



NCDOL

N.C. Department of Labor

Cherie Berry, Commissioner

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LEDGER

Commissioner Berry Awards SHARP Construction Closing Certificate to Clancy & Theys

By Jason Tyson

Public Information Officer

NC Labor Commissioner Cherie Berry joined officials from the N.C. Department of Labor in Raleigh on June 1 to celebrate the SHARP Construction closing ceremony of the Holy Name of Jesus Catholic Cathedral by Clancy & Theys. Commissioner Berry presented Clancy & Theys, the general contractor of the site, with a SHARP certificate, which recognizes employers who have developed and maintained effective safety and health programs at their worksites. Clancy & Theys has been a SHARP Construction participant since April 28, 2015. This is Clancy & Theys first SHARP Construction project with NCDOL.

"A worker told me it's the opportunity of a lifetime to work on a project that has been blessed by God," Commissioner Berry told workers at the site. "As I look at the cathedral, I simply cannot believe it and am awed by the talent and artistry of the workmanship, for it is truly inspiring. This is your legacy, and for as long as you live you can ride by here and point to it and say with pride, 'I helped build this'."

Construction began in January of 2015 on the 45,000-square foot cathedral, which is located on a 45-acre site on Centennial Parkway in Raleigh. The cathedral was designed by O'Brien and Keane architects from Arlington, Virginia, and featured nearly 2,000 workers from over 100 different subcontractor firms to complete the work.

Once completed and open, the cathedral will have a seated capacity of 1,920 worshippers and will be the Catholic Diocese of Raleigh's largest facility among its 96 parishes. The cathedral's dome alone was transported by 25 different trucks and hoisted into place using a large crane.

"This has been a highly successful project with a lot of talented people involved," said Rod Wilce, safety consultant with NCDOL's Consultative Services Bureau. "We are proud to award Clancy & Theys this SHARP certificate, which shows that they have gone above and beyond what is required for department's safety and health standards at this location."

NCDOL certifies Clancy & Theys as a participant in the Safety and Health Achievement Recognition Program (SHARP) on Thursday, June 1. The program recognizes small to mid-size employers that develop and maintain effective safety and health programs. (L-R): Rod Wilce, safety consultant, NCDOL; Labor Commissioner Cherie Berry; Tick Clancy, president, Clancy & Theys; Adam Ray and Bill Ogle site superintendents, Clancy & Theys.

Clancy & Theys is expected to officially hand over the \$41 million completed cathedral to the Diocese in the next two to three weeks, with an unveiling to the public expected in late July.



Commissioner Berry and other labor officials prepare for a tour of the 45,000-square foot Holy Name of Jesus Catholic Cathedral.



The Holy Name of Jesus Catholic Cathedral looms in the background as Commissioner Berry prepares for the SHARP presentation.



From Labor Commissioner Cherie Berry

I am in the midst of our very busy Safety Awards banquet season, which comes to a close later this month. But as I travel the state applauding companies who put safety above all else, I recently took time out to participate in The National Safety Stand-Down to Prevent Falls in Construction.

This crucial campaign helps encourage employers to set aside time to discuss the importance of fall prevention measures with their employees. In several locations around the state, our department held a series of stand-down events that attracted over a thousand attendees, and I was proud and honored to be a part of it.

A lack of fall protection is our OSH Division's most frequently cited violation, proving that these deaths are preventable when employers provide the right safety equipment and properly train workers in their use.

This year's campaign focused on falls from roofs, ladders and scaffolds, which accounted for more than a third of all fall fatalities in the construction industry. And these injuries and deaths, these tragedies, are preventable. Our message is "safety pays and falls cost." We emphasize planning ahead and providing the right equipment; such as guard rails or safety harnesses, lines and anchors, and training, to all employees.

These simple steps can save lives. Whether working on roofs or scaffolds, climbing ladders, or performing any work from heights, falls can be prevented with the right equipment and training. Please take a minute to read the article on page 6 about some of the construction contractors that participated in North Carolina and the types of training provided.

