



**NCDOL**

**N.C. Department of Labor**

**Cherie Berry, Commissioner**

# Labor

**LEDGER**

[www.labor.nc.gov](http://www.labor.nc.gov)

1-800-625-2267

## Struck-by Incidents Lead Work-Related Deaths

*By Dolores Quesenberry, Communications Director*

**S**truck-by incidents followed by falls caused the largest number of work-related deaths statewide in 2017 based on preliminary information released today by the state Department of Labor. Struck-by incidents accounted for 14 work-related deaths while falls accounted for 13. There were 40 total work-related fatalities that fell under the jurisdiction of NCDOL's Occupational Safety and Health Division in 2017, 10 fewer than there were in 2016.

"These are not just statistics on a page," Labor Commissioner Cherie Berry said. "We never lose sight of the fact that these are human lives lost at work, and we will continue to do everything that we possibly can to prevent such work-related deaths in the future, but we cannot do it alone. A national safety stand-down to prevent falls in construction will take place in May, and I would like to take this opportunity to encourage all construction companies, both commercial and residential, to dedicate time during the week of May 7-11 to focus on fall prevention efforts and training so that together we can prevent them from happening on construction sites statewide."

Part of the OSH Division strategy to reduce work-related fatalities includes encouraging employer and employee participation in various outreach activities planned throughout the year that promote occupational safety and health. The OSH Division also collaborates with businesses and organizations that represent some of the most hazardous industries through partnerships and alliances to heighten industry awareness and assist with education and training.

"The OSH Division is cautiously optimistic about the decline in workplace fatalities for 2017," said Kevin Beauregard, director of the OSH Division. "However, to ensure continued progress towards our goal of fatality reductions, we will focus our efforts in the coming year on those areas that are still in much need of improvement. With struck-by incidents and falls accounting for 68 percent of the fatalities the OSH Division investigated last year, we are in the process of reassessing our division strategies to address those hazards."

The construction industry continues to be the most hazardous industry in the state with 16 work-related deaths in 2017, three fewer than in 2016. The N.C. Department of Labor places special emphasis on hazardous industries like construction to maximize its resources and pinpoint problem areas.

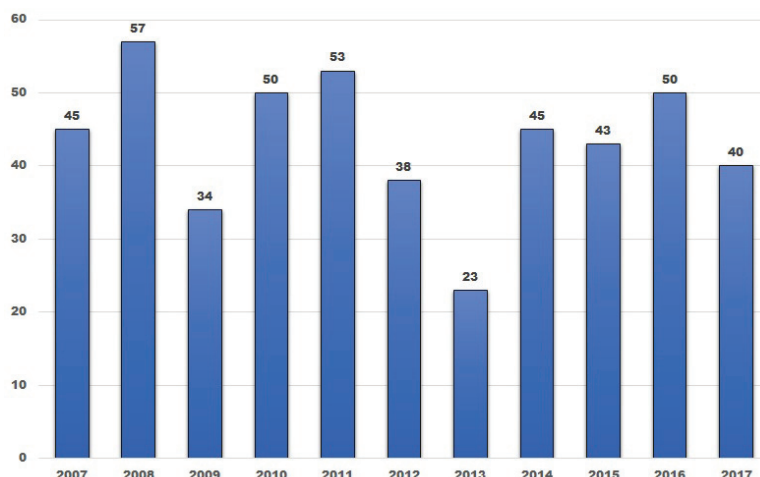
"The OSH Division will increase compliance activity in some of the construction special emphasis counties in the spring, especially those identified as having high activity or multiple fatalities," Beauregard said.

The manufacturing industry had the second highest number of work-related deaths with 11, an increase from 9 in 2016. The services industry had zero work-related deaths, a decrease from seven the previous year. In addition, agriculture, forestry and fishing increased by one from four fatalities to five in 2017. There were also two fatalities in the transportation and public utility industry, a decrease from four in 2016. Government increased from two to five fatalities in 2017. The wholesale trade industry decreased from four fatalities in 2016 to one in 2017. There were no work-related fatalities in the retail trade industry, services industry or the finance, insurance and real estate industry.

