

**NORTH CAROLINA**  
**OCCUPATIONAL SAFETY AND HEALTH**  
**Program Statistics**

**STATE AND FEDERAL COMPARISONS**

**October 2007–September 2008**



**Occupational Safety and Health Division**  
**1101 Mail Service Center**  
**Raleigh, NC 27699-1101**

**Cherie Berry**  
**Commissioner of Labor**

**NORTH CAROLINA  
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**Cherie Berry  
Commissioner of Labor**

# SOURCES OF INFORMATION REGARDING OCCUPATIONAL SAFETY AND HEALTH IN NORTH CAROLINA

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## **Acknowledgments**

This report was prepared by the Planning, Statistics and Information Management Bureau of the Occupational Safety and Health Division and the Publications Bureau of the N.C. Department of Labor.

**Photocopying and wide dissemination of this report are encouraged.**

# **NORTH CAROLINA OCCUPATIONAL SAFETY AND HEALTH PROGRAM DESCRIPTION**

Pursuant to Section 18 of the Williams-Steiger Occupational Safety and Health Act of 1970, the General Assembly of North Carolina in 1973 selected the N.C. Department of Labor, under the commissioner of labor, as the designated agency to administer the state's Occupational Safety and Health Act. The North Carolina program is monitored and funded, in part, by the U.S. Department of Labor, Occupational Safety and Health Administration. The expressed purpose of the state act is to assure, so far as possible, every working man and woman in the state of North Carolina safe and healthful working conditions and to preserve human resources. The General Assembly created the Occupational Safety and Health Division within the Department of Labor to carry out the provisions of the act. On Dec. 10, 1997, the U.S. Department of Labor awarded North Carolina final approval under Section 18(e) of the Occupational Safety and Health Act of 1970 as having a "fully effective" state OSHA program, the highest level of approval possible.

The NCDOL Occupational Safety and Health Division covers all industries in North Carolina except: the federal government; employees subject to the Atomic Energy Act of 1954, the Federal Coal Mine Safety and Health Act of 1969, the Federal Metal and Nonmetallic Mine Safety Act, and the Federal Railroad Safety Act of 1970; maritime industries; and those employees whose employer is within that class and type of employment that does not permit federal funding on a matching basis to the state in return for state enforcement of all occupational safety and health issues. The Occupational Safety and Health Division endeavors to focus its resources toward identifying and eliminating safety and health hazards in industries with the highest injury and illness rates.

The Occupational Safety and Health Division consists of the director's administrative staff and six organizational bureaus. The bureaus are East Compliance; West Compliance; Education, Training and Technical Assistance; Consultative Services; Planning, Statistics and Information Management; and Agricultural Safety and Health. The state Advisory Council on Occupational Safety and Health provides the commissioner of labor with advice in regard to the administration of the act. The N.C. Occupational Safety and Health Review Commission, appointed by the governor, provides an appellate opportunity to people adversely affected by safety and health citations.

The primary activities of the division are as follows:

- To conduct public and private sector safety and health inspections to ensure compliance with the act.
- To provide technical assistance and information to employers, employees and organizations on all aspects of safety and health program development and administration.
- To provide on-site consultative services to small public and private sector employers.
- To provide education and training on safety and health to public and private sector employees.
- To review, develop and promulgate standards, rules, procedures and program directives as they apply to the proper administration of the act.

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**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## Executive Summary

**Background:** The Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor monitors state programs by making comparisons of state data versus federal data. This report highlights North Carolina’s occupational safety and health program experience through a comparison to other state programs and the federal program experience for federal fiscal year 2008, Oct. 1, 2007–Sept. 30, 2008.

North Carolina is one of 22 jurisdictions (21 states and one territory—see Text Table 1) with an approved state program for occupational safety and health. Twenty-nine states plus the District of Columbia operate under the exclusive jurisdiction of federal OSHA, with the exception of Connecticut, New York, New Jersey and the Virgin Islands, which have state plans for the public sector only (see Text Table 1). Throughout the report, we compare the North Carolina program experience to the 22 state programs and the 31 federal jurisdictions. Comparisons of the number of establishments covered by the state administered occupational safety and health programs are presented in the Text Tables 2 and 3, respectively.

**Methodology:** Report data on total numbers and dollar amounts were generated from “United States Department of Labor, Occupational Safety and Health Administration, Inspection Report, October 1, 2007–September 30, 2008.” Averages and percentages were calculated by the Planning, Statistics and Information Management Bureau, and the graphs and charts were prepared by the Publications Bureau, N.C. Department of Labor.

**Highlights:** The following summary highlights some of the comparisons contained in this report.

### Text Table 1

STATES AND TERRITORIES WITH APPROVED PLANS FOR OCCUPATIONAL SAFETY AND HEALTH		STATES AND TERRITORIES OPERATED UNDER EXCLUSIVE FEDERAL JURISDICTION	
Alaska	New Mexico	Alabama	Montana
Arizona	North Carolina	Arkansas	Nebraska
California	Oregon	Colorado	New Hampshire
Hawaii	Puerto Rico	Connecticut <sup>1</sup>	New Jersey <sup>1</sup>
Indiana	South Carolina	Delaware	New York <sup>1</sup>
Iowa	Tennessee	District of Columbia	North Dakota
Kentucky	Utah	Florida	Ohio
Maryland	Vermont	Georgia	Oklahoma
Michigan	Virginia	Idaho	Pennsylvania
Minnesota	Washington	Illinois	Rhode Island
Nevada	Wyoming	Kansas	South Dakota
		Louisiana	Texas
		Maine	Virgin Islands <sup>1</sup>
		Massachusetts	West Virginia
		Mississippi	Wisconsin
		Missouri	

**NOTE:** <sup>1</sup>Connecticut, New Jersey, New York and the Virgin Islands state plans are public sector only.



**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## **Executive Summary (continued)**

### **Inspections**

During fiscal year 2008 (October 2007–September 2008), North Carolina conducted 5,159 establishment inspections, 2,531 more than the average state program and 3,912 more than the average federal jurisdiction.

Of North Carolina's 5,159 inspections, 3,477 (67 percent) were safety and 1,682 (33 percent) were health. In the average state program, 79 percent were safety and 21 percent were health, while in the average federal jurisdiction 86 percent were safety and 14 percent were health.

In the inspection type category, North Carolina programmed inspections accounted for 68 percent of inspection activity, compared to 61 percent in the average state program and 60 percent in the average federal jurisdiction. Complaint inspections accounted for 15 percent of inspections in North Carolina, 16 percent in the average state program, and 17 percent in the average federal jurisdiction.

In the inspection by industry group, North Carolina, the average state program and the average federal jurisdiction are very similar in the manufacturing inspections with 19 percent, 16 percent and 19 percent respectively. However, North Carolina conducted 47 percent of inspections in construction compared to 46 percent in the average state program and 60 percent in the average federal jurisdiction.

North Carolina conducted 4 percent of inspections in the public sector compared to 12 percent of inspections in the public sector for the average state programs. The federal jurisdictions do not cover the public sector.

### **Violations**

North Carolina cited 13,815 total violations, a 6 percent increase from the previous year. The average state program cited 5,522 violations, a 2 percent decrease, and the average federal jurisdiction cited 2,798 violations, a 1 percent decrease. Overall, North Carolina cited more violations per inspection (3.7), than the average state program (2.2), and more than the average federal jurisdiction (2.3). North Carolina cited more serious violations (5,290) in FY 2008 than the average state program (2,363) and more than the average federal jurisdiction (2,123). North Carolina also cited more nonserious violations (8,207) in FY 2008 than the average state program (3,021) and more than the average federal jurisdiction (569).

### **Penalty Assessments**

Total penalty assessments in North Carolina were \$3,483,810 in FY 2008, which was higher than the average state program (\$2,515,738), and higher than the average federal jurisdiction (\$3,044,103). North Carolina assessed a total of \$97,644 in penalties for violations in the public sector in FY 2008.

North Carolina's average penalty per violation was lower than the average state program per serious violation (\$509 vs. \$754), per repeat violation (\$1,473 vs. \$1,792), per failure-to-abate violation (\$166 vs. \$2,263), and per nonserious violation (\$6 vs. \$101). However it was higher per willful violation (\$40,537 vs. \$26,016). The average federal jurisdiction penalty per violation was higher than North Carolina's per serious violation (\$930 vs. \$509), per repeat violation (\$3,949 vs. \$1,473), per failure-to-abate violation (\$3,778 vs. \$166), and per nonserious violation (\$247 vs. \$6). However North Carolina's average penalty per willful violation (\$40,357 vs. \$38,252) was higher than the average federal jurisdiction.

### **Litigation**

In North Carolina, 2.1 percent of the inspections with citations were contested in FY 2008, slightly higher than FY 2007. The average state program had 14.3 percent of the inspections with citations contested, while the average federal jurisdiction had 6.8 percent of the inspections with citations contested.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## **Executive Summary (continued)**

### **Consultation**

The North Carolina consultation program conducted 1,158 total visits in FY 2008. This was a 2 percent increase from FY 2007. Of 1,158 traditional visits, 86 percent were initial visits, 9 percent were training/assistance visits, and 5 percent were followup visits. The industry mix for the traditional consultative visits in FY 2008 was 32 percent manufacturing, 28 percent construction, 24 percent other, and 16 percent public sector.

The consultation program continues to participate in a Region 4 pilot project that uses workers' compensation data to target companies for consultation. Participation in this project requires a safety and health program assessment and that the company agree to a three-year commitment with the Department of Labor. The Carolina Star Program awarded Star program status to 17 new companies and awarded three-year recertification to 27 existing companies in FY 2008. There are currently a total of 113 companies in the Star programs.

### **Education, Training and Technical Assistance**

The Education, Training and Technical Assistance Bureau outreach training calendar and newsletter was e-mailed to over 7,000 employers/employees during FY 2008. The bureau also distributed 69,504 OSHA-related publications in FY 2008, a 82 percent decrease from FY 2007 with 126,904, and a 19 percent increase from FY 2006 with 56,479. In 2008, the Education, Training and Technical Assistance Bureau provided training for 15,589 employers and employees. During FY 2008 the bureau expanded its offerings of 10- and 30-hour courses tailored to the strategic emphasis items in North Carolina and its use of the bureau's mobile classroom.

### **Fatalities**

The NCDOL Occupational Safety and Health Division evaluated and investigated a total of 47 occupational fatalities that occurred during FY 2008. Of the 47 investigated fatalities in FY 2008, 21 percent were related to being "crushed" by an object, 26 percent were related to "falls," 23 percent were related to being "struck by" an object, 11 percent were related to "electrocutions," and 19 percent were related to "other."

### **Construction Industry Special Emphasis Program**

The Occupational Safety and Health Division established this Special Emphasis Program (SEP) to decrease fatalities related to the construction industry (SIC 15-17 and NAICS 23). The North Carolina counties included in the program are: Cabarrus, Dare, Durham, Forsyth, Guilford, Iredell, Mecklenburg, Rowan and Wake. The Construction Industry Special Emphasis Program accounted for 2,444 inspections during FY 2008 in North Carolina. Of the 2,444 inspections, 82 percent were safety and 18 percent were health. In-compliance inspections totaled 31 percent of all activity within the SEP, and 69 percent of all inspections had citations issued. The construction industry was cited for 2,846 serious, willful and repeat violations during FY 2008. A total of 1,449 inspections were conducted in the SEP counties.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**Text Table 2**

**Comparison of Establishments Covered by State and Federally Administered Occupational Safety and Health Programs**

State Administered Programs	Number of Establishments <sup>1</sup>	Federally Administered Programs	Number of Establishments <sup>1</sup>
<b>Total 21 states, 1 jurisdiction</b>	<b>3,219,171</b>	<b>Total 29 states, 2 jurisdictions<sup>3</sup></b>	<b>4,561,893</b>
<b>Region 1—1 state</b>	<b>22,341</b>	<b>Region 1—5 states</b>	<b>382,634</b>
Vermont	22,341	Connecticut <sup>4</sup>	93,615
<b>Region 2—1 jurisdiction</b>	<b>49,923</b>	Maine	42,506
Puerto Rico	47,340	Massachusetts	176,701
<b>Region 3—2 states</b>	<b>341,835</b>	New Hampshire	39,453
Maryland	141,332	Rhode Island	30,359
Virginia	200,503	<b>Region 2—2 states, 1 jurisdiction</b>	<b>762,839</b>
<b>Region 4—4 states</b>	<b>593,316</b>	New Jersey <sup>4</sup>	243,350
Kentucky	93,539	New York <sup>4</sup>	519,489
North Carolina	254,029	Virgin Islands <sup>2</sup>	2,583
South Carolina	107,893	<b>Region 3—3 states, 1 jurisdiction</b>	<b>392,352</b>
Tennessee	137,855	Delaware	25,521
<b>Region 5—3 states</b>	<b>539,806</b>	District of Columbia	20,994
Indiana	152,858	Pennsylvania	305,345
Michigan	235,422	West Virginia	40,492
Minnesota	151,526	<b>Region 4—4 states</b>	<b>922,772</b>
<b>Region 6—1 state</b>	<b>46,869</b>	Alabama	105,627
New Mexico	46,869	Florida	523,461
<b>Region 7—1 state</b>	<b>83,158</b>	Georgia	231,810
Iowa	83,158	Mississippi	61,874
<b>Region 8—2 states</b>	<b>92,645</b>	<b>Region 5—3 states</b>	<b>741,791</b>
Utah	71,880	Illinois	325,206
Wyoming	20,765	Ohio	270,299
<b>Region 9—4 states</b>	<b>1,131,147</b>	Wisconsin	146,286
Arizona	142,925	<b>Region 6—4 states</b>	<b>784,913</b>
California	891,997	Arkansas	67,648
Hawaii	33,388	Louisiana	104,622
Nevada	62,839	Oklahoma	91,235
<b>Region 10—3 states</b>	<b>318,129</b>	Texas	521,408
Alaska	20,198	<b>Region 7—3 states</b>	<b>284,157</b>
Oregon	113,389	Kansas	77,157
Washington	184,542	Missouri	154,483
		Nebraska	52,517
		<b>Region 8—4 states</b>	<b>243,024</b>
		Colorado	157,882
		Montana	37,755
		North Dakota	21,518
		South Dakota	25,869
		<b>Region 9<sup>3</sup></b>	
		<b>Region 10—1 state</b>	<b>47,411</b>
		Idaho	47,411

<sup>1</sup>Source: Number of Establishments: County Business Patterns—United States, 2007 (Private sector only).

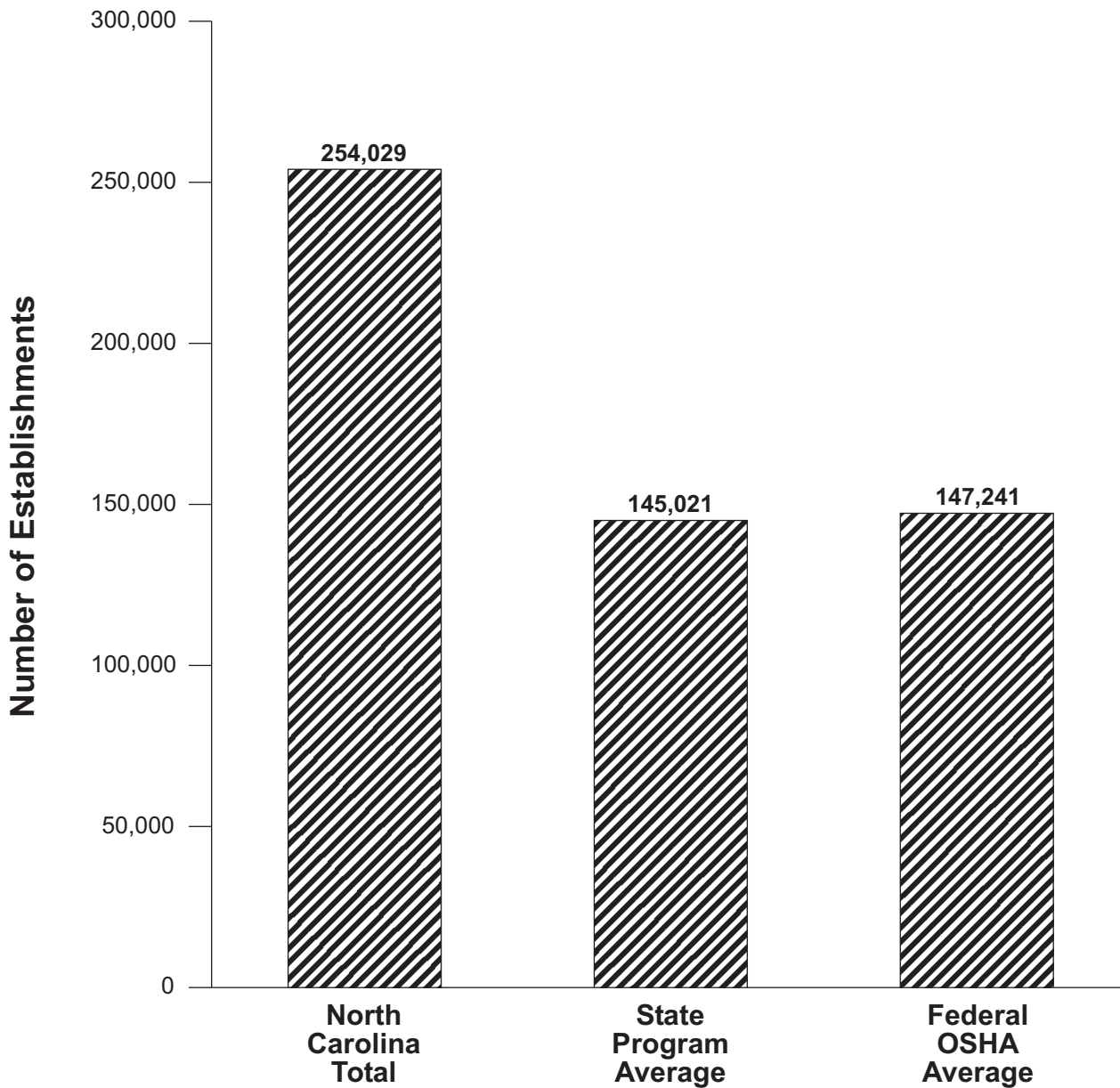
<sup>2</sup>Virgin Islands data for 1997. Data are available only every five years.

<sup>3</sup>Excludes American Samoa, Guam, and the Trust Territory of Pacific Islands (Region 9).

<sup>4</sup>Connecticut, New Jersey, New York and the Virgin Islands have state administered occupational safety and health programs for their public sectors.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## **Comparison of Number of Establishments**



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# **Inspection Series**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## **Definitions of Types of Inspections**

### **I. General Schedule Inspections:**

- A. Programmed Planned**—An inspection randomly selected and scheduled from a master list of all employers, or selected from lists of employers in specific industries as part of a national or local occupational safety and health emphasis program.
- B. Programmed Related**—An inspection of an employer at a multi-employer worksite who was not included in the programmed planned assignment that initiated the worksite visit.

### **II. Unprogrammed Inspections:**

#### **A. Accident:**

An accident inspection results from the reporting of the following:

- 1. Fatality**—An employee death resulting from an employment accident or illness caused by or related to a workplace hazard.
- 2. Catastrophe**—The hospitalization of three or more employees resulting from an employment accident or illness; in general, from an accident or illness caused by a workplace hazard. Hospitalization is defined as being admitted as an inpatient to a hospital or equivalent medical facility for examination or treatment.
- 3. Other Significant Incident\***—Any other significant incident that actually or potentially resulted in a serious injury or illness.

#### **B. Complaint:**

A complaint is a notice given by an employee, a representative of employees, or any other source not identified as a referral source of a hazard or a violation of the act believed to exist in a workplace. A complaint is normally distinguished from a referral by the source providing information on the alleged hazard.

#### **C. Referral:**

Notices of hazards or alleged violations originated by the following sources are classified as referrals:

1. safety or health compliance officer
2. safety and health agency
3. other government agency
4. media report
5. employer report

#### **D. Followup:**

A followup inspection is an inspection conducted to determine whether the employer has abated violations previously cited on an OSH inspection.

#### **E. Unprogrammed Related:**

An unprogrammed related inspection is an inspection of an employer of a multi-employer worksite who was not identified as an exposing employer in the original unprogrammed inspection assignment (e.g., complaint, accident, referral) that initiated the visit to the worksite.

\*Federal OSHA also classifies fatalities and catastrophes as accidents or events. However, in North Carolina other significant incidents of injuries are classified by source. Information about injuries obtained through the media are referrals; incidents reported by co-workers or relatives are complaints.

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
State and Federal Comparisons  
October 2007–September 2008

## **Inspections Series Highlights**

- The number of total establishment inspections in North Carolina increased from 4,900 in FY 2007 to 5,159 in FY 2008, an increase of 5 percent.
- The average number of total establishment inspections in state programs was 2,628, more than in FY 2007.
- The average number of total establishment inspections in federal jurisdictions was 1,247, less than in FY 2007.
- The number of safety establishment inspections in North Carolina increased from 3,318 in FY 2007 to 3,477 in FY 2008, an increase of 5 percent.
- The number of safety establishment inspections in state programs increased from 2,045 in FY 2007 to 2,064 in FY 2008, an increase of 1 percent.
- The number of safety establishment inspections in federal jurisdiction had less than 1 percent increase from 1,067 in FY 2007 to 1,069 in FY 2008.
- The numbers of health establishment inspections in North Carolina increased from 1,582 in FY 2007 to 1,682 in FY 2008, an increase of 6 percent.
- The number of health establishment inspections in state programs decreased from 571 in FY 2007 to 564 in FY 2008, a decrease of 1 percent.
- The number of health establishment inspections in federal jurisdiction had a 13 percent decrease from 204 in FY 2007 to 178 in FY 2008.
- The percentage of inspections conducted in FY 2008 for manufacturing was 19 percent of the total inspections for North Carolina, compared to 16 percent of total inspections for the average state program, and 19 percent of total inspections for the average federal jurisdiction.
- The percentage of inspections conducted in FY 2008 for construction was 47 percent of total inspections for North Carolina, compared to 46 percent of total inspections for the average state program, and 60 percent of the total inspections for the average federal jurisdiction.
- North Carolina conducted 4 percent of the total inspections in the public sector in FY 2008, compared to 12 percent of total inspections in the public sector for the average state program. Federal OSHA does not have jurisdiction over public sector establishments.
- The average numbers of days from the opening conference until citations were issued for FY 2008 was 19 days for North Carolina, 36 days for the average state program, and 35 for the average federal jurisdiction.



