



NCDOL

N.C. Department of Labor

Cherie Berry, Commissioner

Labor

LEDGER

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1-800-625-2267

Join the National Safety Stand-Down to Prevent Construction Falls

By Mary Katherine Revels, Public Information Officer

Falls continue to be one of the leading causes of work-related deaths statewide. The U.S. Department of Labor's Occupational Safety and Health Administration has declared the National Safety Stand-Down to prevent falls in construction to take place May 7-11, 2018. The 5th annual event is an opportunity for businesses to bring attention to fall hazards around the workplace and emphasize the importance of fall prevention. The purpose of this stand-down is to provide an opportunity for employers and employees to talk about hazards, protective methods and safety policies.

"NCDOL will once again partner with OSHA on this very important initiative to raise awareness about falls," Labor Commissioner Cherie Berry said. "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 falls from happening on construction sites throughout North Carolina."



During the 2017 National Safety Stand-Down to Prevent Falls in Construction, the Education, Training and Technical Assistance Bureau held a fall protection event near a Barnhill Contracting Co. construction site in downtown Raleigh.

How can your business participate?

- ◆ Sign up for a **free webinar** provided by NCDOL's Education, Training and Technical Assistance Bureau
- ◆ Have a toolbox talk or another safety activity.
- ◆ Discuss job specific hazards.
- ◆ Share your Stand-Down story on social media, with the hashtag: #StandDown4Safety.
- ◆ Develop rescue plans.
- ◆ Attend a fall protection event.

For more information about the National Safety Stand-Down to Prevent Falls in Construction, visit **OSHA's website**.

Visit our new website...

www.labor.nc.gov

Spring into Safety!



**From Labor
Commissioner
Cherie Berry**

With the start of spring, I am gearing up for my annual trek across North Carolina attending safety award banquets to recognize those employers and employees who make workplace safety and health a top priority. The safety awards season began, as it usually does, in Lincolnton, and it was great to see so many familiar faces there. I hope to see many of you, our Labor Ledger subscribers, at the various venues as we make our way across the state presenting these well-deserved awards. You can view the entire 2018 safety awards banquet schedule on page 5 in this edition of the Labor Ledger.

The start of spring brings with it the National Safety Stand-Down, which is scheduled for the week of May 7-11. This important initiative raises fall hazard awareness in construction across the country in an effort to stop fatalities caused by falls. In North Carolina, we are inviting all builders, both commercial and residential, to participate. Please read the article on page 1 to learn about different ways that your business can contribute. As long as fatalities caused by falls continue to be a leading cause of death in the construction industry, we will not stop talking about and promoting this important event.

You may also read about the scope of the work that our many different units perform in the NCDOL 2017 Annual Report. The report provides information about the programs and initiatives we administer and support as well as the various acts we enforce. I hope you will take a few minutes to read it and that it will enlighten you on the many ways we touch and protect the lives of most North Carolina citizens each and every day. The report will be available on our website April 10 at www.labor.nc.gov.

One final item spring reminds me of is our upcoming growing season, and the migrant workers who come to our state to help plant and harvest the crops. We recognized these growers who are creating ideal living quarters for migrant workers earlier this year at the annual Gold Star Growers Meeting in Raleigh. Gold Star Growers go above and beyond the requirements of the law to provide safe and clean living quarters to those migrant workers who are critical to our state. Agriculture is important to our state, and I applaud those farmers who voluntarily exceed the basic requirements for providing migrant housing.

Cherie Berry



Nova Development

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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

Cherryville Fire Department – Cherryville



Carolina Star *Recertification

Veolia Environmental Services Technical Solutions
Cube Hydro Carolinas LLC – Yadkin Generation – Badin*
Glen Raven Custom Fabrics LLC – Burlington*
Sonoco Recycling Inc. – Winston-Salem*



Public Sector Star *Recertification

Davidson County Integrated Solid Waste Dept. – Lexington*



Building Star *Recertification

Monteith Construction Corp. – Wilmington*



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NCDOL Recertifies McDonald York as Carolina Star

By Jason Tyson, Communications Specialist

Labor Commissioner Cherie Berry visited 18 Seaboard in Raleigh on Jan. 25 to recertify McDonald York Building Co. as a Carolina Star participant.

Commissioner Berry presented company officials and 25 employees with the Carolina Star award and also gave a speech to those in attendance.

