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N.C. Department of Labor

Cherie Berry, Commissioner

Labor

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New Attraction to Debut at State Fair

*By Neal O'Briant
Public Information Officer*

The State Fair Flyer sky ride will debut at this year's N.C. State Fair. The sky ride is a chairlift with 126 seats with canopies. The brightly colored seats will carry fairgoers along the main midway.

The new sky ride has two entrances/exits. One is the Wilbur Terminus, near Gate 8 and Heritage Circle. The other is the Orville Terminus, between the east end of Restaurant Row and the Gov. Kerr Scott Building. The ride covers the 1,450 feet at 2 mph, taking about 7 minutes to go from one end to the other and 14 minutes for a round trip. The maximum height above the ground is 42 feet. In addition to giving passengers a great view of the midway and the surrounding fairgrounds, the ride will also provide a way to bypass the crowded walkways.

"The State Fair Flyer is a beautiful ride and will be a nice addition to this year's fair," Labor Commissioner Cherie Berry said. "The only other North Carolina fair that has a lift like it is the Mountain State Fair in Fletcher, which I had the pleasure to ride earlier this month after that fair's ride safety press conference."

The Labor Department's Elevator and Amusement Device Bureau has been inspecting the State Fair Flyer during all phases of its construction at the fairgrounds. Some of the things the bureau's inspectors have tested included a slip test, grip making, torque of the brake, and checking all switches, carriage position, fluid levels in the gearbox, fire extinguishers, grounding, anchor bolts, and numbering of the towers and chairs. After these tests, the inspectors tested the lift with no load to check the stopping distance, bullwheel revolutions and the electrical components.

A full load test followed. For this test, each chair was loaded with a barrel of water weighing 374 pounds, which is the test load weight under the ANSI standard, allowing for 170 pounds per person plus 10 percent. During this test, the inspectors checked for carriage movement and hydraulic pressure. Additional items the inspectors looked at during this inspection included normal and emergency stopping distances, the auxiliary engine, and rollback. The inspectors also checked that all sheaves were properly adjusted and checked the towers and access to the towers. The testing will include performing an emergency evacuation of the lift and making sure backup systems are in place in case of a power outage.

The State Fair Flyer falls under the Passenger Tramway Safety Act of North Carolina. Other devices the bureau inspects under this act include ski lifts and tow ropes. The State Fair Flyer is the only permanent chairlift device in North Carolina east of the mountains.

The inspectors with the bureau will also be inspecting all amusement rides at the State Fair that fall under the Amusement Device Safety Act of North Carolina. Amusement rides in North Carolina are inspected each time they are assembled in our state.

"We inspect the rides each time they are assembled even if we looked at the same rides the week before," said Tommy Petty, deputy bureau chief for the Elevator and Amusement Device Bureau. "I have even inspected a ride twice in the same day at two different locations. It's important to take another look because as the rides are moved from venue to venue, they can get damaged or bolts may loosen."

During amusement ride inspections, the inspectors begin looking at a ride while it's still on the truck. They check all phases of the erection of the equipment from the ground up. They check the blocking, shoring and clearance of each ride and also look at the electrical and hydraulic controls. They check every nut, bolt and pin to ensure the ride is safe.

"There are two key reasons that North Carolina has one of the most stringent ride inspections processes," Commissioner Berry said. "First, we have the 100 percent rule in North Carolina, which means the ride must meet the manufacturer's specifications 100 percent to operate in our state. Some other states do not have this requirement and would allow you to rope off or tape off a broken section of a ride, but we do not allow that in North Carolina. Georgia is the only other state that requires rides to meet the 100 percent rule. Secondly, we do not allow third-party inspections. This helps avoid any conflicts of



The State Fair Flyer sky ride will give fairgoers a great view of the midway and other attractions at the N.C. State Fair.