There were no work-related fatalities in 71 of North Carolina's 100 counties. Mecklenburg and Pasquotank each led with four fatalities. Buncombe, Burke, Forsyth, Nash and Wake experienced two each. Twenty-two counties experienced one fatality.

Whites accounted for 25 of the 40 work-related fatalities. Blacks accounted for four and Hispanics for eight. There was one Native American fatality. Men accounted for 37 of the 40 deaths. Women accounted for three workplace deaths.

The state figures exclude certain fatalities that fall outside its jurisdictional authority. These include traffic accidents, which account for nearly half of all work-related deaths, as well as homicides and suicides that are investigated by law enforcement agencies. The count also excludes fatalities investigated by federal OSHA and other exemptions in which the department does not have the authority to investigate, such as on farms with 10 or fewer employees.





## From Labor Commissioner Cherie Berry

The start of the new year brings the call for qualifying employers to be recognized during our upcoming safety awards banquet season. These are 32 great events held across the state where I get the opportunity to see so many familiar faces out on the road. Some of you, our Labor Ledger subscribers, attend these banquets to celebrate safety and health achievements at your workplaces and your participation is appreciated.

For those of you who have not yet been able to participate, I hope that you will consider submitting an application this year, which will be the program's 72<sup>nd</sup> season. Even if your company does not qualify for an award, the process of looking at the information gathered for the application can help you improve the safety and health of your workplace. You can find the link to apply, by Feb. 16, in this edition.

We also recently released the number of workplace fatalities inspected by our Occupational Safety and Health Division in 2017. Once again, the construction industry continues to be the most hazardous industry in the state with 16 deaths occurring in that field. Falls and struck-bys also continue to lead as the cause of death.

Many of these deaths can be prevented when proper safety training is coupled with the proper use of personal protective equipment.

We never lose sight of the fact that these are human lives lost at work, and, as I usually say, I take each one personally. These were someone's husband or wife, mother or father, brother or sister, son or daughter, or in some cases someone's grandparent. They were people's best friends and co-workers. We will continue to fight each day to increase awareness of safety and health in both private industry and in government and we invite all of you to join us in this fight.

The National Safety Stand-Down to Prevent Falls in Construction, held in May of this year in partnership with the U.S. Department of Labor's Occupational Safety and Health Administration, will help create greater awareness of how falls at construction sites can be better prevented. We encourage all construction companies, both residential and commercial, to participate.

You can also use the resources we provide free of charge to improve your workplace safety and health program. I encourage each of you to attend one of our safety and health training classes, either online or in person or to call our Consultative Services Bureau to schedule a visit, if you have yet to do so.

I commend each of you for making safety a priority. I ask that you continue to spread the word in your community.

*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](#).



### SHARP Sites

Grass America Inc., Kernersville



### Carolina Star \*Recertification

Veolia Environmental Services – Mooresville\*  
Technical Solutions



### Public Sector Star \*Recertification

City of Burlington – Fire Department – Burlington\*

North Carolina Department of Agriculture  
& Consumer Services – Raleigh\*  
Standards Division – Laboratory Section



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## Struck-By Incidents Lead Work-Related Deaths

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Federal figures compiled by the U.S. Bureau of Labor Statistics, with cooperation of NCDOL, include all work-related fatalities. The federal figures can be found on the BLS website at [www.bls.gov/regions/southeast/news-release/fatalworkinjuries\\_northcarolina.htm](http://www.bls.gov/regions/southeast/news-release/fatalworkinjuries_northcarolina.htm).

While fatalities continue to fluctuate, North Carolina's injury and illness rate has steadily declined since 2001 and remains at an all-time low of 2.5 per 100 full-time workers for 2016. The U.S. Bureau of Labor Statistics compiles the injury and illness rate data.

"While one fatality is too many, we are encouraged by the injury and illness data released by the feds that show the Tar Heel state remains one of the safest states in which to work with a rate below the national average of 2.9 per 100 full-time workers," Commissioner Berry said.

