making the company successful and safe?”

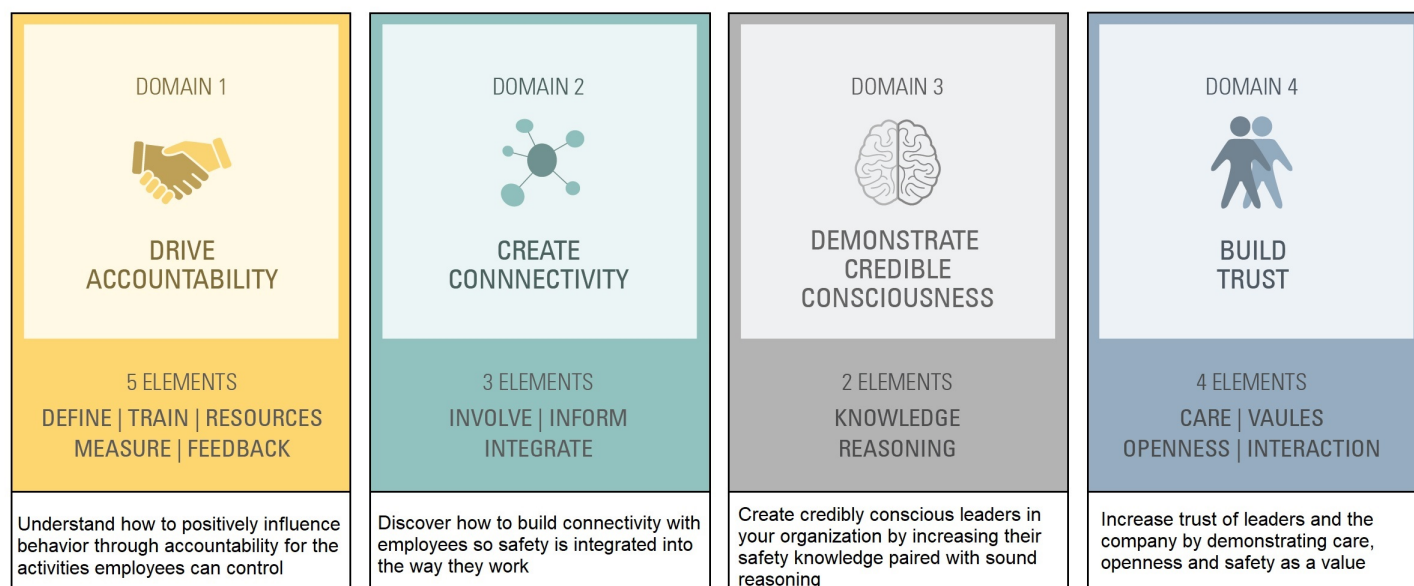
The 4 Domains, 14 Elements of Safety Leadership:

Caterpillar Safety Services has developed an effective tool for leaders to develop and implement an intentional safety culture through engaging their employees and inspiring safe behavior. After five years of research and development, Caterpillar discovered the four primary domains and 14 supporting elements that demonstrate strong safety leadership.

“Through its research, Caterpillar statistically validated exactly what those actions are and how to measure them,” Ganschow said. “The most effective leaders create a strong culture of accountability, develop meaningful connectivity with those they lead, demonstrate credible safety consciousness and build trust amongst their teams.”

For more information, visit cat.com/safety > **Safety Leadership**.

4 Domains and 14 Elements



N.C. Department of Labor Presents Boon Edam with SHARP Award

By John Mallow, Public Information Officer

On Wednesday, March 2, Labor Commissioner Josh Dobson presented Boon Edam with an award designating their Lillington manufacturing facility as a N.C. Department of Labor (NCDOL) SHARP (Safety and Health Achievement Recognition Program) site. Boon Edam is a Netherlands-based manufacturer of revolving doors, high security doors, security turnstiles and access gates.

Under a bright sun and with spring-like weather, the ceremonial SHARP flag was presented in front of the facility to the nearly 100 employees in attendance. Dobson spoke about North Carolina's focus on workplace safety.

"It's an honor for me to be here today at Boon Edam and meet all of you," Labor Commissioner Dobson said. "Workplace safety may fly under the radar for some people, but it's one thing that makes North Carolina unique. Employers across our state make a commitment to workplace safety every day, and Boon Edam is certainly a role model for other worksites looking to improve their safety culture."