**CHART 1**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008**

**Inspections, All Types**

Comparisons	FY 2006		FY 2007		FY 2008	
	Totals	State Averages	Totals	State Averages	Totals	State Averages
<b>North Carolina</b>	5,055	5,055	4,900	4,900	5,159	5,159
<b>State Program**</b>	58,555	2,661	57,556	2,616	57,822	2,628
<b>Federal OSHA*</b>	38,607	1,245	39,404	1,271	38,675	1,247

**Inspections by Category FY 2008**

Comparisons	Safety Total	Safety Percent	Health Total	Health Percent
<b>North Carolina</b>	3,477	67	1,682	33
<b>State Program**</b>	2,064	79	564	21
<b>Federal OSHA*</b>	1,069	86	178	14

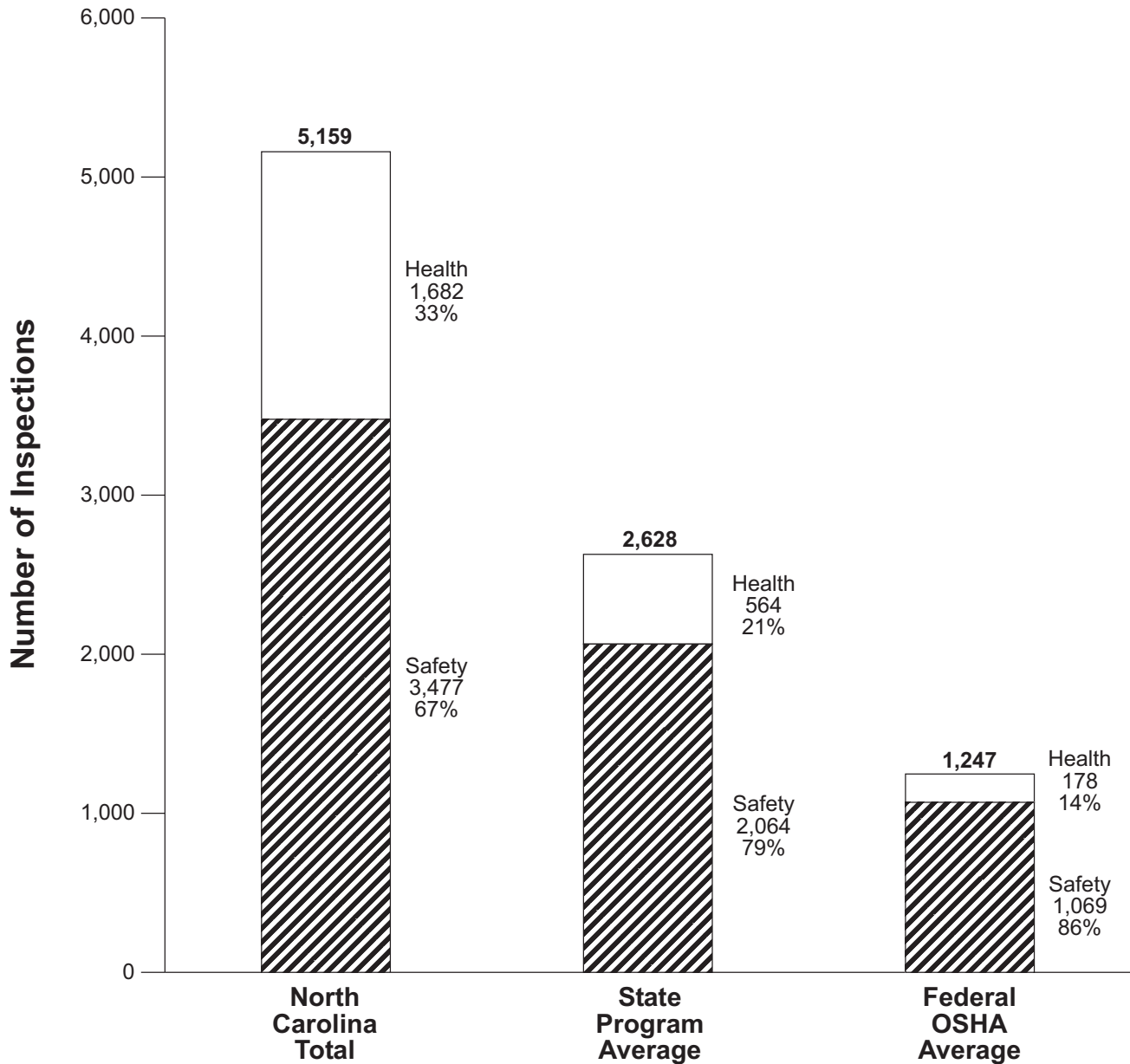
\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**CHART 2**

**Inspections by Category\***



\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

**CHART 3**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**Inspections by Type**

Comparisons	Accident		Complaint		Programmed	
	Total	Percent	Total	Percent	Total	Percent
North Carolina	133	3	775	15	3,531	68
State Program**	168	6	427	16	1,598	61
Federal OSHA*	33	3	216	17	743	60

Comparisons	Followup		Referral		Unprogrammed Related	
	Total	Percent	Total	Percent	Total	Percent
North Carolina	43	1	420	8	257	6
State Program**	124	5	192	7	119	5
Federal OSHA*	27	2	158	13	70	5

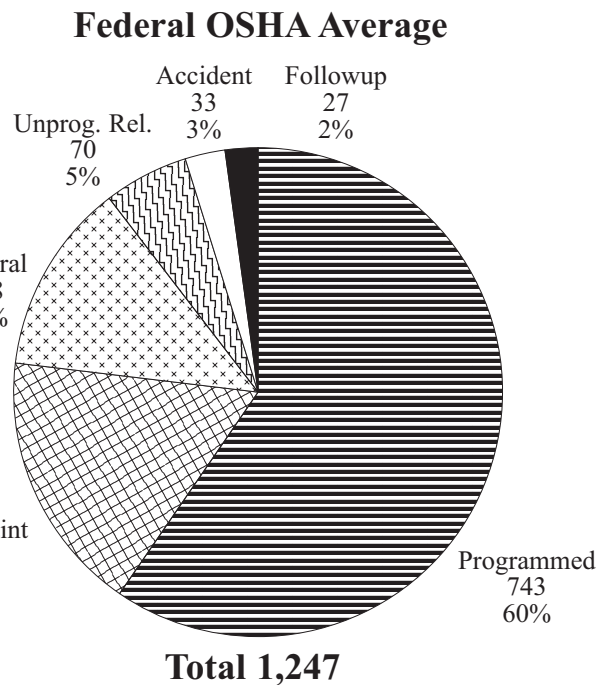
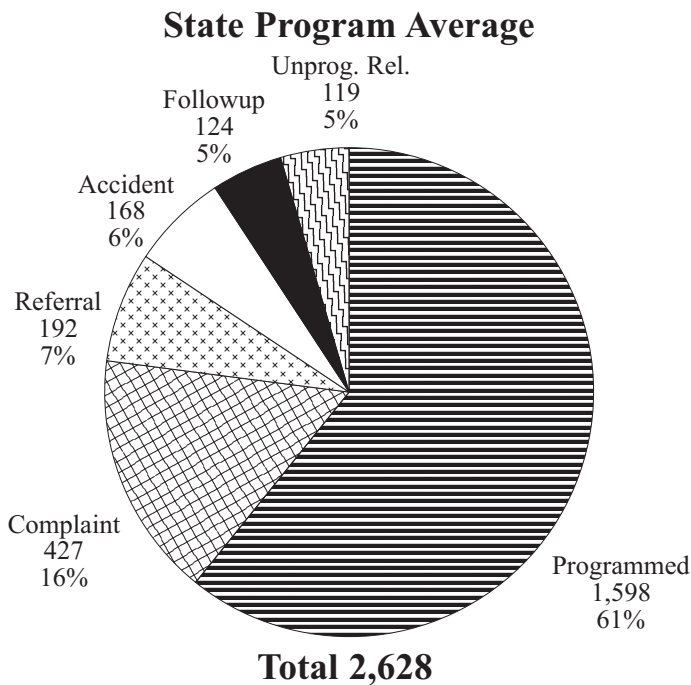
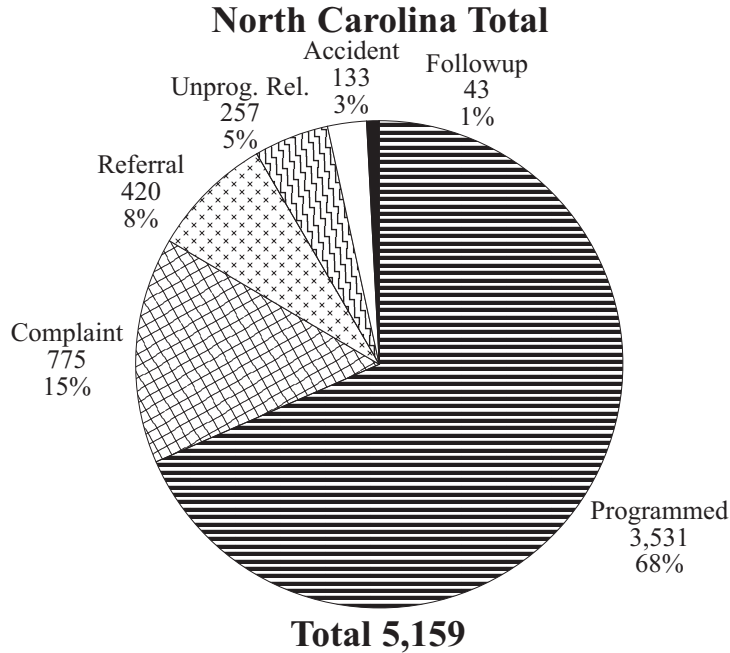
\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**CHART 4**

## Inspections by Type\*



\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## Inspections by Industry Type

Comparisons	Construction		Manufacturing	
	Total	Percent	Total	Percent
North Carolina	2,444	47	959	19
State Program**	1,200	46	428	16
Federal OSHA*	748	60	243	19

Comparisons	Other		Public Sector***	
	Total	Percent	Total	Percent
North Carolina	1,532	30	224	4
State Program**	674	26	326	12
Federal OSHA*	256	21	N/A	N/A

\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

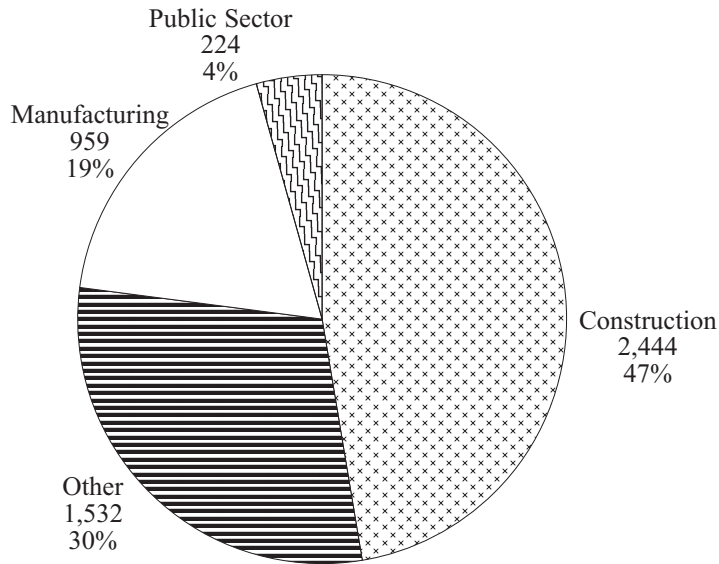
\*\*\*Federally administered programs do not cover public sector.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**CHART 6**

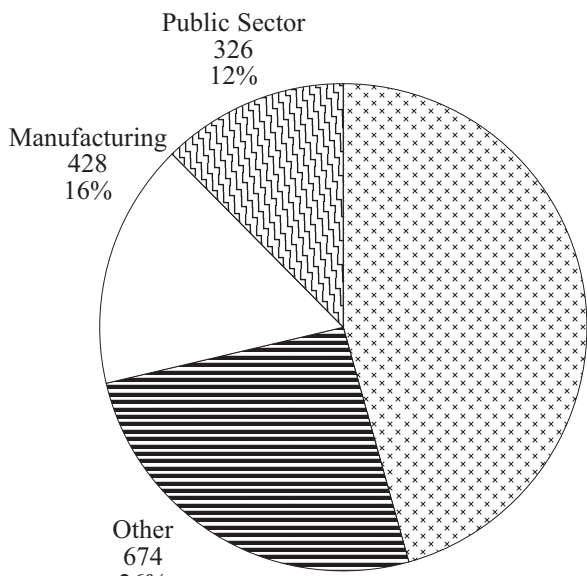
## Inspections by Industry Type\*

### North Carolina Total



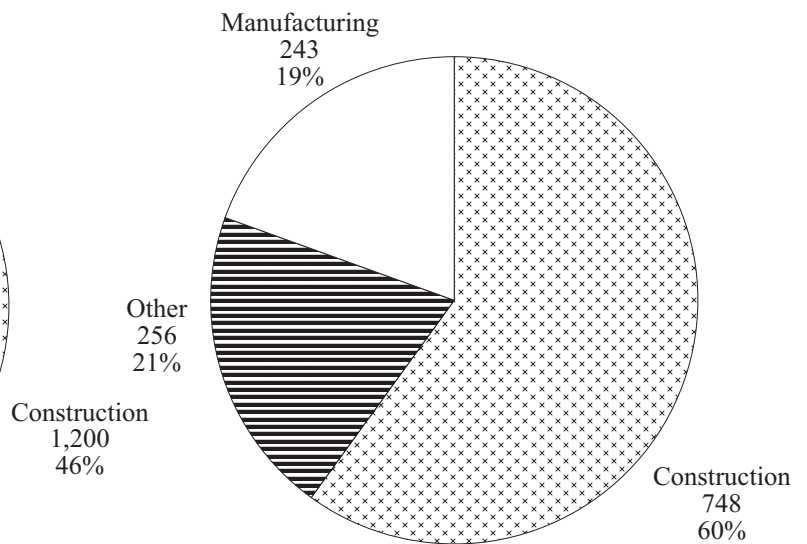
**Total 5,159**

### State Program Average



**Total 2,628**

### Federal OSHA Average



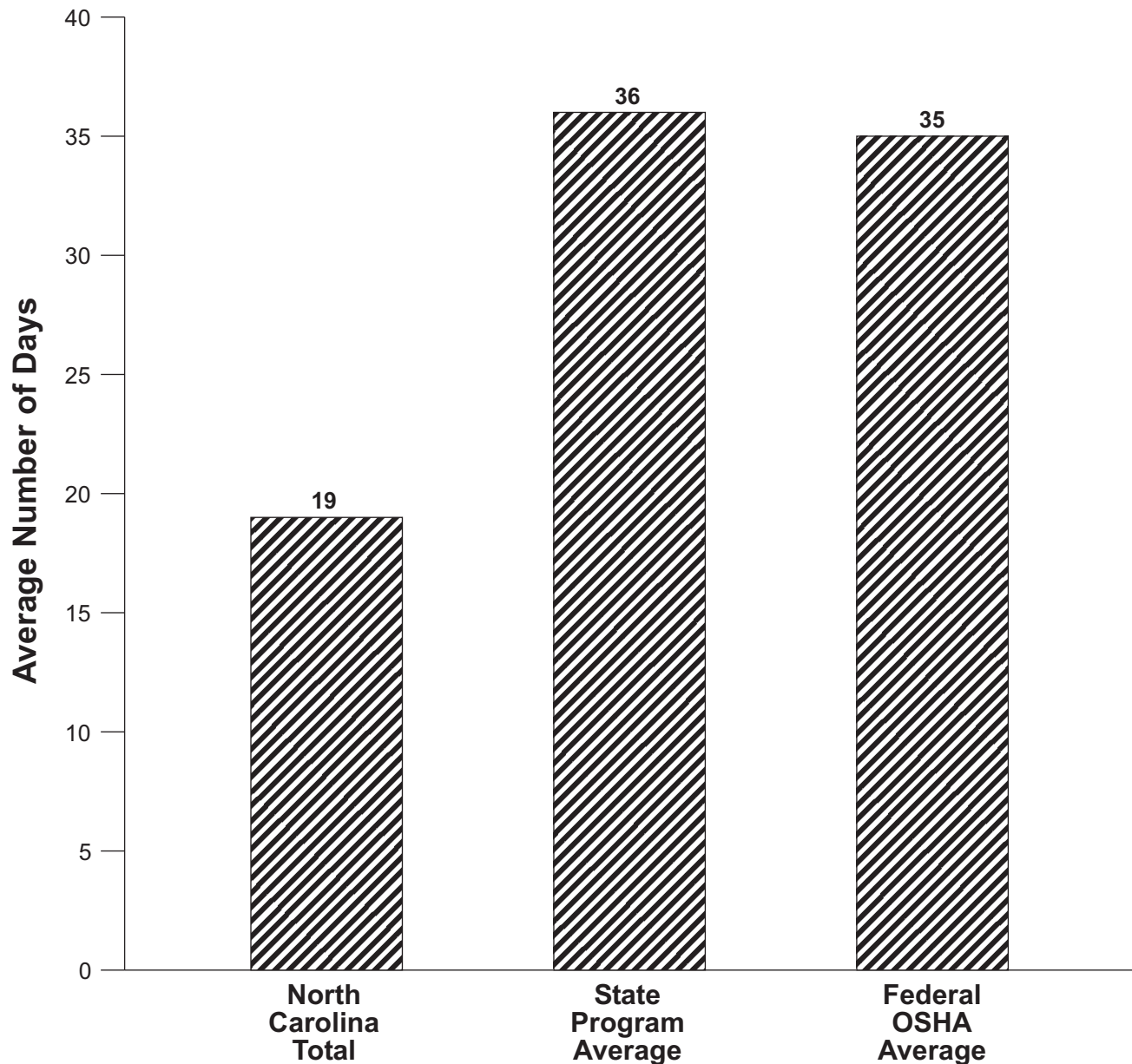
**Total 1,247**

\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

**CHART 7**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**Average Lapse Time\*\* for All Inspections\***



\*Data from an IMIS micro-to-host report, “Inspection Report,” run 1-21-09.

\*\*Lapse time is the number of days from the opening conference until citations are issued.

## **Violation Series**



**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
State and Federal Comparisons  
October 2007–September 2008

## **Definitions of Types of Violations**

**1. WILLFUL**—A “willful” violation may exist under the North Carolina Occupational Safety and Health Act where the evidence shows that the employer committed an intentional and knowing, as contrasted with inadvertent, violation of the act and the employer is conscious of the fact that what he is doing constitutes a violation of the act; or even though the employer was not consciously violating the act, he was aware that a hazardous condition existed and made no reasonable effort to eliminate the condition. It is not necessary that the violation be committed with malice or an evil intent to be deemed “willful” under the act. It is sufficient that the act was deliberate, voluntary or intentional as distinguished from those that were inadvertent, accidental or ordinarily negligent.

**2. SERIOUS**—A serious violation exists in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition that exists, or from one or more practices, means, methods, operations or processes that have been adopted or are in use at such place of employment, unless the employer did not know and could not, with the exercise of reasonable diligence, know of the presence of the violation. A citation for serious violations may be issued for a group of individual violations which, when taken by themselves, would not be serious, but when considered together would be serious in the sense that in combination they present a substantial probability of injury resulting in death or serious physical harm to employees.

**3. OTHER-THAN-SERIOUS (NONSERIOUS)**—This type of violation is cited where an accident or occupational illness resulting from violation of a standard would probably not cause death or serious physical harm but would have a direct or immediate relationship to the safety or health of employees. An example of an “other” violation is the lack of guardrails at a height from which a fall would more probably result in only a mild sprain or cut and abrasions, i.e., something less than serious physical harm.

**4. REPEAT**—A citation for a repeat violation may be issued where upon reinspection a second violation of the previous cited section of a standard, regulation, rule, order or condition violating the general duty clause is found and:

- (a) The citation is issued within three years of the final order of the previous citation; or
- (b) The citation is issued within three years of the final abatement date of that citation, whichever is later.

Repeat violations differ from willful violations in that they may result from an inadvertent, accidental or ordinarily negligent act. A willful violation need not be one for which the employer has been previously cited. If a repeat violation is also willful, a citation for the latter violation will be issued.

Repeat violations are also to be distinguished from a failure-to-abate violation. If upon reinspection a violation of a previously cited standard is found, if such violation does not involve the same piece of equipment or the same location within an establishment or worksite, the violation may be a repeat. If upon reinspection a violation of a previously cited standard is found on the same piece of equipment or in the same location, and the evidence indicates that the violation has continued uncorrected since the original inspection, then there has been a failure-to-abate. If, however, the violation was not continuous, i.e., if it has been corrected and reoccurred, the subsequent reoccurrence is a repeat violation.

The violation can be classified as repeat-serious or repeat other-than-serious using the criteria normally applied for serious and other-than-serious violations.

**5. FAILURE-TO-ABATE**—If an employer has not corrected an alleged violation for which a citation has been issued, the violation can be classified as failure-to-abate serious or other-than-serious using the criteria normally applied for serious and other-than-serious violations.

SOURCE: *North Carolina Field Operations Manual*, Chapter 4, “Violations,” and Chapter 6, “Penalties.”