In addition to the National Safety Stand-Down scheduled for the week of May 7-11, the National Safe and Sound Campaign will take place Aug. 13-19, with a goal to promote the understanding and adoption of safety and health programs.

The OSH Division will participate in the National Utility Contractors Association trench safety stand-down the week of June 18-23.

Businesses may call 1-800-NC-LABOR to learn more about free safety training opportunities provided by NCDOL or visit [www.labor.nc.gov](http://www.labor.nc.gov).

## NCDOL Administration Welcomes Two New Employees

*By Jason Tyson, Communications Specialist*

Labor administration welcomed two new employees to the Labor Building around the start of the new year.

Jennifer Stackpole was named to the position of budget director on Dec. 18, 2017, while Carter Grimes assumed the role of special assistant for governmental and constituent affairs on Jan. 8, 2018.

Stackpole brings a wealth of experience in accounting and budget, having previously served in the controller's office of the N.C. Department of Corrections, at the N.C. Education Lottery and most recently as budget director for the N.C. Department of Health and Human Services.

She holds an associate's degree in accounting and a bachelor's degree in business administration.

"What drew me to this position was the opportunity to add variety to my work in both accounting and budgetary matters," she said. "This position functions like a chief financial officer for the department, and there is crossover in both fields."

Stackpole moved to Raleigh from her home state of West Virginia with her husband in 1994. She said she enjoys traveling to new places in her spare time.

Grimes, who is originally from Greensboro, moved to Raleigh in 1998 and has a degree in political science from UNC-Chapel Hill.

"I've always had a strong interest in politics and government, it just took me a little while in my career to get here," Grimes said. "With the skills I have learned in college and in the paralegal program, this job was very appealing to me."

After working at IBM for six years, Grimes became a certified paralegal from Meredith College. She and her husband have two kids and a dog. In her off hours, she enjoys playing tennis and volunteering at her church.

NCDOL's Chief of Staff Art Britt said he was pleased to have a full complement of administrative staff heading into 2018.

"Both Jennifer and Carter bring valuable experience to the department and I am thrilled they have agreed to join us," Britt said.



*NCDOL Photo Library*

*Jennifer Stackpole*



*NCDOL Photo Library*

*Carter Grimes*

## Online Consensus Standards

*By Nick Vincelli, NCDOL Librarian*

The American National Standards Institute (ANSI) Incorporated By Reference (IBR) Standards Portal provides free online access to various consensus standards incorporated by reference: <https://ibr.ansi.org/>

Please contact the NCDOL Library ([dol.library@labor.nc.gov](mailto:dol.library@labor.nc.gov); 919-807-2850) if you need assistance in accessing online consensus standards.



## Commissioner Berry Presents SHARP Award to Service Thread

By Jason Tyson, Communications Specialist

Labor Commissioner Cherie Berry presented Service Thread Manufacturing with a SHARP Award and flag during a special ceremony held at the company's King Street location in Laurinburg on Jan. 9, 2018.

"Service Thread Manufacturing has had a long, storied history in Laurinburg, and the Department of Labor has also had a great working relationship with them for over a decade," Labor Commissioner Cherie Berry said. "We are proud of their attentiveness to safety and health at this facility, and are glad to present them with this important SHARP award."

Service Thread was established in the 1940's and has been located in Laurinburg since that time. The company designs, develops and delivers engineered yarns and sewing threads specifically to solve product and processing problems and add value through longer running times or faster processing speeds. Its customers manufacture thermoplastic and rubber hoses, multiwall bags, slings, tie-downs, tarps and wire and cable products using thread or yarn for reinforcement or sewing applications.

The company was originally certified as a SHARP site in 2007.



Photo courtesy of Quinyon DeBerry

*Commissioner Berry was on hand on Jan. 9 to present a SHARP Award to Service Thread Manufacturing in Laurinburg.*

## Leggett & Platt Promoted From Rising Star to Carolina Star

By Jason Tyson, Communications Specialist

The N.C. Department of Labor approved Leggett & Platt as a participant in the Carolina Star Program during a ceremony held at the company's facility in High Point on Dec. 18, 2017. Labor Commissioner Cherie Berry presented company officials with a certificate and flag during the event.