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) *Recertification

Pelican Packaging Company, Halifax*
Cape Fear Public Utility Authority,
Sweeney Water Treatment Plant, Wilmington*
Cape Fear Public Utility Authority, Wilmington*
Wrightsville Farms Mgmt. dba Jungle Rapids, Wilmington*
Aplix, Inc, Charlotte*
Ball Dermopath PA, Greensboro*
BSI Acquisitions Corp- Balance System, Statesville*
Theiman Manufacturing Technologies, Ellenboro*



SHARP Construction

Clancy & Theys, Raleigh



Carolina Star *Recertification

Firestone Fibers & Textiles Company, LLC – Kings Mountain
Balfour Beatty Rail, Goldsboro*
A Division of Balfour Beatty Infrastructure, Inc.
ConvaTec, Inc., Greensboro*
Honeywell International, Inc., Rocky Mount*
Huntsman International, LLC, Charlotte*
Syngenta Crop Protection, LLC, Greensboro*

NCDOL Issues Pool Safety Hazard Alert

By Jason Tyson, Public Information Officer

As pools across the state begin to open for the summer season, the N.C. Department of Labor is urging residents to make themselves more aware of potential life-threatening electrical hazards around pool areas. To help increase public awareness of this issue, the department issued a pool safety hazard alert to the public, which can be viewed [here](#).

On Labor Day weekend in 2016, a fatality occurred at a swimming pool in Raleigh, when the water became electrified due to a faulty water-pump connected to a deteriorated electrical system. The electrical system had not been tested or inspected for about three decades. This incident prompted a review of the safety requirements and recommendations swimming pool operators should use when dealing with electricity around pools.

“We want to ensure that people feel completely safe when they visit their swimming pools,” said Labor Commissioner Cherie Berry. “Pools are meant to be a safe and fun experience for families, but swimmers should be aware of all of the potential risks, including hazards involving electricity.”

The Labor Department’s Occupational Safety and Health Division will periodically develop alerts following an event, in an effort to prevent additional incidents from occurring. Some counties in the state have since recommended that pool operators within their jurisdictions conduct electrical inspections at swimming pool facilities to ensure no hazards are present. N.C. health law requires inspections at swimming pools, but these inspections do not currently include electrical equipment. A new state law, however, is currently being considered by the General Assembly to address this issue.

“There are many community pools that were initially built in the 1970’s and 1980’s that are still in use across the state. Building codes do not currently require that electrical equipment installed in prior years meet current code unless a system is replaced,” said Kevin Beauregard, director of the Occupational Safety and Health Division. “As we enter the beginning of the pool season in many areas, we hope that this information may be helpful in preventing a similar tragedy in our state.”



Cherie Berry, Commissioner of Labor
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Swimming Pool Electrical Hazards

Swimming pools are enjoyed by millions of people around the world each year. When thinking of dangers associated with swimming, electrical hazards don’t typically come to mind. However, pools utilize numerous pieces of electrical equipment and water and chlorine are excellent conductors of electricity. According to the United States Consumer Product Safety Commission, from 1990 to 2003, there were approximately 60 deaths and 50 serious injuries from electrical equipment in and around swimming pools. In addition, from 2003 to 2014, 14 deaths by electrocution in swimming pools were reported.

Raleigh, N.C.: On Labor Day weekend 2016, one such fatality occurred when a swimming pool became electrified due to a faulty water-pump connected to a deteriorated electrical system. The electrical system had not been tested/inspected for approximately three decades.



Swimming pools are enjoyed by millions of people around the world each year.

