



NCDOL

N.C. Department of Labor

Cherie Berry, Commissioner



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Tar Heel State's Workplace Injury and Illness Rate Drops to a Historic Low

By Dolores Quesenberry, Communications Director

New figures show North Carolina's nonfatal workplace injury and illness rate for private industry declined to a historic low in 2017. The 2017 rate is 2.3 cases per 100 full-time workers, a statistically significant drop from 2.5 in 2016. The Tar Heel state remains one of the safest states in which to work with a rate below the national rate of 2.8 cases per 100 full-time workers.

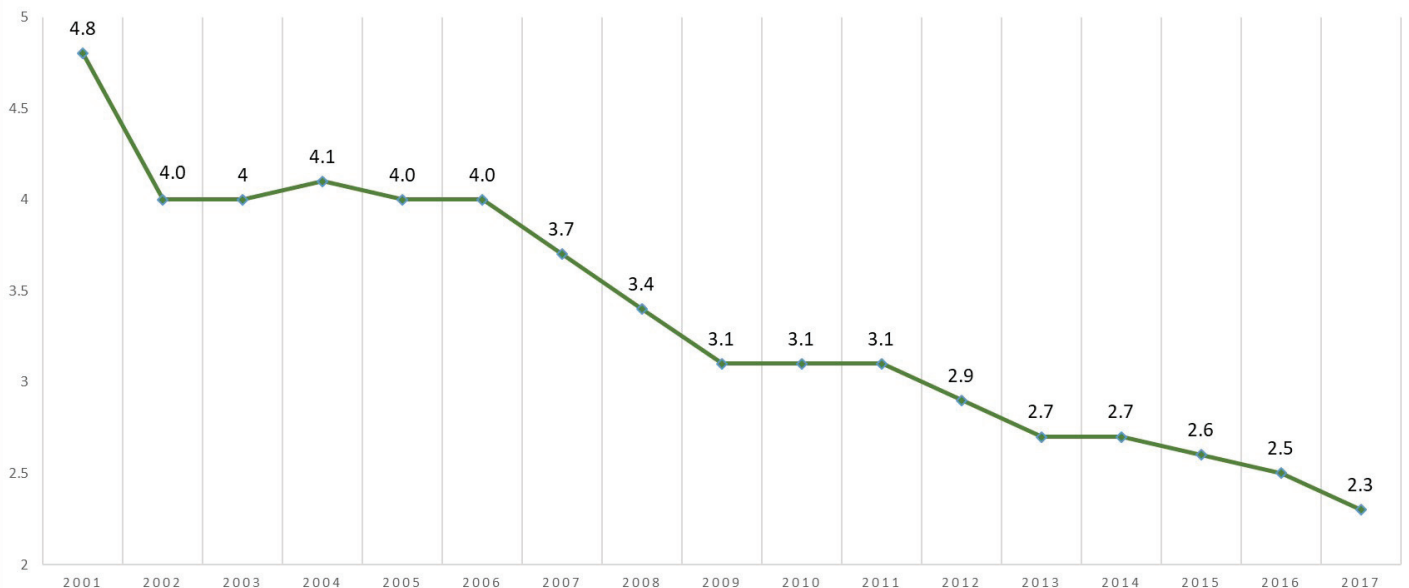
"With this decline, North Carolina's rate has hit an unprecedented low," Labor Commissioner Cherie Berry said. "The downward trend speaks to a safety and health culture that has taken root in businesses throughout North Carolina, and I give employers and employees much of the credit for this drop."

As a State-Plan state, North Carolina's Occupational Safety and Health Division focuses on hazardous industries like construction and manufacturing by implementing special emphasis programs, providing free education and training, conducting free safety and health consultative visits, and establishing partnerships and alliances.

The 2017 private industry rate for construction was 1.8 cases per 100 full-time workers, below the national rate of 3.1. The 2017 rate for manufacturing remained the same at 2.9 cases per 100 full-time workers, below the national rate of 3.5.

"This is positive news for North Carolina workplaces," Commissioner Berry said. "The rate accounts for economic growth, which is an important factor when you consider the growth North Carolina has experienced over the years."

NONFATAL OCCUPATIONAL INJURY AND ILLNESS TOTAL RECORDABLE CASE RATE PER 100 FULL-TIME WORKERS, NORTH CAROLINA, PRIVATE SECTOR, CALENDAR YEARS 2001 THROUGH 2017



NCDOL Photo Library/The national study can found on the OSHA website.





