Two long-standing Carolina Star sites in Columbus County received a visit from Labor Commissioner Josh Dobson on Tuesday, June 22. Companies that achieve Carolina Star status have exemplary safety and health programs in the workplace that serve as models for other businesses. The Carolina Star designation is the most prestigious safety recognition given by the N.C. Department of Labor. There are currently 150 Carolina Star sites throughout the state.

“It was an honor to tour these worksites and meet with some of the employees at both sites,” Labor Commissioner Josh Dobson said. “Meeting with these dedicated employees who have a commitment to workplace safety and health at the highest level was humbling and inspiring for me as labor commissioner. It was clear to me, at both worksites, that these employees are trained to watch out for one another so they can all go home to their families at the end of the workday.”

Commissioner Dobson met with staff members at both sites to discuss details of each company’s safety and health programs. One best practice implemented by West Fraser to prevent accidents and injuries at the mill was to dedicate traffic lanes for the constant stream of timber trucks and other heavy equipment driving on the mill property.

“West Fraser implemented this safety measure to control where employees may cross the road and also to alert drivers of pedestrian traffic,” said Carolina Star Program Consultant Carlene Harris. “The dedicated traffic lanes added another layer of safety for all employees working around the mill and is one great example of the company’s commitment to workplace safety and health.”

West Fraser has been a Carolina Star site since 2003 and International Paper’s Cape Fear Woodyard has been a Carolina Star site since 1998. They are the only two Carolina Star sites in Columbus County. Both worksites are on track to meet recertification in the program.

“Columbus County has a lot to be proud of with these two shining stars,” Commissioner Dobson said.
I hope you’re having a wonderful summer, enjoying the longer days and perhaps some time away. Along with summer fun comes hot and humid weather. Please remember to stay safe in the heat and be aware of the signs and symptoms of heat stress. For more information about heat illness awareness and prevention, including training programs offered by our Education, Training and Technical Assistance Bureau, see the story on Page 3.

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Over the next several months, my calendar is full of safety awards banquets and county fairs. I’m excited to personally recognize the numerous businesses who qualified for awards this year. See Page 4 for the complete banquet schedule. I’m also eager to visit many of our community fairs, which kick off this month. Our Elevator and Amusement Device Bureau inspectors work tirelessly throughout the fall to ensure rides at the fairs are safe for everyone.

Governor Cooper declared Aug. 9–15 as “Safe + Sound” Week in North Carolina. This initiative provides employers an opportunity to jump start their safety and health programs. To learn more about the program and how to sign up as a participant, please see the story on Page 5.

Enjoy the remaining days of summer and stay safe and cool!

From Labor Commissioner
Josh Dobson

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Enjoy the remaining days of summer and stay safe and cool!
Now that summer has arrived, the N.C. Department of Labor is urging businesses and employees who work in hot and humid environments during the summer months to exercise caution and know the signs of heat stress.

When the body is unable to cool itself by sweating, several heat-induced illnesses can occur. These include heat cramps, heat exhaustion and heat stroke, the most severe of these illnesses.

Heat cramps are usually the result of hard physical labor in a hot environment, often resulting from an imbalance of electrolytes in the body. Heat exhaustion is a result of the combination of excessive heat and dehydration. Symptoms may include fatigue, headache, dizziness, profuse sweating, rapid pulse, thirst, loss of appetite, nausea, vomiting and fainting.

Untreated heat exhaustion can lead to heat stroke, which is the most serious disorder associated with heat stress and can be deadly if not properly treated. Symptoms of heat stroke include skin that is hot, dry and flushed. Other symptoms include rapid pulse, confusion, nausea, convulsions, abnormally high body temperature and unconsciousness. Heat stroke is a medical emergency.

The department’s Occupational Safety and Health (OSH) Division has developed additional materials to help employers and employees recognize and prevent heat-induced illnesses before the condition escalates to the more severe heat stroke. The OSH Division—which comprises Consultative Services; Education, Training and Technical Assistance; Agricultural Safety and Health (ASH); Compliance; and Planning, Statistics and Information Management—is working collectively to reach farmers, factory workers, construction workers and highway crews that are at an increased risk of exposure to heat-related illnesses.

The Education, Training and Technical Assistance Bureau has developed a sample heat stress and prevention program specifically for agricultural settings. This guidance tool will assist farmers and migrant workers while encountering traditional heat extremes that are common during the summer months in North Carolina. The sample program covers areas that include heat stress training, proper hydration, rest/breaks, risk factors for illness and expected work practices. Having this written program in place will show that local growers are serious about safety and reinforces to workers that the growers will only conduct business in a safe manner.

