



Cherie Berry, Commissioner

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**LEDGER**

## NCDOL, Holder Construction Celebrate Completion of Safety Partnership

By Neal O'Briant  
Public Information Officer

Officials with the N.C. Department of Labor and Holder Construction Inc. celebrated the completion of a safety partnership for the construction of the Bank of America Tower at North Hills (formerly known as the North Hills Tower II project).

Labor Commissioner Cherie Berry presented company officials with a certificate at the ceremony on Wednesday, March 9, in Raleigh.

"Thank you so much to everyone here," Commissioner Berry said. "This is so very important to us at the Department of Labor because of what you heard about our ability to work so closely with you and your subcontractors and everyone involved in this job so that they realize that the Department of Labor is in place to serve as a partner in making sure all the work going on across North Carolina is safe and healthy."

Holder Construction began working on the \$82-million, 18-story building in August 2014. NCDOL and Holder signed the safety partnership on Jan. 8, 2015. The Labor Department's Occupational Safety and Health Division helped identify programmatic needs at the site, helped identify measures to correct hazards, provided clarification as to the meaning and application of OSHA and state-specific standards, and provided training assistance.



*Danny Morales receives a certificate for the completion of the safety partnership between the N.C. Department of Labor and Holder Construction. From left to right, Scott Maeger, senior site superintendent; Danny Morales, safety director/risk management; Labor Commissioner Cherie Berry; Jorge Cisneros, corporate safety director; and Greg Smith, project manager.*



*The Bank of America Tower at North Hills in Raleigh: N.C. Department of Labor and Holder Construction officials celebrated the completion of a successful safety partnership for the construction of building on March 9.*

"This partnership brings tremendous value to the industry in general," said Danny Morales, safety director/risk management with Holder. "Because not only did we learn from each other, but there were 300 workers who left this project and went to other projects in North Carolina and took the knowledge and lessons learned to make it a safer industry."

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

"We feel privileged that we had this partnership," said Jorge Cisneros, corporate safety director with Holder. "The ultimate goal is, of course, not just for our workers but for anyone else who works around us to be safe on the next job."

Construction on the project began in August 2014. The building will provide more than 275,000 additional square feet of office space to the North Hills development. The Bank of America Tower at North Hills is now the tallest office structure along the I-440 Beltline.



## From Labor Commissioner Cherie Berry

The Labor Department's 2015 Annual Report is now available **here** on our website. I am proud of the work our employees did last year and hope you will take some time to look at the report. It will give you an idea of the scope of work done by our many different units.

We ended March with the official kickoff of the 2016 safety awards banquet season at the Lincoln Cultural Center in Lincolnton. This was the first of 30 banquets scheduled between now and June 24. (See the banquet schedule on page 6.) Once again, I look forward to attending each banquet and hope to have the opportunity to visit with many of you at the various venues across the state.

Providing safe and healthy workplaces is at the heart of the annual Safety Awards Program, and this year in particular, we have a lot to celebrate. The program is celebrating its 70<sup>th</sup> season this year, while our state has maintained the lowest injury and illness rate on record for private industry for two consecutive years—2.7 per 100 full-time workers.

To put this in perspective, in 2000, the year before I took office, the private industry injury and illness rate stood at 5.3 per 100 full-time workers. Our state has realized a 49 percent decline in the injury and illness rate over the past 14 years. That works out to 80,000 fewer injuries and illnesses suffered by workers in 2014 than in 2000.

It has been an honor to be part of a program that has established such deep roots throughout our state and one that continues to grow each year. I have no doubt that this program will one day celebrate 100 years and beyond. While many of us may not be here for those celebrations, it is comforting to know that the work we do today plays a part in leaving behind a lasting legacy for generations to come.

Keep up the great work.

*Cherie Berry*



**Cherie Berry**  
Commissioner of Labor

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## Inside this edition:

Durham Facility Earns Carolina Star	page 3
Greensboro Facility Earns Carolina Star	page 3
Hidden Dangers, In Plain Sight: Boiler Safety	page 4
NCDOL Celebrates Gold Star Growers	page 4
2016 Safety Awards Banquet Schedule	page 6
Deadly Mistakes	page 7
Workplace Worries	page 7
Bulletin Board	page 8

## Recognition Roundup

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

To view a complete list of all North Carolina general industry SHARP companies, visit [www.nclabor.com/osha/consult/sharp\\_sites.pdf](http://www.nclabor.com/osha/consult/sharp_sites.pdf).