From Labor Commissioner Cherie Berry

The U.S. Bureau of Labor Statistics recently released its national injury and illness report for 2017. North Carolina's nonfatal workplace injury and illness rate for private industry declined to a historic low, 2.3 cases per 100 full-time workers. Although construction is booming in the Tar Heel state, the 2017 private industry rate for construction was 1.8 cases per 100 full-time workers, below the national rate of 3.1. Please take some time to read more about the state injury and illness rate on the front page of this edition.

The Communications Division will launch a podcast called *Inside NC Labor* this Friday, Nov. 30. Thank you to those of you who participated in the social media poll to select the podcast name. The podcast has been in the works for some time now and its purpose is to inform and educate North Carolina citizens on the role that the Department of Labor plays in state government. You can find the link to the first episode on page 4 in this edition. I hope you will find some time to tune in to the first episode.

I truly hope each one of you had a wonderful Thanksgiving Day with friends and family. This year, I was honored to be invited to serve as the Grand Marshal for the Novant Health Thanksgiving Day Parade. The parade began in 1947 and has become a holiday tradition for many folks in the Charlotte area and beyond. It was thrilling to spend Thanksgiving morning with 100,000 plus spectators on a beautiful day in Uptown Charlotte.

It is hard to believe that 2018 is drawing to a close. I am so grateful for the opportunity to meet so many North Carolinians as I travel across the state attending various events. I hope your holidays are bright, and I look forward to a new year and what we can accomplish together.

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. For a complete list of **Star** and **SHARP** sites, visit the NCDOL website.



SHARP *Recertification

Trinity Glen, Winston Salem
Town of Mooresville Street Maintenance, Mooresville
Town of Mooresville Fleet Maintenance, Mooresville
Town of Mooresville Sanitation, Mooresville



Building Star *Recertification

Skanska USA Building, Durham*



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Two New Chairlifts Certified at Beech Mountain Ski Resort

By Mary Katherine Revels, Public Information Officer

The N.C. Department of Labor's Elevator and Amusement Device Bureau recently inspected and certified two new chairlifts, Lift 5 and Lift 6, at Beech Mountain Ski Resort during October and November. The two chairlifts were designed and installed by Doppelmayr, a company based out of Austria. There are 14,900 ropeway installations on six continents of the world that have been supplied by Doppelmayr.

It took two and a half months to build and install the two new chairlifts. There are several regulations that engineers must keep in mind when designing a ski lift. One example of a regulation is that there must be a clearance of at least 13 feet between the bottom of the chair to the top of the snow for areas where patrons ski underneath the lift.

"There are no two ski lifts alike. Every ski lift is built differently. Everything must be designed for where it is going," said John Dearborn, eastern construction manager for Doppelmayr. "For instance, these two new lifts are beside each other, but there is no detail on them the same. The steel poles are different sizes and the cable is also different."



During the initial inspection, Tommy Petty, assistant bureau chief of the Elevator and Amusement Device Bureau, discusses the ski lift's braking system with John Dearborn, eastern construction manager for Doppelmayr. The ski lift was certified to operate Monday, Nov. 19, 2018.



During the off season, Beech Mountain Ski Resort starts the project of installing two new ski lifts. The project was completed in about two and half months.

was a little more daunting because of the two new chairlifts.

On Monday, Oct. 29, NCDOL inspectors began testing the weight system of the chairlifts. One of the first tests included placing water on carriers to simulate the chairlift's load capacity. To complete the certification process at Beech Mountain Ski Resort, the Elevator and Amusement Device Bureau spent eight days inspecting six chairlifts, two conveyors and one handle pull.

"During the testing of a new chairlift, all safety devices are tested with no load and full load," said Tommy Petty, assistant bureau chief, Elevator and Amusement Device Bureau. "The lift is loaded with the capacity for the uphill side plus 10 percent. Once the chairlift is loaded, it is put into motion, testing all stop switches under normal drive and with the evac drive."

Lift 5 and Lift 6 were certified to operate Monday, Nov. 19, 2018.

For the 2018-2019 ski season, Beech Mountain Ski Resort opened Friday, Nov. 23. Opening day was originally scheduled for Saturday, Nov. 17, but was delayed one week because the snowmaking process was behind schedule. For ski resorts, opening day is always dependent upon the weather.

Beech Mountain Ski Resort is hosting a ribbon-cutting ceremony Saturday, Dec. 1, to celebrate the two new Doppelmayr chairlifts.

