



NCDOL

N.C. Department of Labor

Cherie Berry, Commissioner

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LEDGER

Regina Cullen Honored During ASH Retirement Luncheon

By Jason Tyson, Public Information Officer

Past and present N.C. Department of Labor employees and members of the state's agriculture industry came to Raleigh on Aug. 29 to honor outgoing ASH Bureau Chief Regina Cullen. After 28 years of service to the state, Cullen announced her retirement effective Sept. 1.

Cullen's long career was celebrated at Oakwood Café, and she was presented with several awards, including the Fraternal Order of the Long Leaf Pine.

Cullen's work life has taken her to far-away places, including Switzerland and Peru, where she began to hone her skills as an advocate for those who work on the land.

Born near Tecumseh, MI., in the village of Clinton, Cullen was raised with one brother and one sister.

She attended the University of Michigan, majored in social sciences, and was also drawn to history.

Later Cullen taught school in Alameda, CA., taught kids with behavioral problems for four years, and also adults who wanted to become teachers.

She travelled throughout Latin America extensively, exploring the culture and its people, learning Spanish. Later, she worked in Peru for three years with a Swiss government abroad program and participated in opportunities in the fields of archaeology, anthropology and social histories.

"With a position like mine Spanish is a big part of the job," Cullen said. "You have to know about the culture, and that allows you to better connect with people."

But ultimately Cullen came to Raleigh, and got connected with N.C. State University, earning a master's degree in rural sociology. She also took a job at SAS Analytics, working five years as a project manager/tech writer.

"Raleigh appealed to me because of research, educational, cultural opportunities," Cullen said. "After some time had passed, I heard that the Department of Labor was an interesting place and that they are doing things with migrant workers."

In the late 1980s, OSH employed farm scouts and were conducting some inspections under the Migrant Housing Division, before the Migrant Housing Act of North Carolina was signed into law in 1989.



NCDOL Photo Library

OSH Asst. Deputy Commissioner Scott Mabry presents outgoing ASH Bureau Chief Regina Cullen with a certificate of appreciation on Aug. 29.

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NCDOL Welcomes Rodman Back As ASH Bureau Chief

The Agricultural Safety and Health Bureau has welcomed back a former inspector to lead the bureau. Beth Rodman, who served as an ASH inspector from 2007 to 2014, was named bureau chief in August. She replaced long-time chief Regina Cullen, who retired on Sept. 1.

Rodman had worked for the past three years in the N.C. Department of Transportation's Office of Civil Rights, where she helped to certify small businesses working on NCDOT roadway projects.

Rodman is originally from Pennsylvania, but grew up in Apex and attended East Carolina University, where she graduated with a bachelor's of science in international business management.

"Being back in the Department of Labor feels like coming home," Rodman said. "Many of the folks who I worked with when I was here before are still around, and I am excited to work with all the growers again. It's been a whirlwind start so far, but I have a great group of people in our bureau and in the OSH Division."

Rodman is well versed in conversational Spanish, an asset that she will put to good use in her new role. "Seguiremos trabajando estrechamente con la comunidad agrícola de carolina del Norte para proveer educación y asistencia para mejorar las viviendas de los migrantes y mantener condiciones de trabajo seguro por los granjeros y los trabajadores en todo el estado," Rodman said.



From Labor Commissioner Cherie Berry

I'm a big fan of heroes. No, not the ones you see at the movies who wear a cape or a mask, but real everyday heroes who perform acts of kindness or who quietly go out of their way to assist someone in need.

I recently had the privilege to meet one of those heroes. It was in August in Waynesville, at a rock quarry of all places. His name is Danny Conner, a stockpile hauler at Harrison Construction, and a Haywood County native. While his act of heroism did not occur at work, he used CPR training he obtained from our Mine and Quarry Bureau to help save the life of a child. You can read all about it in this edition of the Labor Ledger on page 3.