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## Violation Series Highlights

- The total number of violations cited by North Carolina increased a 6 percent from the 12,934 in FY 2007 to 13,815 in FY 2008.
- The total number of violations cited in FY 2008 by the average state program was 5,522, a 2 percent decrease from FY 2007.
- The average federal jurisdiction experienced a 2 percent decrease in the total violations cited, from 2,834 in FY 2007 to 2,798 in FY 2008
- North Carolina cited 5,290 serious violations in FY 2008, a 6 percent decrease from 5,581 serious violations in FY 2007.
- The average state program cited 2,363 serious violations in FY 2008, a 3 percent decrease from FY 2007 with 2,427.
- The average federal jurisdiction cited 2,123 serious violations in FY 2008, less than a 1 percent decrease from 2,127 serious violations in FY 2007.
- North Carolina continues to cite more nonserious violations, with 8,207 in FY 2008, compared to the average state program with 3,021 nonserious violations and the average federal jurisdiction with 569 nonserious violations cited in FY 2008.
- Overall, North Carolina cited more violations per inspection (3.7) than the average state program (2.2) and more violations per inspection than the average federal jurisdiction (2.3).
- In FY 2008, North Carolina reclassified 1.5 percent of the violations, compared to 4.5 percent of violations reclassified in the average federal jurisdiction.

### CHART 8

## Violations in Fiscal Years 2006–2008

Comparisons	FY 2006		FY 2007		FY 2008	
	Totals	State Averages	Totals	State Averages	Totals	State Averages
<b>North Carolina</b>	12,637	12,637	12,934	12,934	13,815	13,815
<b>State Program**</b>	125,440	5,701	123,423	5,610	121,488	5,522
<b>Federal OSHA*</b>	82,827	2,671	87,863	2,834	86,753	2,798

\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

**CHART 9**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**Violations by Type**

Comparisons	Serious			Nonserious		
	Total	Average	Percent	Total	Average	Percent
North Carolina	5,290	5,290	38	8,207	8,207	59
State Program**	51,983	2,363	43	66,464	3,021	55
Federal OSHA*	65,805	2,123	76	17,637	569	20

Comparisons	Repeat			Willful		
	Total	Average	Percent	Total	Average	Percent
North Carolina	308	308	2	7	7	1
State Program**	2,307	105	2	159	7	0
Federal OSHA*	2,689	87	3	432	14	1

Comparisons	Failure to Abate			Unclassified		
	Total	Average	Percent	Total	Average	Percent
North Carolina	3	3	0	0	0	0
State Program**	502	23	0	73	3	0
Federal OSHA*	169	5	0	21	0	0

\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

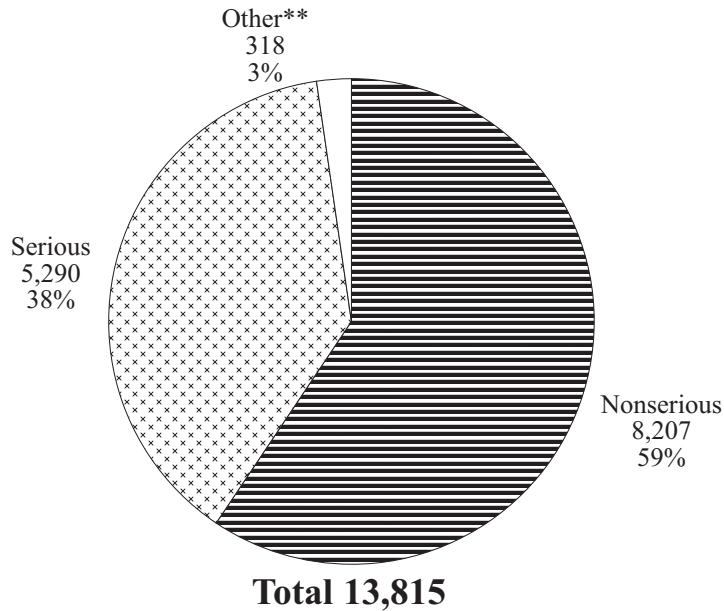
\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

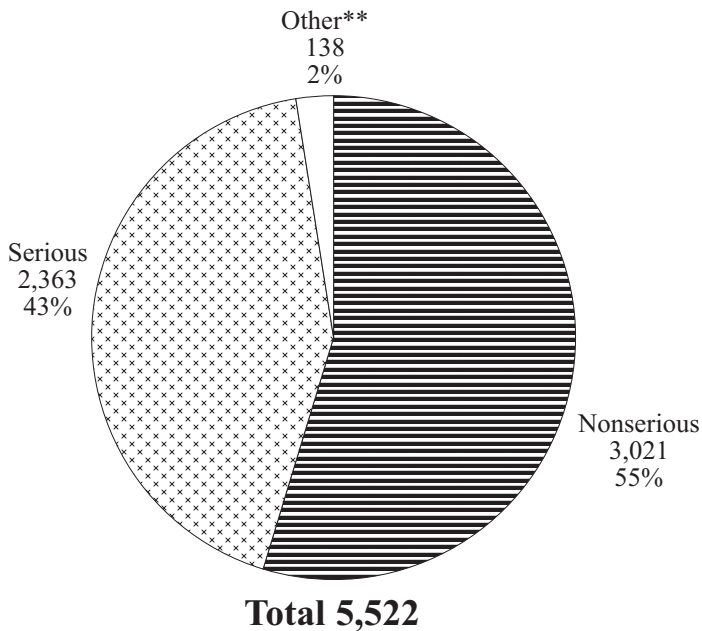
CHART 10

## Violations by Type\*

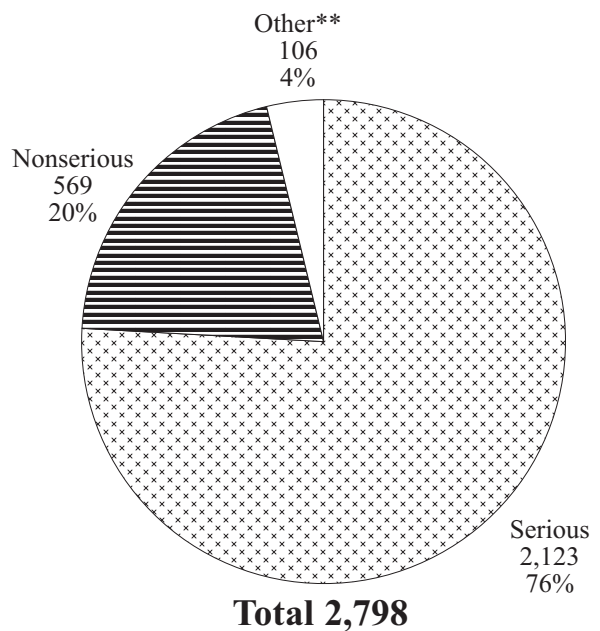
### North Carolina Total



### State Program Average



### Federal OSHA Average



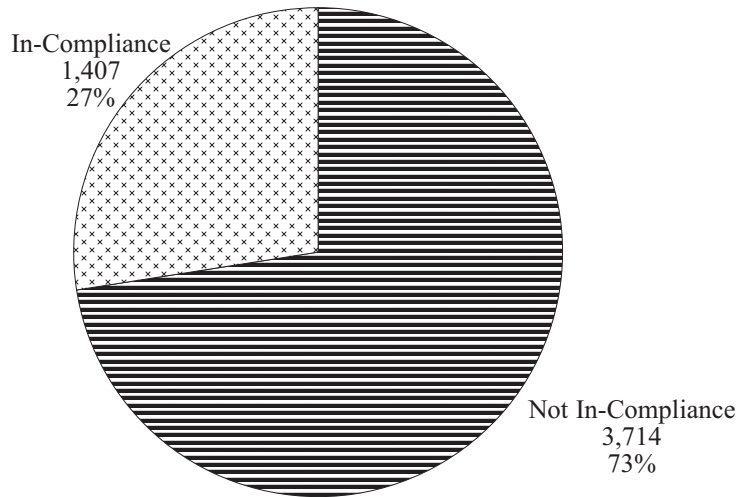
\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

\*\*"Other" violations include repeat, willful, failure-to-abate and unclassified violations.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

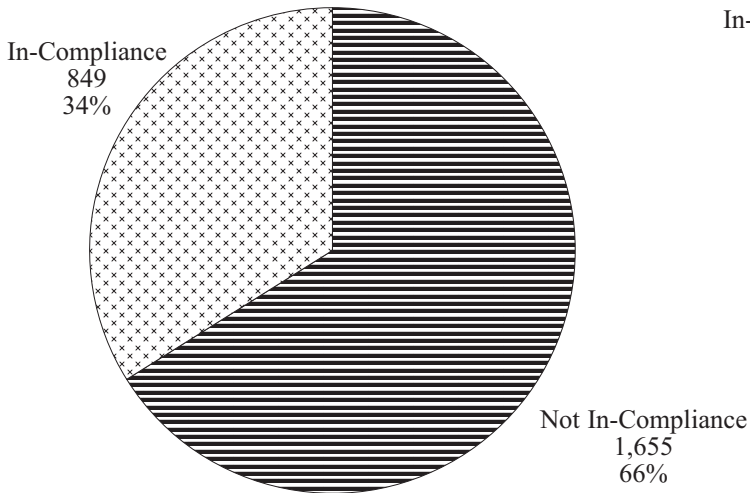
**Inspections In-Compliance or With Citations Issued\***  
**(Excluding Followup Inspections)**

**North Carolina Total**



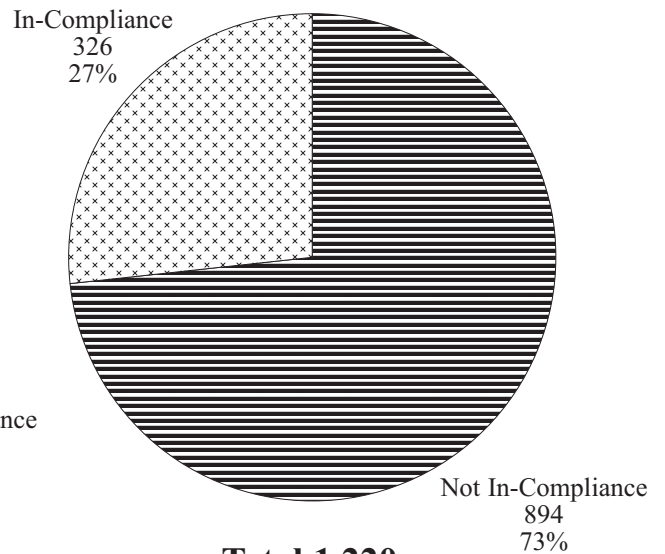
**Total 5,121**

**State Program Average**



**Total 2,504**

**Federal OSHA Average**



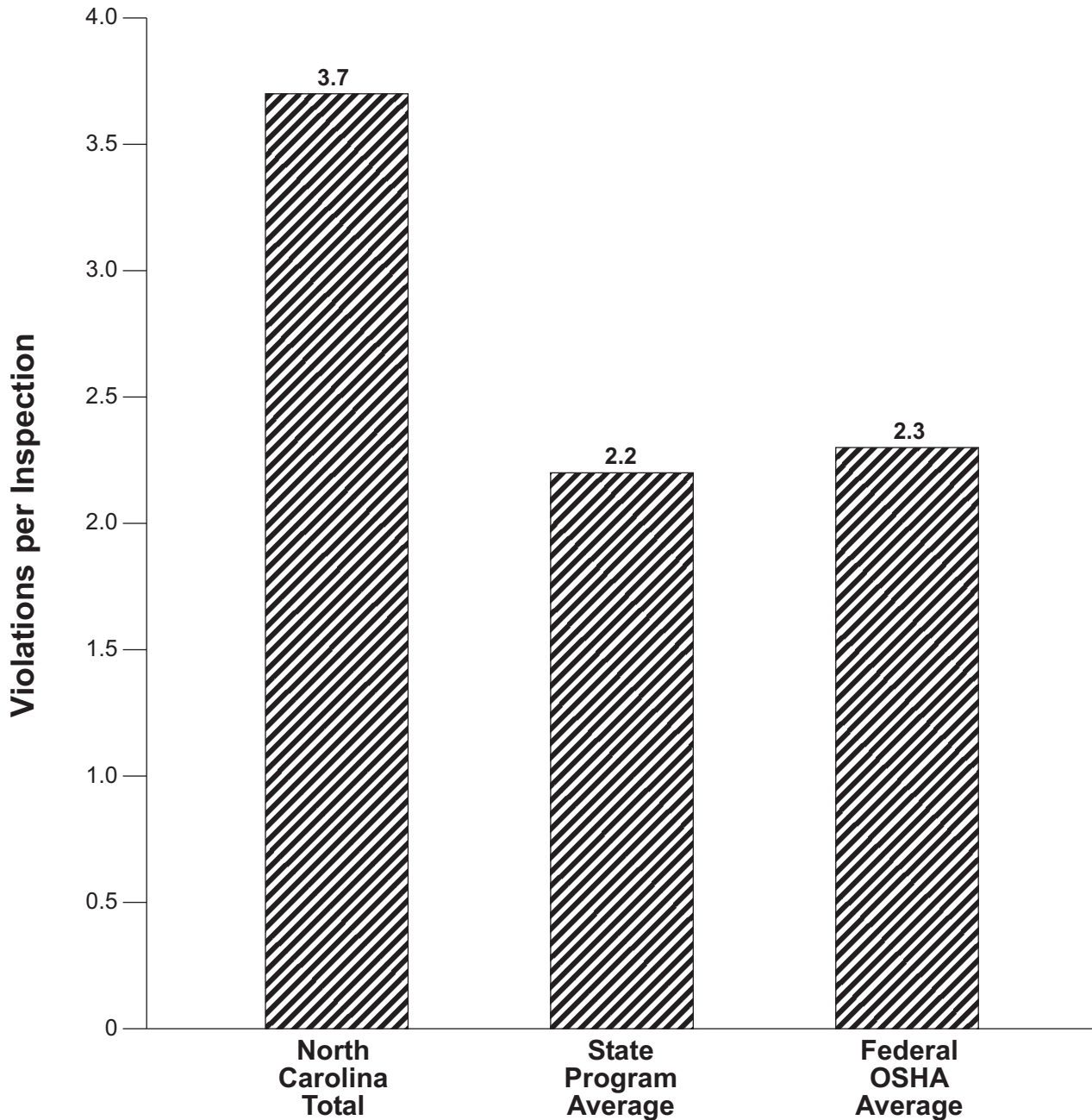
**Total 1,220**

\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

CHART 12

**Violations per Inspection\***  
**(Excluding Followup Inspections)**

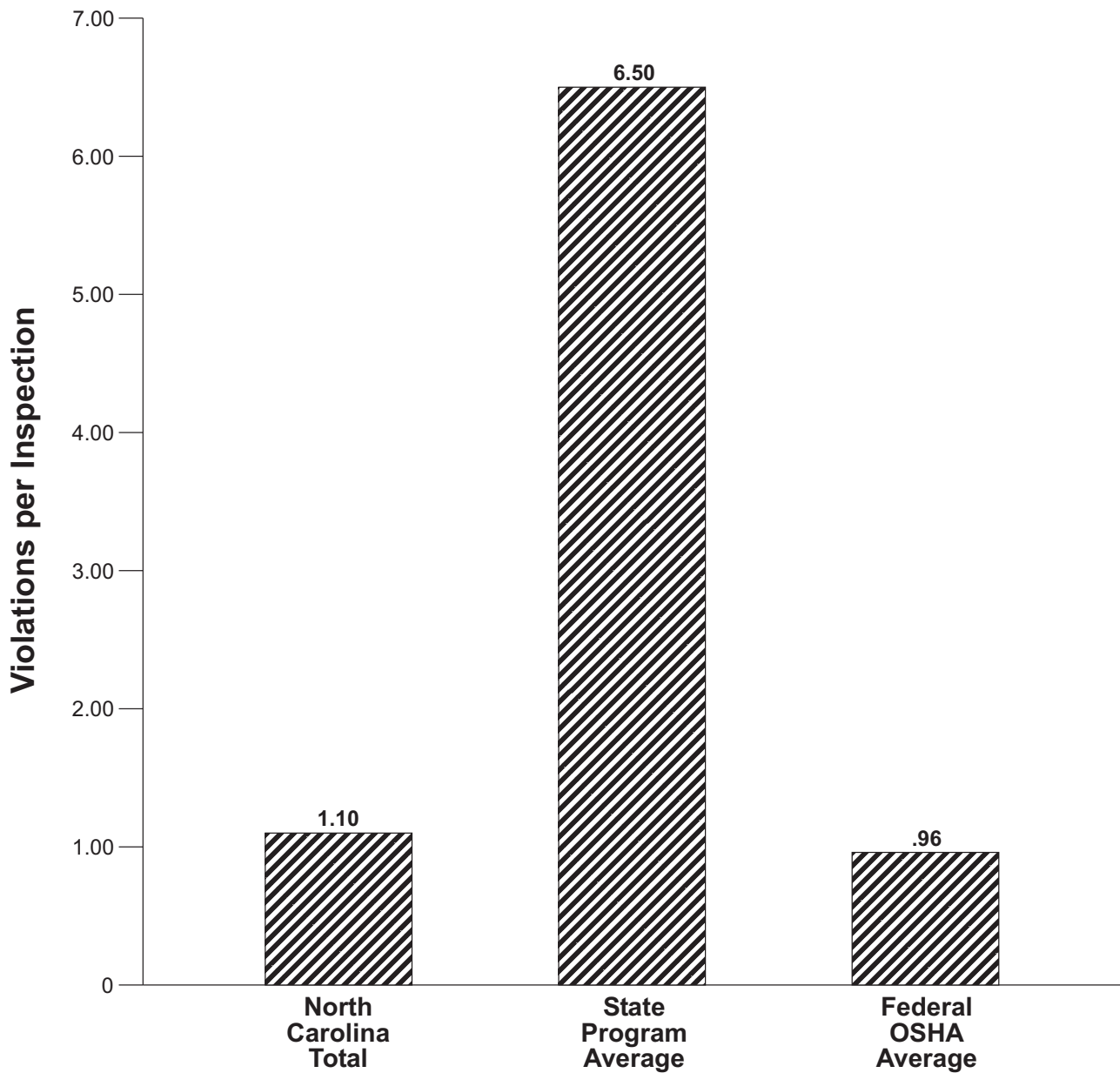


\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

CHART 13

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

**Violations per Followup Inspection\***

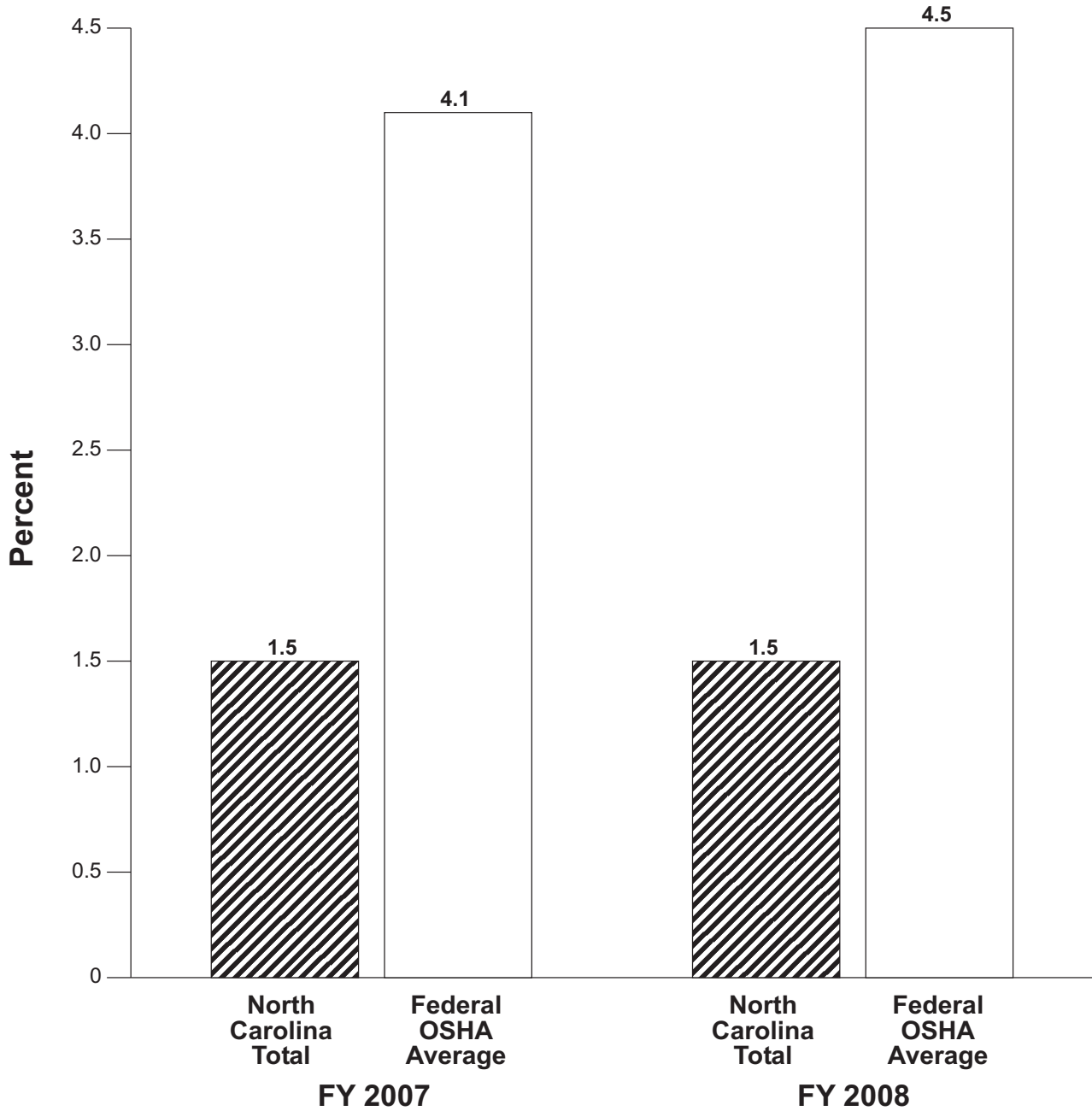


\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2006 through September 2008

CHART 14

**Violations Reclassified\***



\*Data from Interim State Indicator Report (SIR), 10-23-08.



