

## 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.



**NCDOL**  
N.C. Department of Labor  
Josh Dobson, Commissioner

N.C. Department of Labor  
Occupational Safety and Health Division  
1101 Mail Service Center  
Raleigh, NC 27699-1101  
[www.labor.nc.gov](http://www.labor.nc.gov)  
1-800-625-2267



Photo: NCDOL/Neal O'Briant

Construction vehicles, such as this truck, must meet the safety requirements listed in 29 CFR 1926.601.

## The Investigation

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

- Truck had an audible warning device.
- A reverse signal alarm was in place or a signaling employee helped with clearance if the driver's view was obstructed.
- Cab protected the driver from debris and falling materials.
- Cracked or broken glass was repaired.
- Defective equipment was used. Equipment should be inspected daily.
- Training on hazard recognition was provided to workers.
- A worker directing a truck's path remained in the driver's line of vision.

**Standards:** 29 CFR 1926.601, Motor Vehicles

**Industry Type:** Construction

**Accident Type:** Struck by truck

**Statistical Data:** In calendar year 2020, struck-by incidents caused the largest number work-related fatalities in the Tar Heel state, accounting for 26 of the 91 work-related fatality inspections conducted.

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

**Construction special emphasis program:** Increased training and consultation in one of the most dangerous industries.

**Free training:** Customized training, consultation and standards assistance.

**Publications:** Brochures, alerts and industry guides.