

**North Carolina**

**State OSHA Annual Report (SOAR)**

**Fiscal Year 2022**



**December 9th, 2022**

# **Table of Contents**

**PART 1 - STRATEGIC MANAGEMENT PLAN OVERVIEW**

**PART II - REVIEW OF SPECIFIC OUTCOME GOALS AND ACTIVITIES IN  
AREAS OF EMPHASIS**

**PART III - FISCAL YEAR (FY) 2022 SPECIAL ACCOMPLISHMENTS**

## PART I - STRATEGIC PLAN OVERVIEW

### Program Outcome Goals

On October 1, 2018, North Carolina began its fifth five-year planning cycle as documented in the Strategic Plan (SP). The five-year SP ending on September 30, 2023, includes two primary outcome goals:

- Reduce the rate of workplace fatalities by 2%
- Reduce the rate of workplace injuries and illnesses by 5%

### Outcome Goals Results

	Baseline	2018	2019	2020	2021	2022	Reduction
Fatality Rate	.00102	.00079	.00102	.00189	.00165	N/A	
Injury & Illness Rate	1.4	1.4	1.3	1.3	1.4	N/A	

### Areas of Emphasis Outcome Goals

- Reduce the construction industry fatality rate by 2% by the end of FY 2023
- Reduce the fatality rate in logging and arboriculture by 2% by the end of FY 2023
- Reduce the days away, restricted, or transferred (DART) rate for grocery and related product wholesalers by 5% by the end of FY 2023
- Reduce the DART rate in long term care by 5% by the end of FY 2023
- Support the overall outcome goal of reducing workplace injury and illness rate by 5% by the end of FY 2023 by addressing specific health hazards in the workplace
- Reduce the DART rate in food manufacturing by 5% by the end of FY 2023
- Reduce the number of amputations in support of the overall outcome goals of reducing the rate of workplace injuries and illnesses by 5% by the end of FY 2023

### Areas of Emphasis Activity Goals

- Conduct inspections, consultative surveys and train employers and employees as documented for each area of emphasis

### State Demographic Profile

Sector	Establishments	Employees
Total Private Industry	298,305	4,321,031
Total Public Sector	6,455	613,988

\* Data only available through the 2<sup>nd</sup> Quarter of FY 2021

## **Goal Setting Process**

- Evaluate injury, illness, and fatality data
- Secure input from stakeholders
- Establish five-year outcome goals
- Select areas of emphasis and strategies to impact achievement of outcome goals
- As described in Administrative Procedure Notice (APN) 19, Strategic Management Plan Committee Activity, create a committee of division employees in each area of emphasis to manage the strategic planning process
- Determine level of activity for each emphasis area
- Share progress on achieving goals with staff on a monthly basis
- Alter strategies, if outcome goals are not being reached
- Evaluate the process

## **Areas of Emphasis**

North Carolina's strategy for reducing injury, illness, and fatality rates is based on addressing specific areas that have the greatest impact on the overall rates. The areas of emphasis in the current Strategic Plan include:

- Construction
- Logging and Arboriculture
- Grocery and Related Product Wholesalers
- Long Term Care
- Exposures for Health Hazards (asbestos, lead, isocyanates, silica, hexavalent chromium)
- Food Manufacturing
- Amputations

## **Strategic Activity to Support Outcome Goals**

- Improve safety and health programs through compliance, consultation, and training
- Expand safety and health recognition programs
- Develop construction partnerships at high profile construction sites
- Establish alliances in the areas of emphasis
- Implement Special Emphasis Programs (SEPs) for selected industries with specific intervention guidelines and activity goals
- Track activity and outcome goals monthly and share status with staff
- Conduct quarterly meetings for each area of emphasis committee

## **Factors Affecting Achievement of Outcome Goals and Strategic Activity Goals**

- Insufficient federal funding requiring the elimination or freezing of positions
- Number of trained division personnel released to provide division intervention
- Need to maintain vacant positions in response to budget uncertainty

- Turnover rate and the loss of experienced compliance safety and health officers (CSHOs)
- Response to Hurricane Florence required diversion of resources
- Strategies employed within each area of emphasis
- Resources committed to the areas of emphasis

**Program Statistics**

<b>Fatality Totals</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Total</b>	49	54	80*	91**	61	
Construction	24	18	26	18	21	
Manufacturing	7	9	14	11	8	
Public Sector	4	4	7	17	6	
Logging/Arboriculture	5	6	6	6	5	
Hispanic	11	12	21	17	24*	
Overall Rate	.00079	.00102	.00189	.00165	TBD	

<b>Injury and Illness Rates</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
TRC (All)	2.6	2.5	2.2	2.4		
DART(All)	1.4	1.3	1.3	1.4		
Public Sector TRC	3.9	3.8	3.0	3.3		
Public Sector DART	1.8	2.0	1.7	1.7		