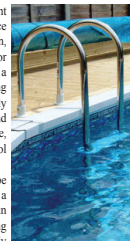
Electricity and the Human Body

Electrical current naturally passes through the human body on a daily basis, which allows necessary functions like movement and breathing. However, when current is introduced into the body from an outside source, depending on the current level, it can cause detrimental effects. Even small amounts of current can cause painful shocks, resulting in possible loss of muscle control. In some cases, the individual may be able to free himself from the electrical source, receiving only minor injuries. However, if the individual is exposed to even small amounts of current while swimming, the individual could drown while immobilized. This is known as electric shock drowning. Electrocution is when the current traveling through the body results in death and is often associated with high levels of current that cause cardiac arrest, respiratory arrest, severe muscular contractions, severe nerve damage and burns. If water becomes electrified, swimmers, lifeguards, and/or pool operators are at risk of receiving electrical shocks and could lose their lives from either electric shock drowning or electrocution.

Signs of Exposure to Electricity

Some tell-tale signs of possible current in the water is when swimmers experience a tingling sensation, experience unusual pain, suddenly have difficulty swimming or receive a minor electrical shock touching a metal rail or ladder. Swimmers experiencing any of these signs should immediately exit the pool, avoiding metal rails and ladders and notify the lifeguard. If possible, all electrical power equipment at the pool should be turned off immediately.

Additionally, if a swimmer seems to be attached to a metal rail or ladder, or if a swimmer suddenly becomes motionless in the water, the swimmer may be experiencing an electrical shock. If a swimmer is suddenly motionless in the water and electrical current is suspected, do not jump in to rescue them.



Metal rails and ladders in pools can become energized and should be avoided when exiting a potentially electrified pool.

Rescue

To perform a rescue, use a fiberglass shepherd’s crook/rescue hook and do not touch any metal railing or ladder. If a fiberglass shepherd’s crook/rescue hook is not available, turn off all electrical power immediately and call 911.

continued on page 2



If fiberglass rescue hooks are not available, turn off all electrical power and call 911.

HAZ200

The latest Hazard Alert release addresses electrical hazards in and around swimming pools.

Beat the **Heat** with our informative **Heat Stress** Prevention Quick Card!

[Click here](#)

HEAT STRESS

New Standard for Walking-Working Surfaces in General Industry

By Melissa Scally, Safety Standards Officer

The federal Occupational Safety and Health Administration (OSHA) published a new standard for walking-working surfaces in general industry on Nov. 18, 2016 with an effective date of Jan. 17, 2017. The standard, which is located in 29 CFR 1910 Subpart D—Walking-Working Surfaces—closely resembles standards for fall protection and scaffolding in construction and is consistent with much of the previous general industry walking-working surfaces standard. However, there are some notable differences:

- ♦ The new walking-working surfaces standard provides fall protection requirements and flexibility similar to that found in the construction standard, 29 CFR 1926 Subpart M – Fall Protection.
- ♦ Scaffolds must meet the requirements of the construction standard, 29 CFR 1926 Subpart L – Scaffolds.
- ♦ There is a phase-in of ladder safety systems or personal fall arrest systems on fixed ladders.
- ♦ There is a phase-out of qualified climbers on outdoor advertising structures.
- ♦ Rope descent systems have been added to the standard.
- ♦ Employees are to be trained on fall and equipment hazards with training presented in a manner that employees understand.

The effective date of the new standard for employers working in states under federal OSHA jurisdiction was Jan. 17, 2017. The standard became effective in North Carolina May 1, 2017. North Carolina will follow the subsequent effective dates for the remaining provisions in the final rule. However, there will be a delay of enforcement on the employee training provisions of the standard until Sept. 1, 2017.

The NCDOL's Education, Training and Technical Assistance Bureau will be hosting webinars on the new rule, beginning in April. Details and online registration can be found on the NCDOL website: www.labor.communications.its.state.nc.us/OSHPublic/ETTA/class_regist_calendar.cfm. Additional information can be found on the A to Z Topic Page – Walking-Working Surfaces at: www.nclabor.com/osha/etta/A_to_Z_Topics/walkingworking.htm

NCDOL Presents Amusement Star Award to Powers & Thomas

The N.C. Department of Labor awarded Powers & Thomas Midway Entertainment Amusement Star status through the department's voluntary ride safety program earlier this year.