“I am pleased that McDonald York continues to make safety and health practices in the workplace a priority,” Commissioner Berry said. “Companies with this type of commitment help make our state and the building industry safer.”

NCDOL’s Building Star Program recognizes construction worksites and/or companies (including general contractors and subcontractors) that have Carolina Star quality safety and health programs but require demonstration of approaches and procedures that differ from current Carolina Star requirements.

“For McDonald York Building Co., our Building Star recertification and our partnership with the N.C. Department of Labor are key components of our safety program,” said Tanner Holland, president, McDonald York Building Co. “The recertification is not the goal but a step in our continued pursuit of zero safety incidents for all jobsites, everyday. The partnership provides us with resources for our construction teams to ensure everyone has the highest awareness for a safe jobsite.”

McDonald York Building Co., which was founded in 1908, is a general contractor based in Raleigh.



Commissioner Berry joins company officials and employees to recertify McDonald York as a Carolina Star participant at a ceremony in Raleigh on Jan. 25, 2018.

Hendrick Construction Recertified as Building Star

By Jason Tyson, Communications Specialist

The N.C. Department of Labor has recertified Hendrick Construction as a participant in the Building Star Program.

Labor Commissioner Cherie Berry visited the company’s Weddington location on Jan. 30, where she presented the award to Superintendent Dan Reep and delivered a speech to employees.

“Since 2008, Hendrick has demonstrated a strong commitment to the safety of its employees,” Commissioner Berry said. “This decade-long track record is quite impressive, and I commend each of you for these continuing efforts.”

Hendrick Construction, based in Charlotte, was founded by Roger Hendrick in 2002. Hendrick Construction works throughout the Southeast and is licensed in North Carolina, South Carolina and Tennessee. Recent projects include a renovation to the Grove Park Inn in Asheville, as well as various projects at the N.C. Zoo. They are involved in construction projects across various industries, including multi-family housing, schools, jails, restaurants and manufacturing facilities.

In addition to receiving recognition as a Building Star company, Hendrick has also received the Associated Builders and Contractors Step award each year since 2008, as well as the Associated Builders and Contractors National Safety Merit Award, and a National Safety Excellence Award.

Hendrick was first recognized as Building Star company in 2008.



Commissioner Berry presents Dan Reep with the Building Star Award on Jan. 30, 2018, at the recertification ceremony held at the Threshold Church construction site in Weddington.

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Choate Construction Earns Building Star

By Jason Tyson, Communications Specialist

The N.C. Department of Labor has certified Choate Construction as a participant in the Building Star Program during a special ceremony held Feb. 11 at the company's Charlotte location. Labor Commissioner Cherie Berry presented company officials with a certificate and the Building Star flag.

"I am pleased with Choate's strong commitment to the safety of its employees and this honor is well deserved," Commissioner Berry said. "The employee-owned atmosphere at this fine facility is just one demonstration that they are putting their workers first. We are proud to have them in North Carolina."

Choate Construction was founded in 1989 as a basement start-up. Today, Choate has over 400 full-time employees and is 100 percent employee-owned. Choate was voted ENR Southeast Magazine's Contractor of the Year and is also celebrating its one-year anniversary as an employee-owned company. Choate has offices in Charlotte and Raleigh, N.C.; Atlanta and Savannah, Ga.; and Charleston, S.C. The company is involved in commercial construction projects across all industries.

"Choate Construction is honored to be accepted into the North Carolina Building Star Program and is excited about our partnership with the NCDOL," said Dave Priester, president and chief operating officer of Choate. "We are proud of the passion our employee-owners display for our One Life safety identity, and by partnering with the Building Star Program, know we can continue to raise the bar even higher."

The Carolina Star Program is designed to recognize and promote effective safety and health management systems. The Star Program encourages worksites to partner with NCDOL's Occupational Safety and Health Division to proactively prevent fatalities, injuries and illnesses. Including Choate Construction, there are now 21 Building Star sites in the program.



NCDOL Photo Library

Commissioner Berry displays the Carolina Star flag with employees of Choate Construction on Feb. 11, 2018.

Gold Star Growers Recognized

By Jason Tyson, Communications Specialist

The N.C. Department of Labor presented special awards to two North Carolina farmers during the 24th Annual Gold Star Growers Meeting held Jan. 31 and Feb. 1 at the N.C. State Fairgrounds.