The Carolina Star Program is designed to recognize and promote effective safety and health management systems. The Star Program encourages management and all employees at each worksite to partner with the OSH Division to proactively prevent fatalities, injuries and illnesses.

"I'm proud of Leggett and Platt's continuing efforts to promote quality safety and health programs at the workplace," Commissioner Berry said. "Everyone here should be proud of continuing that tradition at this fine facility in High Point."

Leggett & Platt achieved Rising Star status in 2013, and during the recertification process in 2016, they were promoted to Carolina Star. The employees have been participating and promoting the Carolina Star Program since 2002.

Founded in 1883, the company designs and produces a wide-array of home, office and vehicle products and is made up of 17 business units, 20,000 employee-partners, and 130 facilities in 19 countries.



NCDOL Photo Library

Tune in to **WSHA 88.9 FM** for

***"Lunch and Labor  
with Cherie Berry"***

**Every First Tuesday of the Month  
at Noon.**

## Labor Department Recognizes Two Sherwin-Williams Facilities

The N.C. Department of Labor recertified two Sherwin-Williams facilities as participants in the Carolina Star Program during a special ceremony held on Jan. 12. at the Grandover Resort and Conference Center.

Labor Commissioner Cherie Berry presented company officials awards for effective safety and health practices at both the company's Howard Street facility and their Stage Coach Trail facility, both of which are located in Greensboro.

"Each of these Sherwin-Williams' sites we are honoring have demonstrated sound and forward-thinking safety and health practices in the past and more recently," Commissioner Berry said. "These awards are both well-deserved and I am happy to present them today."

The Howard Street facility was initially certified as a Carolina Star Site in July 2009. The facility employs about 150 people and makes all types of paints and coatings.

The Stage Coach Trail facility was initially certified as a Rising Star Site in September 2008 and was promoted to Carolina Star status in September 2009. The facility employs about 71 people and makes a variety of wood coatings.

The Carolina Star Program is designed to recognize and promote effective safety and health management systems. The Star Program encourages worksites to partner with the OSH Division to proactively prevent fatalities, injuries and illnesses.

*Commissioner Berry was on hand on Jan. 12 in Greensboro to present Carolina Star Awards to two Sherwin-Williams sites.*



## Applications Open for Labor Department's Safety Awards

*By Jason Tyson, Communications Specialist*

The N.C. Department of Labor has begun accepting applications from businesses that qualify for a workplace safety award. Safety awards are presented to companies throughout the year that have demonstrated above-average worker safety and health programs.

"Our safety awards program recognizes employers and employees that are committed to promoting safe work environments in their communities," state Labor Commissioner Cherie Berry said. "It is always a great honor to recognize those businesses and organizations that go beyond the standard, for a good safety record is something they can be quite proud of."

Businesses that qualify for the award must meet two requirements. They must be free of fatalities at the site for which they are applying. The site's injury and illness rate also must be at least 50 percent below that of their industry's average rate.

Award recipients will be honored in their communities throughout the state at safety awards banquets co-sponsored by the N.C. Department of Labor, local chambers of commerce and other organizations.

For more information on the Safety Awards Program or to download an application, visit [www.labor.nc.gov/safety-and-health/recognition-programs/safety-awards-program](http://www.labor.nc.gov/safety-and-health/recognition-programs/safety-awards-program). The deadline for submissions is Feb. 16.



## Complying with OSHA General Industry Standards – Beginners Level

**May 15-16, Raleigh**

*Click [here](#) for more information.*



# SHARP Celebrates 10-Year Participants

By Jason Tyson, Communications Specialist

SHARP, N.C. Department of Labor's Safety and Health Achievement Recognition Program, celebrates each of its participants. This year the program is giving an extra nod to those who have been in the program for 10 years or more. SHARP is a nationally recognized program offered to employers across the state. With over 200 participating establishments from the private and public sector, North Carolina has the most SHARP sites of any state in the nation and continues to strive for more.