### Safety and Health Achievement Recognition Program (SHARP)

APC Inc., Selma  
Coca-Cola Bottling Co., Monroe  
Automated Solutions LLC, Saw Mills  
Harris Rebar North Carolina Inc., Lumberton



### Carolina Star

Cataler North America, Lincolnton  
Roanoke Electric Cooperative, Aulander  
Seqirus (formerly Novartis Vaccines), Holly Springs  
Blueknight Energy Partners (formerly Axon Specialty Products), Wilmington (recertification)  
Louisiana Pacific Corp., Roaring River (recertification)



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# Durham Facility Earns Carolina Star

By Kimberly Bostic, Star Program Consultant

The NCDOL recently certified Sonoco Recycling LLC in Durham in the Carolina Star Program. Labor Commissioner Cherie Berry presented a certificate and the Carolina Star flag to the facility during a celebration Feb. 25.

“Every employee at this facility deserves credit for earning the Carolina Star,” Commissioner Berry said. “Each of you should take pride in what you have accomplished together.”

The Star Program is designed to recognize and promote an effective safety and health management system and recipients are self-sufficient in their ability to control hazards at the worksite. In Star, management, employees and the NCDOL establish a cooperative relationship in the workplace. Sonoco Recycling is committed to maintaining a world class safety and health program with the sole focus of ensuring the employees all go home the way they arrived at work.

There are 151 Star worksites in North Carolina, and Sonoco Recycling now proudly claims two of those worksites. The company’s Winston-Salem facility earned the Carolina Star in 2010. The Durham team started working on this transition in 2015 and has implemented and lived the 18 principles of the Star process.

A world leader in recycling, Sonoco Recycling collects more than 3.5 million tons of paper, plastic, metal and other materials annually. A unit of Sonoco, a multi-billion dollar global provider of consumer packaging, industrial products and supply chain services, their recycling roots date back to the 1920s. Today they operate more than 40 recycling facilities globally and help more than 15,000 retailers, manufacturers and communities save money, save resources and create clean, renewable energy.



*Labor Commissioner Cherie Berry joins employees of Sonoco Recycling in Durham in celebrating the facility’s earning the Carolina Star.*

# Greensboro Facility Earns Carolina Star

By Kimberly Bostic, Star Program Consultant

Cintas Corporation Location #45 in Greensboro celebrated achievement of the Carolina Star on Thursday, Feb. 11. Labor Commissioner Cherie Berry presented company officials with a certificate and the Carolina Star flag at the event.

“Being a Carolina Star sets you apart as being one of the best of the best,” Commissioner Berry said. “A good safety record is something to be proud of, and I am happy to recognize Cintas and all the employees of this facility who work hard to make safety a priority.”

The Carolina Star is the most prestigious safety recognition given by the N.C. Department of Labor. It falls under federal OSHA’s Voluntary Protection Program (VPP). Nationally, 2,217 locations are currently recognized under the VPP program. There are 151 Carolina Star sites across North Carolina. Three other Cintas locations in North Carolina have earned Carolina Star status: in Charlotte, Statesville and Stedman.

“Cintas is on a journey to achieve the highest level of safety recognition at all of our locations,” said Rick Gerlach, senior director of safety and health. “Earning OSHA’s VPP Star is not easy to do, and we are thrilled for the local management team and front-line employee-partners for working together to achieve this recognition.”

This Cintas location began its journey toward Carolina Star designation a few years ago by creating a strong safety improvement committee.

Cintas Corporation’s Todd Schneider, president and chief operating officer of the Rental Division, presented “The Brass Ring Award for Partner Safety Engagement” to general manager Jeff Wilt, who accepted it on behalf of all the worksite’s employee-partners.

“Safety is a total team effort, and the level of engagement among our employee-partners is outstanding,” Wilt said. “I’m proud of our employee-partners for taking ownership and being committed to making safety part of the way we do business.”