Follow NCDOL on:



N.C. State Fair a Success Despite Adverse Weather

By Natalie Bouchard, Communications Division

The N.C. State Fair comes to town once a year and this year it seems to have come and gone faster than a hungry patron's turkey leg. It's always an exciting and special time for North Carolina residents and visitors, but this year's fair was hopefully somewhat of an escape from tragedy and chaos for North Carolinians effected by Hurricanes Florence and Michael.

Every year since 1993 the fair has hosted a Hunger Relief Day where instead of purchasing tickets for admission patrons can bring in cans of food that are donated to the Food Bank of Central and Eastern North Carolina. This year on Thursday, Oct. 18, the equivalent of 280,000 meals were donated according to a news release from the N.C. State Fair press office. This is around 180,000 meals more than the amount donated last year, which will help to aid the greater need caused by the hurricanes that effected our state.

The adverse weather also affected the 11-day fair more directly as it was forced to open a day later as a safety precaution. The result was a record breaking "opening day," with 73,328 people in attendance. Even though it was only a 10-day event this year, the fair boasted 977,256 people in total attendance.

The mission of the annual state fair is to showcase and promote the state's agriculture, agribusiness, arts, crafts and culture through the annual agricultural fair. Just as attendance numbers were high this year, so were the number of entries, vendors and exhibitionist. In the Village of Yesteryear more than 75 crafters displayed and sold their work. Over 200 food vendors were present, including this year's "Best New Food" winner Cool Runnings Jamaican, who sold a tasty jerk pork wrap with mango sauce. There were over 26,000 entries to various contests, and over 6,000 animals present according to fair manager, Kent Yelverton.

The N.C. Department of Labor ride inspectors are pivotal in the success of the fair each year. Before the fair even began, NCDOL inspectors with the Elevator and Amusement Device Bureau worked diligently to inspect and certify about 100 rides. Labor Commissioner Cherie Berry spoke about the ride inspection process at the Department of Agriculture's annual Media Day event held the Monday before opening day.

"There are about 20 inspectors getting these rides safe and ready for the public to use," Labor Commissioner Cherie Berry said. "We don't stop until every single part of every single ride has been inspected to 100 percent of the manufacturers' specifications for operation."



NCDOL inspector Carey Creech gives news crews a behind-the-scenes look at the ride inspection process Wednesday, Oct. 10.



Fairgoers enjoy a ride on the State Fair Flyer as it cruises across the midway on opening day of the N.C. State Fair Friday Oct. 12.

The State Fair Flyer, a 1,450 foot long chairlift that extends across the midway of the fair, had to have its chairs removed as a precaution around the time of Hurricane Florence in September.

"We have to come back and re-inspect every time they take the seats off," NCDOL ride inspector Carey Creech said.

The State Fair Flyer is typically inspected by NCDOL officials once a year but because it was disassembled they inspected it again before it reopened to the public.

Several amusement ride inspections were delayed because of Hurricane Michael. Although NCDOL inspectors said they had to do at least 13 original inspections after the hurricane and before opening day, they also mentioned that they did not have to do any re-inspections of rides because of the storm.

"This was the most successful fair yet in terms of the least number of incidents," Elevator and Amusement Device bureau chief Tom Chambers said. "Because of the cooperation between subcontractors and NCDOL and the team work of emergency responders, this year's opening day was the smoothest on record."



NCDOL's first podcast — *Inside NC Labor* — airs Friday, Nov. 30, 2018. The podcast is designed to inform and educate North Carolina citizens on the role that the Department of Labor plays in state government.

Labor Department Recognizes DSM Dyneema's Greenville Facility

By Mary Katherine Revels, Public Information Officer

The N.C. Department of Labor recently certified DSM Dyneema LLC as a participant in the Carolina Star Program during a special ceremony held Tuesday, Oct. 16, at the Greenville facility. Labor Commissioner Cherie Berry presented company officials with the acrylic star and the Carolina Star flag.

"Being a Carolina Star shows the community that you are committed to a safe work environment," Labor Commissioner Cherie Berry said. "A good safety record is something to be proud of, and I am happy to recognize all DSM Dyneema employees for working hard to make safety a priority."

The Carolina Star is the most prestigious safety and health designation a company can earn from the N.C. Department of Labor. Companies that qualify for the award have exemplary safety and health programs in the workplace. Only 153 sites across North Carolina have earned Carolina Star status.