Additionally, implementing the written program will hopefully increase worker knowledge of heat-related hazards. Field staff from the ASH Bureau will now have an extra tool to provide the public during field visits.

“Working in extreme heat is a common occurrence for farmers and farmworkers in the state,” said ASH Bureau Chief Beth Rodman. “Although farmworkers often indicate that they have received some form of heat stress prevention training, training alone is not enough. In order to prevent heat-related illnesses and fatalities on the farm, farmers and farm labor contractors must implement a comprehensive heat stress prevention program. NCDOL’s sample program will assist them in creating a comprehensive program to protect themselves, their families and their workers.”

Many of these materials can be found on the NCDOL safety and health topic webpage on heat stress. In addition, more information can be heard about heat stress on episode 17 of the Inside NC Labor podcast.

The department would also like businesses across the state to share interesting ways they are beating extreme heat via its ‘Beat the Heat’ social media campaign. Employers can share their stories with the department through Facebook, or by tweeting @NCDOL.
2021 Safety Awards Banquet Schedule

The following banquets are scheduled for August, September, October and November. Some of the banquets are virtual. Please check the NCDOL website for the updated schedule.

For more information about the Safety Awards Program, contact Meredith Watson at 919-707-7855 or meredith.watson@labor.nc.gov.

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Time</th>
<th>Venue</th>
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</thead>
<tbody>
<tr>
<td>Friday, Aug. 6, 2021</td>
<td>Novant Health</td>
<td>noon</td>
<td>Virtual</td>
</tr>
<tr>
<td>Wednesday, Aug. 11, 2021</td>
<td>Wilmington</td>
<td>5:30 p.m.</td>
<td>Cape Fear Community College North Campus</td>
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<td>Thursday, Aug. 12, 2021</td>
<td>Asheboro</td>
<td>noon</td>
<td>AVS Banquet Center</td>
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<td>Wednesday, Aug. 18, 2021</td>
<td>Charlotte</td>
<td>noon</td>
<td>Embassy Suites</td>
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<tr>
<td>Thursday, Aug. 19, 2021</td>
<td>Morganton</td>
<td>noon</td>
<td>Morganton Community House</td>
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<tr>
<td>Thursday, Aug. 19, 2021</td>
<td>Wadesboro</td>
<td>6 p.m.</td>
<td>South Piedmont Community College</td>
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<tr>
<td>Monday, Aug. 23, 2021</td>
<td>Lumberton</td>
<td>6 p.m.</td>
<td>Adelio’s Restaurant</td>
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<tr>
<td>Tuesday, Aug. 24, 2021</td>
<td>Wilson</td>
<td>noon</td>
<td>Elm City Depot</td>
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<td>Wednesday, Aug. 25, 2021</td>
<td>Statesville</td>
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<td>Gatherings Catering and Event Center</td>
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<td>Thursday, Aug. 26, 2021</td>
<td>Concord</td>
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<td>Cabarrus County Country Club</td>
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<td>Gastonia</td>
<td>6 p.m.</td>
<td>Gastonia Convention Center</td>
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<td>Thursday, Sept. 2, 2021</td>
<td>Lexington</td>
<td>noon</td>
<td>J. Smith Young</td>
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<td>Wednesday, Sept. 8, 2021</td>
<td>Raleigh</td>
<td>noon</td>
<td>Crabtree Marriott</td>
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<tr>
<td>Thursday, Sept. 9, 2021</td>
<td>Asheville</td>
<td>6 p.m.</td>
<td>Double Tree</td>
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<td>Monday, Sept. 13, 2021</td>
<td>Sanford</td>
<td>noon</td>
<td>City of Sanford Public Works Center</td>
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<td>Wednesday, Sept. 15, 2021</td>
<td>Mt. Airy</td>
<td>noon</td>
<td>Cross Creek Country Club</td>
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<td>Greenville</td>
<td>6 p.m.</td>
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<td>Thursday, Sept. 23, 2021</td>
<td>Clinton</td>
<td>6 p.m.</td>
<td>Agri-Expo Center</td>
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<td>Monday, Sept. 27, 2021</td>
<td>Hickory</td>
<td>6 p.m.</td>
<td>Crowne Plaza</td>
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<td>Tuesday, Sept. 28, 2021</td>
<td>Monroe</td>
<td>11:30 a.m.</td>
<td>South Piedmont Community College</td>
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<td>Shelby</td>
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<td>LeGrande Center</td>
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<td>Onslow</td>
<td>11 a.m.</td>
<td>Chamber of Commerce</td>
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<td>Monday, Oct. 4, 2021</td>
<td>Pender</td>
<td>4 p.m.</td>
<td>Chamber of Commerce</td>
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<td>Wednesday, Oct. 6, 2021</td>
<td>Ahoskie</td>
<td>6 p.m.</td>
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<td>Thursday, Oct. 7, 2021</td>
<td>High Point</td>
<td>noon</td>
<td>The Lofts at Congdon Yards</td>
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<td>Monday, Oct. 11, 2021</td>
<td>Kinston</td>
<td>11:30 a.m.</td>
<td>Kings Restaurant</td>
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<tr>
<td>Tuesday, Oct. 12, 2021</td>
<td>Goldsboro</td>
<td>noon</td>
<td>Lane Tree Country Club</td>
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<tr>
<td>Wednesday, Oct. 27, 2021</td>
<td>Lincolnton</td>
<td>6 p.m.</td>
<td>Pending Venue Confirmation</td>
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<tr>
<td>Thursday, Oct. 28, 2021</td>
<td>Burlington</td>
<td>noon</td>
<td>Mebane Arts Community Center</td>
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<td>Monday, Nov. 8, 2021</td>
<td>Albemarle</td>
<td>noon</td>
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<td>Tuesday, Nov. 9, 2021</td>
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<td>Tuesday, Nov. 16, 2021</td>
<td>Rocky Mount</td>
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<td>Pending Venue Confirmation</td>
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<tr>
<td>Wednesday, Nov. 17, 2021</td>
<td>Henderson</td>
<td>6 p.m.</td>
<td>Vance-Granville Community College</td>
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Get Ready for 2021 “Safe + Sound” Week in August