Speaking of those who perform good acts, I want to take a moment to talk about the Labor Department's amusement ride inspectors. These inspectors operate under a lot of pressure during fair season as amusement rides are inspected each time they are assembled at each venue in North Carolina. Because of a recent ride incident in Ohio and one closer to home in Greensboro, these inspectors and our state inspection program has been thrust into the media spotlight.

As you probably have heard me state before, if our inspectors pass and certify a ride to run, I would feel comfortable putting my grandchildren on those rides. That's the confidence I have in our state inspection program and our inspectors with the Elevator and Amusement Device Bureau.

Due to the incident in Ohio earlier this year, we have issued a moratorium on the KMG Fireball in this state until it can be fully determined what caused that accident. So you won't see that ride play at any fairs in North Carolina this year.

Inspectors will perform inspections at 34 venues between August and November including the state's largest fair, the N.C. State Fair in Raleigh, which runs Oct. 12-22. The state fair is the largest assemblage of amusement rides for an 11-day fair in North America.

If you are able to make it to the state fair this year, look for our NCDOL booth in the Scott Building, and stop by and say hello. I'll be out there and would love to meet you. Hope to see you there.

Cherie Berry



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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



Mining Star *Recertification

Quartz Corp., Spruce Pine



Building Star *Recertification

Hendrick Construction Inc., Charlotte*



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Regina Cullen Honored During Retirement Luncheon

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In 1990, Regina came to work in the OSH Division, and started the Agricultural Safety and Health Bureau.

This early role found her and a small staff upstairs at The Cowper House on Blount Street, where the roof leaked after rain, the staff placing trash cans on their desk to catch the water. Later the staff grew and was moved to the Old Revenue Building in Raleigh.

During her 28-year tenure, Cullen said she is most proud of implementing on-farm training, educating workers on heat-related illnesses, starting the Gold Star Grower Program, and greater outreach with Hispanic workers.

“We wanted to highlight the growers who go above and beyond housing standards, and hold workshops and roundtable discussions on how can we do it better,” Cullen said.

“Instead of always talking about the people who do it wrong, let’s praise the people who do it right.”

She recently made the decision to step away after receiving a call from her airline that a bunch of frequent flier miles were set to expire if she did not use them.

Cullen said she had hoped to spend more time with her family anyway. She has a daughter who lives in Oakland, CA.

“I’m excited where the department is going,” Cullen said. “Beth Rodman is a fantastic choice to lead the bureau and is very level headed. She speaks Spanish, and she did this job before. She’ll do great.”

Cullen said on her last day at work in ASH, that she was feeling grateful.

“I was lucky, I was able to do something I was trained to do and loved doing, and I had great people around me,” she said. “I have a lot to be thankful for, and mostly for the tremendous folks in the department.”



Cullen welcomes back Beth Rodman, right, as her replacement.



New ASH Bureau Chief Beth Rodman was previously an ASH inspector.

Hero Miner Saves Life Near Waynesville Quarry

By Jason Tyson, Public Information Officer

On a Thursday morning in early June of this year, Danny Conner was on his way to work at his job at Harrison Construction, a crushed-stone rock quarry in Waynesville.

As Conner rounded a curve, he came upon the scene of an accident, a small car that had flipped upside down. Inside the vehicle was a woman and a teen boy, who were travelling from Mobile, AL.

Conner stopped his vehicle, and a woman approached him screaming, asking if anyone knew CPR.

Conner did have CPR training, which he had obtained from NCDOL Mine Safety and Health Representative, Allan Greene, nine months earlier.

Using the techniques he learned, Conner began implementing CPR for 13 minutes until ambulances arrived. Paramedics carried the boy away conscious to a nearby hospital. Despite 114 stitches in his arm, three broken ribs and a bruised sternum, the boy survived the crash.

Mr. Conner had stated he was grateful for the opportunity to use his training to help save a life, even though it was not on the job site.