Following the flag ceremony, Dobson and representatives from the NCDOL Consultative Services Bureau joined Boon Edam's Safety Committee on the factory floor where the committee was presented with the SHARP Award plaque.

"The SHARP designation is not something that the department of labor awards, it is something that a company earns," Blair Byrd, industrial hygiene consultant said. "Building a safety culture and earning the SHARP designation is a journey, not a destination and I congratulate Boon Edam for their dedication to safety."

Boon Edam operates manufacturing facilities in three countries and owns distribution centers worldwide. The company opened its Lillington location in 1988, making it the sole plant in North America. Earning their first-ever SHARP award solidifies the company's commitment to safety.

"I am proud of the safety culture we've built at this facility, and today's celebration is about you," President and Managing Director Patrick Nora said to Boon Edam employees. "We can purchase the right equipment and implement the right policies, but building a culture of safety relies on the discipline and commitment demonstrated by each of you."

Tracing its roots back to Amsterdam in 1873, company founder Gerrit Boon crafted revolving doors made from wood. The company carries his legacy of quality forward, all while exemplifying the company's motto of "We Revolve Around Safety." Boon Edam is the only SHARP site in Harnett County and only one of about 170 total in North Carolina.

"Congratulations to Boon Edam for receiving this prestigious award," Lewis Weatherspoon, chair, Harnett County Board of Commissioners said. "Boon Edam is one of Harnett County's largest employers and many of your workers live here in the county. Because of your focus on safety, our residents can go home safely each night."



Commissioner Dobson presents Boon Edam's Lillington plant Safety Committee with the NCDOL SHARP Award plaque.



Boon Edam Manufacturing's Lillington plant employees excitedly display the NCDOL SHARP flag after a presentation by Labor Commissioner Josh Dobson.

N.C. Association of Agricultural Fairs Meets in Cary for Annual Convention

By Erin Wilson, Public Information Officer

The North Carolina Association of Agricultural Fairs (NCAOAF) held their annual convention at the Embassy Suites by Hilton in Cary on March 3-5, 2022. Labor Commissioner Josh Dobson, Deputy Commissioner of Standards and Inspections, Phil Hooper, Elevator and Amusement Device Bureau Chief, Tommy Petty, N.C. Department of Labor (NCDOL) elevator and amusement device inspectors and other NCDOL staff attended the opening general session. Dobson provided brief remarks to convention attendees.

“We’ve faced two years of stress and anxiety unlike anything our country has ever faced,” Labor Commissioner Josh Dobson said. “Amidst all of this uncertainty, I recall attending the Drexel Community Fair in August of last year – that’s the first time I really felt normal since before March 2020. Having the opportunity to be at the fair, around good people, eating good food, having fun – that’s what we all missed for so long. Thanks to all of you in this room who allowed us to feel normal again.”

NCAOAF works to promote agricultural and community fairs around the state. The annual convention consists of a trade show, fair workshops, talent showcase, round table discussions, a silent auction, a closing banquet and networking opportunities for anyone involved in North Carolina fairs. Attendees range from law enforcement, ride operators, NCDOL staff, regional fair representatives and vendors, among many others.

Dobson also promoted NCDOL’s Fair Partnership Agreement program. This three-year program facilitates collaboration between the Elevator and Amusement Device Bureau and participating regional fairs to mutually promote rider safety for patrons and training for ride inspectors.

“The presence of Labor Commissioner Josh Dobson and NCDOL’s Elevator and Amusement Device Bureau at the N.C. Association of Agricultural Fairs’ annual convention shows a good faith effort to local and regional fair representatives and ride operators that we are here to help and to promote ride safety,” Elevator and Amusement Device Bureau Chief Tommy Petty, said. “We want everyone to enjoy the fair and our job is to help ensure that all rides are safe for operation.”

Statistics for state fiscal year 2021 show that NCDOL’s Elevator and Amusement Device Bureau completed 22,172 routine elevator inspections, 1,362 new elevator inspections and 1,749 alteration or repair inspections. Along with elevator inspections, NCDOL’s staff also inspected 4,477 amusement devices during that same time period.

“Thank you to our NCDOL Elevator and Amusement Device inspectors for their tireless work to ensure safety at the fairs,” Dobson said. “Most people know that we inspect elevators, but very few people know that our same inspectors are also responsible for inspecting amusement rides every time they are set up at a new location.”