<b>Intervention Statistics</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Inspections	2,928	2,116	2,218	1,954	
Inspection Goals	2,994	2,028	1,832	1,850	
Consultation Visits	1,692	1,269	1,425	1,501	
Consultation Goals	1,370	1,012	925	1,325	
Trained	13,696	12,420	7,597	7,221	
Training Goals	9,600	7,350	7,350	5,350	

<b>Compliance Activity</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Serious Violation Items	3,511	2,537	2,495	2,325	
Willful Violation Items	21	9	23	10	
Average Serious Penalty	\$1,783	\$1,883	1,901	2,396	
Follow-ups	106	57	65	56	

**\*Includes 18 work-related COVID-19 fatalities**

**\*\*Includes 36 work-related COVID-19 fatalities**

**PART II - REVIEW OF SPECIFIC OUTCOME GOALS AND ACTIVITIES IN AREAS OF EMPHASIS**

**1.1 Reduce Construction Industry Fatality Rate Statewide by 2% by the end of FY 2023**

Significant safety and health strides have been made reducing the fatality rate in the construction industry. During the last strategic planning cycle, the construction fatality rate increased. The construction industry continues to have a high number of workplace accidents compared to other industries, and this can have a significant impact on the state’s overall outcome goals of reducing injury, illness and fatality rates.

**Strategies for Achieving Specific Outcome Goal**

- Conduct Occupational Safety and Health Division (OSH) compliance, consultation, and training interventions and outreach
- Utilize inspection guidelines established for the construction industry
- Maintain strong working relationships with construction industry groups through partnerships, alliances and other outreach efforts
- Identify high fatality, high activity counties for special emphasis on an annual basis
- Re-inspect those employers with workplace fatalities
- Use informal settlement agreements to require employers to attend construction training
- Provide Hispanic outreach personnel to conduct construction training in Spanish
- Establish partnership agreements at high visibility construction sites
- Develop Spanish language publications and training materials specific to construction
- Distribute outreach letters and training materials for companies cited for five or more serious violations
- Promote recognition programs such as Building Sub-Contractor Star and SHARP
- Conduct consultative blitzes in high fatality and activity counties
- Inspect all cranes operating on construction sites
- Utilize mobile training unit “Labor One” for on-site training as requested
- Analyze statistical data to confirm validity of inspection targeting process
- Develop materials and training presentations specific to the construction industry

<b>Outcome</b>	<b>Baseline</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Fatalities	73	18	26	18	21	
Rate	.00101	.0078	.0113	.0076	.0025*	
Hispanic	N/A	8	10	10	11	

<b>Construction</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
Inspections	1,682	1,283	1,190	1,051		
Goals	1,050	1,050	1,050	1,050		
Consultation	501	409	437	429		
Goals	200	250	250	250		
Trained	2,293	1,346	814	802		
Goals	2,500	1,750	1,750	1,000		

\* Preliminary data.

## 1.2 Decrease Fatality Rate in Logging and Arboriculture by 2% by the End of FY 2023

The State has had success in reducing the number of fatalities in logging and arboriculture. The SEP for logging was initiated in FY 1994. This was in response to 13 logging fatalities in FY 1993. Experience has shown that a reduction in OSH activity can translate into an increase in the number of injuries and fatalities in this industry. For this reason, and the industry's fatality history, logging Northern American Industry Classification System (NAICS 11331) and arboriculture (NAICS 56173) remain in the Strategic Plan.

### Strategies for Achieving Specific Outcome Goal

- Place increased emphasis on tracking specific injuries and fatalities on a monthly basis. If there is an increase in injuries and fatalities, additional resources could be allocated including inspection and focused training events.
- Increase employer and employee awareness of regulatory requirements and safety and health work practices
- Change employer and employee behavior to improve job safety and health through education, consultation, and compliance interventions
- Establish and maintain strong working relationships with industries, associations, groups, and key individuals through alliances and other outreach efforts
- Continue use of meaningful safety and health programs with site specific safety training such as the Pro Logger training
- Develop materials and training presentations specific to the industry
- Focus training events and outreach to specific problem areas such as tree felling
- Evaluate SEP strategies to maintain effectiveness
- Utilize guidance documents that address workplace hazards that are common to the industry

<b>Outcome</b>	<b>Baseline</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Fatalities	5	6	6	6	5	
Rate	.02486	.0156	.0155	.0146	.0028*	

<b>Logging</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
Inspections	39	28	34	30		
Goals	60	30	30	25		
Consultation	28	21	17	17		
Goals	13	13	15	15		
Trained	382	65	180	264		
Goals	150	75	75	75		

\* Preliminary data

**2.1 Reduce the DART Rate in Grocery and Related Product Wholesalers (NAICS 4244) by 5% by the end of FY 2023**

The State’s strategic planning process includes statistical analysis to determine which industry groups have high injury and illness rates that could affect the state’s goal of reducing the overall injury and illness rate. The baseline rate for grocery and related product wholesalers is 3.5 which was more than twice the overall DART rate of 1.3. For this reason, this industry remains as an area of emphasis in the current SP. Operational Procedure Notice (OPN) 145 was updated to provide guidance in identifying hazards and completing inspections in the grocery industry. The most recent industry DART rate is less than the baseline.