The awards are given to members of the agricultural community who voluntarily elect to provide housing that exceeds state standards for their migrant workers. These standards are required by law and are used during annual inspections performed by NCDOL's Agricultural Safety and Health Bureau.

Special awards were given to Cone's Folly Blueberries Inc. of Guilford County for Best New Housing. Scott Farms Inc. of Wilson County was selected for the Most Improved Housing Award. Labor Commissioner Cherie Berry presented awards to both recipients.



NCDOL Photo Library

Scott Farms Inc. of Wilson County receives the award for the Most Improved Housing. Pictured left to right are Mark Hardie, Kim Scott, Alice Scott, Labor Commissioner Cherie Berry and ASH inspector Kathy Capps.



NCDOL Photo Library

Cone's Folly Blueberries Inc. of Guilford County receives the award for Best New Housing. Pictured from left to right are Scott Barefoot, Elizabeth Cone, Labor Commissioner Cherie Berry and ASH inspector Alan Fortner.

"The Gold Star Growers are recognized each year for

being the best of the best," Commissioner Berry said. "They set an example of how to treat their workers like family by keeping their facilities clean and comfortable."

At this year's meeting, a total of 134 growers were awarded the Double Gold Star Grower Award, and a total of 106 were awarded the Single Gold Star Award. Double Gold Star Growers are eligible for self-inspection of their housing in the upcoming year.

"We've selected these recipients from those farmers who voluntarily chose to go above and beyond the standard requirements," said Agricultural Safety and Health Bureau Chief Beth Rodman.

2018 Safety Awards Banquet Schedule

The following banquets are scheduled for April, May and June.

For more information about the Safety Awards Program, contact Eursula Joyner at 919-807-2908 or eursula.joyner@labor.nc.gov.

Monday, April 9	noon	AVS Banquet Center	Asheboro
Wednesday, April 11	noon	Mebane Arts & Community Center	Burlington
Thursday, April 12	6 p.m.	Homestead Steakhouse	Roxboro
Tuesday, April 17	6 p.m.	LeGrand Center	Shelby
Thursday, April 19	6 p.m.	Rock Springs Events Center	Greenville
Tuesday, April 24	noon	Elm City Train Depot	Elm City
Thursday, April 26	8 a.m.	Embassy Suites	Greensboro
Friday, April 27	noon	Embassy Suites	Charlotte
Tuesday, May 1	6 p.m.	Sampson County Exposition Center	Clinton
Friday, May 4	noon	Cabarrus Country Club	Concord
Tuesday, May 8	6:30 p.m.	Ahoskie Inn	Ahoskie
Wednesday, May 9	noon	Lane Tree Country Club	Goldsboro
Friday, May 11	noon	DoubleTree by Hilton	Rocky Mount
Monday, May 14	6 p.m.	Coastline Convention Center	Wilmington
Wednesday, May 16	noon	TBA	Statesville
Thursday, May 17	5:30 p.m.	Morganton Community House	Morganton
Monday, May 21	6 p.m.	Oliver's	Wadesboro
Tuesday, May 22	noon	Women's Club	Thomasville
Thursday, May 24	noon	South Piedmont Community College	Monroe
Friday, June 1	noon	Marriott Crabtree Valley	Raleigh
Tuesday, June 5	6 p.m.	Henderson Country Club	Henderson
Thursday, June 7	6 p.m.	Adelio's Restaurant	Lumberton
Tuesday, June 12	noon	City of Sanford Public Works Service Center	Sanford
Wednesday, June 13	noon	Olivia's Catering	Kinston
Monday, June 18	noon	Carolinas HealthCare System – Stanly	Albemarle
Tuesday, June 19	6 p.m.	Gastonia Conference Center	Gastonia
Friday, June 22	noon	Cross Creek Country Club	Mount Airy
Tuesday, June 26	6 p.m.	Hilton Asheville Biltmore Park	Asheville
Thursday, June 28	6 p.m.	Crowne Plaza	Hickory

Commissioner Berry Receives Special Award From Johnston County School

By Jason Tyson, Communications Specialist

Labor Commissioner Cherie Berry received a surprise award earlier this year given by students at Johnston County Early College Academy.

Students in Alvetta Rolle's English class at the school named Commissioner Berry as one of the recipients of the Atticus Finch Award on March 1. Commissioner Berry, had a prior engagement that evening, but sent a special message via a **taped video** to the class.