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## **Penalty Series**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008**

## Penalty Series Highlights

- North Carolina assessed a total of \$3,483,810 in penalties for violations cited in FY 2008, compared to a total of \$2,515,738 assessed by the average state program and \$3,044,103 assessed by the average federal jurisdiction.
- The average penalty per serious violation was \$509 in FY 2008, lower than \$754 in the average state program and lower than \$930 in the average federal jurisdiction.
- North Carolina assessed a total of \$97,644 in penalties for violations cited in the public sector in FY 2008, a 39 percent increase from \$59,682 assessed in FY 2007.
- In FY 2008, North Carolina retained a 66.8 percent of penalties assessed compared to 63.3 percent of penalties assessed by the average federal jurisdiction.

CHART 15

## Penalty Assessment, All Types

Comparisons	FY 2006		FY 2007		FY 2008	
	Totals	State Averages	Totals	State Averages	Totals	State Averages
<b>North Carolina</b>	\$ 3,816,527	\$3,816,527	\$ 3,037,213	\$3,037,213	\$ 3,483,810	\$3,483,810
<b>State Program**</b>	\$50,306,084	\$2,286,640	\$50,271,141	\$2,285,051	\$55,346,249	\$2,515,738
<b>Federal OSHA*</b>	\$72,424,110	\$2,336,261	\$82,873,980	\$2,673,354	\$94,367,204	\$3,044,103

\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
 State and Federal Comparisons  
 October 2006–September 2008

**CHART 16**

## Penalty Assessment by Violation Type

Comparisons	Serious			Nonserious		
	Total	Average	Percent	Total	Average	Percent
North Carolina	\$ 2,697,534	\$2,697,534	78	\$ 49,321	\$ 49,321	1
State Program**	\$39,214,159	\$1,782,462	71	\$6,747,245	\$306,693	12
Federal OSHA*	\$61,221,596	\$1,974,890	65	\$4,368,414	\$140,916	5

Comparisons	Repeat			Willful		
	Total	Average	Percent	Total	Average	Percent
North Carolina	\$ 453,955	\$453,955	13	\$ 282,500	\$282,500	8
State Program**	\$ 4,139,560	\$188,162	8	\$ 4,006,584	\$182,117	7
Federal OSHA*	\$10,650,448	\$343,563	11	\$16,601,461	\$535,531	17

Comparisons	Failure-to-Abate			Unclassified***		
	Total	Average	Percent	Total	Average	Percent
North Carolina	\$ 500	\$ 500	0	\$ 0	\$ 0	0
State Program**	\$1,145,464	\$52,066	2	\$ 93,237	\$ 4,238	0
Federal OSHA*	\$ 585,685	\$18,893	1	\$939,600	\$30,310	1

\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

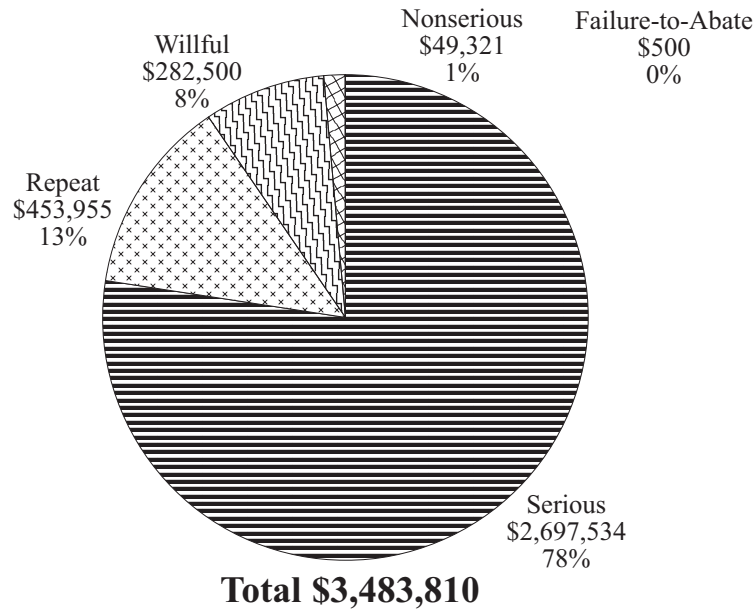
\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

\*\*\*Unclassified penalties are assessed as part of settlement agreements.

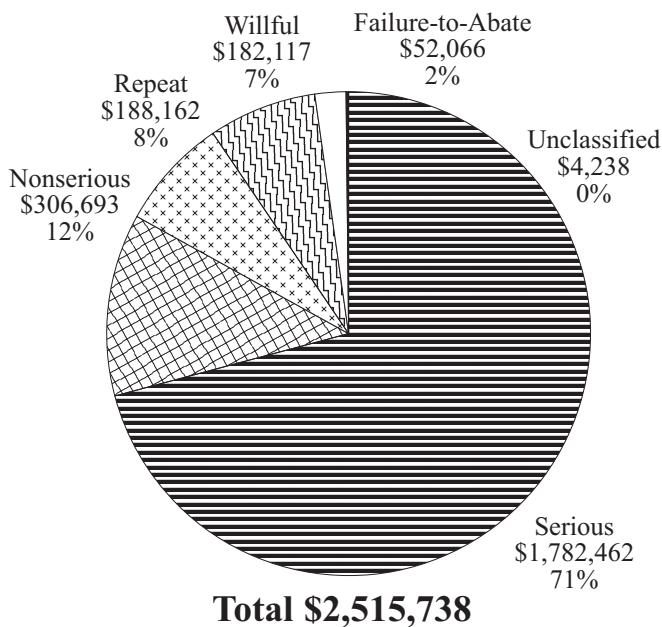
**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**Penalty Assessment by Violation Type\***

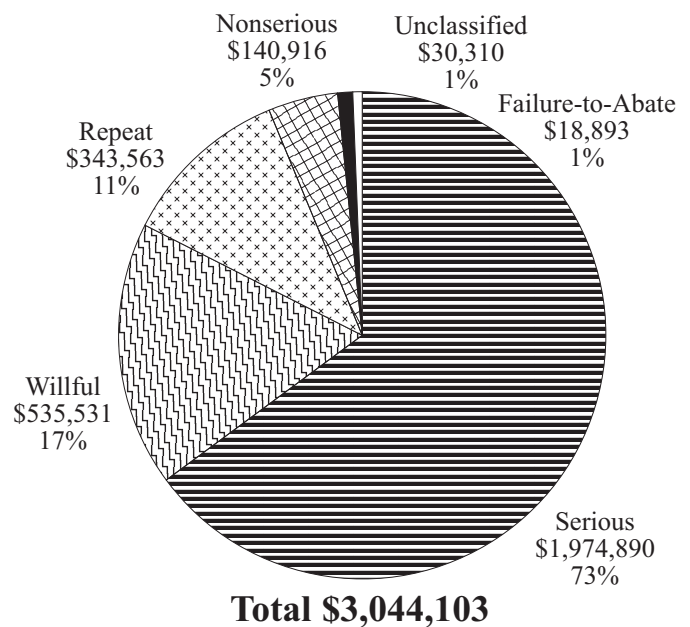
**North Carolina Total**



**State Program Average**



**Federal OSHA Average**



\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**CHART 18**

## **Penalty Assessment per Violation**

<b>Comparisons</b>	<b>Serious</b>	<b>Nonserious</b>	<b>Repeat</b>	<b>Willful</b>	<b>Failure-to-Abate</b>	<b>Unclassified***</b>
<b>North Carolina</b>	\$509	\$ 6	\$1,473	\$40,357	\$ 166	\$ 0
<b>State Program**</b>	\$754	\$101	\$1,792	\$26,016	\$2,263	\$ 1,412
<b>Federal OSHA*</b>	\$930	\$247	\$3,949	\$38,252	\$3,778	\$30,310

\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

\*\*\*Unclassified penalties are assessed as part of settlement agreements.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## Penalty Assessment per Violation Type Public Sector

Comparisons	Penalty Assessment (all types) Total	
	Totals	Averages
North Carolina	\$ 97,644	\$ 97,644
State Program**	\$2,529,535	\$114,978
Federal OSHA***	N/A	N/A

Comparisons	Serious			Nonserious		
	Total	Average	Percent	Total	Average	Percent
North Carolina	\$ 93,867	\$93,867	96	\$ 2,237	\$ 2,237	2
State Program***	\$1,694,512	\$77,023	67	\$325,608	\$14,800	13
Federal OSHA**	N/A	N/A	N/A	N/A	N/A	N/A

Comparisons	Repeat			Willful		
	Total	Average	Percent	Total	Average	Percent
North Carolina	\$ 1,540	\$1,540	2	\$ 0	\$ 0	0
State Program***	\$142,904	\$6,496	5	\$13,000	\$591	1
Federal OSHA**	N/A	N/A	N/A	N/A	N/A	N/A

Comparisons	Failure-to-Abate			Unclassified****		
	Total	Average	Percent	Total	Average	Percent
North Carolina	\$ 0	\$ 0	0	\$ 0	\$ 0	0
State Program***	\$308,511	\$14,023	12	\$45,000	\$2,045	1
Federal OSHA**	N/A	N/A	N/A	N/A	N/A	N/A

\*Penalties were imposed upon North Carolina state agencies effective July 23, 1992, and local government penalties were imposed effective Jan. 1, 1993.

\*\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

\*\*\*\*Unclassified penalties are assessed as part of settlement agreements.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**CHART 20**

**Penalty Assessment per Violation  
Public Sector\***

<b>Comparisons</b>	<b>Serious</b>	<b>Nonserious</b>	<b>Repeat</b>	<b>Willful</b>	<b>Failure-to-Abate</b>	<b>Unclassified****</b>
<b>North Carolina</b>	\$642	\$ 4	\$ 220	\$ 0	\$ 0	\$ 0
<b>State Program***</b>	\$189	\$53	\$1,299	\$295	\$1,752	\$2,045
<b>Federal OSHA**</b>	N/A	N/A	N/A	N/A	N/A	N/A

\*Penalties were imposed upon North Carolina state agencies effective July 23, 1992, and local government penalties were imposed effective Jan. 1, 1993.

\*\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

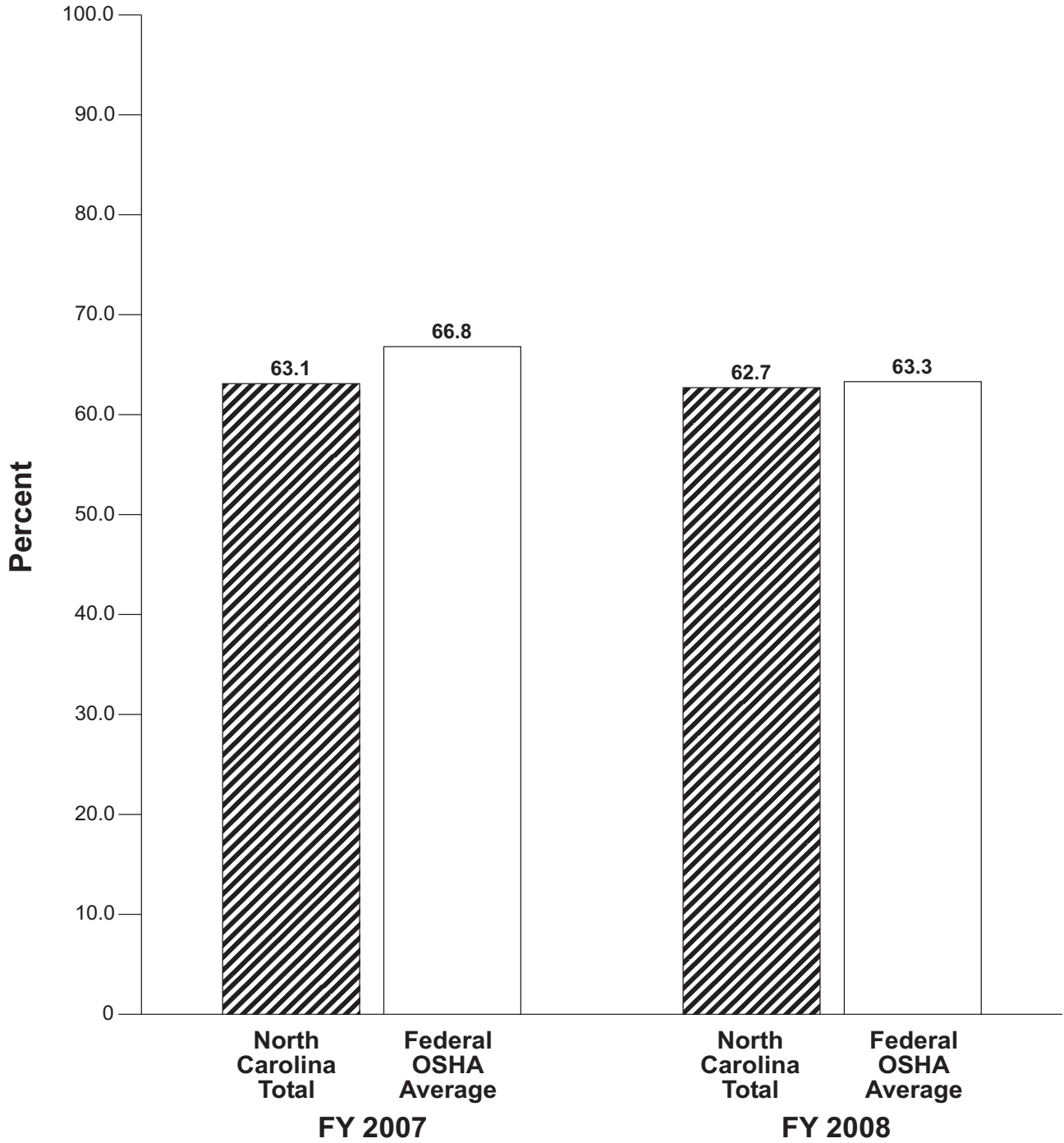
\*\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

\*\*\*\*Unclassified penalties are assessed as part of settlement agreements.



**CHART 21**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2006 through September 2008  
Penalty Retention\***



\*Data from Interim State Indicator Report (SIR), run 10-23-08.

# **Litigation Series**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008  
Litigation Series Highlights**

- The number of inspections with citations contested in North Carolina was slightly higher in FY 2008 (78) than in FY 2007 (75). The number of contested cases in the average state program was 237, and the number of contested cases in the average federal jurisdiction was 60.
- The percentage of inspections with citations that were contested in North Carolina was 2.1 percent in FY 2008, slightly higher than 2.0 percent in FY 2007.
- The percentage of inspections with citations that were contested in the average state program was 14.3 percent in FY 2008, slightly lower than 14.4 percent in FY 2007.
- The percentage of inspections with citations that were contested in the average federal jurisdiction remained at 6.8 percent in FY 2007 and FY 2008.

**CHART 22**

**Contested Cases**

Comparisons	FY 2006			FY 2007		
	Total	State Average	Percent Inspections With Citations Contested	Total	State Average	Percent Inspections With Citations Contested
<b>North Carolina</b>	101	101	2.8	75	75	2.0
<b>State Program**</b>	5,336	242	14.3	5,348	243	14.4
<b>Federal OSHA*</b>	1,954	63	7.3	1,946	62	6.8

Comparisons	FY 2008		
	Total	State Average	Percent Inspections With Citations Contested
<b>North Carolina</b>	78	78	2.1
<b>State Program**</b>	5,215	237	14.3
<b>Federal OSHA*</b>	1,885	60	6.8

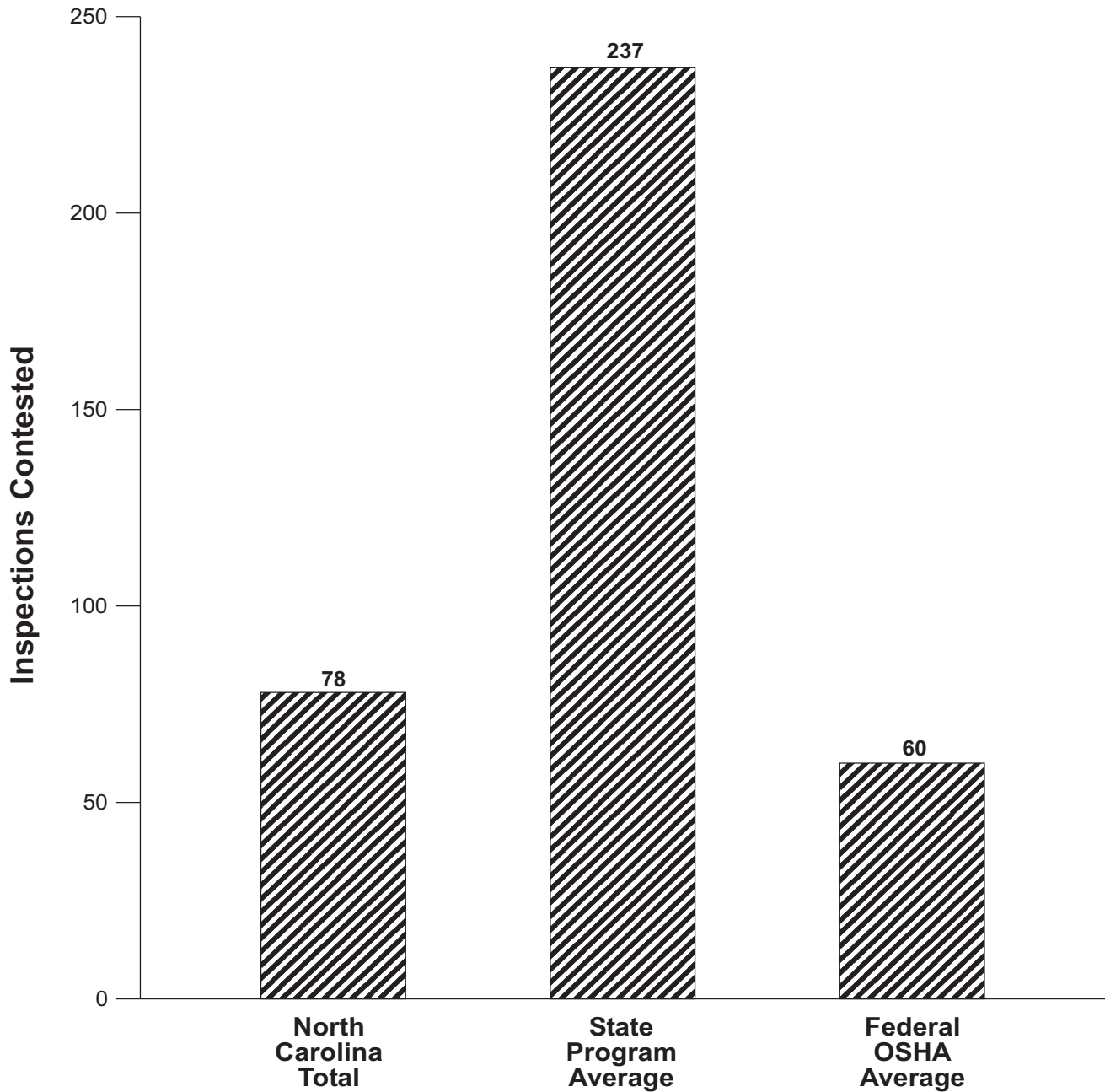
\*Federal OSHA represents the 31 jurisdictions (29 states plus District of Columbia and the Virgin Islands) that have federally administered occupational safety and health programs.