The county fair season will kick off in August and runs through early November.



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Inside NC Labor

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

Episode 48 features Harriet Hopkins, REDB administrator, as she discusses NCDOL’s Mediation Settlement Conference Program for REDA complaints.

Episode 49 features Todd McNoldy, survey manager, and John Luckado, statistical research assistant, as they discuss the Research and Policy Bureau’s important work in collecting data on workplace injuries, illnesses and fatalities. Specifically, Todd and John discuss John’s work on the Census of Fatal Occupational Injuries (CFOI), which serves to compile and code all work-related fatalities in North Carolina.

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.



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Harrisburg Public Works, Public Sector SHARP Designation

By Erin Wilson, Public Information Officer

The N.C. Department of Labor (NCDOL) recognized the Town of Harrisburg Public Works Department with the designation as an NCDOL Public Sector SHARP (Safety and Health Achievement Recognition Program) site during a luncheon at Cabarrus Country Club on Friday, Feb. 11. Labor Commissioner Josh Dobson provided brief remarks and presented the department with a certificate and flag.

“Congratulations to the Harrisburg Public Works Department for becoming a designated Public Sector SHARP site,” Labor Commissioner Josh Dobson said. “Your commitment not only to the safety and health of your employees but also as a service provider to the citizens of the Town of Harrisburg is to be commended. Thank you for the work you do.”

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. The Public Sector SHARP recognizes certain categories of public sector employers. Existing categories include public works, sheriff and police, public utilities, fire, EMS, and parks and recreation.

“We are very proud, but not at all surprised by all the dedicated town employees that contributed to this outstanding achievement,” Interim Assistant Town Manager Rob Donham said. “Internally we already know how special our Public Works team is, and receiving the SHARP designation is a testament from the N.C. Department of Labor to the incredible commitment to excellence and safety that Harrisburg Public Works employees commit to on a daily basis.”

The Public Works Department is a service provider for the residents of the Town of Harrisburg. The department helps maintain properties or infrastructure owned by the town, provides stormwater and sanitation services, and oversees more than 60 miles of streets and sidewalks that are town-maintained.

“This award could not have been obtained without the dedicated employees at Public Works that spent untold amounts of time to get us in position to apply for this recognition,” Interim Town Manager Lee Connor said. “Larry Aldridge, Corey Jones and Sue Sayger were the leads in getting this done.”

This event marks the Harrisburg Public Works Department’s initial certification into the SHARP program. The town has previously worked with the Consultative Services Bureau and in 2021 applied to participate in the Public Sector SHARP program. The Town of Harrisburg’s Public Works Department received their first year silver award at last year’s Concord Safety Awards Banquet. The town’s Administration Division is also a participant in NCDOL’s safety awards program.



Labor Commissioner Josh Dobson presents employees of the Harrisburg Public Works Department with a SHARP certificate and flag during an awards ceremony on Feb. 11.



*By Harriet Hopkins, Administrator
Retaliatory Employment
Discrimination Bureau*

Q: I had an accident at work and seriously injured my back. The insurance carrier accepted my claim, but my physician wrote me out of work for at least 60 days. She later extended that restriction for an additional 30 days. When my employer learned about that, I was fired. I grieved my termination pursuant to the collective bargaining agreement between management and the union. I am waiting for a hearing. I think I was terminated because I filed a workers’ compensation claim. When do I file my REDA complaint? Do I wait until the union grievance procedure is over? Do I wait until my workers’ compensation case is resolved?

A: The Retaliatory Employment Discrimination Act (REDA) requires that a complaint must be filed within 180 days of the alleged adverse action. In your case, that would be 180 days from the date you were terminated. You should not wait until the union grievance process or your workers’ compensation cases are resolved. If either is resolved beyond 180 days from your termination date and you then filed your REDA complaint, it would be untimely under the statute and the NCDOL would be unable to investigate your complaint.

DEADLY Mistakes



By Judyth Forte, State Plan Coordinator

Fatal Event: On Dec. 1, 2020, an 18-year-old man died after he was ejected from the seat of the forklift he was driving, after he came into contact with the wheel of a moving tractor trailer.