The Greensboro location, which employs 150 people, is the 34th Cintas facility in the United States to receive the VPP designation since 2011. Cintas Corporation has about 330 facilities throughout the world actively pursuing VPP recognition by OSHA or the equivalent under a similar certifying body. This includes operations in the U.S., Canada, Mexico and Honduras.

The event was also attended by Lt. Gov. Dan Forest and a representative from Congressman Mark Walker’s office, both of whom congratulated the worksite on achieving Star status. Congressman Walker’s representative presented the worksite with an American flag, which had been flown over the Capital Building in Washington, D.C., to commemorate the event.



*“The Brass Ring Award for Partner Safety Engagement” was presented to general manager Jeff Wilt, who accepted it on behalf of all the worksite’s employee-partners, during the Greensboro location’s Carolina Star event.*

# Hidden Dangers, In Plain Sight: Boiler and Pressure Vessel Safety Through Public Awareness

By Don Kinney, Assistant Chief, Boiler Safety Bureau

Boilers, water heaters and air compressors. Just a few common items that almost every one of us comes very near on a daily basis. These items contain stored energy, which under normal circumstances remains safe, to be used as intended heating our homes, providing us with hot water, or air and gases we need to do our jobs.

From about the mid-1800s through the turn of the 20th century, the United States saw the dawn of the modern steam boiler. This new, improved and very powerful tool came, quite literally, with growing pains. The lack of historical reference for materials and construction practices, along with very little technology for safety devices, led to many explosions. Scores of people were killed and injured, and buildings were damaged or completely leveled from the catastrophic failure of boilers. Ships, trains, factories, schools—no one was immune to tragedy.

Even now, boilers, storage tanks and other pressure retaining items are potentially dangerous. While operating, they contain large amounts of energy, which can fail instantaneously, usually with devastating results. When water changes from liquid to steam it expands about 1,600 times its original volume. In other words, 1 cubic foot of water can instantly convert to 1,600 cubic feet of steam. If a small boiler, such as a 30-gallon home water heater, were to explode and flash to steam at 332 degrees Fahrenheit, it would release enough energy to lift an average car to a height of nearly 125 feet in the air. A 50-gallon air tank operating at 150 psi has as much stored energy as 50 grams of TNT, about the same amount as a military MKII hand grenade.

Thankfully, since the early 20th century, construction and inspection codes have been written and adopted, to help ensure safe operation. The number of incidents began decreasing dramatically. The N.C. General Assembly first enacted a law instituting regulation of high-pressure boilers in 1935. Since then, coverage has expanded to include low-pressure boilers and pressure vessels. In 1975, the General Assembly enacted the Uniform Boiler and Pressure Vessel Act, codified as Chapter 95, Article 7A, of the General Statutes. The rules are contained within the N.C. Administrative Code, Chapter 13.

This brings us to today. Despite the fact that North Carolina has regulated boilers since 1935 and pressure vessels since 1975, we still receive comments from business owners and citizens that they had never heard about our inspectors and the job they do. So, in the first part of 2015, we decided to do something about that. The Boiler Safety Bureau began its public awareness program in June 2015. The program included developing a new informational brochure. The brochure is handed out by inspectors who visit new locations and was mailed to as many manufacturers, installers and repair organizations as possible.

The bureau will participate in a *Lunch and Labor with Commissioner Cherie Berry* radio show on May 3, the development of a *Work4NC Cool Jobs* YouTube video, and updating our website. The bureau will also seek partnerships, speaking engagements and trade show opportunities to educate the public about what we do.

The Boiler Safety Bureau is dedicated to continuing its legacy of improving boiler and pressure vessel safety through our daily duties of inspection, and education through our public awareness program.

## NCDOL Celebrates Gold Star Growers

By Neal O'Briant  
Public Information Officer

More than 150 people gathered in the Gov. James G. Martin Building at the State Fairgrounds on Feb. 3 for the Agricultural Safety and Health Bureau's 22nd Annual Gold Star Grower luncheon. ASH Bureau staff established this event to recognize those growers who exceed the standards for migrant housing.