"I am very impressed with the number of companies in our SHARP program and there are so many that have been recognized for 10 years or more," Labor Commissioner Cherie Berry said. "I have visited many of these companies personally over the years, and this list attests to the strength of the program."

There are 28 employers that have been continuously in the SHARP program for over 10 years. Gaining acceptance into the program is impressive enough and maintaining it through multiple renewals and different reviews deserves even higher praise. Lampe and Malphrus Lumber Co. leads the pack with almost 17 years as a program participant. They had their first on-site consultative visit in November of 1991 and were officially welcomed into SHARP on Aug. 23, 2001.

"I have seen so many success stories with SHARP participants," said Kevin O'Barr, bureau chief of the Consultative Services Bureau. "These companies greatly improve their safety culture and reduce the number of injuries. The program participants represent many different manufacturing industries, long term care, public sector, construction, and other high hazard industries. They deserve more recognition than they are getting. It is a pleasure to work with them."

As a participant in SHARP, companies can reduce its injuries and illnesses and increase employee involvement in the safety program providing social and monetary benefits to the company.

To learn more about the on-site consultative service, visit [www.labor.nc.gov](http://www.labor.nc.gov), contact 919-807-2899.



*The administrative staff for the N.C. SHARP program. From Left to Right, Candice Fagnani, Kevin O'Barr, Shirley Curtis.*

## SHARP 10-Year Participants

### 16-17 Years

Lampe & Malphrus Lumber Company

### 14-15 Years

Pyrotek

Broad River Forest Products

### 13-14 Years

Edwards Wood Products – *Liberty*

Trinity Oaks Health and Rehabilitation

Edwards Wood Products – *Marshville*

Randolph Vocational Industries

Gaston Electronics

Cypress Glen Retirement Community

### 12-13 Years

Edwards Wood Products – *Laurinburg*

Lutheran Home Hickory Inc., dba Trinity Village

Milkco

Carolina Rest Home

### 11-12 Years

Central Ford

Lee County Industries

Canterbury House

Care Concepts, Inc., dba Village of Wilkes Skilled Care

Elizabeth Carbide of North Carolina

### 10-11 Years

Apex Instruments

ECMD

Unilin Flooring NC

Watauga Opportunities

Brushy Mountain Bee Farm

Foothills Industries

Oldcastle Precast

Trinity Village dba Lutheran Home of Hickory West

Salem Industries Division of Gaston Skills

The Emerson Group, Inc., dba Dixie Seating Company

***Congratulations to our SHARP Participants!***

**1-800-625-2267**  
**www.labor.nc.gov**

# DEADLY

## Mistakes



By Judyth Niconienko, State Plan Coordinator

**Fatal Event:** An employee who had worked for a moving company for about a year was pinned between a moving truck and the porch of a home while the truck was backing up. The victim was working as a spotter to guide the moving truck into position.

**Investigative Findings:** The company provided primarily residential packing and short haul transportation from one location to another. The household goods are packed for protection, loaded aboard appropriate vehicles, transported to another location and off-loaded.

Staff working for the moving company are given initial training sessions, when hired, where they are informed about the safety requirements and expectations of the company. Part of the instruction includes staying away from the rear of the truck until they completely shut down and the wheels are locked.

The general manager also provides a daily instruction before each task at the main business location, before dispatching the crews to their respective destinations. He reiterates the safety message about staying away from the rear of the trucks until the truck is completely shut down.

The drivers review the upcoming tasks with the movers while enroute to the sites and address the vehicle operation and the prohibition of working behind the vehicles.

Three employees were involved in the moving operations for a home owner and were just arriving to the house. The movers were attempting to position the truck where the ramp could bridge from the home's porch deck to the truck bed without having to step down from the porch and then climb up the ramp into the truck bed. The victim was acting as the right rear spotter and another employee was the primary, left rear spotter. The primary spotter is responsible for communicating with the driver. The spotters were behind the truck that was backing up to the porch of the house. As the truck approached within approximately one foot of the structure, the left (primary) spotter signaled the driver to stop. According to the driver's statement, his foot slipped off the clutch and the truck lurched back a few inches. It appears that almost simultaneously, the victim had attempted to cross behind the truck and was struck and pinned by the rear frame of the truck against the house. The left spotter did not observe the actual contact but immediately afterward observed the victim pinned. He directed the driver to move forward and he did so.