"The Carolina Star distinction reflects our unwavering dedication to the safety and well-being of every person who works at a DSM site," said Hugh Welsh, president of DSM North America. "We are proud to be recognized by Commissioner Berry and the N.C. Department of Labor, and we remain steadfast in our commitment to continuously improve in the areas of safety, health and environment."

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DSM Dyneema LLC employees, along with Labor Commissioner Cherie Berry, gather at the Greenville facility to display the Carolina Star flag during a special ceremony, Tuesday, Oct. 16, 2018.

Kellogg Cary Bakery Maintains Carolina Star Status

By Mary Katherine Revels, Public Information Officer

The N.C. Department of Labor recertified Kellogg Company's Cary Bakery as a participant in the Carolina Star Program during a special ceremony held Wednesday, July 18.

Labor Commissioner Cherie Berry held an award presentation and made keynote remarks during the ceremony.

"The safety and health practices at the Kellogg Cary Bakery site are quite impressive and deserving of recognition," Commissioner Berry said. "The safety culture found at the facility is built on strong employee engagement and has decreased workplace injuries. I applaud the efforts of everyone involved."

The Carolina Star Program is designed to recognize and promote effective safety and health management systems. The program engages management and employees at worksites throughout the state to proactively prevent fatalities, injuries and illnesses. The award is the most prestigious safety recognition given by the N.C. Department of Labor.

"The safety and health of our entire team is paramount to our success," says Steve Surovec, Kellogg Cary Bakery plant manager. "We are very proud to be a Carolina Star facility and greatly appreciate our partnership with the Department of Labor and sister Star sites in North Carolina. Being a Star site drives us to be our best in safety always."

The Kellogg Cary Bakery site received a fifth consecutive gold safety award at the NCDOL Safety Awards Banquet held at the Raleigh Marriott Crabtree Valley Friday, June 1. Kellogg Cary Bakery received its initial Carolina Star certification March 2015.



Labor Commissioner Cherie Berry meets Tony the Tiger, the advertising cartoon mascot for Kellogg's Frosted Flakes breakfast cereal, during the Kellogg's Carolina Star recertification ceremony.

2018 Annual Carolina Star Safety Conference Draws Participants From Across the State

By LaMont Smith, Recognition Program Manager

The Annual Carolina Star Safety Conference was held at the Joseph S. Koury Convention Center in Greensboro Oct. 3–5. The conference brings together Star participants, vendors and speakers to promote safe work practices in all industries, and to promote participation and growth of the Carolina Star Program. The theme of the conference was “Safety...No Mystery,” and this year drew 652 participants from across the state.

Opening day for conference activity began with preconference workshops designed to encourage the growth of the N.C. Department of Labor’s Star Program. The preconference workshops included topics that focused on the Star application and evaluation process. In addition, there were preconference workshops designed to assist current participants with preparing their Star Annual Report and other topics that were designed to assist all participants with silica awareness.

As the day progressed, the conference transitioned into the general session, where opening session guest speaker, Dr. Michael Behm, East Carolina University, engaged the audience with his conference theme-related presentation entitled “Work Health and Safety Mysteries.” Behm’s presentation focused on arranging conditions for people to be successful by reducing risk. He encouraged the audience to get involved with safety at work, anticipate risk and discuss ideas for positive change. Behm further stressed to the audience to think beyond compliance and to be proactive in their approach toward safety.

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

An extremely fun and exciting part of the conference involved Network Central, a competition between six regional teams based on the conference theme. The designated representatives of these regional teams include: Rebecca Alston, Roanoke Electric Cooperative; Greg Brandt, Cataler; Lisa Christian, Caterpillar; Donna Daniel, Clean Harbors; Kenneth Dull, Pfizer; Michelle Fincher, Facility Logistics Services-Berkley; Jessica Foster, Southern Industrial Constructors; Joy Gantt, Pfizer-Rocky Mount; Brian Houser, Milliken; Jeff Ivy, Mundy at Elementis; David Martin, Bridgestone Bandag; and Alex Ramos, Balfour Beatty Infrastructure. The Carolina Star Board of Directors recognized the team representatives for their leadership roles as co-team leaders. In addition, each regional team designed a booth with the intent of providing booth visitors with a value-added safety message. Each booth was judged based upon the originality and creativity of their display and the content of the information provided by the booth participants. However, sharing ideas and best safe work practices with one another and communicating their message thoroughly with booth attendees was the most important aspect of the booth display.