"I read the book *To Kill a Mockingbird* just as these students did when I was in the ninth grade," Commissioner Berry said. "And that book changed my life. What Scout said in the book that 'I think there's just one kind of folks. Folks.' that's what I've thought all my life. There are not groups of people who are divided into categories ... there just one group of people, they're the folks."

Alvetta said the students wished to recognize those in the community who stood up for people as Atticus Finch did for Mr. Robinson in the book *To Kill a Mockingbird*. Commissioner Berry, one of 13 award recipients, was honored in the category of 'Labor Injustice.'

"The students selected Commissioner Berry for the work she does to stand up for workers, and to ensure workers are heard and treated fairly," Alvetta Rolle said.

For this category, the students researched labor laws and visited the NCDOL website to learn about Commissioner Berry. The students completed their research in one week's time.



Students from Alvetta Rolle's English class at Johnston County Early College Academy display Commissioner Berry's Atticus Finch Award for Labor Injustice. Commissioner Berry was named as one of 13 award recipients on March 1, 2018.

Biogen Maintains Star Status

By Jason Tyson, Communications Specialist

The N.C. Department of Labor recertified Biogen as participants in the Carolina Star Program during a special ceremony held on Jan. 22 in the company's cafeteria.

Labor Commissioner Cherie Berry was present for the carnival-themed celebration for the employees and their children who participated in the Carolina Star Safety Calendar contest. The event is used to promote and sustain a culture for employees and their children to value safety at home, work and play.

"I was thrilled to recertify Biogen as a company who truly values the safety of its employees," Commissioner Berry said. "I also enjoy the calendar contest, and the way the company encourages parents to teach children about safety at home."

Biogen Idec, founded in 1978, is the world's oldest independent biotechnology company. It discovers, develops, and delivers to patients worldwide innovative therapies for the treatment of neurodegenerative diseases, hemophilia, and autoimmune disorders. The company's corporate headquarters is located in Weston, Massachusetts and operates offices in the United States, Europe, Canada, Australia, and Japan.

Biogen's RTP Campus is the headquarters for the company's U.S. manufacturing operations. The facility employs more than 1,400 employees and is composed of several buildings encompassing more than 550,000 square feet on 158 acres of land. The primary purpose of the facility is to manufacture bulk drug substances for three commercial products used to treat Multiple Sclerosis, Crohn's Disease, and Psoriasis. The facility also manufactures products for clinical trials. Biogen is the largest independent biotech company in North Carolina and the ninth largest employer in RTP.

Biogen's Carolina Star Team sponsored its 4th annual Kids Safety Calendar contest for youth ages 1 to 18 years. This year's theme is "Safety at Home, Work and Play".

The Carolina Star Program is designed to recognize and promote effective safety and health management systems. The Star Program encourages worksites to partner with NCDOL's Occupational Safety and Health Division to proactively prevent fatalities, injuries and illnesses.



Commissioner Berry poses with participants in the Children's Safety Calendar contest at Biogen on Jan. 22, 2018.

Total Fire Systems Recertified as SHARP Participant

By Mary Katherine Revels, Public Information Officer

The N.C. Department of Labor recently recertified Total Fire Systems Inc. as a participant in the Safety and Health Achievement Recognition Program (SHARP). The program recognizes companies for a commitment to the safety and health of their employees.

Labor Commissioner Cherie Berry presented company officials with the SHARP flag and certificate at a ceremony at its Youngsville facility on Tuesday, Feb. 27.

"I am fascinated by the work that you do here," Commissioner Berry said. "It is evident that you understand nothing is more important than taking care of each other. Thank you for all you do to keep North Carolina one of the safest states in which to work."

The SHARP Award is designed for small to mid-size businesses. Companies that qualify for the award show that they have developed and maintained good safety programs for workers. To qualify for the program, injury and illness rates for the site must be below the national average for the industry, and NCDOL safety and health consultants must complete an assessment of the workplace.

"We are all a team, and good teams work together," Mike Rohlik, president of Total Fire Systems, said. "I am very proud of the work everyone has accomplished."

Total Fire Systems specializes in the design, development, and manufacturing of electronic assemblies, cables, and sensors. Products from the company can be found from the streets of Raleigh all the way to Seattle. The company manufactures electronics and fire suppression products that can be found in automotive, forestry, marine, military, mining, pharmaceutical, and public/municipal transit applications.