By Natalie Bouchard, Public Information Officer

“Safe + Sound” is a year-round federal OSHA campaign to encourage all workplaces to implement safety and health programs. North Carolina has participated in the national campaign for many years and this year is no exception. The week of Aug. 9 – 15 was declared “Safe + Sound Week” in our state.

“We are pleased that Gov. Cooper declared Aug. 9 – 15 as ‘Safe + Sound’ week in North Carolina,” Labor Commissioner Josh Dobson said. “This initiative provides an opportunity for employers to get involved and jumpstart their safety and health programs. We hope to see increased participation throughout the state in 2021.”

Last year, more than 3,400 businesses across the country helped raise awareness about workers’ safety and health by joining the campaign. Businesses may participate by signing up on the federal OSHA website and by hosting safety and health functions throughout the week. Businesses are encouraged to use #SafeAndSoundAtWork on social media.

“‘Safe + Sound’ Week is a great way for all North Carolina employers to highlight the importance that they place on their employee safety and health programs,” said Kevin Beauregard, director of the NCDOL Occupational Safety and Health Division. “Employers that make concerted efforts to ensure their employees feel safe, healthful and fulfilled in the workplace tend to see a great return on that investment. In fact, the soundest investment an employer can make is taking care of their employees since they often determine whether or not a business is successful.”

The importance of safety and health in the workplace has been highlighted by the COVID-19 pandemic which has affected, among many other things, the ways we operate in the workplace.

“The ongoing COVID-19 pandemic has caused a lot of employees throughout our state to re-examine their priorities,” Beauregard said. “Employers should do likewise and take the opportunity during ‘Safe + Sound’ Week to let their employees know that occupational safety and health is a top priority for their business.”

All organizations looking to emphasize the importance of safety and health in the workplace are welcome to register and participate in this annual event.

The OSH Division has developed many tools and resources that are available for employers and employees on the NCDOL website, including important guidance information associated with COVID-19 prevention measures that should be implemented.

For more information on the campaign, visit OSHA’s website.

COVID-19 Guidance

Please check the NCDOL website for guidance regarding COVID-19.

The information is updated based on CDC guidelines.

Register today for your FREE subscription!
Updated Labor Law Posters Available for Free

By Natalie Bouchard, Public Information Officer

Since Labor Commissioner Josh Dobson has been in office since January of this year, the department has had the task of updating many publications. One such publication updated in 2021 is the labor law poster set.

As the state commissioner of labor, Dobson is charged with ensuring workplace safety and health. One segment of that duty is to make sure employers and employees are fully informed about workplace rights and regulations. The labor law posters make this information accessible when displayed clearly and properly in places where employees frequently gather.