NCDOL Photo Library



From Labor Commissioner Cherie Berry

I am excited about the new permanent chairlift being built for the N.C. State Fair. The State Fair Flyer is a beautiful ride and will be a nice addition to this year's fair. The only other North Carolina fair that has a lift like it is the Mountain State Fair in Fletcher, which I had the pleasure to ride earlier this month after that fair's ride safety press conference.

Our Elevator and Amusement Device inspectors have been involved with making sure the State Fair Flyer meets all applicable codes and will be safe for the public. The inspection process is very involved. The inspectors are checking everything on the ride—from the biggest parts down to the smallest bolt.

Fair season is a busy time for our elevator and amusement device inspectors. There are more than 40 fairs across our state plus numerous other events with rides. Every time a ride is set up in North Carolina, our inspectors are there to make sure that it meets the manufacturer's specification 100 percent.

Eight years ago we launched the fair partnership under the N.C. Safety Amusement Star Program. This voluntary partnership between the Elevator and Amusement Device Bureau and fair managers has helped elevate safety on the midway and reduce needless accidents.

I want to thank these managers and fair staffs for going beyond the basic requirements of the law to make their fairs even safer. North Carolina has earned its reputation as the safest state for amusement rides.

Cherie Berry



Cherie Berry
Commissioner of Labor

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Recognition Roundup

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

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



Safety and Health Achievement Recognition Program (SHARP)

Tandemloc Inc., Havelock

Independent Beverage Co. LLC, Charlotte



Carolina Star

Roanoke Electric Cooperative, Aulander

Cintas Corp., Location #936, Stedman (recertification)



*Harvest
Safety
this Fall*

Nova Development



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New Attraction to Debut at State Fair

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interest with vendors or operators in the industry.”

American Sky Lifts of Sanford was the winning company out of three bidders for the opportunity to construct and operate a chairlift at the State Fair. The State Fair will get 68 percent of the revenue, and American Sky Lifts will receive 32 percent. The company contracted with Partek Enterprises, a company that specializes in ski lift construction, to build the State Fair Flyer. The total construction costs will be around \$1 million. Construction of the towers began the first week of June.

In addition to the State Fair, American Sky Lifts can operate the sky lift during other events at the fairgrounds during the year such as the spring Got To Be NC festival.

The cost to ride the State Fair Flyer during the fair is \$5 for a one-way ticket and \$8 for a round-trip ticket. Discount tickets are available **here** on the N.C. State Fair website, reducing the price to \$4 for a one-way ticket and \$7 for a round-trip. People who choose to purchase a round-trip ticket can ride one way, get off the lift to enjoy the attractions in the area, and then ride back.

Tommy Petty, deputy bureau chief for the Elevator and Amusement Device Bureau, talks to media representatives during a press conference about the inspection process.



Statesville Company Celebrates Carolina Star

By Kimberly Bostic, Star Program Consultant

Employees of Cintas Corp., Location 230, in Statesville celebrated their first Carolina Star recertification on July 28. The location has been approved as a Carolina Star worksite since September 2012. Labor Commissioner Cherie Berry attended the celebration to present Cintas with a certificate and an acrylic Carolina Star plaque. The Statesville facility was also recognized with the NCDOL Gold Safety Award for the third consecutive year at the 2016 Iredell Safety Awards Banquet.

The employees of Cintas are referred to as partners, and this has been reflected in their efforts to be successful as a team. This was especially true in light of the fact that although the partners were celebrating their achievements, they also mourned the recent loss of a valued partner from a non-work-related tragedy.

Tom Rager, general manager of Cintas Location 230, addressed the partners during the celebration, commending them on their generosity to their partner’s family and the accomplishment of Carolina Star recertification.

“In times of difficulty, you really see what teams are made of,” Rager said. “It was wonderful to see how many people worked incredibly hard to help the team when they were shorthanded and heartbroken. We are here to celebrate not only an accomplishment, but a great team. A successful safety culture is built on trust. Trust that the person next to you is not only looking out for their safety, but yours as well. Trust that your leaders would not put you into any situation that would risk your safety. Trust that each partner is working safely each and every day in order to go home to their family. I believe this trust is what our safety culture at Location 230 is based on.