The distinction is given to amusement device companies that go above and beyond what is required by state law in North Carolina. The companies are required to apply for the award and then complete a two-week review process administered by NCDOL's Elevator and Amusement Device Bureau.

"This special award helps us recognize excellence in safety on amusement rides and midways," Labor Commissioner Cherie Berry said. "Powers & Thomas have exceeded the expectations that our laws require and I congratulate them for this honor."

Owners and operators Eddie Powers and Ronnie "RD" Thomas were presented with the Amusement Star flag and a certificate from Labor officials in Knightdale on Thursday, March 30, at a carnival the company operates.

Powers & Thomas, who are based in Wilmington, have been in business together since 2015.



Phil Hooper, NCDOL deputy commissioner of Standards and Inspections, presents Powers & Thomas with the Amusement Star flag and certificate on Thursday, March 30, in Knightdale. (L-R): Ron Thomas, Sr., Eddie Powers, Hooper, Ronnie "RD" Thomas.

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OSH Advisory Council Meeting Held April 5 in Raleigh



NCDOL Photo Library

The 11-member OSH Advisory Council is composed of safety and health professionals who advise, consult with and make recommendations to the commissioner of labor on matters associated with the administration of the Occupational Safety and Health Act of North Carolina. The members include three representatives from management, three representatives from labor, four representatives of the public sector and one representative of the public sector with knowledge of migrant labor. Their meetings are open to the public.

The OSH Advisory Council members discuss a number of items during a meeting in Raleigh on Wednesday, April 5.

NCDOL Celebrates New Partnership with Fluor

Labor Commissioner Cherie Berry joined senior OSH Division staff on April 6 to help celebrate a new partnership with Fluor Enterprises Inc. at its DAPI US Project, which is located at the Novo Nordisk facility in Clayton.

The goal of this partnership is to improve the safety and health of the employees working at this construction site. The partnership will provide incentives to participating contractors to voluntarily improve their safety and health performance such as deferment from programmed inspections, technical assistance, partnership team quarterly walk-throughs, and safety and health training assistance.

Commissioner Berry delivered remarks and gave a brief overview. They then gathered with representatives of Fluor to complete the partnership signing and toured the facility.

Upcoming Sessions of Free E-Verify Webinars

The U.S. Department of Homeland Security has upcoming dates for its free E-Verify webinars for businesses. During each session, attendees will learn about E-Verify, the free and easy-to-use service that lets employers verify the employment eligibility of new employees. Sessions usually last one hour.

As of July 1, 2013, employers with 25 or more employees in North Carolina were required to use E-Verify to check work authorization for all new hires. The U.S. Department of Homeland Security, in conjunction with the N.C. Department of Labor, set up webinar dates specifically for North Carolina employers to inform them about E-Verify.

Upcoming Webinar Dates:

📅 Wednesday, July 19, at 2 p.m.

📅 Wednesday, Aug. 16, at 2 p.m.

📅 Wednesday, Sept. 6, at 2 p.m.

To learn more about the webinars, visit www.nclabor.com/legal/e_verify/webinars.htm.

10-Hour Construction Industry Awareness Course

June 28-29, Asheville

Click [here](#) for more information.

For more upcoming classes, courses, seminars, webinars and workshops, see our Bulletin Board on page 7.

North Carolina's Stand-Down for Fall Prevention in Construction

By Robert O'Neal, Education and Training Specialist

The National Safety Stand-Down to Prevent Falls in Construction encourages employers to set aside time to discuss the importance of fall prevention measures. In North Carolina, NCDOL held a series of stand-down events that attracted over a thousand attendees, and featured Labor Commissioner Cherie Berry at several events.

"The stand-down is an opportunity for employers to take some time during the work week to pause and talk about fall protection and prevention," Commissioner Berry said. "Companies gather with their workers to discuss topics such as ladder safety, scaffolding safety and roofing work safety. Falls are the leading cause of death in the construction industry so we must work together to prevent them."