The labor law posters are printed in two sections to include the Wage and Hour Notice and the Occupational Safety and Health Notice. Both sections have been updated to include a photo of Labor Commissioner Josh Dobson along with a new date of “1/21” in the lower right-hand corner of the poster. The posters are not required to be replaced immediately, but at your convenience you can order yours for free on the NCDOL website.

As always, NCDOL cautions business owners and safety professionals to be wary of private businesses that try to take advantage of consumers by sending threatening solicitations in order to scare businesses into purchasing these posters. Be aware that these types of marketing blitzes ramp up when a change is made to the posters. Please disregard these predatory mailings and visit our website to order your new set, free of charge.

While labor law posters are required to be displayed at a workplace by law, NCDOL inspectors carry the most up-to-date versions of the posters in their vehicles and distribute them free of charge. The N.C. Department of Labor will never fine a business that has older versions of the posters displayed.

NCDOL prints new versions anytime a significant change occurs, or a law is changed or updated by Congress or the N.C. General Assembly. Businesses are not required to order a new poster each time a change is made. Employers that wish to order new posters can visit our website or can call 1-800-625-2267.

Q: I was employed by a temporary staffing agency (TSA) and was placed with a local non-profit organization (NPO) to do secretarial and receptionist work. The NPO kept track of my time and reported it to the TSA who paid me weekly by direct deposit. The TSA was responsible for carrying workers’ compensation insurance on its employees regardless of where they were placed. During the second week at the NPO, I slipped and fell in a puddle caused by a leaking water dispenser machine and broke my right arm. I immediately reported the injury to both my supervisor at the NPO and the TSA. My physician wrote me out of work for an initial two-week period. Then, all of the sudden, the TSA told me that the NPO cancelled my assignment because they needed someone who could perform the duties of the position. I told the human resources director at the TSA that it was unfair since I hadn’t even gone through the two-week healing period. She told me that I was still eligible for other placements. She asked me to let her know when my doctor released me either to full-duty or with restrictions. I think the NPO terminated me because of my injury. I feel that the TSA should have explained to the NPO that it could not retaliate against me because I got injured. What can I do?

A: The Retaliatory Employment Discrimination Act prohibits an employer from terminating an employee because they were injured at work and pursued remedies under the N.C. Workers’ Compensation Act. Clearly you were injured, reported it, and received medical care. However, REDA only applies to employers. You are in a difficult situation because the staffing agency (TSA) was your employer, not the NPO. The NPO terminated your assignment, not TSA. Whether they cancelled it because of your injury or not, they were not your employer and therefore, not covered by REDA. On the other hand, you have not been terminated by the TSA. They have indicated that you are still eligible for placement upon your release from work. Under agreements that staffing agencies have with their customer/clients, the clients have the right to end a placement for any reason whatsoever. And, unfortunately, the staffing agency has no responsibility to intervene on behalf of an employee. If you want to receive placements in the future, you should consider staying in touch with the TSA and immediately inform them of your medical return to work status. If you do not, after the passage of time, they may determine that you are not interested in any further placements and may terminate your status as an employee.

1-800-625-2267 ★ www.labor.nc.gov
By Judyth Forte, State Plan Coordinator

Fatal Event: On March 9, 2016, a 28-year-old man died after he entered an area that was within the swing radius of an excavator and was subsequently struck by the counterweight.

Investigative Findings: Five employees were conducting pipe laying operations along the side of a major highway while installing new storm and utility pipes as part of a road widening project. The employee had been in a trench connecting utility pipes with another employee. When he finished, he climbed out of the trench and walked toward the excavator. The excavator operator was the foreman for the job and the competent person. When the employee got close to the excavator, the operator instructed the employee to move a compactor from the top of the nearby hill, by the roadway, down to the west end of the trench where the pipe was being laid. The employee moved the compactor down the hill and walked directly across the path of the excavator. He was standing behind the excavator, leaning on the compactor appearing to rest, when the operator started tramming (moving) the excavator away from the trench and swung the bucket counterclockwise. The counterweight of the excavator overlapped the top of the compactor and the employee was caught in between the two pieces of machinery. The operator said he did not see the employee. The employee died of blunt force trauma to the chest.

Discussion: The employees at the site were not prevented from entering into areas that were within the swing radius of an excavator being operated to perform trenching activities. The excavator operator did not ensure that all employees were clear of the excavator before he started moving. He was aware that the employee was in the immediate vicinity as he had asked him to move some equipment. He should not have moved the excavator until he could visually account for all the employees in the area.

Employers must protect workers from being struck by vehicles, equipment and objects on the jobsite. While these hazards can exist on worksites, there are ways to eliminate exposures to these hazards and prevent injuries. Employers must ensure that control measures are in place to ensure employee safety.