Total Fire Systems received its initial SHARP certification in September 2015.



Employees of Total Fire Systems gather along with Labor Commissioner Cherie Berry to display the SHARP flag on Tuesday, Feb. 27, 2018, during a ceremony at the Youngsville facility.

DEADLY Mistakes



By Judyth Niconienko, State Plan Coordinator

Fatal Event: On April 10, 2016, a 42-year-old man was standing on the forks of a forklift and working on the fly wheel of a perforating press when the fly wheel fell off the press crushing the employee between the fly wheel and the forks of the fork lift.

Investigative findings: A maintenance supervisor (deceased) and a mechanic had been performing maintenance on a Wegner perforating press. A portion of the periodic maintenance was replacing the bearings which required the removal and replacement of the fly wheel. During the testing of the machine the clutch kept breaking the plates. It was determined that additional space was needed in the bearings for the machine to function properly. The employees decided to adjust the spacers without removing the flywheel from the press. The maintenance supervisor climbed up to the top of a 6 foot step ladder and then onto the elevated forks of a Toyota forklift. The forks were raised up so that the supervisor could reach the flywheel. He then proceeded to remove the locking nut from the flywheel so that he could access the bearings. While he was removing the spacers from the bearings the 4,700 pound fly wheel fell off the press and onto the maintenance supervisor where he was crushed against the forks of the fork lift

Discussion: On interview with key regional operations staff for the company it was determined that there was an unwritten procedure for this particular routine maintenance of the flywheel. When the maintenance was conducted the flywheel was supposed to be lifted by the fork lift and then chained to the top of the machine to

secure it against falling. After it was secured the locking nut would be removed and the maintenance safely performed. Management told investigators that they assumed all maintenance supervisors followed the identical procedures.

The mechanics training records, for the fork lift, showed that he was trained and qualified. During an interview the mechanic stated that he knew that the forks should not be used for lifting someone but that the maintenance was a simple task that could be done quickly so they decided to go ahead. He also indicated that they had a man basket on the premises for lifting personnel but decided not to use it.

Recommendations:

- ☠ A hazard assessment should be performed for each job duty.
- ☠ Safe work practices should be established and communicated to employees.
- ☠ Employers should provide employees with a training program that describes the hazards associated with servicing equipment and all the step by step instructions and safety precautions needed to do the task safely.
- ☠ Maintenance procedures for specific equipment should be documented.
- ☠ Employees should not perform any service or maintenance on machinery that is not locked out or tagged out.
- ☠ Employers must provide training to ensure that employees are aware of the purpose and function of an energy control program.
- ☠ Don't take shortcuts or ignore the safety and health procedures that have been put in place.
- ☠ Safety rules should be enforced.

WORKPLACE WORRIES



By Christine Ryan, Administrator
Wage and Hour Bureau

Q: *I own my own business. Can I give comp time to my employees instead of paying them time and one-half overtime pay?*

A: No. A private business cannot give comp time in lieu of paying the time and one-half overtime pay for the hours worked by non-exempt employees in excess of 40 in a workweek. You may be thinking of government employers in the public sector, who are allowed under federal labor law to give their employees time and one-half comp time hours for the hours worked in excess of 40 in a workweek in lieu of overtime pay with certain restrictions. A business in the private sector can give comp time to its bona fide exempt employees since these employees do not have to be paid time and one-half overtime pay. Such a comp time policy may be hour-for-hour but must be in writing as with any other wage benefit policy.



Complying with OSHA General Industry Standards – Beginners Level

May 15-16, Raleigh

Click [here](#) for more information.



Bulletin Board

Mine and Quarry Training

New Miner Training

April 9-11, Wake Forest

May 14-16, Wake Forest

Annual Refresher Training

April 12, Wake Forest

May 17, Wake Forest

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

Complying With OSHA Construction Industry Standards Beginners Level

July 25-26, 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.

This beginner's level two-day 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 to view upcoming internet training and other safety courses. Check the calendar for new courses being added soon. Among the courses being offered include:

- ♦ Fall Protection
- ♦ Struck By/Caught Between
- ♦ Stairways and Ladders
- ♦ Electrical Safety
- ♦ Hazard Communication
- ♦ Scaffolding

Charlotte Regional Safety and Health School

April 19-20, Charlotte

Eastern Carolina Safety and Health School

June 14-15, New Bern



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