Commissioner Berry emphasized that lack of fall protection is the most frequently cited OSHA violation, proving that these deaths are preventable when employers provide the right safety equipment and properly train workers how to use it. She also told those gathered in attendance that people who fall are not just numbers, they have faces, they are mothers, grandmothers, fathers, grandfathers or sisters and brothers of someone.

This event brought together employers, workers, and safety associations across North Carolina and the country to pause work on the jobsites and focus on preventing falls through talks, demonstrations, inspection of fall equipment, training and more. The Stand-Down has been a tremendous success over the last few years and it reaches thousands of workers.

Joining OSHA in raising awareness about fall-related incidents are several partners. This year's event brought together the following companies in North Carolina: Barnhill Construction, Clancy & Theys Construction, Gilbane Building Co., DPR Construction, Balfour Beatty Construction, and Choate Construction. In addition, Builders Mutual Insurance Co. partnered with both Niblock and Royal Oaks Homes to provide safety awareness training.



Construction workers gather by Labor One, the NCDOL training unit, for Fall Protection and Prevention Training.



Commissioner Berry attends the Fall Protection Stand Down Event on May 9 in Raleigh where she addresses workers regarding worksite safety.

These companies partnered with the Department of Labor to voluntarily stop work to focus on these hazards and ways to prevent them. Every day, construction workers leave home to build our homes, businesses or work on our inner structure. By day's end, not all of them will return home. Each year, hundreds of workers die and thousands more suffer serious injuries because they fell and lacked the right safety equipment or knowledge to prevent it. This is why fall prevention awareness is essential.

Lamar Advertising supported NCDOL's efforts to raise awareness about fall prevention from elevated surfaces by donating billboard space throughout North Carolina promoting the stand-down.

During these tailgate to educate events, Builders Mutual risk management trainers presented bilingual safety talks while NCDOL staff demonstrated proper wear and use of personal protective equipment. Little Giant Ladder Systems Inc. provided onsite ladder demonstrations to show proper ladder safety techniques. Additionally, risk management representatives in our market footprint will meet with policyholders

on their job-sites to provide fall protection safety information and encourage them to stand-down for safety.

"Presenting Tailgate to Educate events during the 2017 OSHA National Safety Stand-Down provides a platform for Builders Mutual to reiterate the importance of fall protection and general job-site safety," said Mike Gerber, senior vice president/chief marketing officer at Builders Mutual Insurance Co. "Partnering with the NCDOL and Little Giant Ladder Systems helps us provide additional education for workers to help them stay safe on their job-sites."

You would be hard pressed to find a single construction site anywhere in America where fall protection rules and regulations were not being violated. Whether it's improperly adjusting a harness, not completely enclosing your work area in guardrails, using a lanyard that's too long for the height at which a worker is working, or failing to utilize fall protection altogether, any safety professional or compliance officer could identify several violations or hazards on each and every construction site.

That's why this campaign has become a nationwide effort to remind and educate employers and workers in the construction industry of the serious dangers of falls, the leading cause of deaths in the construction industry. These provide an opportunity for employers to pause work and have a conversation with workers about fall hazards, protective methods, and the company's safety policies, goals and expectations. It also provided an opportunity for workers to talk to management about fall hazards they see and how to prevent them in the future.

DEADLY Mistakes



By Judyth Niconienko
State Plan Coordinator

Fatal Event: On Feb. 28, 2014, a 43-year-old excavator operator was in the process of clearing trees when a 75-foot section of a tree fell onto the cab crushing both the cab and the victim.

Investigative Findings: Two workers were employed to clear trees and brush off a four acre lot. A Caterpillar 315L excavator was being used to clear trees from the property by pushing over the trees. Once on the ground the limbs were removed from the trees and the trunks cut using a chainsaw. They were then removed from the site.