“There are many benefits to the Carolina Star Program. These include best practice sharing with other Star companies, comprehensive safety program evaluations and the ability to reach out to our friends at N.C. Labor and ask for help. I would be remiss if I didn’t mention the pride that comes with being the best of the best. A strong safety culture also helps develop a culture of execution with business goals. I believe Carolina Star and the habits that come with the process makes us better in every aspect of business. There is no denying that where you embrace safety, business results soon follow.”

Commissioner Berry also commended the partners on the achievement.

“I’m so touched by the way you rallied around a family member in their time of need—that’s what Carolina Star is all about; that’s what the Department of Labor is all about,” Commissioner Berry said. “You know that every single person in this facility has your back no matter what happens. I don’t see that everywhere I go in North Carolina. I can’t thank you enough for what you do every single day. Thank you for being the compassionate and caring beings that you are. You can’t have a good safety and health program unless everybody at the facility takes care of each other. You can truly be your brothers and sisters’ keepers. That’s why I’m so glad to be back here with you to recertify your Carolina Star designation—you are the best of the best in the state. You should be letting everyone know that you have achieved Carolina Star and you’ve gone even further by being recertified.”



Labor Commissioner Cherie Berry joins Cintas partners at the company's Statesville location to celebrate recertification as a Carolina Star. From left to right, Andy Green, Craig Dulin, Amanda Speaks, Devon V'Soske, Chauna Gill, Commissioner Berry and Tom Rager.

20th Annual Carolina Star Safety Conference

By LaMont Smith, Recognition Program Manager

The Annual Carolina Star Safety Conference took place at the Joseph S. Koury Convention Center in Greensboro on Sept. 14-16. The theme of the conference was “Safety: Back to the Basics.” There were 678 registered attendees, and a total of 740 conference participants from across the state attended the conference, including a variety of vendors, speakers and guests at the event.

Opening day for conference activity began with preconference workshops designed to promote the growth of the N.C. Department of Labor’s Star Program. The preconference workshops included topics that focused on the Star application and evaluation process. In addition, there were preconference workshops to assist current participants with preparing their Annual Star Report and other topics to provide all participants with a better understanding of the new rules and regulations associated with the OSHA Confined Space Standard.

As the day progressed, the conference transitioned into the general session, where opening speaker Michael Dupont provided the audience with an inspiring safety message. Dupont is an environmental, health and safety professional who has held various leadership roles with multinational corporations for over 20 years. He was able to provide the audience with an awareness of the safety challenges that exist within the workplace today. Dupont’s career has allowed him to play an integral part in helping companies achieve progressive cultural evolution and improve their profitable sustainability.

The Carolina Star Safety Conference provided the participants with many opportunities to network and discuss safe work practices. There were several breakout session topics that concentrated on the key components of an effective safety and health management system. In addition, many breakout sessions focused on building and maintaining positive safety cultures that shape and mold the attitudes and behaviors of all worksite personnel. Conference participants indicated that they enjoyed the opportunity to share safety ideas and perspectives with employees from other companies.

There are six regional teams that share in responsibility of the conference activities. The designated representatives of these regional teams include: Roxanne Bailey, Duke Energy; Lisa Christian, Caterpillar; Lief Fitzpatrick, Mecklenburg Parks and Recreation; Chauna Gill, Cintas; Brett Houser, Georgia Pacific; Jeff Ivy, Mundy @ Elementis; Nina Lockman, Eaton Corporation; Charles Phillips, Butterball; Chris Powers, Mount Olive Pickle; Barry Scarbrough, City of Greensboro; Terry Williams, General Electric Aviation; and Shirley Williford, International Paper. The Carolina Star Board of Directors recognized the team representatives for their leadership roles as co-team leaders.