Closing session guest speaker Barb Wisniewski, vice president Health and Safety Cooperative Programs and Outreach, candidly spoke about her transition period after accepting a safety and health position working with her current employer, McWane Inc. Wisniewski proceeded by sharing her compelling story of how she started working with McWane after they received a lot of negative press with respect to the worksite’s safety and health record and performance.

The premise of Wisniewski presentation focused primarily on the previous conditions, attitudes and behaviors of the Birmingham McWane Inc. location, and positive change over time. According to the message provided by Wisniewski, the perception of the company’s safety culture was less than desirable and was not one to be considered as positive. However, after implementing change, Wisniewski indicated that company leadership is fully committed to being champions for safety which has led to the company maintaining their focus of being a world class safety organization. Wisniewski further indicated that the company’s Total Recordable Cases rate as well as Days Away, Restricted or Transferred Case rate was reduced by as much as 82 percent. This profound change in safety performance, as indicated by Wisniewski, began with the change in the company’s attitude toward safety and management’s commitment to the implementation of Voluntary Protection Program (VPP) principles. In addition, McWane has eight worksites that are VPP participants.

According to Wisniewski, success and change in the safety culture was achieved through accountability at all levels of employment, teamwork, engagement, communication, sharing of best safety

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Dr. Michael Behm, East Carolina University, presents during the 2018 Carolina Star Safety Conference Wednesday, Oct. 3, 2018. His presentation, “Work Health and Safety Mysteries,” focused on being proactive in the approach toward safety.



Barb Wisniewski, vice president Health and Safety Cooperative Programs and Outreach, presents during the 2018 Carolina Star Safety Conference Friday, Oct. 5, 2018. During her presentation, Barb Wisniewski highlighted her experience in shifting a company’s safety culture to a positive direction.

2018 Annual Carolina Star Safety Conference

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practices and significant events. Wisniewski further indicated that the work is never done and that she and her colleagues at McWane value safety and continuous improvement.

To close the conference, Kevin Beauregard, deputy commissioner, Occupational Safety and Health (OSH) Division, briefly spoke to the audience about NCDOL OSH related activities, the impact of Hurricane Florence and the impact of the OSH Division's supportive efforts. Additionally, Beauregard spoke about NCDOL's Drone Program with respect to the number of personnel trained and certified and how the Drone Program will further support the efforts of the NCDOL OSH Division. Beauregard proceeded by introducing Labor Commissioner Cherie Berry. Commissioner Berry provided the audience with an inspirational speech about what safety means to her. She requested for the audience to go above and beyond because safety and health is about loving and caring for each other.

Commissioner Berry raised awareness on the importance of assisting our neighbors in the eastern part of North Carolina with hurricane relief and recovery efforts. The Carolina Star Safety Conference Inc. raised and donated more than \$1,000 toward hurricane relief efforts for eastern North Carolina.

The 2019 Annual Carolina Star Safety Conference is scheduled for Sept. 25-27, at the Joseph S. Koury Convention Center in Greensboro.

Berry Invited as Grand Marshal of the Novant Health Thanksgiving Day Parade

By Dolores Quesenberry, Communications Director

Labor Commissioner Cherie Berry was invited to serve as the 2018 Grand Marshal for the Novant Health Thanksgiving Day Parade in Charlotte. Parade organizers designed a special float with elevator doors and a red carpet to showcase the state official responsible for the inspection of elevators across the state. The parade stepped off at 9th and Tryon Street in Uptown Charlotte and ended at the Duke Energy Building, a mile stretch in Uptown dubbed the "Mile of Smiles" on parade day.

"It was such an honor to be a part of the Novant Health Thanksgiving Day Parade," Labor Commissioner Cherie Berry said. "Charlotte Center City Partners did a fantastic job designing the float, and it was fun to see the reaction of the crowd as they created wonderful memories with their kids."



Volunteers wearing "Cherie Berry Lifts Me Up" sweatshirts gather with Labor Commissioner Cherie Berry the morning of the parade. The volunteers marched beside the float handing out candy canes and coloring books to the children.

The Thanksgiving Day Parade has been a holiday tradition in Charlotte since 1947. In 2013, the parade was given new life when Novant Health became the title sponsor and rebranded it as the Novant Health Thanksgiving Day Parade. Today, the parade is attended by more than 100,000 spectators and broadcast into 1.5 million homes from around the region.

"The inspection of elevators is just one of my responsibilities as labor commissioner," Commissioner Berry said. "But if it has helped folks identify with the agency, then we have accomplished our goal of putting a face on government."