\*\*State program represents the 22 jurisdictions (21 states and Puerto Rico) that have state-administered occupational safety and health programs.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

CHART 23

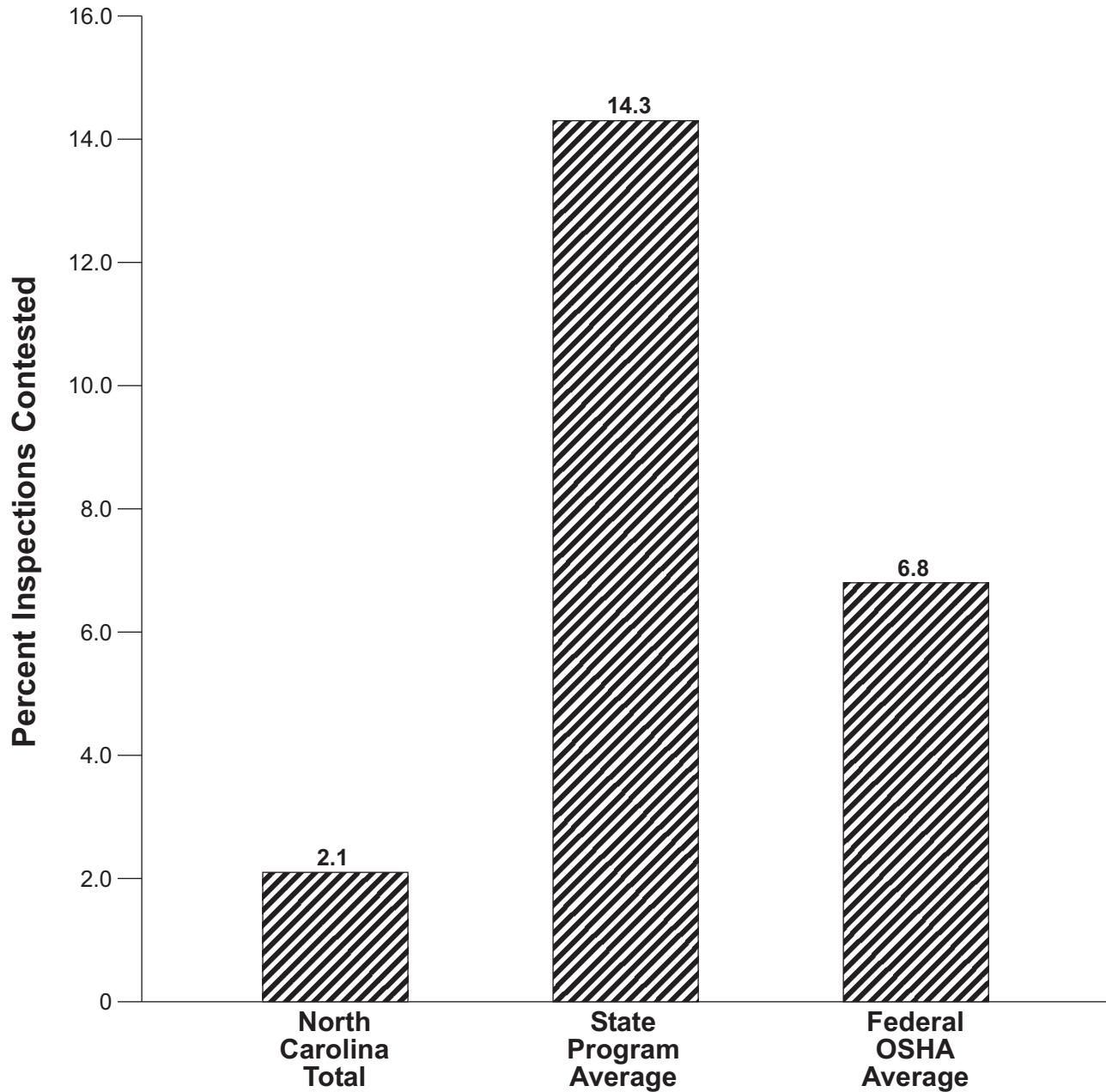
### Number of Inspections Contested\*



\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

**Percent of Inspections With Citations Contested\***



\*Data from an IMIS micro-to-host report, "Inspection Report," run 1-21-09.

**Occupational Injury and Illness  
Incident Rates**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
Calendar Years 2000–2007**

**Total Case Rates\***

**Occupational Injuries and Illnesses by Industry**

**A Comparison Between North Carolina and the United States\*\***

Industry	2000		2001		2002		2003	
	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.
Private Sector	6.1	5.3	5.7	5.0	5.0	4.0	5.3	4.0
Agriculture, Forestry and Fishing	7.1	9.0	7.3	6.2	6.2	4.6	6.4	4.6
Mining	4.7	3.6	4.0	3.3	3.3	2.5	4.0	2.5
Construction	8.3	5.2	7.9	6.8	6.8	4.7	7.1	4.7
Manufacturing	9.0	7.2	8.1	6.8	6.8	5.4	7.2	5.4
Transportation	6.9	5.6	6.9	5.5	5.5	4.7	6.1	4.7
Wholesale Trade	5.8	5.0	5.3	4.7	4.7	3.9	5.2	3.9
Retail Trade	5.9	4.3	5.7	5.3	5.3	4.0	5.3	4.0
Finance, Insurance and Real State	1.9	1.3	1.8	1.7	1.7	1.1	1.7	1.1
Services	4.9	4.6	4.6	4.4	4.4	3.3	4.6	3.3
State and Local Government (Public Sector)	N/A	5.5	N/A	N/A	N/A	5.1	N/A	5.1

Industry	2004		2005		2006		2007	
	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.
Private Sector	4.8	4.1	4.6	4.0	4.4	1.0	4.2	3.7
Agriculture, Forestry and Fishing	6.4	6.7	6.1	7.6	6.0	6.1	5.4	6.4
Mining	3.8	2.5	3.6	2.7	3.5	2.3	3.1	2.1
Construction	6.4	4.4	6.3	4.6	5.9	4.9	5.4	4.0
Manufacturing	6.6	5.3	6.3	5.1	6.0	5.1	5.6	4.4
Transportation	5.5	4.8	5.2	4.6	5.0	4.6	4.9	4.1
Wholesale Trade	4.5	4.1	4.5	3.8	4.1	3.7	4.0	3.0
Retail Trade	5.3	4.6	5.0	4.6	4.9	4.3	4.8	4.3
Finance, Insurance and Real State	1.6	1.3	1.7	1.3	1.5	1.3	1.4	1.6
Services	4.2	3.6	4.1	3.6	3.9	3.5	3.8	3.4
State and Local Government (Public Sector)	N/A	4.9	N/A	4.7	N/A	4.7	N/A	4.3

\*Total Case Rates represent the number of recordable injuries and illnesses per 100 full-time employees.

\*\*U.S. data are from the USDOL Bureau of Labor Statistics' *Survey of Occupational Injuries and Illnesses*, 2000, 2001, 2002, 2003, 2004, 2005, 2006 and 2007. N.C. data are from the NCDOL Research and Policy Division, Safety and Health Survey Section's *Injuries and Illnesses in North Carolina*, conducted as part of the Bureau of Labor Statistics' survey, 2000, 2001, 2002, 2003, 2004, 2005, 2006 and 2007.

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
 State and Federal Comparisons  
 Calendar Years 2000–2007

CHART 26

**Lost Workday Case Rates\* by Industry**  
**A Comparison Between North Carolina and the United States\*\***

Industry	2000		2001		2002		2003	
	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.
Private Sector	3.0	2.6	2.8	2.2	2.8	2.2	2.6	2.0
Agriculture, Forestry and Fishing	3.6	3.9	3.6	2.2	3.3	1.2	3.3	2.0
Mining	3.0	2.1	2.4	1.5	2.6	1.5	2.0	1.9
Construction	4.1	2.8	4.0	3.1	3.8	2.3	3.6	2.6
Manufacturing	4.5	3.4	4.1	3.1	4.1	2.9	3.8	2.8
Transportation	4.3	3.8	4.3	3.0	4.0	2.9	3.2	2.5
Wholesale Trade	3.1	2.6	2.8	2.4	3.1	2.5	2.8	1.8
Retail Trade	2.5	1.8	2.4	1.7	2.5	2.1	2.7	2.1
Finance, Insurance and Real State	0.8	0.6	0.7	0.4	0.8	0.5	0.8	0.5
Services	2.2	2.2	2.2	1.6	2.2	1.7	2.3	1.7
State and Local Government (Public Sector)	N/A	2.3	N/A	2.3	N/A	2.4	N/A	2.3

Industry	2004		2005		2006		2007	
	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.	U.S.	N.C.
Private Sector	2.5	2.0	2.4	2.1	2.3	2.0	2.1	1.9
Agriculture, Forestry and Fishing	3.7	3.4	3.3	4.5	3.2	3.2	2.8	3.1
Mining	2.3	1.7	2.2	1.5	2.1	1.5	2.0	1.2
Construction	3.4	2.5	3.4	2.5	3.2	2.8	2.8	2.4
Manufacturing	3.6	2.9	3.5	2.8	3.3	2.8	3.0	2.4
Transportation	3.1	2.7	3.0	2.7	2.9	2.7	2.8	2.3
Wholesale Trade	2.7	2.7	2.7	2.2	2.5	2.3	2.4	1.7
Retail Trade	2.7	2.1	2.6	2.6	2.6	2.2	2.5	2.3
Finance, Insurance and Real State	0.7	0.6	0.8	0.6	0.7	0.3	.7	1.0
Services	2.2	1.7	2.1	1.8	2.0	1.7	1.9	1.7
State and Local Government (Public Sector)	N/A	2.3	N/A	2.3	N/A	2.1	N/A	1.9

\*Lost Workday Case Rates represent those cases that involved one or more days an employee is away from work or limited to restricted work activity due to an occupational injury or illness. The rate is calculated per 100 full-time employees.

\*\*U.S. data are from the USDOL Bureau of Labor Statistics' *Survey of Occupational Injuries and Illnesses*, 2000, 2001, 2002, 2003, 2004, 2005, 2006 and 2007. N.C. data are from the NCDOL Research and Policy Division, Safety and Health Survey Section's *Injuries and Illnesses in North Carolina*, conducted as part of the Bureau of Labor Statistics' survey, 2000, 2001, 2002, 2003, 2004, 2005, 2006 and 2007.



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# **State Demographic Profile**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

## **Introduction**

The purpose of the Occupational Safety and Health Act of North Carolina is “to assure so far as possible every working man and woman in the State of North Carolina safe and healthful working conditions and to preserve our human resources.” The state’s five-year Strategic Plan is designated to promote the achievement of this purpose through the specific goals and objectives established by the NCDOL Occupational Safety and Health Division and its employees.

The division has established two primary strategic goals as part of the five-year Strategic Plan. Goal One is the reduce occupational hazards through direct interventions. Goal Two is to promote a safe and health culture through compliance assistance, cooperative programs and strong leadership.

From these two broad strategic goals, specific outcome goals and annual performance goals are included in the Strategic Plan. Methylene chloride is not included in the FY 2008 Strategic Plan as an outcome goal even though its five-year end date is FY 2008. As a result of increased knowledge of the hazards associated with methylene chloride, many employers have discontinued its use. Due to its minimal impact on a 15 percent reduction of the overall industry injury and illness rate, a continued commitment of resources to this effort is not strategically appropriate.

Comparisons of the number of employees and establishments covered by the North Carolina occupational safety and health program are presented in the following tables and graph.

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008**

**State Demographic Profile  
Private Sector**

<b>Private Sector</b>	<b>NAIC</b>	<b>SIC</b>	<b>Establishments*</b>	<b>Employees*</b>
Construction	23	15-17	29,281	240,882
Manufacturing	31-33	20-39	10,615	520,344
Transportation	48-49	40-59	6,385	136,612
Wholesale and Retail Trade	42-45	50-59	52,074	650,977
Finance, Insurance and Real Estate	51-53	60-67	27,304	282,309
Services	54-81	70-89	104,503	1,954,983
All Other			23,867	61,404
<b>Total Private Sector</b>			<b>254,029</b>	<b>3,847,511</b>

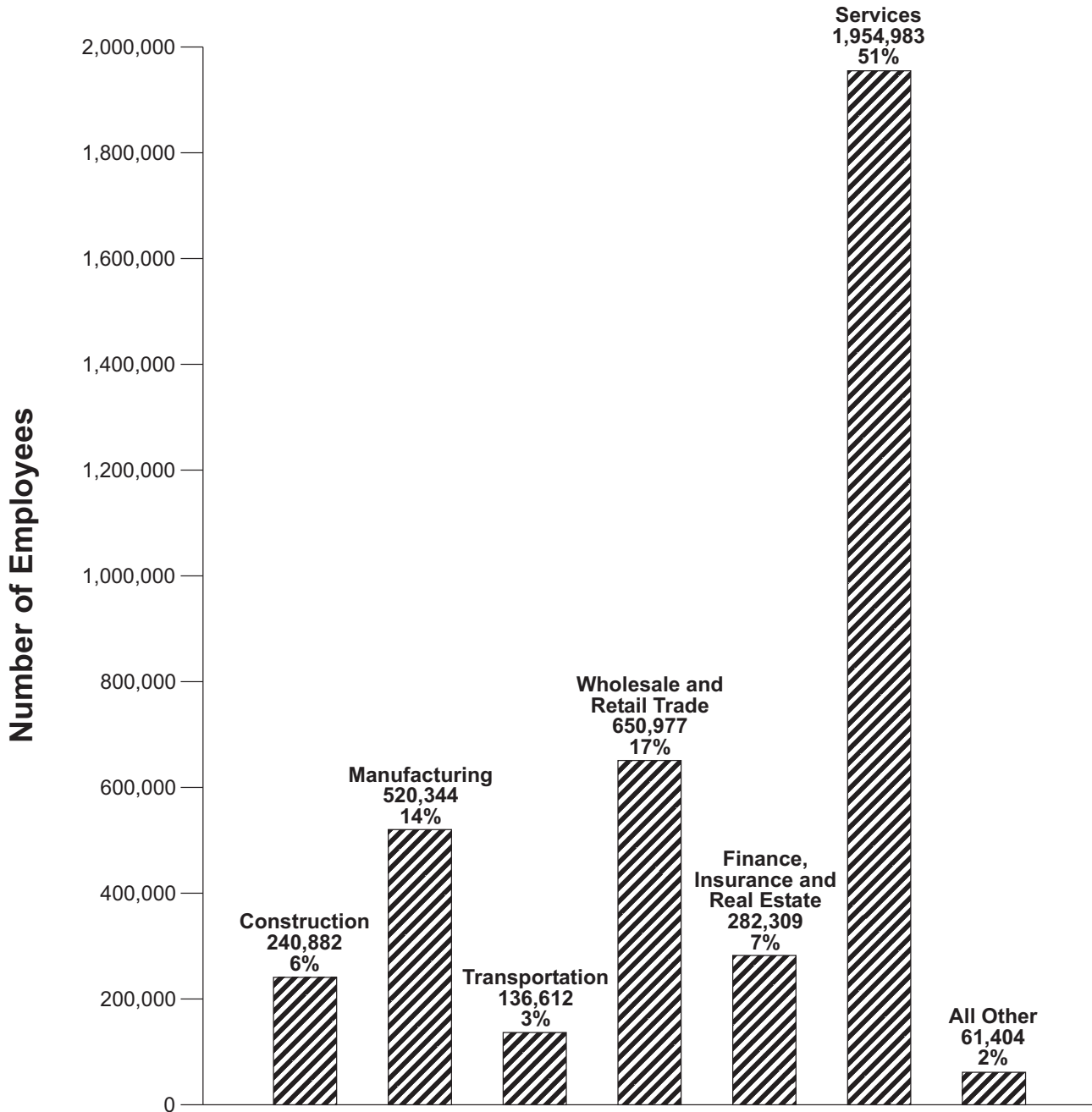
**State Demographic Profile  
Public Sector**

<b>Public Sector</b>	<b>Establishments*</b>	<b>Employees*</b>
State	2,016	182,922
Local	4,314	444,153
<b>Total Public Sector</b>	<b>6,330</b>	<b>627,075</b>

\*Source: Employment and Wages in North Carolina, Employment Security Commission, N.C. Department of Commerce, Second Quarter 2008.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2007–September 2008

**State Demographic Profile  
By Private Sector Employees\***



\*Source: Employment and Wages in North Carolina, Employment Security Commission, N.C. Department of Commerce, Second Quarter 2008.

**Top 25 Most Frequently Cited  
“Serious”**

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
 State and Federal Comparisons  
 October 2007–September 2008

## Top 25 Most Frequently Cited “Serious” Construction Standards\*

Standards Violated	Total Violations	Serious Violations	Willful Violations	Repeat Violations	Other Violations	Brief Description
1926.501(b)(13)	471	419	1	41	10	Fall protection—Residential construction—Employees protected 6 ft. or more above lower level
1926.102(a)(1)	280	245	0	17	18	PPE—Eye and face protection—General requirements
1926.20(b)(2)	272	223	0	13	36	General safety & health provisions—Accident prevention—Frequent and regular inspections
1926.1053(b)(1)	239	229	0	4	6	Ladders—Must extend 3 ft. above landing or be properly secured to access upper landing
1926.501(b)(1)	170	150	0	11	9	Fall protection—Unprotected sides and edges—Employees protected 6 ft. or more above lower level
1926.100(a)	168	137	0	1	30	PPE—Head protection—General requirements
1926.501(b)(11)	124	116	0	8	0	Fall protection—Steep roofs—Employees protected 6 ft. or more above lower level
1926.503(a)(1)	120	116	0	1	3	Fall protection—Training program
1926.451(e)(1)	123	108	0	7	8	Scaffolds—Access by various means
1926.451(g)(1)	84	81	0	3	0	Scaffolds—Fall protection—Employees protected 10 ft. or more above lower level
1926.451(g)(1)(vii)	84	79	0	4	1	Scaffolds—Fall protection—Employees protected by personal fall arrest/guardrail system
1926.451(c)(2)	82	72	0	2	8	Scaffolds—Supported scaffolds—Shall bear on adequate foundation
1926.501(b)(10)	74	68	0	3	3	Fall Protection—Low slope roofs—Employees protected 6 ft. or more above lower level
1926.503(b)(1)	91	64	0	1	26	Fall Protection—Certification of training
1926.451(f)(7)	62	56	0	1	5	Scaffolds—Use—Erected, moved, dismantled or altered under supervision of competent person
1926.451(g)(4)(i)	59	55	0	4	0	Scaffolds—Guardrails systems—Installed on open sides and ends of platforms
1926.451(b)(1)(i)	59	54	0	3	2	Scaffolds—Platform construction—Platform unit installation
1926.20(b)(1)	52	49	0	0	3	General safety and health provisions—Accident prevention program
1926.21(b)(2)	65	48	0	1	16	Safety training and education—Instruction to avoid unsafe conditions
1926.454(a)	53	45	0	1	7	Scaffolds—Training—Hazard recognition for type of scaffold in use
1926.503(c)(3)	50	45	0	3	2	Fall protection—Retraining when employee inadequacies in knowledge or use identified
1926.652(a)(1)	54	44	1	6	3	Excavations—Protection of persons in excavations
1926.451(b)(1)	46	43	0	2	1	Scaffolds—Platform construction—Fully decked and planked
1926.453(b)(2)(v)	46	43	0	1	2	Scaffolds—Aerial lifts—Extensible and articulating boom platforms—Body belts and lanyards worn/used
1926.1060(a)	52	40	0	0	12	Stairways and ladders—Training program

\*Data from an IMIS micro-to-host report, “Freq. Violated Stds. Report,” run 1-21-09.

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
 State and Federal Comparisons  
 October 2007–September 2008

**CHART 28**

## Top 25 Most Frequently Cited “Serious” General Industry Standards\*

Standards Violated	Total Violations	Serious Violations	Willful Violations	Repeat Violations	Other Violations	Brief Description
1910.212(a)(1)	211	188	0	1	22	Machine guarding—General requirements
1910.215(b)(9)	226	149	0	2	75	Machine guarding—Abrasive wheel machinery—Exposure adjustment
1910.215(a)(4)	181	121	0	1	59	Machine guarding—Abrasive wheel machinery—Work rests
1910.151(c)	141	99	0	2	40	Medical and first aid—Eyewash and emergency showers
NCGS 95-129(1)	96	94	0	1	1	General Duty Clause
1910.304(g)(5)	192	80	0	3	109	Electrical—Grounding—Path to Ground
1910.23(c)(1)	125	76	0	0	49	Walking and working surfaces—Protect open sided floors, platforms and runways
1910.133(a)(1)	85	60	0	2	23	Eye and face protection—General requirements
1910.305(b)(1)(ii)	174	56	0	0	118	Electrical cabinets, boxes and fittings—Unused openings effectively closed
1910.212(a)(3)(ii)	60	50	0	2	8	Machine guarding—Point of operation guarding
1910.212(b)	159	49	0	1	109	Machine guarding—Fixed machinery—Anchored to prevent moving/walking
1910.147(c)(4)(i)	59	41	1	1	16	Lockout/Tagout—Energy control procedures
1910.147(c)(1)	58	40	0	0	18	Lockout/Tagout—Energy control program
1910.219(d)(1)	48	35	0	0	13	Machine guarding—Pulleys—Guarded within 7 ft. or less of floor
1910.242(b)	114	33	0	1	80	Hand and portable power tools—Compressed air for cleaning—Chip guard and PPE w/pressure reduced to 30 psi
1910.147(c)(6)(i)	60	33	0	1	26	Lockout/Tagout—Periodic inspection
1910.132(d)(1)	86	32	0	1	53	Personal protective equipment—Hazard assessment
1910.178(q)(7)	98	28	0	0	70	Powered industrial trucks—Maintenance
1910.219(e)(3)(i)	33	28	0	0	5	Machine guarding—Mechanical power transmission apparatus—Vertical and inclined belts guarded
1910.1200(e)(1)	347	27	0	7	313	Hazard communication—Written program
1910.212(a)(5)	33	27	0	1	5	Machine guarding—Exposure of blades—guarded when less than 7 feet from floor or working level
1910.178(l)(1)(i)	54	26	0	0	28	Powered industrial trucks—Operator training—Ensure operator competency
1910.132(a)	37	26	1	1	9	Personal protective equipment—General requirements—Provided when necessary
1910.303(g)(2)(i)	47	24	0	0	23	Electrical—Grounding—One conductor of single-phase two wire system grounded
1910.147(c)(4)(ii)	37	24	0	0	13	Lockout/Tagout—Energy control procedure—Clear and outlines scope, purpose and authorizations

\*Data from an IMIS micro-to-host report, “Freq. Violated Stds. Report,” run 1-21-09.



**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
 State and Federal Comparisons  
 October 2007–September 2008

**Top 10 Most Frequently Cited “Serious”  
 Public Sector\***

<b>Standards Violated</b>	<b>Total Violations</b>	<b>Serious Violations</b>	<b>Willful Violations</b>	<b>Repeat Violations</b>	<b>Other Violations</b>	<b>Brief Description</b>
1910.215(b)(9)	16	10	0	1	5	Machine guarding—Abrasive wheel machinery—Exposure adjustment
1910.215(a)(4)	16	9	0	0	7	Machine guarding —Abrasive wheel machinery—Work rest adjustment
NCGS 95-129(1)	9	9	0	0	0	General Duty Clause
1910.134(c)(1)	9	7	0	0	2	Personal protective equipment—Respiratory protection—Written program
1910.304(g)(5)	9	5	0	0	4	Electrical—Grounding—Path to ground
1910.134(e)(1)	7	5	0	0	2	Personal protective equipment—Respiratory protection—Medical evaluation
1910.151(c)	9	4	0	0	5	Medical and first aid—Eyewash and emergency showers
1910.132(d)(1)	6	4	0	0	2	Personal protective equipment—Hazard assessment
1910.212(a)(1)	6	4	0	0	2	Machine guarding—General requirements
1910.133(a)(1)	5	4	0	0	1	Eye and face protection—General requirements

\*Data from an IMIS micro-to-host report, “Freq. Violated Stds. Report,” run 1-21-09.