At the time of the incident the victim was working alone at the site. It was the last day of work and he was attempting to remove the last few trees. A neighbor was watching the operation from his private residence and saw the victim attempt to push over a 97-foot tall by 15-inch diameter pine tree with the excavator. During the attempted removal the tree snapped and an approximate 75-foot length of tree fell back onto the cab of the excavator crushing the roof of the cab and the victim. The neighbor called for help.

Discussion: An excavator's main purpose and design is to dig out materials from the ground. If equipment is used for any task other

than its original design purpose it should then meet the operational safety requirements for its new use. In this case the employer lacked the knowledge and training to recognize the hazards associated with tree removal. He did not identify that the excavator lacked the proper protection and that it was not an appropriate or safe choice to use for felling trees. When the excavator was used for tree felling (logging) it became a 'mechanical felling device' and should then have met the protective capabilities as described in the code which includes overhead Falling Object Protective Structures (FOPS) or Falling Objects Guard System (FOGS). The excavator was being used for tree removal but it was not suitable for this type of operation.

Recommendations:

- ☠ If using a piece of equipment for a purpose it was not inherently designed for, evaluate the potential hazards to the operator.
- ☠ If there are no FOPS or FOGS on a piece of equipment, then it should not be used for felling trees as it will put the operator in danger.
- ☠ Care must be taken whenever a tree has to be taken down or removed. Always assess the hazards and the appropriate safety devices and personal protective equipment for all persons working on the site.
- ☠ Make sure everyone on the site has received the appropriate safety training.

WORKPLACE WORRIES



By Christine Ryan, Administrator
Wage and Hour Bureau

Q: "After the latest tornado warning in our area, I asked my employer about adverse weather leave. Our HR Director said that the company did not have a leave policy for weather-related incidents. Is that legal?"

A: Private employers are not required by either state or federal law to offer adverse weather leave, even if there is a state of emergency in your area. The choice to offer adverse weather leave is up to the employer. If an employer does offer adverse weather leave, the policy needs to be in writing and applied equally to all employees in a class of workers. For example, an employer may designate certain types of employees as "essential" and therefore required to come to work regardless of weather. If an employee in that class fails to come to work, he or she may be disciplined under the policy. If an employer does not offer adverse weather leave, the employer may require you to come to work even during a storm. However, employees should make smart decisions and always proceed with caution if venturing out during a weather event.



SAFE + SOUND Week

June 12-18, 2017

Show Your **Commitment**
to **Safety**



Is a proud partner of
Safe + Sound Week



Bulletin Board

Mine and Quarry Training

Part 46 New Miner Training

June 6, Winston-Salem

Aug. 22, Greensboro

Part 46 Annual Refresher Training

June 8, Winston-Salem

Aug. 24, Greensboro

New Miner Training

June 12-14, Wake Forest

July 17-19, Wake Forest

Aug. 14-16, Wake Forest

Annual Refresher Training

June 15, Wake Forest

July 20, Wake Forest

Aug. 17, Wake Forest

First Aid Training

June 7, Winston-Salem

Aug. 23, Greensboro

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

10-Hour Construction Industry Awareness Course in Spanish

June 28, Charlotte

Click [here](#) for more information.

Aug. 29-30, High Point

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

July 12-13, 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 construction industry standards, state-specific standards for the construction industry and the recordkeeping standards.

Complying With OSHA General Industry Standards—Beginners Level

Aug. 16-17, 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.

Long Term Care Workshops

Aug. 8, Raleigh

Click [here](#) for more information.

Aug. 15, Charlotte

Click [here](#) for more information.

This course provides an overview of safety and health hazards associated with the long term care industry. Students will be presented with information about regulatory requirements, long term care safety and health risks, and methods to reduce or eliminate long term care safety and health hazards. Nursing home administrators are eligible for 7.0 CEU credits.

OSH Webinar Courses

Visit the OSH Training Schedule Calendar here www.labor.communications.its.state.nc.us/OSHPublic/ETTA/class_regist/calendar.cfm to view upcoming safety courses. Check the calendar for new courses being added soon.