UNC Charlotte band member and 2018 UNCC Homecoming Queen, Victoria Bracken, poses for a photo with Labor Commissioner Berry on the float before the Novant Health Thanksgiving Day parade steps off at 9th and Tryon streets in Uptown Charlotte, Nov. 22, 2018.

DEADLY

Mistakes



By Judyth Niconienko, State Plan Coordinator

Fatal Event: On Aug. 7, 2016, a 46-year-old man died from being struck-by and caught-between an unsecured trailer and the ground.

Investigative findings: The employee had worked for one month at a motor freight company operating a switcher (terminal tractor/yard hopper). The company hauls and delivers refrigerated, frozen and dry goods. It offers full trailer load shipments where the trailer is hauled to one destination and unloaded or pool distribution where several businesses share the space on the trailer and the trailer makes multiple stops.

A switcher is specifically designed to jockey (pull) trailers to and from a warehouse loading bay and the yard. They are not driven over the road and do not meet the legal criteria for such use.

They are classified under the code definition of a powered industrial truck.

A switcher has a single-person cab off set to the side of the engine and has a full-height, sliding rear door for easy access to trailer connections. It accommodates a hydraulic lifting fifth wheel allowing the operator to move trailers without exiting the cab or cranking the landing gear. Once a trailer has been moved the operator can lower the trailer back to the ground and uncouple the fifth wheel.

At the time of the incident the employee was in the process of moving a trailer from one part of the yard to another. He had hooked a switcher to a trailer and moved forward far enough from the loading bay to allow space enough to close the trailer swing doors. During this activity the trailer moved backwards, and the employee was struck by the rear wheels of the trailer and then was caught under the trailer. He was found unresponsive by another employee. The switcher's air brakes had not been engaged and the switcher had not been powered down before the employee exited the vehicle.

Discussion: When evaluating the employer's training program, it was revealed that employees would watch a video on switcher

operation and review a written powered industrial truck program. There were no specific training materials directly related to operating the switchers being used at the facility.

A training program should consist of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, DVD, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace.

There was no formal training program addressing all warnings and precautions outlined in the manufacturer's operator instructions, and there was no information covering what the operator should do if he left the cab during a job activity.

The employer should have provided the employee with a thorough training program that described the hazards associated with the activities that he was expected to perform. When a powered industrial truck is left unattended, load engaging means shall be fully lowered, controls shall be neutralized, power shall be shut off, and brakes set. Wheels shall be blocked if the truck is parked on an incline.

A performance evaluation was on record, but it did not include a section evaluating and ensuring that the operator engaged both the truck and trailer airbrakes and powered down the switcher before exiting the cab.

The employer did not ensure that the employee was competent to operate the vehicle safely.

Recommendations:

- ✖ Employers must provide and have staff participate in a thorough training program and assess that the information taught was understood and can be demonstrated.
- ✖ Employers must certify that each operator has received the training and has evaluated each operator at least once every three years.
- ✖ Refresher training is needed whenever an operator demonstrates a deficiency in the safe operation of the truck.
- ✖ Employers must ensure that the operators manuals are present on the vehicle.
- ✖ Operators must complete a pre-inspection of the yard truck before each use.
- ✖ Operators must wear their seatbelts. Seatbelts saves lives.

WORKPLACE WORRIES



By Christine Ryan, Administrator, Labor Standards Section

Q: Should Christmas and New Year's Day be recognized as legal holidays in the private sector?

A: Many workers receive these days as holidays, but it is up to each employer to decide which holidays to observe, if any at all. If an employer sets a holiday policy, the policy must be provided in writing or through a posted notice so that employees are aware of this promised wage benefit.



Merry Christmas





Bulletin Board

Mine and Quarry Training

Part 46 New Miner Training

Dec. 18, Greensboro

Dec. 20, Greensboro

First Aid/CPR/AED Training

Dec. 19, Greensboro

To register for any of these classes,
call the Mine and Quarry Bureau at 919-707-7932.

OSH Webinar Courses

Visit the **OSH Training Schedule** to view upcoming internet training and other safety courses. Check the calendar for new courses being added soon. Among the courses being offered include:

- ♦ Walking Working Surfaces
- ♦ Recordkeeping
- ♦ Ergonomics Awareness
- ♦ Confined Space Entry
- ♦ Health Hazards SEP
- ♦ Occupational Noise Exposure

Complying With OSHA General Industry Standards Beginners Level

March 20–21, Raleigh

Click [here](#) for more information.

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).



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