## **Consultation Series**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008  
Consultation Series Highlights**

- The Consultative Services Bureau conducted 1,158 total consultative visits in FY 2008:
  - 774 (67%) safety visits and 384 (33%) health visits.
  - 994 (86%) initial visits; 102 (9%) training assistance visits; and 62 (5%) followup visits.
  - 967 (84%) private sector visits; and 191 (16%) public sector visits.
  - 366 (32%) manufacturing visits; 322 (28%) construction visits; 279 (24%) other type visits; and 191 (16%) public sector visits.
- Hazards identified and eliminated as result of consultative visits totaled 7,074 in FY 2008, lower than in FY 2007 (7,463) and than FY 2006 (7,151)
  - Of the identified hazards, 5,465 (77%) were serious hazards and 1,609 (23%) were other than serious hazards.
- In FY 2008 consultants also conducted 672 safety and health interventions, which included speeches, training programs, program assistance, interpretations, conference/seminars, outreach and other interventions.
- The Safety Award Program celebrated its 62nd year with another successful season. The Gold Award was presented to employer sites with a total lost workday case rate (lost and restricted workdays included) at least 50 percent below the state average. The Silver Award went to employer sites with a lost workday rate at least 50 percent below the state average. Thirty safety award banquets were held—with a total of 3,400 in attendance. There were a total of 2,761 annual safety awards applications, 1,972 Gold Awards, 358 Silver Awards, and 102 Million-Hour Safety Awards for a total of 2,432 annual safety awards that were distributed in FY 2008.
- The Recognition Program also enjoyed another year of growth and success. Seventeen new Star sites were recognized; 27 Star sites were recertified, and 64 first time Star interventions were conducted. There are currently total of 113 companies in the Star programs.
- During FY 2008 the recognition programs, while managed by the Consultative Services Bureau, continue to utilize resources provided by the Compliance Bureau for on-site evaluations, with Compliance and Education, Training and Technical Assistance helping to promote participation in the recognition programs.
- The bureau continues to reach small employers and encourage participation in the Safety and Health Achievement Recognition Program. In FY 2008 the bureau recognized 26 SHARP-related worksites. There are currently 73 SHARP-related worksites.

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
 State and Federal Comparisons  
 October 2007–September 2008  
**Carolina Star Program**

The Carolina Star Program encourages employers and employees in their efforts to reduce hazards, institute new programs, and perfect existing programs for providing safe and healthy working conditions. The Carolina Star Program is the state's most prestigious way to provide official recognition of excellent safety and health programs, assistance to employers in their efforts to reach that level of excellence, and the benefits of a cooperative approach to resolve potential safety and health problems. Not only do Star sites affect major industry in the state, these sites are mentors and help all businesses of all sizes in improving their safety and health programs. During FY 2008 the following companies were awarded the Carolina Star, Rising Star, Building Star, or Public Sector Star status or were recertified.

<b>Star Site Name and Location</b>	<b>Site Approval Date</b>	<b>Recertification Date</b>
Wythe Biotech	Oct. 27, 2007	
Georgia-Pacific Corp.—Whiteville Chip-N-Saw		Nov. 29, 2007
D.H. Griffin Construction Co.	Jan. 18, 2008	
Shaw Constructors Inc.		Jan. 18, 2008
Corning Cable System	Jan. 18, 2008	
Eaton Electrical (Asheville Plant) (Promotion)	Feb. 5, 2008	
UCO Fabrics Inc.		Feb. 5, 2008
Kimberly-Clark Corp.—Lexington Mill		Feb. 5, 2008
Energizer Battery Mfg. Inc. (Plant #2)		Feb. 21, 2008
Clean Harbors Environmental Services (Promotion)	Feb. 21, 2008	
Champion Home Builders	Feb. 21, 2008	
CH2M Hill Inc.	Feb. 21, 2008	
American Emergency Vehicles	Feb. 27, 2008	
Mount Olive Pickle Co. Inc.		Mar. 12, 2008
Veolia Environment North America Operations Inc.		Mar. 12, 2008
Permatest Inc.	Mar. 20, 2008	
Temporary Resources		April 8, 2008
Cognis Corporation	April 10, 2008	
Georgia-Pacific Corp. (Roxboro Engineered Lumber)		April 22, 2008
The Forest at Duke		April 22, 2008
Elementis Chromium, L.P.		May 7, 2008
International Paper—Chadbourn Woodyard		May 7, 2008
Mecklenburg Co. Park & Recreation Specialized Svcs. Div.	May 7, 2008	
Coats North America—Marion		June 3, 2008
Rohm & Haas		June 17, 2008
General Electric Co.—Aviation		June 17, 2008
Crowder Construction Co.		June 17, 2008
E.J. Pope & Son Inc.		June 24, 2008
City of Burlington—Fire Department	July 1, 2008	
Performance Fibers Operations Inc.		July 8, 2008
Cooper Tools—Apex Operation (Promotion)		July 8, 2008
Wayne County Health Department	July 8, 2008	
Huntsman International, LLC—Charlotte (Promotion)		July 8, 2008
Archer Western Contractors Ltd.		Aug. 19, 2008
GE-Hitachi Nuclear Energy Americas, LLC		Aug. 19, 2008
Butterball, LLC	Aug. 25, 2008	
Hendrick Construction Inc.	Aug. 25, 2008	
Metal Technologies of Murfreesboro Inc.	Sept. 19, 2008	
Honeywell International Inc. (Promotion)		Sept. 19, 2008
Bovis Lend Lease—Charlotte		Sept. 24, 2008
Bovis Lend Lease—Raleigh		Sept. 24, 2008
Glen Raven Technical Fabrics, LLC		Sept. 30, 2008
The Sherwin-William Co.	Sept. 30, 2008	

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008**

### Total Visits by Category

Category	FY 2006	FY 2007	FY 2008
<b>Safety</b>	953	749	774
<b>Health</b>	302	389	384
<b>Total</b>	1,255	1,138	1,158

### Total Visits by Type

Type	FY 2006	FY 2007	FY 2008
<b>Initial</b>	1,035	959	994
<b>Training and Assistance</b>	112	88	102
<b>Followup</b>	108	91	62
<b>Total</b>	1,255	1,138	1,158

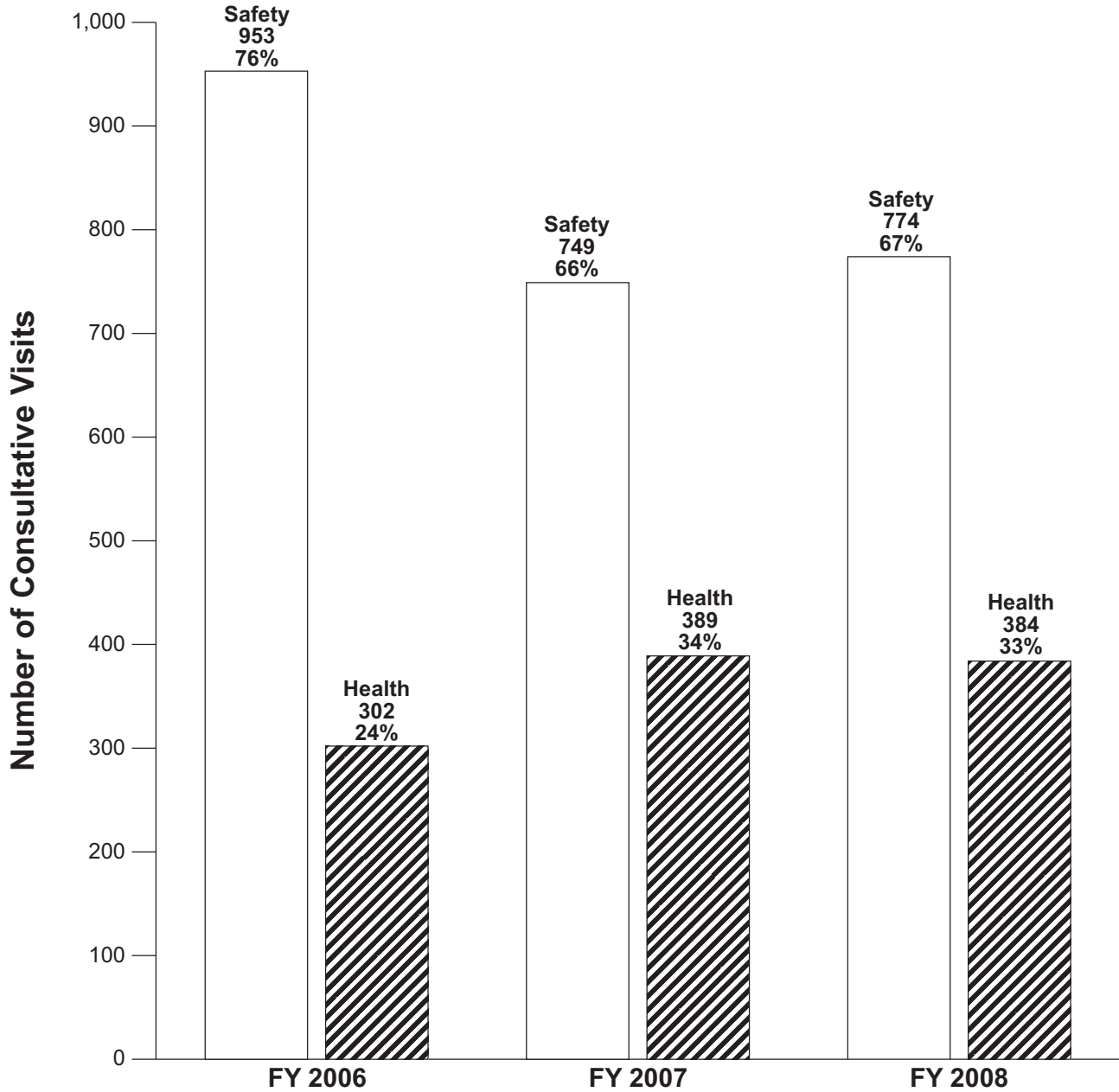
### Total Visits by Industry Type

Industry	FY 2006	FY 2007	FY 2008
<b>Manufacturing</b>	382	291	366
<b>Construction</b>	346	306	322
<b>Other</b>	334	335	279
<b>Public Sector</b>	193	206	191
<b>Total</b>	1,255	1,138	1,158

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008

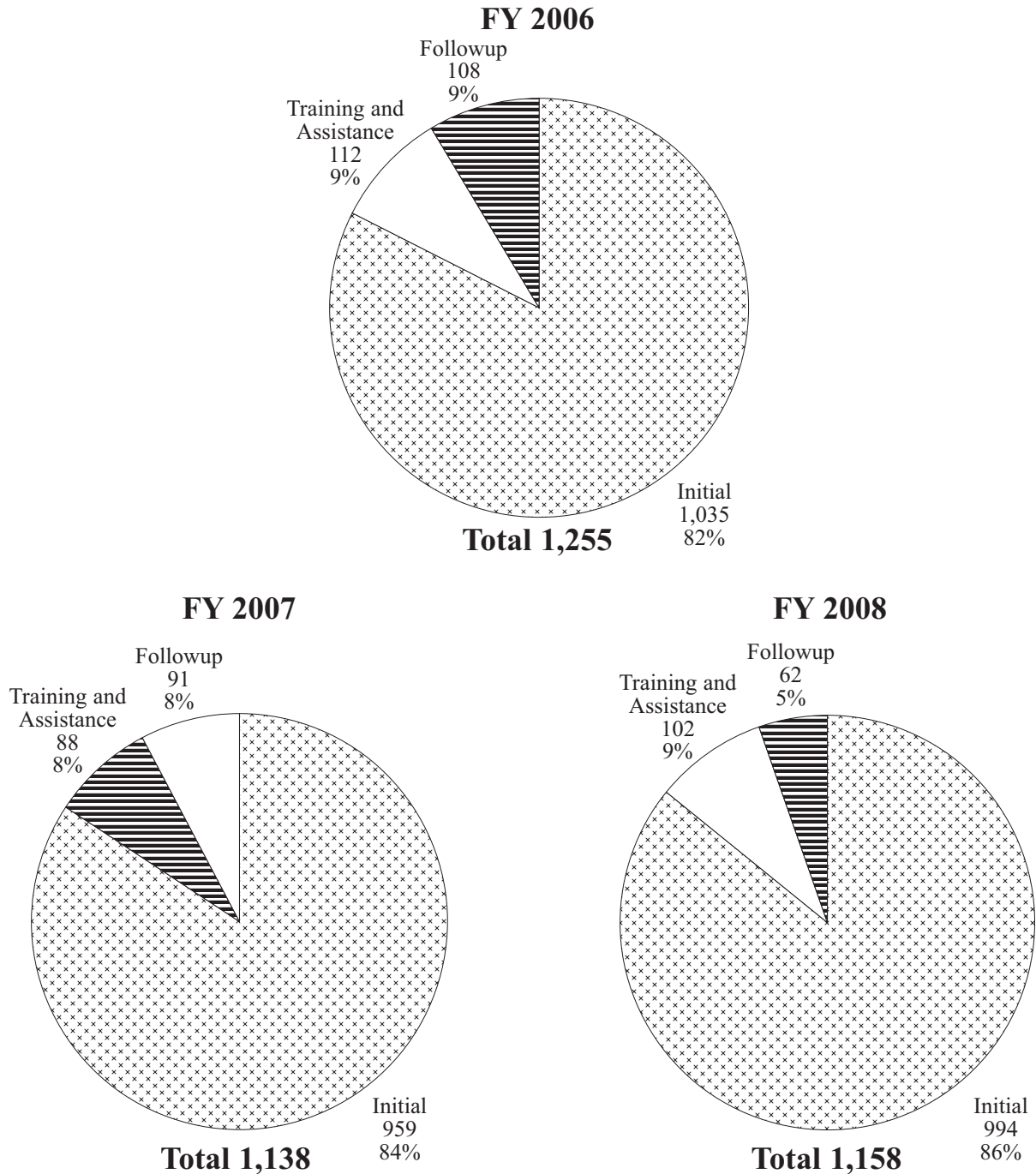
CHART 31

**Total Visits\***



\*FY 08 data from IMIS internal reports prepared 12-15-08.

N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008  
**Total Traditional Visits by Type**

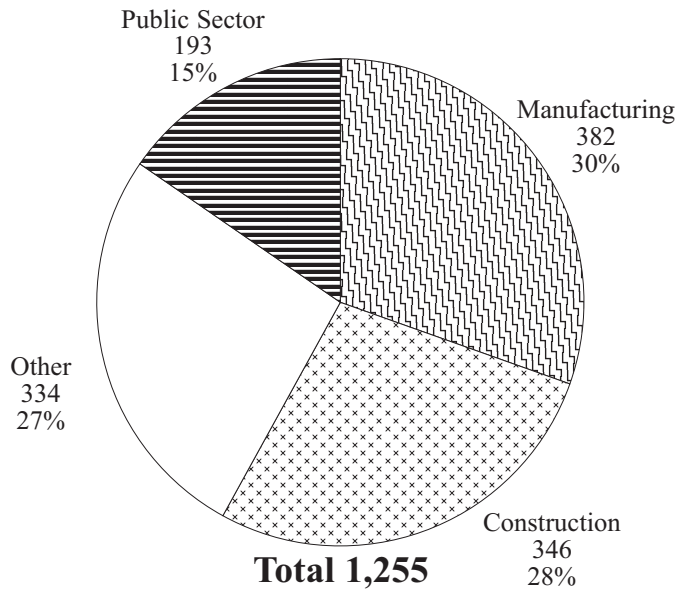


\*FY 08 data from IMIS internal reports prepared 12-15-08.

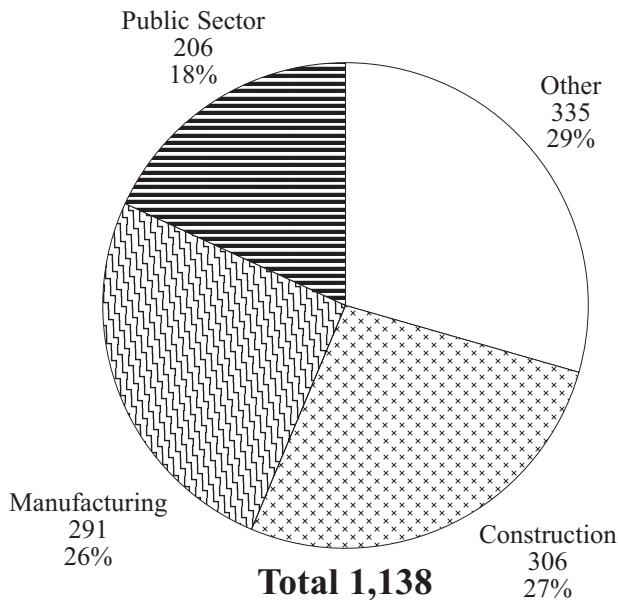
State and Federal Comparisons  
October 2005 through September 2008

# Total Traditional Visits by Industry

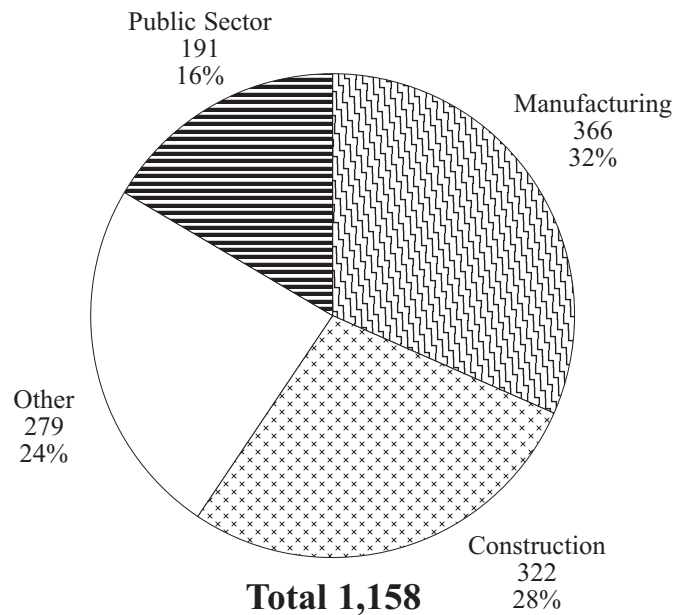
**FY 2006**



**FY 2007**



**FY 2008**



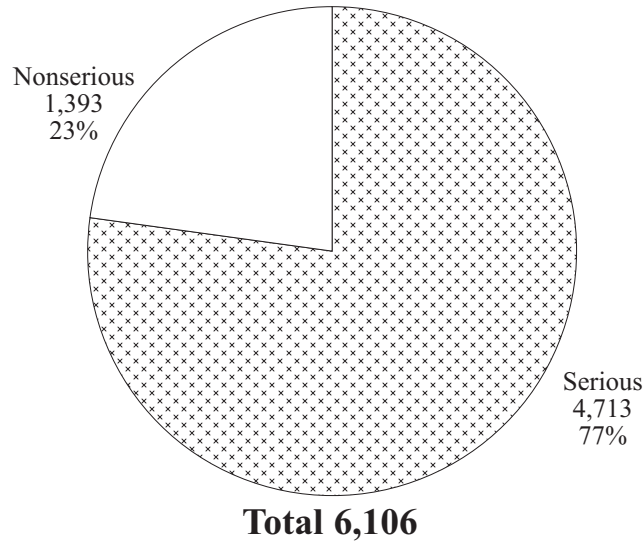
\*FY 08 data from IMIS internal reports prepared 12-15-08.



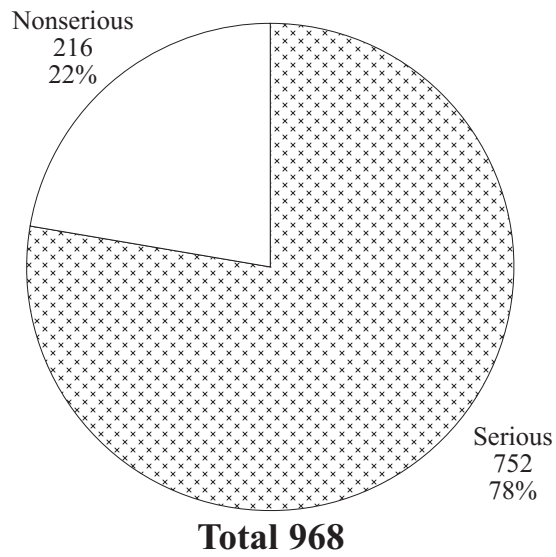
N.C. Department of Labor  
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**Hazards by Type\***

**Private Sector**



**Public Sector**



\*FY 08 data from IMIS internal reports prepared 12-15-08.