In addition to their housing being 100 percent in compliance at the time of the preoccupancy inspection, last year's 285 Gold Star recipients voluntarily improved their farmworker housing beyond the minimum requirements. Some examples of ways the growers improved their housing include adding items such as air conditioning, additional refrigerators, extra bathroom showers and recreation areas. The bureau has held the luncheon in recent years in conjunction with the Southern Farm Show at the fairgrounds so that attendees can make the most of the visit to Raleigh.

Agriculture Commissioner Steve Troxler gave the growers an update on the state of agriculture and the many federal regulations affecting farmers across the state.

Vanya Jones, Ph.D., from Johns Hopkins University gave the keynote speech. Dr. Jones recounted her experience working as an intern with the Agricultural Safety and Health Bureau while she was studying for her master's degree at UNC's School of Public Health. Her project with the ASH Bureau focused on the safety of farm equipment on rural roads. She looked at how to educate farmers about their duties and responsibilities moving farm equipment on roads as well as to educate the general public about theirs. One huge success of the project was the addition of a section on safe driving around



*Robin Hardy receives the Best Maintained Housing Award from Labor Commissioner Cherie Berry and ASH compliance officer Alan Fortner.*



## NCDOL Celebrates Gold Star Growers

*continued from page 4*

farm equipment to the North Carolina Driver's Handbook, the book every person studying to pass the test for a driver's license reads.

Ron Wright of RJR Tobacco spoke to the growers about the emphasis his company has placed on helping them improve things to keep American tobacco as the highest quality in the world.

"You told us housing was important, so we committed funds during the past three years through Telemon, which is here today, to ensure there are monies there to help you upgrade your housing," Wright said.

Labor Commissioner Cherie Berry welcomed the Gold Star recipients as the "best of the best." She recognized them for their dedication to promoting safety and health on their farms and beyond.

"Thank you all for being here today so that we can recognize your outstanding efforts throughout the last year," Commissioner Berry said. "We're nothing without all of you. A point has been well made today that none of us operate in a vacuum, that we're all together in whatever we try to do. We can't take one step without seeing someone, or being in a situation where we interact with someone. ... We're all so tied together. And that's what you are in the farming community. You're a big family in North Carolina, and I'm proud to be a part of that."



*Jane Lancaster receives the Exceptional Migrant Housing Award on behalf of Glen Lancaster from Labor Commissioner Cherie Berry and ASH compliance officer Drew Long.*



*Bennie and Linda Barham receive the Ron Hudler Workplace Safety Training Award at the Gold Star Grower Luncheon. From left to right, ASH compliance officer Johana Ramirez, Dale Hudler, Bennie and Linda Barham, and Labor Commissioner Cherie Berry.*

Lauren Norton, ASH compliance officer, helped Lenwood Edwards of Edwards and Foster Farms in Louisburg give a presentation on a safety improvement they made at his farm. During an inspection on the farm, Norton observed a hazard where tobacco was processed. A worker was standing on a narrow railing with the potential to fall into a pit. Edwards and his group built a ramp around the hazard. It made the man's job easier and safer. When they asked the worker, he said he felt less tired at the end of the day. Labor Commissioner Berry presented a certificate of appreciation to Edwards for his willingness to talk about the safety improvement they made.

The bureau recognized three growers with special awards. Robin Hardy, Robin Hardy Farms LLC, Lenoir County, received the Best Maintained Housing Award. Jane Lancaster received the Exceptional Migrant Housing Award on behalf of Glen Lancaster, Lancaster Properties, Wilson County. Bennie and Linda Barham, Barham Farms, Wake County, received the Ronald Frederick Hudler Workplace Safety Training Award. The bureau created the award in 2009 to honor the memory of Ron Hudler, former chairman of the department's Agricultural Safety and Health Advisory Committee.