In addition, Kim Burton, past board member and president, was recognized for her many years of service and contributions to the Carolina Star Safety Conference Board of Directors. Finally, Ron Ellis, former Star Program consultant, retired after 22-plus years of service as a state employee. As a result, Ron was recognized for his 14 years of dedicated service to the Carolina Star Program and conference activity.

Closing guest speaker Tim Ludwig, Ph.D., provided an energetic presentation on the importance of positive reinforcement. Ludwig earned his doctorate from Virginia Tech University, researching the benefits of employee-driven behavioral safety programs. A distinguished graduate professor at Appalachian State University, Dr. Ludwig teaches in the nationally recognized Industrial/Organizational Psychology and Human Resources Management Master’s Program. Ludwig stated that “behavior seeks reinforcement!” Therefore, he encouraged the audience to build a safety culture on a foundation that recognizes and/or provides feedback with respect to observed behaviors.

During the closing session of the conference, Kevin Beauregard, deputy commissioner/director of NCDOL’s Occupational Safety and Health Division, provided the audience with an update on the division. He spoke about the significant decrease in North Carolina’s injury and illness rates since 2001. The state of North Carolina’s injury and illness rate dropped from 4.8 to 2.9. Beauregard indicated that decreasing rate can be attributed to the efforts of the agency in its entirety, including increasing training and outreach efforts and increased activity in designated OSHA Special Emphasis Program (SEP) areas.

Beauregard further recognized the collaborative efforts of the entire OSH Division for assisting the agency with its success over the years. Finally, he commended the OSH Division recognition programs such as the Education, Training and Technical Assistance Bureau’s (ETTA’s) Carolina Star Program and



Carolina Star Safety Conference regional Star team leaders receive recognition during the conference. From left to right, Lisa Christian, Caterpillar; Jeff Ivy, Mundy @ Elementis; Roxanne Bailey, Duke Energy; Terry Williams, General Electric Aviation; Barry Scarbrough, City of Greensboro; Chris Powers, Mount Olive Pickle; Nina Lockman, Eaton Corporation; Lief Fitzpatrick, Mecklenburg Parks and Recreation; (not pictured: Chauna Gill, Cintas; Brett Houser, Georgia Pacific; Charles Phillips, Butterball; and Shirley Williford, International Paper).



Michael Dupont gives the keynote address at the Carolina Star Safety Conference.

the Consultative Services Bureau’s Safety Health Achievement Recognition Program (SHARP) on their efforts and for being recognized among all OSHA programs throughout the country as top programs in terms of productivity and quality. Beauregard indicated that through his travels and meetings with OSHA officials from other states that he often receives positive feedback regarding both the Carolina Star and SHARP recognition programs.

Labor Commissioner Cherie Berry closed the conference with an inspirational speech about how top safety organizations like Carolina Star Program participants need to continue being leaders in safety and health. Commissioner Berry continued by encouraging all of the conference attendees to spread the word regarding the importance of safety. In addition, Berry encouraged the audience to mentor other companies and promote the continued growth of the Carolina Star Program. The 2017 Annual Carolina Star Safety Conference is scheduled for Sept. 19-22 at the Joseph S. Koury Convention Center in Greensboro.

DEADLY Mistakes

By Kevin O'Barr, Bureau Chief
Consultative Services Bureau

Fatal Event: On June 29, 2015, an incident at a lumber company in Granite Falls resulted in the death of a forklift operator. The operator had worked for the company for 33 years and had 25 years of forklift operation experience. After parking near a load he was asked to move, the employee apparently exited the forklift and was unable to move out of its path after it began to roll. He was killed by the tires of the forklift as they struck and drug him for a few feet.

Investigative Findings: The lumber company had a total of 69 forklift operators and 24 forklifts of different types and sizes. An inspection of the truck after the accident did not reveal any problems with the brakes or parking brake.