On Aug. 8 Labor Commissioner Cherie Berry, Mine and Quarry Bureau Chief, William Gerring and Greene visited the Waynesville Quarry to meet with plant employees, present new Mining Star flags, participate in a plant tour and to meet and congratulate Conner.

“Harrison Construction has developed a safety culture that everybody needs to have,” Commissioner Berry said. “It’s their responsibility that everybody goes home safe and healthy at the end of the day to their loved ones. That’s what safety is all about. I am extremely proud that Mr. Conner used the training he received from our Mine and Quarry Bureau to help save a life, even if it was not at a work site.”



Labor Commissioner Cherie Berry greets Waynesville miner Danny Conner on Aug. 8.

Commissioner Joins Daniels and Daniels to Celebrate Elementary School Project in Goldsboro

By Jason Tyson, Public Information Officer

Labor Commissioner Cherie Berry joined department representatives and officials from Daniels and Daniels in Goldsboro on Aug. 24 to celebrate the SHARP completion of construction of the Wallace Elementary School. Commissioner Berry delivered remarks and presented the award during the ceremony.

“What a great occasion it is to be with you for the completion of this important elementary school project,” Commissioner Berry said. “One of my favorite things is to recognize projects that have a great impact on the community, and especially children.”

Daniels and Daniels was awarded the Wallace Elementary School conversion project in April of 2016 as part of the Duplin County Capital Improvement Plan. The work included selective demolition, sports track and ball fields, 31,364 square feet of renovations to an existing facility, new construction of a 67,709-square foot, two-story classroom building and gymnasium, two classroom additions, and a cafeteria addition.

The N.C. Department of Labor’s Safety and Health Achievement and Recognition Program assists small employers, especially those in high hazard industries, to reach their goal of achieving a safe and healthful workplace for their employees.

Formed in 1962, Daniels and Daniels Construction Co. is a North Carolina based construction firm with over 50 years’ experience building a variety of projects for public and private clients in the Carolinas.



Labor Commissioner Cherie Berry, center, presents a SHARP Award to Daniels and Daniels in Goldsboro on Aug. 24.

NCDOL Enters Alliance With Three Forestry Partners

By Jason Tyson, Public Information Officer

The N.C. Department of Labor’s Occupational Safety and Health Division entered into an alliance agreement with three other entities during a special signing held in Raleigh on Sept. 21. Commissioner Cherie Berry and OSH Director Kevin Beauregard attended the ceremony for the alliance agreement between NCDOL’s OSH Division and the Forestry Mutual Insurance Co., N.C. Forestry Association, and Carolina Loggers Association.

The OSH Division has existing, separate alliance agreements with Forestry Mutual Insurance Co., signed on July 20, 2015, and the N.C. Forestry Association, which was signed on Oct. 14, 2015. The new alliance agreement adds the Carolina Loggers Association and combines the three parties into one alliance document. The purpose of the event was to welcome the Carolina Loggers Association to the group and to embrace a continued relationship with the other two groups.

“Signing this alliance today is important to all parties involved because it includes a training component for the OSH Division that gives us a better understanding of the industry and the hazards they face each and every day,” Commissioner Berry said. “Bringing the four entities together will make this a very effective alliance that will



Labor Commissioner Cherie Berry, seated, signs a partnership alliance agreement on Sept. 21. (L-R): Kevin Beauregard, OSH director; Jack Swanner, executive director, Carolina Loggers Association; Pryor Gibson, executive director, N.C. Forestry Association; Keith Biggs, president, Forestry Mutual Insurance Co., Labor Commissioner Cherie Berry, seated.

elevate and promote logger safety on many levels statewide.”

The alliance hopes to develop training and educational programs on occupational hazard issues targeted towards the forestry and logging industries and to encourage the delivery of training and educational programs to prevent injuries and illnesses. The alliance also has several communication-based goals the four parties hope to meet.

“This alliance is important because it has helped NCDOL better understand our industry so that we together can maintain an outstanding safety record and continue to prevent logging accidents in North Carolina,” said Jack Swanner, executive director of the Carolina Loggers Association.