The employer’s safety and health plan did discuss using heavy equipment and being careful working around other employees that are working at ground level. It stated: “Employees should familiarize themselves with the vehicle/equipment’s blind spots, avoid backing up whenever possible and use spotters and barricades to prevent access to equipment when it is in use.” However, this was not being implemented at this site.

Barricading the area where the excavator was traveling would have prevented employees from entering the excavator’s path or swing radius, and providing a spotter during the excavator movement could have prevented this occurrence. Additionally, the employee should have been trained not to walk near the excavator or stand next to the equipment. The swing radius of cranes and backhoes is a very dangerous place to stand and that zone should not be entered.

Construction workers are around heavy equipment daily, and they can become accustomed to the presence of heavy equipment, not giving much thought to the risks. Taking some time to understand and follow safety rules and staying alert while on the job can help construction workers stay safe.

Recommendation:

Identify and mark a danger zone. Marking a danger zone effectively communicates hazards to anyone approaching construction equipment. The danger zone can be marked off with barriers, fencing or caution tape.

Employees should avoid setting up their work area near heavy mobile equipment. The operator may not see them, especially if they are bending over to work or grab a tool.

Employees should avoid positioning themselves in a blind spot or riding on moving equipment.

Employees should confirm and receive acknowledgement from the heavy equipment operator that they are visible especially before approaching a vehicle.

Operators should be aware of the swing radius of their equipment, especially when working in tighter spaces to avoid hitting workers, bystanders, other vehicles or equipment.

By Kisha Holmes, Administrator, Wage and Hour Bureau

Q: Are employers allowed to use a quick test to perform drug screens on employees?
A: Employers can drug screen current employees; however, the screening test of samples for current employees shall only be performed by an approved laboratory. A preliminary screening procedure that utilizes a single-use test device may be used for prospective employees, but not current employees.

Follow NCDOL on:
10-Hour General Industry Awareness Course

Aug. 25, Raleigh

Click here for more information.

This course is designed to help employers understand OSH regulatory requirements and also ensure employers and employees understand the requirements necessary in providing an acceptable safety and health program for the workplace. This course will provide a basic overview of the General Industry Safety and Health Standards, 29 CFR 1910.

Mine and Quarry Training

**MSHA New Miner Training**
Aug. 9-11, Spruce Pine
Aug. 23-25, Virtual
Sept. 13-15, Morganton
Sept. 20-22, Spruce Pine

**MSHA Annual Refresher Training**
Aug. 26, Virtual
Sept. 16, Morganton

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

Wage and Hour Presentations

Investigators from the Wage and Hour Bureau offer presentations to employers, employees, high schools and career development organizations. The presentation covers the provisions of the Wage and Hour Act, minimum wage, overtime, record keeping, wage payment and youth employment. The presentation is designed to enhance North Carolina citizens’ knowledge of labor laws and to inform employers and employees of their rights and responsibilities in wage and hour matters.

To schedule a presentation, please email whbinfo@labor.nc.gov with the following information: requesting individual or business, location, desired topics, and preferred dates for presentation.

Library Update

The NCDOL library’s subscription to the Training Network NOW safety and health video streaming service, now called Streamery, was recently renewed and will not expire until August 2022. Please contact the library at dol.library@labor.nc.gov or 919-707-7880 if you’re interested in accessing and streaming online safety, health and human resources related videos or other safety resources. Refer to the library page on the website for more information.

OSH Webinar Courses

Visit the OSH Training Schedule Calendar to view upcoming internet training and other safety courses. Among the courses being offered include:

- Safety and Health Committees
- COVID-19 ETS–Hospitals and Pharma
- COVID-19 ETS–Long Term Care
- Food Manufacturing SEP
- Logging
- Chainsaw Safety

Pre-Recorded Webinars

Visit the OSH Training Schedule Calendar to view upcoming internet training and other safety courses.

- Bloodborne Pathogens
- Fall Protection
- Hazard Communication
- Heat Stress
- Lockout/Tagout
- Occupational Noise Exposure
- Powered Industrial Trucks
- Respiratory Protection
- Stairways and Ladders
- Toxic Hazardous Substances

COVID-19 Related Pre-Recorded Webinars

- N95 Filtering Facepiece Respirator COVID-19
- Personal Protective Equipment in Construction Industry COVID-19
- Personal Protective Equipment in General Industry COVID-19
- Respiratory Protection COVID-19
- COVID-19 Emergency Temporary Standard