**Education, Training and  
Technical Assistance Series**

**N.C. Department of Labor**  
**Occupational Safety and Health Division**  
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## **Education, Training and Technical Assistance Series Highlights**

- The ETТА Bureau continued to focus on increasing efficiency and effectiveness in providing outreach training to workers in high-risk industries and affirming its role to ensure adherence to terms of agreement for partnerships and alliances. The work of the bureau included rulemaking, publications, partnerships, alliances, training and outreach.
- ETТА launched several new initiatives. The two most notable include (1) the design and development of approximately 60 presentations on a variety of safety and health topics that will be made available to the public via the Internet in mid 2009 and (2) the design and development of an electronic certificate processing program that allows course attendees to receive their course certificates through their email account. At this time, the certificates will be offered for all courses except topics presented through the Speaker’s Bureau. In the future, ETТА plans to offer electronic certificates for all courses.
- ETТА hosted multiple 30- and 10-hour general industry and construction awareness courses. These included two general industry 30-hour courses, seven general industry 10-hour courses, two construction industry 30-hour courses and nine construction industry 10-hour courses. Four of the construction 10-hour courses were delivered in Spanish. Nearly 100 percent of students who attended found the courses to be useful in the workplace.
- ETТА continued to offer a variety of training topics to the public via the Speaker’s Bureau, Web training and individual topic workshops hosted at the Charlotte, Raleigh and Winston-Salem Field Offices. The courses offered on the Web and through the field offices doubled during this past year. In addition, ETТА began offering training workshops at the Asheville Field Office to try and reach more businesses in the western part of the state.
- ETТА offered more than 200 courses, forums and workshops. The bureau also provided exhibits at numerous health and safety as well as industrial conferences. The OSH Division provided training for about 15,600 employers and employees during this fiscal year.
- The Training Section continues to provide training to workers in high-risk industries such as construction, logging and agriculture at or near their worksites using the Labor One Mobile Training Unit. Twenty training events were hosted using Labor One.
- The Training Section continued to expand and improve its new outreach training calendar and newsletter. The training calendar is made available on the NCDOL Web site, while the newsletter was e-mailed to more than 7,000 employees/employers twice during this reporting period. The calendar outlines course offerings and allows for online registration for all courses. The newsletter outlines the current training schedule and offers information with regard to a variety of NCDOL services.

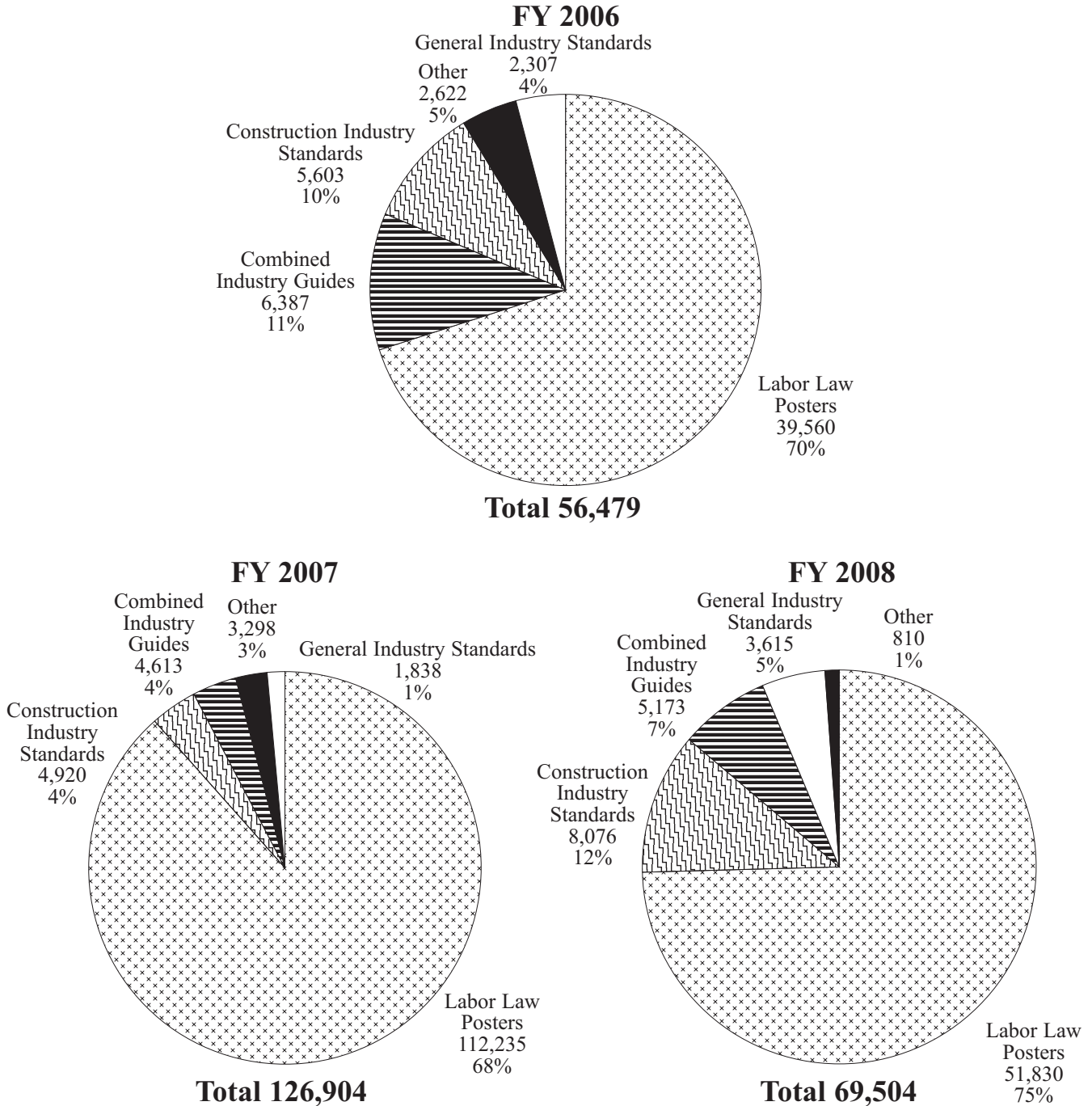
**N.C. Department of Labor**  
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## **Education, Training and Technical Assistance Series Highlights** **(Continued)**

- The Standards Section work plan included rule clarifying and specifying safety and training requirements for workers as well as review, evaluation and adoption of other OSHA standards. Final rules adopted during this year included updating OSHA standards based on national consensus standards for general industry and the Employer Payment for Personal Protective Equipment Standard.
- Additionally, at least 16 Field Information System documents were reviewed by the Standards Section and approved for use or revised during this time including six federal compliance directives, including the new hexavalent chromium directive; five field operations manual chapters; and five operational procedure notices.
- ETTA, working with subcommittees and outside groups, also developed draft rules for public safety diving, medical records and cranes, all of which are currently moving through the rulemaking process with the NCDOL Legal Affairs Division.
- The Standards Section developed a new industry guide on construction jobsite safety and health as well as reviewed and/or revised 10 existing industry guides. The bureau also created 28 English and seven Spanish Quick Cards on a variety of topics.
- The bureau mailed seven targeted hazard alerts to industries with reference to such hazards as combustible dust, cranes and hexavalent chromium.
- The bureau also answered approximately 4,600 inquiries for standards interpretation.
- The bureau oversees partnerships and alliances for the OSH Division that benefit North Carolina workers. During the fiscal year, the division had 13 active partnerships and alliances. This includes the signing of one new construction site partnership and the completion of one successful construction site partnership. No new alliances were established during the fiscal year but several were being considered.

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**Distribution of OSH-Related Publications\***



\*Data from the Bureau of Education, Training and Technical Assistance.

## **Fatality Series**

**N.C. Department of Labor  
Occupational Safety and Health Division  
State and Federal Comparisons  
October 2005 through September 2008**

## Fatality Series Highlights

- The NCDOL Occupational Safety and Health Division evaluated and investigated a total of 47 fatalities in FY 2008, a decrease from the 53 fatalities in FY 2007 and the 91 in FY 2006.
- Of the 47 fatalities in FY 2008, 23 percent were related to “struck by”; 26 percent were related to “falls”; 21 percent were related to “crushed by object”; 11 percent were related to “electrocutions”; and 19 percent were related to “other.”
- In FY 2008, 36 percent of the fatalities were related to “construction”; 9 percent were related to “manufacturing”; 15 percent were related to “services”; 13 percent were related to “agriculture, forestry, fishing”; 4 percent were related to “transportation and public utilities”; 13 percent were related to “government”; 4 percent were related to “retail trade”; and 6 percent were related to “wholesale trade.”
- The N.C. Department of Labor’s OSH Division consists of three major districts (Raleigh/Wilmington Area, Charlotte/Asheville Area and Winston-Salem Area). Of the 47 investigated fatalities in FY 2008, 49 percent were conducted in the Raleigh/Wilmington Area, 40 percent were in the Charlotte/Asheville Area, and 11 percent were in the Winston-Salem Area.
- In FY 2008 the OSH Division fatality rate by race was 58 percent white, 23 percent Hispanic and 19 percent black.

CHART 36

## North Carolina Fatality Comparison

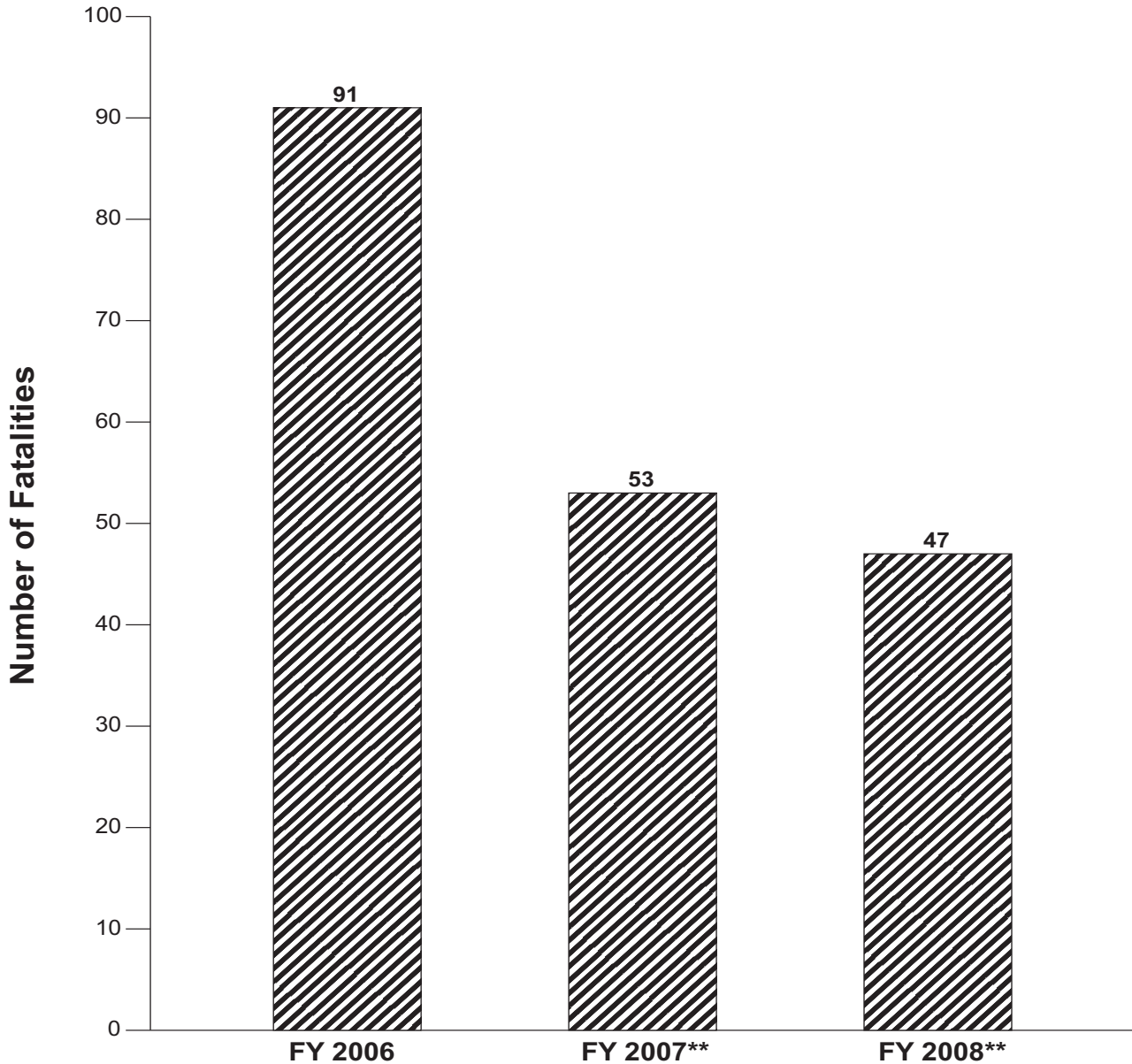
Cause of Death	FY 2006	FY 2007	FY 2008	Totals by Event
<b>Crushed by Object/Equipment</b>	<b>11</b>	<b>22</b>	<b>10</b>	<b>43</b>
<b>Electrocution</b>	<b>5</b>	<b>2</b>	<b>5</b>	<b>12</b>
<b>Explosion/Fire</b>	<b>7</b>	<b>0</b>	<b>3</b>	<b>10</b>
<b>Falls</b>	<b>23</b>	<b>8</b>	<b>12</b>	<b>43</b>
<b>Struck by Object</b>	<b>23</b>	<b>15</b>	<b>11</b>	<b>49</b>
<b>Other</b>	<b>22</b>	<b>6</b>	<b>6</b>	<b>34</b>
<b>Total Fatalities</b>	<b>91</b>	<b>53*</b>	<b>47*</b>	<b>191</b>

\*FY 07 and FY 08 totals do not include death by natural causes and/or non work-related deaths.

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CHART 37

**Fatalities Investigated\***



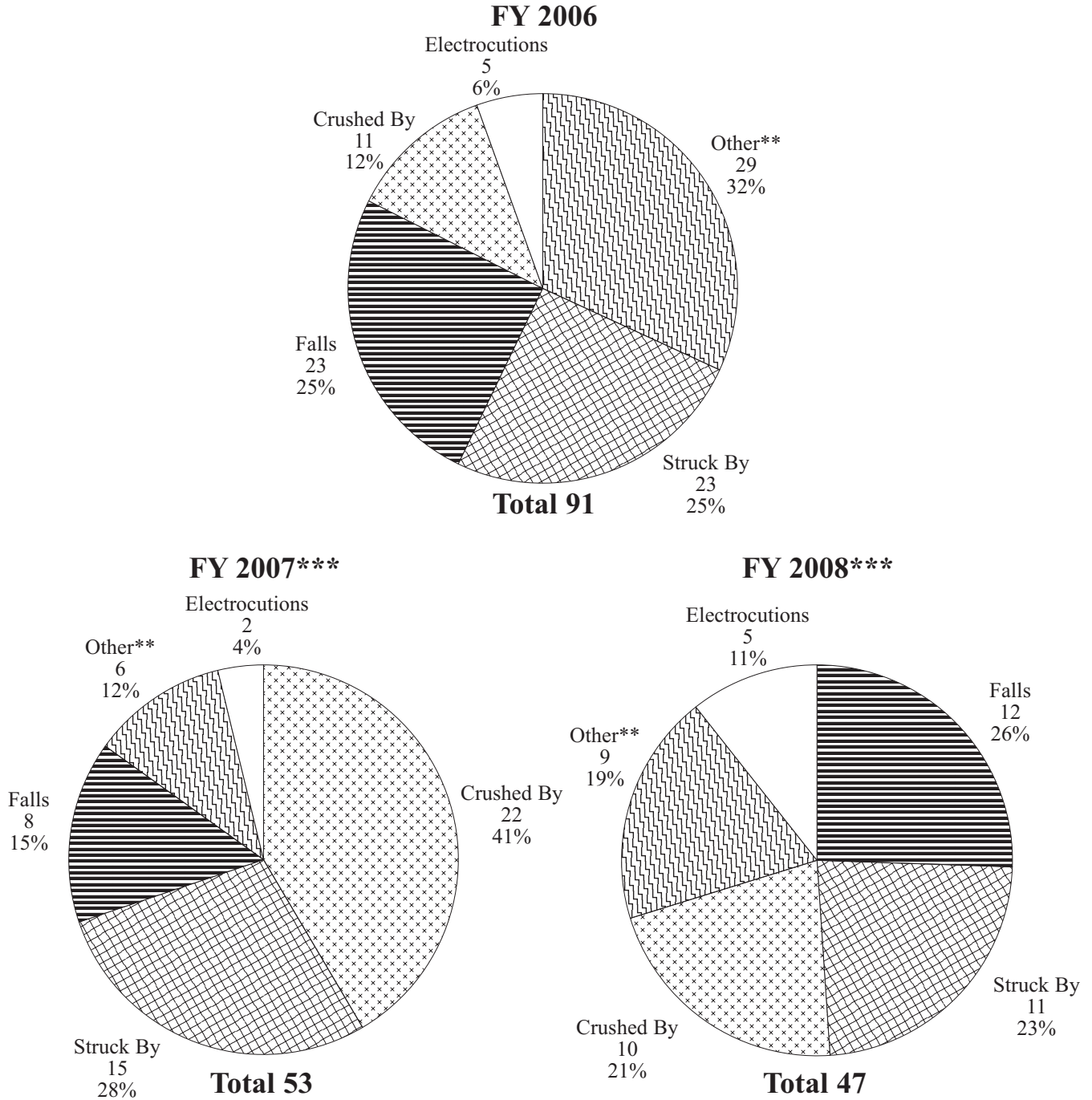
\*Data from an IMIS local report, "Fatcat," run 1-21-09.

\*\*FY 07 and FY 08 totals do not include death by natural causes and/or non work-related deaths.



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**Leading Causes of Investigated Fatalities\***



\*Data from an IMIS local report, "Fatcat," run 1-21-09.

\*\*Other total includes "fire/explosion" and other events.

\*\*\*FY 07 and FY 08 totals do not include death by natural causes and/or non work-related deaths.

**N.C. Department of Labor  
Occupational Safety and Health Division**

**CHART 39**

State and Federal Comparisons  
October 2005 through September 2008

## North Carolina Fatal Events by District Office\*

### FY 2006

Event Type	Charlotte/Asheville Office	Raleigh/Wilmington Office	Winston-Salem Office	Totals by Event Type
Crushed by Object/Equipment	4	7	0	11
Electrocution	0	4	1	5
Explosion/Fire	4	1	2	7
Falls	7	8	8	23
Struck by Object	11	11	1	23
Other	3	11	8	22
<b>Totals by Office</b>	<b>29</b>	<b>42</b>	<b>20</b>	<b>91</b>

### FY 2007\*\*

Event Type	Charlotte/Asheville Office	Raleigh/Wilmington Office	Winston-Salem Office	Totals by Event Type
Crushed by Object/Equipment	6	14	2	22
Electrocution	0	1	1	2
Explosion/Fire	0	0	0	0
Falls	2	5	1	8
Struck by Object	5	6	3	14
Other	1	4	2	7
<b>Totals by Office</b>	<b>14</b>	<b>30</b>	<b>9</b>	<b>53</b>

### FY 2008\*\*

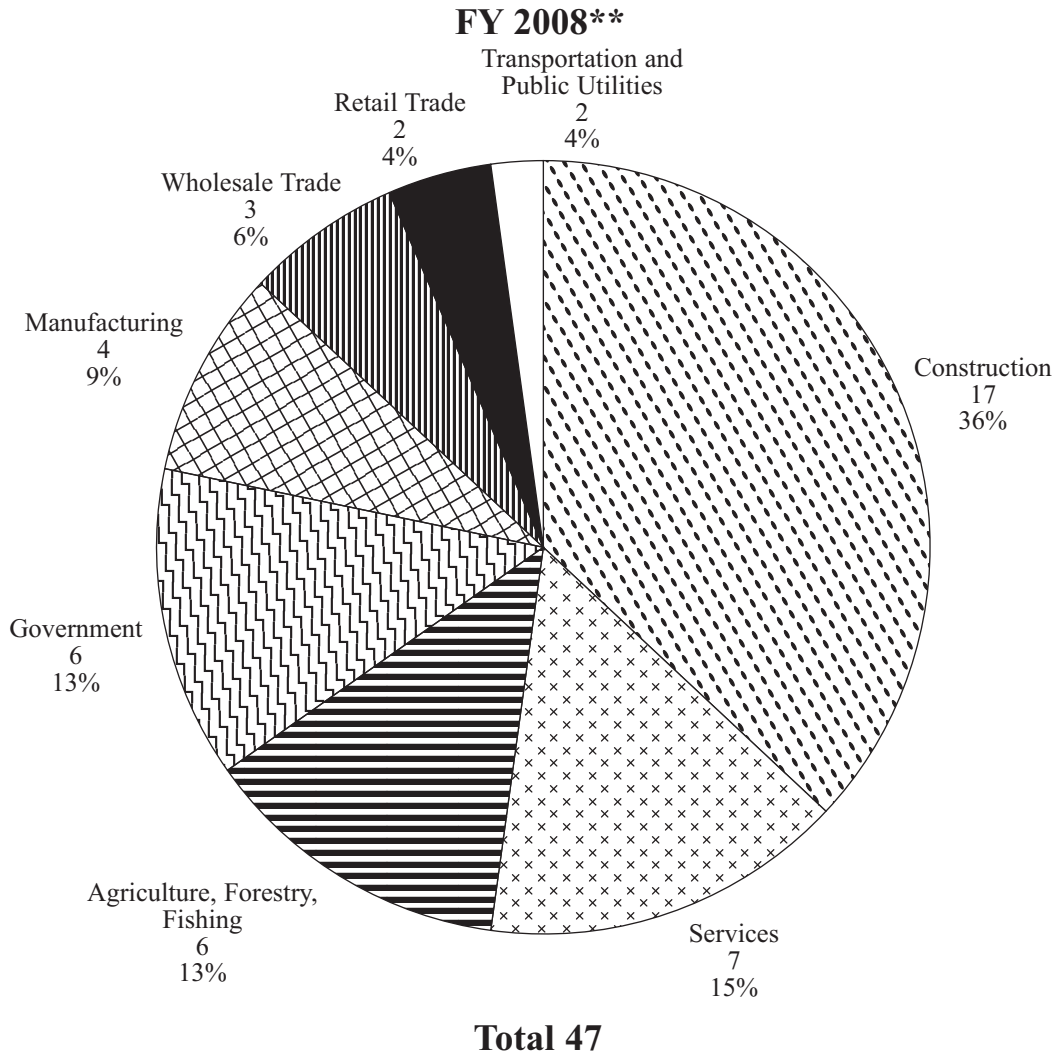
Event Type	Charlotte/Asheville Office	Raleigh/Wilmington Office	Winston-Salem Office	Totals by Event Type
Crushed by Object/Equipment	2	6	2	10
Electrocution	1	3	1	5
Explosion/Fire	3	0	0	3
Falls	9	3	0	12
Struck by Object	3	6	2	11
Other	1	5	0	6
<b>Totals by Office</b>	<b>19</b>	<b>23</b>	<b>5</b>	<b>47</b>

\*Data from an IMIS local report, "Fatcat," run 1-21-09.