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NCDOL OSH Participates in Alliance Signing at Mexican Consulate

By Jason Tyson, Public Information Officer

NCDOL's Occupational Safety and Health Director Kevin Beauregard attended opening ceremonies of the 9th Labor Rights Week in the Carolinas, held at the Mexican Consulate in Raleigh on Aug. 28.

Beauregard delivered remarks to those in attendance and later participated in the signing of a memorandum of understanding between OSH and the Consulate General of Mexico.

The event was held in conjunction with Labor Rights Week, a collaborative effort between embassies and their consulates with Department of Labor field offices to increase awareness and inform workers and employers about their rights and responsibilities under U.S. labor laws.

Workshops, fairs, legal advice and other activities were also held throughout the week.

"This two-year alliance represents the importance the NCDOL and the consulate here place on workplace safety and health," Beauregard said. "The primary object is to provide Mexican nationals who are working here in North Carolina with the best and most up-to-date information, as well as access to education and training resources."

North Carolina has more than 20,000 H2A workers in the agriculture, construction and general industry jobs.

NCDOL provides those workers with a variety of resources, including on-site training in Spanish and safety training videos.



OSH Director Kevin Beauregard, second from right, signs an alliance agreement at the Mexican Consulate in Raleigh on Aug. 28.

Mining Star Awarded

By Jason Tyson, Public Information Officer

Labor Commissioner Cherie Berry presented the Mining Star Award to Quartz Corp., during a ceremony held on Sept. 15 in Spruce Pine.

Quartz earned the award after reaching 2 million hours worked without a lost-time accident earlier this year. The company operates two plants in the area, and between the two operations, the company has gone 35 years without an accident. NCDOL's Star Program recognizes and promotes effective safety and health practices and procedures in the workplace.



Labor Commissioner Cherie Berry presents a Mining Star flag to the Quartz Corp. on Sept. 15 in Spruce Pine.

New Training Videos In Library

By Nick Vincelli, NCDOL Librarian

The NCDOL library has partnered with Training Network, a Durham-based video distributor, to offer access to a large selection of online streaming videos covering various safety and health topics to registered library patrons in North Carolina. Registered patrons can also borrow physical videos in the library's collection. Please contact the library (dol.library@labor.nc.gov) if you're interested in accessing or borrowing these videos.

Follow NCDOL on:



DEADLY Mistakes



By Judyth Niconienko, State Plan Coordinator

Fatal Event: On March 13, 2015, a 23 year old, operating a Caterpillar Scraper for a grading company fell head first from the vehicle to the ground and was crushed and killed by the front tire.

Investigative Findings: A 17-acre plot of land had been clear-cut and was being graded by a professional land grading company. The victim had just moved dirt from one side of the property to another and was heading back when he fell from the scraper to the ground and was crushed by the six foot tall scraper tire.

The owner and manager of the company were on site. They had held a meeting with the 13 equipment operators that morning to explain what needed to be accomplished during the workday.

The victim was filling in a low spot and had just moved dirt from one side of the property to the other. One of the operators saw the victim travelling back across the property in the empty scraper to pick up more dirt. He said he saw the victim bounce up out of the seat after hitting a bump, fall out of the scraper head first, land on the ground and then the scraper ran over him.

The site manager said he did not see the incident but heard yelling and saw one of the operators out of his vehicle and running. He knew something was wrong. The operator got to the victim and saw that the tire had run over his upper body. According to the vehicle specifications the scraper weighed about 66,590 pounds.

When the owner was interviewed he stated that the operators were trained to wear their seatbelts but that the rule was not enforced on a daily basis. He said he saw some wear seatbelts and some not.

The manufacturer's specifications and operation and maintenance manual indicated that the seatbelt needed to be fastened before operation and that not wearing a seatbelt was a recognized hazard. The operator's manual gave explicit instructions as to how to properly fasten and adjust the seatbelt.