Discussion: Struck-by accidents remain one of the four major causes of workplace fatalities. By eliminating the risk of struck-by events, employers can make an important reduction in occupational fatalities.

The OSHA standard that applies to the pieces of equipment commonly called forklifts is titled the Powered Industrial Trucks Standard and is located at 29 CFR 1910.178 for employers in general industry. Powered industrial trucks come in all shapes and sizes with the general ability to

move large containers or pallets. (Powered pallet jacks are also covered by this standard.)

Each type of powered industrial truck can present a slightly different hazard type. Operators may stand or sit depending on the design. Operators must consider their own safety and that of the nearby co-workers or other people. According to OSHA, the four most common forklift injuries are when the truck is driven off a loading dock, when the forklift falls between the loading dock and an unsecured trailer, when someone is struck by the forklift, and when someone falls off of an elevated pallet.

Recommendations: The Powered Industrial Trucks Standard requires operators to be trained on each truck they operate and evaluated by observation at least every three years. Trained operators will know how to perform tasks with the truck safely and demonstrate their skill during a workplace observation. Training will include both classroom and hands-on practice. An example curriculum and evaluation checklists are available for your download and use at https://osha.gov/dte/library/materials_library.html#poweredindustrialtrucks

Employers must ensure that their trucks are in proper working order and that the operators have completed training and demonstrated safe operational skills. Please ensure that the forklift operators at your company have been evaluated with the truck they operate and that they understand the hazards of the truck itself and those hazards the workplace uniquely presents.



By Christine Ryan, Administrator
Wage and Hour Bureau

WORKPLACE WORRIES

Q: *I have been working for the same employer full-time for over a year. They still are not offering me any paid time off for vacation. Is that legal?*

A: Employers are not legally required to offer any paid vacation time. It is entirely up to the employer to offer paid vacation time or sick time. If the employer offers such a benefit, North Carolina law requires that the employer make available to all employees, in writing or through a posted notice, all practices and policies with regard to pay and other promised wages like paid leave. When employers offer those benefits, the written policies and practices are often provided to employees through their employee handbook or sometimes on the internal website that employees can access. Employees should make sure they keep any employee handbook or manual that is provided at the time of initial hire or orientation. These handbooks frequently provide employees with information that affects their rights.



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at the N.C. State Fair!**



Bulletin Board

Mine and Quarry Training

New Miner Training
Oct. 17-19, Wake Forest
Oct. 18, Cameron
Nov. 1, Greensboro
Dec. 13, Greensboro

Annual Refresher Training
Oct. 20, Wake Forest
Oct. 20, Cameron
Oct. 26, Winston-Salem
Nov. 3, Greensboro
Dec. 15, Greensboro

First Aid/CPR Training
Oct. 19, Cameron
Nov. 2, Greensboro
Dec. 14, Greensboro

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

Complying With OSHA General Industry Standards—Beginners Level

Nov. 2-3, Raleigh
Click [here](#) for more information.

March 22-23, Raleigh
Click [here](#) for more information.

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 general industry standards, state-specific standards for the general industry and the recordkeeping standards.

North Carolina Safety Congress

Nov. 17-18, Charlotte
www.safetync.org/safetycongress.htm

Western North Carolina Safety and Health Conference

Oct. 31-Nov. 2, Asheville
<http://wncsafetyschool.com/>

1-800-NC-LABOR
www.nclabor.com

OSH Webinar Courses

Visit the OSH Training Schedule Calendar [here](#) to view upcoming internet training and other safety courses. Upcoming webinar topics include confined space entry for the construction industry, ergonomics awareness, fall protection, hand and powered tools, hazard communication, lockout/tagout, machine guarding, material handling and storage, personal protective equipment, scaffolding, stairways and ladders, toxic and hazardous substances, and work zone safety. Check the calendar for new courses being added soon.

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