**Join the  
National Safety  
Stand-Down  
To Prevent Falls in Construction  
May 2-6, 2016**

[www.osha.gov/StopFallsStandDown/](http://www.osha.gov/StopFallsStandDown/)



## 2016 Safety Award Banquet Schedule

*The following safety award banquets are scheduled for March, April, May and June. For more information about the Safety Awards Program, contact Eursula Joyner at 919-807-2908 or [eursula.joyner@labor.nc.gov](mailto:eursula.joyner@labor.nc.gov).*

Thursday, March 31	7 p.m.	Lincoln Cultural Center	Lincolnton
Thursday, April 7	6 p.m.	Old Country Club Steakhouse	Roxboro
Thursday, April 14	6 p.m.	LeGrand Center	Shelby
Tuesday, April 19	noon	AVS Banquet Center	Asheboro
Thursday, April 21	noon	Willow Springs Country Club	Wilson
Thursday, April 21	6 p.m.	Rock Springs Events Center	Greenville
Tuesday, April 26	6:30 p.m.	Ahoskie Inn	Ahoskie
Thursday, April 28	noon	South Piedmont Community College	Monroe
Friday, April 29	noon	Embassy Suites	Charlotte
Thursday, May 5	8 a.m.	Greensboro Coliseum	Greensboro
Friday, May 6	noon	Cabarrus County Country Club	Concord
Tuesday, May 10	noon	Benvenue Country Club	Rocky Mount
Wednesday, May 11	noon	Lane Tree Country Club	Goldsboro
Thursday, May 12	noon	Mebane Arts and Community Center	Burlington
Monday, May 16	6 p.m.	Oliver's	Wadesboro
Tuesday, May 17	6 p.m.	Morganton Community House	Morganton
Wednesday, May 18	noon	Ramada Inn	Statesville
Tuesday, May 24	noon	Women's Club	Thomasville
Thursday, June 2	6 p.m.	Henderson Country Club	Henderson
Friday, June 3	noon	Crabtree Marriott	Raleigh
Tuesday, June 7	6 p.m.	Expo Center	Clinton
Thursday, June 9	6 p.m.	Adelio's Restaurant	Lumberton
Monday, June 13	6 p.m.	Wilmington Community College North Campus	Wilmington
Tuesday, June 14	11:30 a.m.	City of Sanford Public Works Service Center	Sanford
Wednesday, June 15	noon	Olivia's Catering	Kinston
Thursday, June 16	6 p.m.	Gastonia Country Club	Gastonia
Monday, June 20	noon	Stanly Regional Medical Center	Albemarle
Tuesday, June 21	6 p.m.	Doubletree	Asheville
Thursday, June 23	6 p.m.	Crown Plaza	Hickory
Friday, June 24	noon	Cross Creek Country Club	Mount Airy

# DEADLY

## Mistakes

By Steve Sykes  
State Plan Coordinator

**Fatal Event:** On June 3, 2015, a 45-year-old

exterminator died from a bee sting after experiencing a severe allergic reaction.

**Investigative Findings:** The victim was employed by an exterminating company and was conducting a pest control inspection at the time of the bee sting. The exterminator had begun his inspection in the kitchen but informed the homeowner that he needed to go out to his truck. When the victim came back to the house, he indicated that he had been stung by a bee, and the homeowner observed a number of bees in his hair. The victim soon began experiencing shortness of breath. He informed the home owner that he was allergic to bee stings and told her there was an EpiPen in his pocket. Unfortunately, the homeowner was unable to move the victim to a position in which she could secure and utilize the EpiPen. As the incident evolved, the homeowner called 911 and the paramedics arrived within 10 minutes of the call.

The company owner indicated that the victim had gone to the hospital previously from an allergic reaction to ant bites and that he carried an EpiPen with him. The victim was not wearing any type of personal protective equipment at the time of the bee stings or any special clothing in deference to possible contact with venomous insects. Prior to the inspection, the victim had not been informed of any specific issues at the residence relating to bees.

The employer had issued personal protective equipment (PPE) to employees including gloves and goggles but did not monitor its use and did not provide anything specifically relating to protection from flying insects. Employees mixed and sprayed chemicals as part of the home treatment for insects. The employer had not performed a hazard assessment to determine what hazards employees might be exposed to that would require PPE.