\*\*FY 07 and FY 08 totals do not include death by natural causes and/or non work-related deaths.

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**Fatalities by Industry Type\***



\*Data from an IMIS local report, “Fatcat,” run 1-21-09.

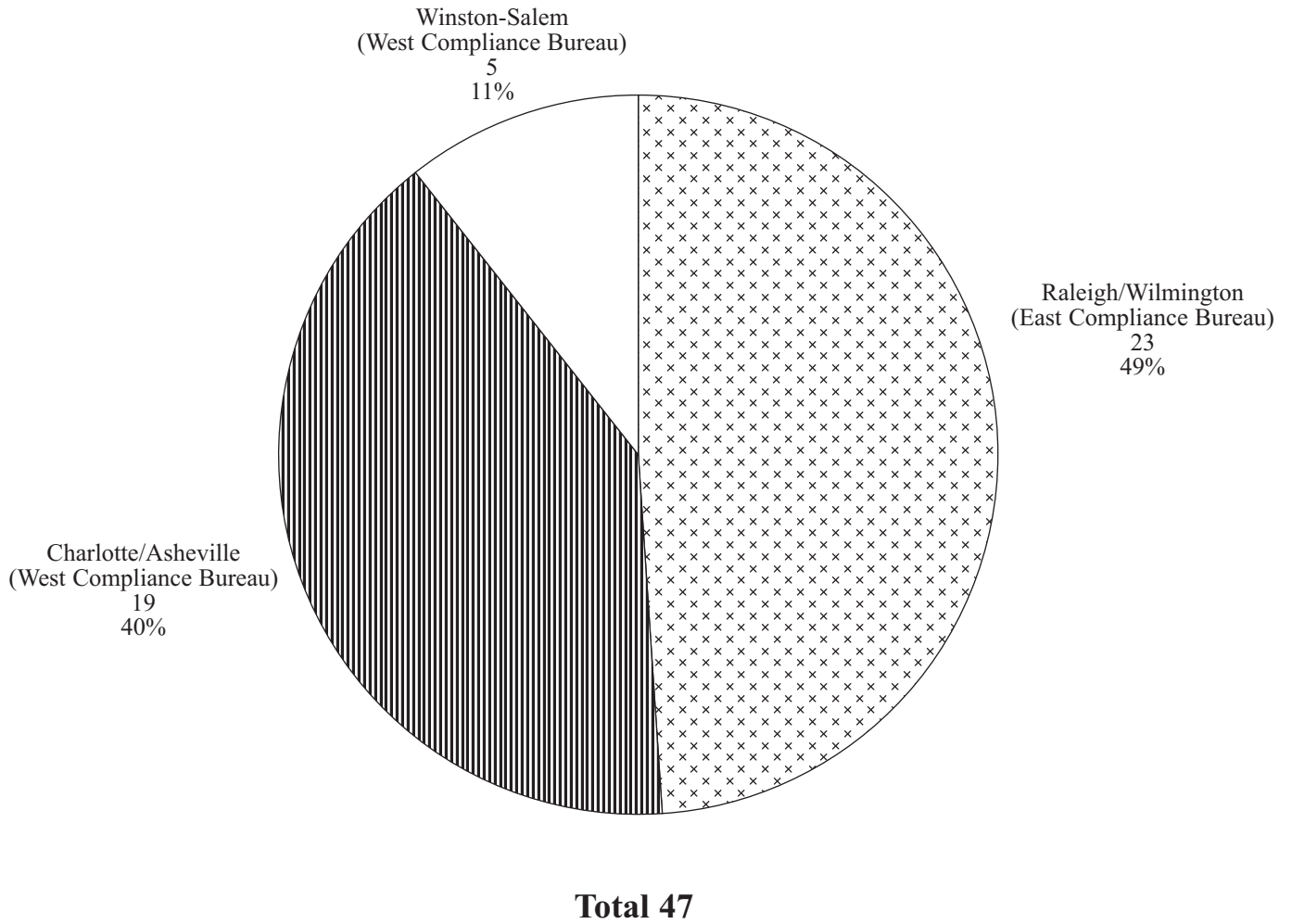
\*\*FY 08 totals do not include death by natural causes and/or non work-related deaths.

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CHART 41

**Fatalities by Office Location\***

**FY 2008\*\***



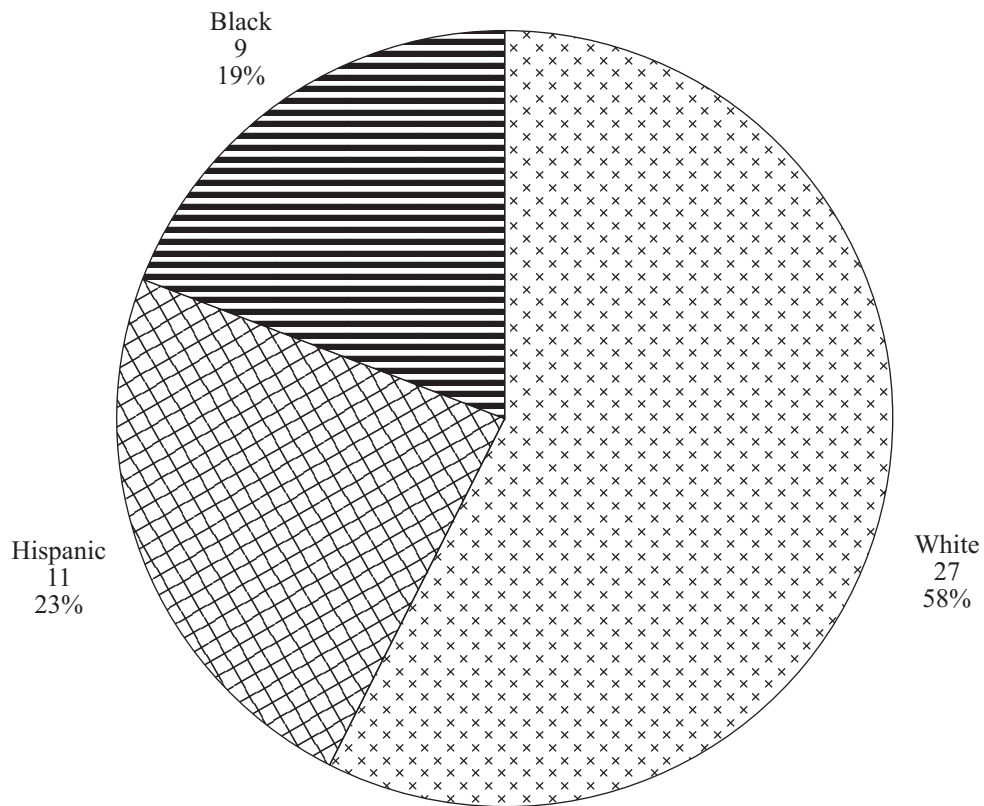
\*Data from an IMIS local report, "Fatcat," run 1-21-09.

\*\*FY 08 totals do not include death by natural causes and/or non work-related deaths.

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**Fatalities by Race\***

FY 2008\*\*



**Total 47**

\*Data from an IMIS local report, “Fatcat,” run 1-21-09.

\*\*FY 08 totals do not include death by natural causes and/or non work-related deaths.

## **Construction Series**

**N.C. Department of Labor  
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## **Definition of the Construction Special Emphasis Program**

The Occupational Safety and Health Division has a Special Emphasis Program (SEP) for the construction industry that began in FY 1998. This SEP was implemented because the construction industry accounts for 36 percent of workplace fatalities statewide and only 6 percent of the workforce in North Carolina. SEPs are implemented as a strategy for reducing occupational fatalities. A county is included in this SEP if it has experienced more than one construction-related fatality during a fiscal year. If so, the county will come under this emphasis program of compliance, consultation, education and training outreach from the Department of Labor's OSH Division.

The following counties constituted the SEP for FY 2008:

- Cabarrus
- Dare
- Durham
- Forsyth
- Guilford
- Iredell
- Mecklenburg
- Rowan
- Wake

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## **Construction Series Highlights**

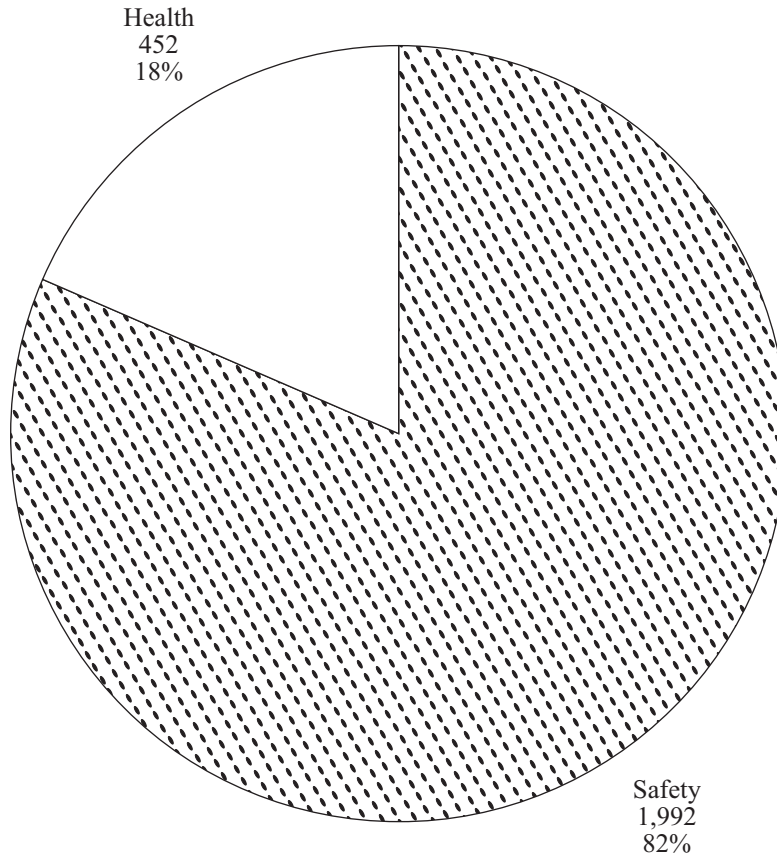
- There were 2,444 construction industry inspections conducted in North Carolina for FY 2008.
- Out of the 2,444 inspections conducted, 1,992 were safety inspections, which accounted for 82 percent of the total inspections in the construction industry.
- North Carolina conducted 452 health inspections in the construction industry, which accounted for the 18 percent of the total for FY 2008.
- 31percent (769) of all construction industry inspections statewide were in-compliance compared to the 69 percent (1,675) of the total inspections with citations for FY 2008.
- The construction industry was cited for 2,846 serious, willful and repeat violations during FY 2008.
- Out of the 2,444 inspections conducted, 1,449 were based on the Construction Special Emphasis Program in FY 2008.
- Carpentry, roofing, siding and sheet metal contractors accounted for 32 percent of all FY 2008 construction industry inspections in North Carolina.



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**Construction Inspections by Category\***

**FY 2008**



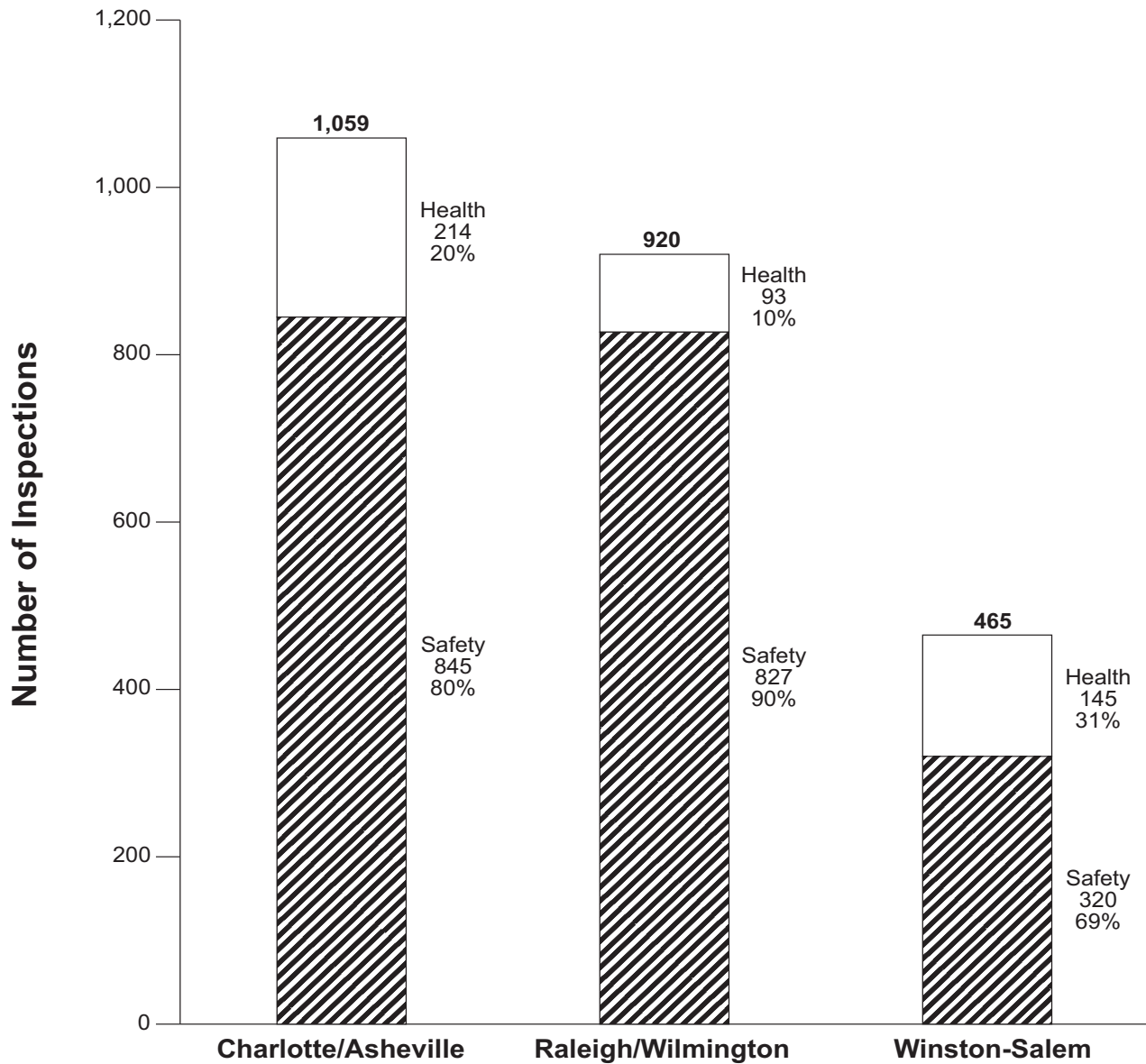
**Total 2,444**

\*Data from an IMIS micro-to-host report, "Scan Report," run 1-21-09.

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CHART 44

### Construction Inspections by OSH Field Office\*



\*Data from an IMIS micro-to-host report, "Scan Report," run 1-21-09.

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## Construction Inspections by Type\*

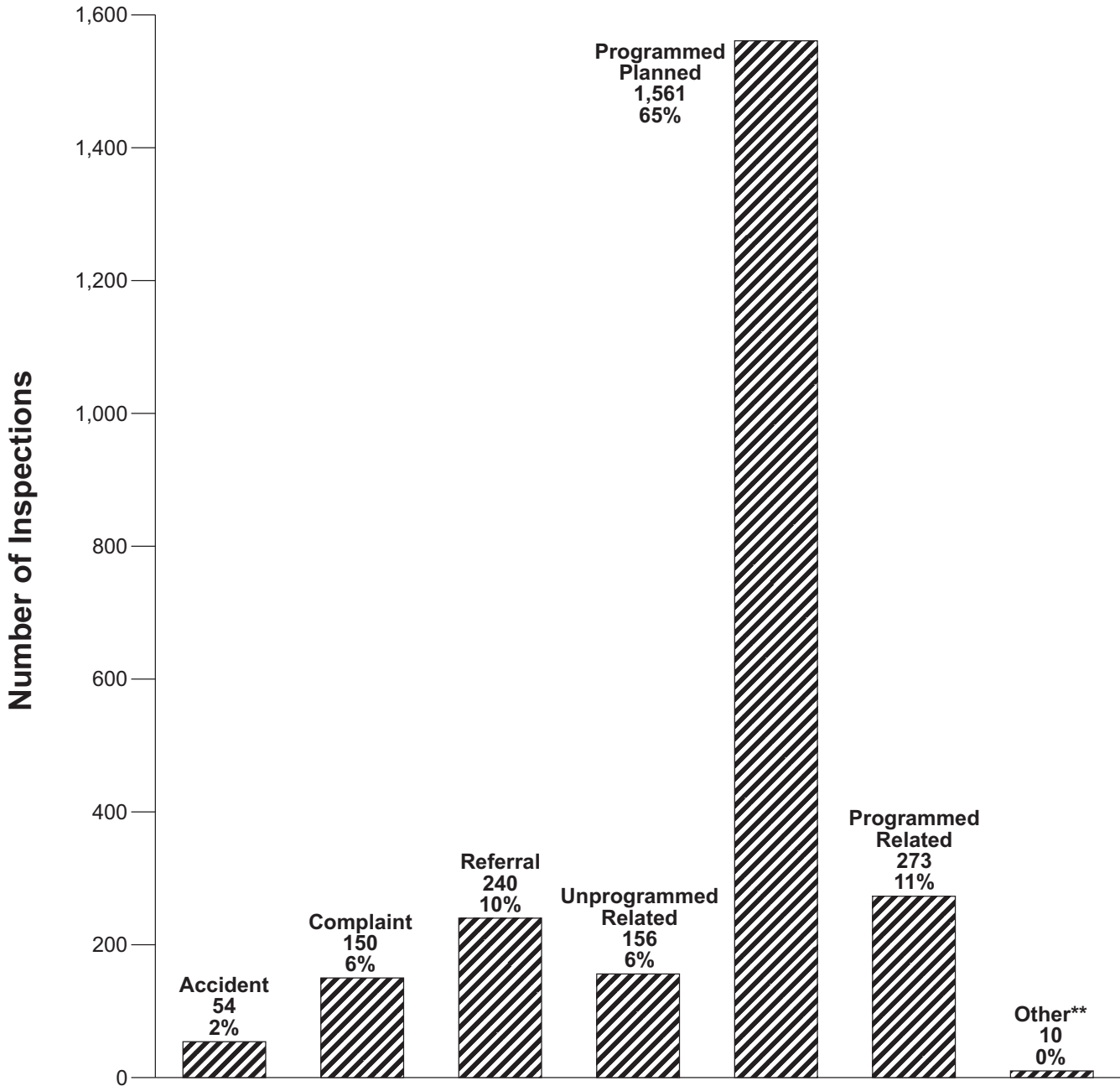
Type	Number of Inspections	Percent
Accident	54	2
Complaint	150	6
Referral	240	10
Followup	6	0
Unprogrammed Related	156	6
Programmed Planned	1,561	65
Programmed Related	273	11
Programmed Other	4	0
Monitoring	0	0
<b>Total</b>	<b>2,444</b>	<b>100</b>

\*Data from an IMIS micro-to-host report, "Scan Report," run 1-21-09.

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CHART 46

### Construction Inspections by Type and Percentage\*



\*Data from an IMIS micro-to-host report, “Inspection Report,” run 1-21-09.

\*\*Other total includes “programmed other,” followup and monitoring construction inspections.

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## SEP County Construction Inspections by Type\*

County	Accident	Complaint	Referral	Followup
Cabarrus	2	4	0	0
Dare	1	6	8	2
Durham	2	2	1	0
Forsyth	0	6	0	0
Guilford	0	7	4	0
Iredell	3	2	0	0
Mecklenburg	10	12	33	0
Rowan	1	2	0	0
Wake	6	19	8	1
<b>Total</b>	<b>25</b>	<b>60</b>	<b>54</b>	<b>3</b>

County	Unprogrammed Related	Programmed Planned	Programmed Related	Programmed Other**
Cabarrus	4	105	1	0
Dare	0	11	0	0
Durham	5	54	9	0
Forsyth	4	193	2	0
Guilford	9	132	44	0
Iredell	8	49	0	0
Mecklenburg	17	334	35	1
Rowan	1	5	0	0
Wake	34	215	35	0
<b>Total</b>	<b>82</b>	<b>1,098</b>	<b>126</b>	<b>1</b>

\*Special Emphasis County data from an IMIS micro-to-host report, "Scan Report," run 1-21-09.

\*\*Programmed other total also includes monitoring inspections.

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**CHART 48**

**Ratio for SWRV\*\* Construction Inspections  
(Safety and Health Combined)\***

<b>Number of Inspections</b>	<b>SWRV's Cited</b>	<b>SWRV Ratio per Inspection</b>
2,444	2,846	1.2

**Construction Inspections by SEP County**

<b>County</b>	<b>Number of Inspections</b>	<b>In-Compliance Rate</b>	<b>SWRV Ratio</b>
Cabarrus	116	29%	1.7
Dare	28	46%	1.1
Durham	73	21%	1.2
Forsyth	205	23%	1.4
Guilford	196	50%	.8
Iredell	62	47%	1.1
Mecklenburg	442	44%	1.0
Rowan	9	56%	1.1
Wake	318	35%	1.0
<b>Total Inspections</b>	<b>1,449</b>		

\*Data from an IMIS micro-to-host report, "Scan Report," run 1-21-09.

\*\*Serious, willful and repeat violations (SWRV).

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