

Investigation Process

What triggers an investigation by the N.C. Department of Labor's Occupational Safety and Health Division?

- A worker's death.
- Hospitalization of an employee, an amputation or the loss of an eye.
- The department may also receive information of a fatality or catastrophe from media reports or referrals from other government agencies.

How is the NCDOL OSH Division notified?

- An employer must notify NCDOL within eight hours of any work-related fatality. In-patient hospitalizations of one or more employees, any work-related amputation, and any work-related loss of an eye must be reported within 24 hours.

What will the investigation focus on?

- The investigation will usually be limited to the events surrounding the accident unless observations at the site indicate a broader investigation is needed.

What will happen during the investigation?

- An OSH investigator will go to the accident site and collect physical evidence, including photographs.
- The investigator will interview employees, witnesses and management officials about the accident to determine its cause.
- Any violations of safety and health standards will be noted and citations will be issued.

How long will the investigation take?

- An investigation can take anywhere from a few weeks to six months, depending on the complexity of the accident.

When are investigation results disclosed?

- Citations and penalties, if issued, can be released to the public on the issuance date.
- Other contents of the file cannot be released until the case is closed or final order on citations is rendered.



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Photo: NCDOL/Jeff Wilson

Material handling equipment includes construction equipment such as this small dozer.

The Investigation

OSH Investigators will seek to determine several factors, including whether:

- Equipment included a horn.
- Operator used caution when equipment was in reverse mode.
- Cab glass provided a clear view without distortion.
- Seat belts were provided when required.
- Equipment was inspected on a regular basis to make sure it was in proper working order.
- Employees were trained on the hazards found on the jobsite.
- Work area was checked for pedestrians and other workers who may be in the path of the equipment.
- Employees wore high visibility vests.
- Guide stayed in the sight of the equipment operator.

Standards: 29 CFR 1926.602, Material Handling Equipment

Industry Type: Construction

Accident Type: Struck by material handling equipment

Statistical Data: Six workplace deaths in calendar years 2019 and 2020 involved being struck by material handling equipment.

What programs does the Department of Labor have in place to prevent struck-by accidents?

Construction special emphasis program: Increased training and attention in a dangerous industry.

Free training: Workshops, training and consultation in both English and Spanish.

Publications: Brochures and industry guides that address struck-by hazards.