Investigative findings: The employee worked for a support service provider for the poultry industry who provides contract work with several large poultry companies. The employer maintains five separate chicken catching crews throughout North Carolina who catch approximately 200,000 chickens a week. The support service employer provides labor and forklifts and the main employer provides the cages and the flatbed transportation. The employee was hired as a chicken catcher at a plant where they raise, feed and ready the poultry for transport. The employee was responsible for catching, picking up and placing live chickens into cages. Each chicken cage was approximately 8' x 4' x 4' tall. Chicken catching crews typically have five to six employees each and one or two certified forklift operators.

On the night of the incident the employee was assigned to operate a Moffett forklift (type: P6000) powered industrial truck. The new responsibility was to unload and load multiple chicken cages from multiple flatbed trailers. Forklift operators unload empty cages from the trailer, maneuver and position the cages in the building where the chicken catchers fill the cages, and the forklift operator then loads them back onto the tractor trailer. It is estimated that employees operate the forklifts for approximately six or more hours per shift. The forklift operators' work area is located in the roadway, parking lot area and inside of each building. During each tractor trailer load/unload, a forklift operator is required to move cages in a prearranged loading zone. The loading zone is generally from the building rollout door entrance to the length of the trailer, operating on the tractor trailer's driver's side where the forklift operator has a clear view of the tractor cab and driver. At the time of the accident the employee was operating a forklift in approximately 12 to 15 feet of parallel space between two tractor trailers. He was actively loading one

tractor trailer when the adjacent tractor trailer started to move to exit the property. The employee placed his forklift in reverse striking the adjacent trailer as it was moving forward. It was determined the rear wheel of the forklift made contact with the trailer's second rear axle wheel on the left side of truck. The tire-to-tire contact caused the forklift to jerk suddenly counterclockwise which ejected the employee from the operator's seat. The employee landed on the ground in a six-foot gap between the trailer's second rear axle and first rear axle. The tractor trailer was still in motion, and the driver was unaware of what had happened. The trailer's rear axle wheels rolled over the employee.

Discussion: The employee had been told by his crew leader to operate the forklift during his shift. It was revealed that the employee had not been formally trained or provided any instruction by his employer or evaluated for operator competency before being allowed to operate the forklift. The employee was not a certified operator. In addition, the employee was not wearing the seatbelt that was available on the forklift. The interlock safety feature had been bypassed by attaching the seatbelt behind the operator's seat.

If the employee's assigned duty did not include operating a forklift, then steps should have been taken to verify the employee had the required skill set before instructing him to drive the forklift. The employer should also have ensured that any employee that was assigned such tasks had experience of operating in such tight quarters around moving tractor trailers.

Recommendations:

Employers and employees need to follow manufacturers' operating instructions.

- ☠ Employees need to be formally trained before using a forklift. The training must be equipment specific.
- ☠ Employers must certify that each forklift operator has been trained.
- ☠ Only authorized and qualified employees can use a forklift.
- ☠ Employers must evaluate employee competence by way of a practical assessment.
- ☠ Operators must always wear the seatbelt provided by the manufacturer.
- ☠ If employees are observed not following all the operating procedures and abiding by the safety protocols, then management should address this with the employee and take disciplinary action if necessary.

WORKPLACE WORRIES



By Kisha Holmes, Administrator, Wage and Hour Bureau

Q: I turned in a two weeks' notice to my employer. We are paid via direct deposit. My employer has threatened to withhold my final paycheck if I do not work out the final two weeks. Is this legal?

A: The employer cannot withhold your wages if you do not work out the two weeks. All wages are due, for any hours worked, on or before the next regularly scheduled pay date.



Follow NCDOL on:





Bulletin Board

Mine and Quarry Training

MSHA New Miner Training

April 11-13, Spruce Pine

May 2-4, Morganton

May 9-11, Virtual

MSHA Annual Refresher Training

April 14, Spruce Pine

May 5, Morganton

May 12, Virtual

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

Stand Up 4 Grain Safety Week

April 4-8, 2022

Click **here** to view event details, resources and training calendar.

Fall Prevention Stand-Down Campaign

May 2-6, 2022

Click **here** to view event details and information.

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.

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

OSH Webinar Courses

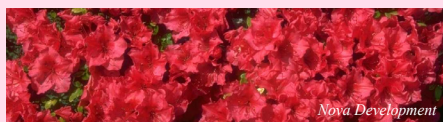
Visit the **OSH Training Schedule Calendar** to view upcoming internet training and other safety courses.

Library Update

Click **here** for information on How to Borrow from the Library or Available Resources.

Pre-Recorded Webinars

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



Have a Safe and Happy Spring!