The county sheriff's office, who did an investigation, indicated that there was evidence that the tire tracks of the scraper actually left the

ground at two different points and when the scraper was examined it was found to be in its highest gear with the seat belt buckled behind the seat.

In its highest gear the scraper could reach 30 mph. They determined that the victim was probably traveling too fast and was not secured in his seat.

Discussion: The employer had a good safety program in place, taught by internal and external entities, had an excellent safety history and the staff had regular documented trainings and updates. Routine safety checks were made of the shop area and operators inspected their equipment before use each day.

A death occurred because a simple seat belt was not being used. This is probably not the foremost piece of safety equipment that comes to mind when you talk about personal protective equipment, but it is installed in vehicles by the manufacturer for safety reasons. They see a potential hazard for the operator to be thrown out of the vehicle and also the need for the operator to be kept in place in case of a rollover. Managers must insist on their use as they should for any other PPE. If used, it would have saved this young man's life.

Recommendation:

- ✖ The equipment safety manual should be reviewed and followed by each operator.
- ✖ Staff need to be trained on using the seatbelt and the expectation of using the seatbelt before operating equipment.
- ✖ Routine inspection of webbing, retraction devices, and latches should occur in accordance with manufacturer's recommended schedule. Any obvious damage or degradation of the restraint should be corrected immediately.
- ✖ Managers need to enforce the use of personal protective equipment, including the use of seatbelts.
- ✖ Excessive speeds should be avoided when travelling around work sites in construction equipment. With several operators working in an area the ground level and conditions may change quickly.
- ✖ Assess worker performance periodically for safety. Correct unsafe behavior.

WORKPLACE WORRIES



By Christine Ryan, Administrator
Wage and Hour Bureau

Q: My employer told me that I have to work at least 32 hours a week under the law to be full-time. Where is full-time and part-time work defined in the law?

A: Full-time and part-time work are not defined under either the N.C. Wage and Hour Act or the federal Fair Labor Standards Act. This is a matter generally determined by the employer in their policy regarding time. For the legal purposes of calculating minimum wage and overtime, both the N.C. Department of Labor and the U.S. Department of Labor will look at hours worked during a workweek and will not look at the employer's definition of full-time or part-time.





Bulletin Board

Mine and Quarry Training

Part 46 New Miner Training

Oct. 3, Greensboro

Oct. 24, Sanford

Oct. 31, Greensboro

Part 46 Annual Refresher Training

Oct. 5, Greensboro

Nov. 2, Greensboro

New Miner Training

Oct. 16-18, Wake Forest

First Aid Training

Oct. 4, Greensboro

Oct. 25, Sanford

Nov. 1, 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

March 28-29, 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. Only EHS professionals that are currently employed with five years or less of EHS experience should sign up for this course. To ensure this requirement is being met, you must complete a CERTIFICATION FORM and email to Wanda Lagoe at wanda.lagoe@labor.nc.gov. If you meet both requirements for the course, you will be sent a password that will allow you to register for the course.

The course will cover general industry standards, state specific standards for general industry and the recordkeeping standards. Upon completion, the attendee will know which standards apply to them, what requirements need to be met to comply with the applicable standards and most materials needed to meet the requirements. This includes a safety and health management program, PowerPoint presentations, training handouts, and an industry guide detailing the standards that have special requirements (i.e., inspections, tests, training, programs).

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 internet training and other safety courses. Check the calendar for new courses being added soon. Among the courses being offered include:

- ♦ Concrete and Masonry
- ♦ Hazard Communication
- ♦ Walking/Working Surfaces
- ♦ Material Handling and Storage
- ♦ Inspection Process
- ♦ Confined Space Entry
- ♦ Ergonomics Awareness

Western Safety and Health School

Nov. 5-8, Doubletree Biltmore, Asheville

For more information, visit: wncsafetyschool.com/

**Stop by our booth
in the Kerr Scott Building
at the N.C. State Fair!
Oct. 12-22, 2017**