The victim staggered away from the house a few steps then collapsed. Emergency services were called and via cell phone guided the interim life support actions until the first responders arrived. The victim was transported to the hospital where he was pronounced dead.

The N.C. Department of Motor Vehicles conducted an on-site Class III inspection of the transport vehicle and found no mechanical defects.

**Discussion:** The Occupational Safety and Health Division did not receive a call about the fatality but was made aware of the incident by way of the medical examiner's report 38 days later.

The employer was fined for failure to report the incident to the OSH Division. Employers are required to report a work-related fatality within eight hours of the incident. Employers are also required to report an in-patient hospitalization, amputation or the loss of an eye within 24 hours of the incident.

The annual number of back-over related occupational fatalities nationwide has been an average of 61 per year from 2012 – 2015 according to the latest available data from the Bureau of Labor Statistics.

This was not a complicated worksite with extreme or extra ordinary conditions but an employee lost their life during this work activity. Employers should continue finding new ways to deliver safety messages to employees.

### Recommendations:

- ✖ Employees should never move behind any vehicle unless the driver is out of the cab and the vehicle is secured with the engine off.
- ✖ Employees should never be positioned directly behind a vehicle that is backing up.
- ✖ Instruct drivers to stop backing immediately if they lose sight of the spotter.
- ✖ Instruct spotters to always maintain visual contact with the driver while the vehicle is backing.
- ✖ Instruct spotters not to use personal mobile phones, personal headphones, or other items which could pose a distraction during spotting activities.
- ✖ Employees should be aware of the location of all other workers when any vehicle is in motion but especially when a vehicle is backing up.
- ✖ Employees required to work in the vicinity of moving vehicles should wear a safety vest or other high visibility clothing.
- ✖ Employees need to adhere to safety protocols that have been established for identified dangers at their worksite. The protocols have been put in place due to items or situations being identified as being a known potential hazard.

## WORKPLACE WORRIES

**Q:** What is the minimum wage in North Carolina?

**A:** In North Carolina, the minimum wage is the same as the federal minimum wage, which is \$7.25 per hour. There are some exceptions. One exception is for employees who regularly receive tips, such as wait staff. Employees who regularly receive tips are still entitled to receive the minimum wage of \$7.25 per hour. However, the employer may pay a base case wage of \$2.13 per hour and take a "tip credit" for a maximum of \$5.12, which is the difference between \$7.25 and \$2.13. For these situations, the employer must tell the employee the actual case wage (at least \$2.13), the tip credit claimed by the employer cannot exceed the amount of tips actually received by the employee, and that all tips received by the tipped employee are to be retained by the tipped employee. Employers who use this method of paying minimum wage must be able to show by records that the tipped employee received at least the minimum wage in wages plus tips or the employer must make up the difference.

By Christine Ryan, Administrator  
Wage and Hour Bureau







# Bulletin Board

## Mine and Quarry Training

### New Miner Training

March 12-14, Raleigh

### Annual Refresher Training

March 15, Raleigh

April 12, Raleigh

### Part 46 New Miner Training

Feb. 6, Winston-Salem

### Part 46 Annual Refresher Training

Feb. 8, Winston-Salem

### First Aid Training

Feb. 7, Winston-Salem

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

**May 15-16, 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](mailto: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 [www.labor.communications.its.state.nc.us/OSHPublic/ETTA/class\\_regist/calendar.cfm](http://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:

- ♦ Recordkeeping
- ♦ Lockout/Tagout
- ♦ Machine Guarding
- ♦ Concrete and Masonry
- ♦ Powered Industrial Trucks
- ♦ Toxic and Hazardous Substances
- ♦ Electrical Safety - General Industry

## Follow NCDOL on:



*Have a Safe, Healthy  
and Happy 2018!*



Nova Development