**Discussion:** The N.C. Department of Labor's OSH Division received two reports in 2015 of employees dying on the job as

result of allergic reactions to bee stings. In addition to the above mentioned exterminator, an employee mowing grass also died as a result of a bee sting. Ordinarily, bee stings are not life threatening, but for those persons who are allergic to the flying insect's venom, death can occur.

Any workplace death no matter how unique must be reported to the OSH Division within eight hours. Failure to report as required normally results in a \$5,000 penalty. The OSH Division learned about the death of the employee mowing grass from the Office of the Chief Medical Examiner, and it was not reported by an employer as required.

### Recommendations:

- ☠ An employer should assess the workplace to determine if hazards are present that might require the use of PPE or other protective clothing.
- ☠ Employers should train their employees on the danger associated with contact with certain venom-producing insects while working outdoors.
- ☠ As venom-producing insect season approaches, workers should be more diligent about evaluating their surroundings to determine the presence of bee hives or wasp nests.
- ☠ People who have had allergic reactions to stings in the past should be particularly careful about exposure to flying insects and take extra precautions.
- ☠ Don't attract insects with sugary beverages, discarded food or perfumed personal hygiene products.
- ☠ Be careful mowing or cutting outside and assess the work area before work begins for the presence of bee hives or wasp nests. Workers may not be as attentive to their work environment once work begins.
- ☠ Those who have experienced a severe allergic reaction to flying insect venom should consider maintaining an epinephrine auto-injector such as an EpiPen.



By Christine Ryan, Administrator  
Wage and Hour Bureau

**Q: What is the minimum wage that my employer must pay?**

**A:** Under both state and federal law, the minimum wage for covered nonexempt employees is \$7.25 per hour. For workers who receive tips, the employer may pay a tipped employee an hourly wage of \$2.13, if (a) the employee regularly receives tips and (b) the amount received in tips combined with the hourly wage add up to an average of at least \$7.25 per hour. There are a few exceptions to the minimum wage statutes, including a reduced wage for full-time students, apprentices and certain workers with significant disabilities.

Workers who are "exempt" from the minimum wage statute are not required to be paid minimum wage for the hours worked. Employees who fall under minimum wage exemptions include some farmworkers and certain executive and administrative professionals who qualify

for the exemption and are paid on a salary basis. The U.S. Department of Labor publishes fact sheets related to some of these exemptions. An overview can be found here: [www.dol.gov/whd/overtime/fs17a\\_overview.pdf](http://www.dol.gov/whd/overtime/fs17a_overview.pdf).



Noya Development





# Bulletin Board

## Mine and Quarry Training

### Part 46 New Miner Training

April 19, Greensboro

March 21-23, Wake Forest

### Part 46 Annual Refresher Training

April 21, Greensboro

### Annual Refresher Training

April 14, Wake Forest

May 26, Wake Forest

### New Miner Training

April 11-13, Wake Forest

May 23-25, Wake Forest

### First Aid Training

April 20, Greensboro

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

## 10-Hour Construction Industry Awareness Course, Spanish

April 11-12, Greenville

Click [here](#) for more information.

April 18-19, Winston-Salem

Click [here](#) for more information.

May 24-25, Charlotte

Click [here](#) for more information.

This course will be delivered in Spanish and will provide participants 10 hours of instruction that will address the many recognized hazards of the construction industry. During this awareness course, the "Big Four" hazards (falls, electrical, struck by, and caught in/between) will be included as part of the two-day training session.

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.

## Complying With OSHA Construction Industry Standards—Beginners Level

April 20-21, Raleigh

This two-day course has been designed for new environmental, health and safety (EHS) professionals who are responsible for safety and health at their organization. The course covers construction industry standards, state-specific standards for the construction industry and the recordkeeping standards. Click [here](#) for more information.

## 10-Hour General Industry Awareness Course

May 24-25, Burlington

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.

## 86th Annual NC Statewide Safety Conference

May 10-12, Greensboro

<http://ncsafetyconference.com/>

## OSH Webinar Courses

Visit the OSH Training Schedule Calendar [here](#) to view upcoming Internet training and other safety courses. Upcoming webinar topics include ergonomics, lockout/tagout, recordkeeping, heat stress, and hazard communication. Check the calendar for new courses being added soon.