**Strategies for Achieving Specific Outcome Goal**

- Provide OSH compliance, consultation and training interventions
- Determine activity levels for OSH intervention
- Determine need for a grocery hazard alert and other industry specific training materials
- Evaluate inspection data to determine if there are any industry trends that should be addressed
- Advance alliances with industry trade groups
- Expand recognition programs such as Carolina Star and SHARP
- Evaluate employer’s safety and health program during intervention and recommend improvements

<b>Outcome</b>	<b>Baseline</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
DART	3.5	3.4	3.3	3.1	3.2	

<b>Grocery</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Inspections	23	16	27	21	
Goals	20	14	15	20	
Consultation	4	0	8	3	
Goals	3	0	3	3	
Trained	7	23	16	15	
Goals	25	18	40	40	

**2.2 Reduce the DART Rate in Long-Term Care (LTC) by 5% by the end of FY 2023**

While progress has been made in this industry group during previous planning cycles, the baseline rate of 3.9 was still more than twice the overall DART rate. For this reason, the LTC (NAICS 623) emphasis area has been carried over from the previous strategic plan. The most recent DART rate is below the baseline.

**Strategies for Achieving Specific Outcome Goal**

- Conduct OSH compliance, consultation, and training interventions
- Develop and maintain alliances in LTC including the public sector



- Advance ergonomics guidelines during OSH interventions
- Address elements of long-term care intervention contained in OPN 132 including bloodborne pathogens, tuberculosis, ergonomics, slips, trips, falls, and workplace violence
- Develop materials and training presentations specific to the industry
- Distribute outreach material through direct contact with affected employers
- Properly code inspections for accurate tracking of activity at specific work sites
- Develop procedures to reduce workplace violence in LTC facilities

Outcome	Baseline	2018	2019	2020	2021	2022
DART	3.9	3.3	3.4	7.2*	4.3	

Long Term Care	2019	2020	2021	2022	2023	Total
Inspections	58	27	44	32		
Goals	48	29	24	24		
Consultation	66	30	44	41		
Goals	40	21	10	35		
Trained	442	15	46	27		
Goals	50	25	40	40		

**\*The DART within this industry was significantly impacted due to the COVID-19 pandemic.**

### **2.3 Conduct Emphasis Inspections, Training, and Consultation Activity in Establishments Where Employees Might be Exposed to Health Hazards Such as Lead, Silica, Asbestos, Hexavalent Chromium and Isocyanates**

The State has established a special emphasis program to address health hazards in the workplace. The current health hazards include lead, silica, asbestos, hexavalent chromium, and isocyanates. Tracking mechanisms have not been developed to allow for the establishment of specific outcome measures in this area of emphasis. The State will continue to monitor the progress of Federal OSHA in developing reliable outcome measures for health issues. A reduction in illnesses relating to the emphasis health hazards identified could influence the primary outcome goal of reducing the overall injury and illness rate by 10% during the five-year cycle of the strategic plan.

#### **Strategies for Affecting Overall Outcome Goals through Elimination of Health Hazards**

- Pursue OSH compliance, consultation and training interventions
- Conduct follow-up inspections where overexposure was initially detected
- Develop hazard alerts, training materials and industry guides for specific health hazards
- Provide consultative support on chemicals identified in health hazards SEPs
- Research and review site specific data sources that could be used to identify employers having or potentially having health hazard exposures
- During interventions, identify workplace activities where health hazards may be present
- Secure information from other agencies concerning possible employee overexposure
- Utilize specific inspection procedures described in OPN 135

<b>Health Hazards</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
Inspections	144	86	97	91		
Goals	100	90	75	60		
Consultation	245	169	169	185		
Goals	200	135	125	125		
Trained	795	238	388	400		
Goals	400	280	300	300		

#### **Inspections with Detectable Results**

<b>Hazard</b>	<b>Inspections</b>	<b>Samples</b>	<b>Overexposures (Inspections)</b>	<b>Overexposures (Samples)</b>
Silica	7	66	6	22
Lead	12	26	2	4
Asbestos	5	9	0	0
Cr (VI)	6	7	0	0
Isocyanates	5	9	0	0
<b>Totals</b>	35	117	8	26

#### **2.4 Reduce the DART Rate in Establishments in Food Manufacturing (NAICS 311) by 5% by the end of FY 2023**

The strategic planning process is intended to allocate resources in those areas of emphasis with above average injury and illness rates in an attempt to impact the overall state injury and illness rate. The Food Manufacturing (NAICS 311) DART rate was 2.5 in FY 2017 which was more than the overall DART rate of 1.3. For this reason, food manufacturing was carried over to the current five-year Strategic Management Plan. The baseline rate for this industry is 2.6 which is the five-year average DART rate for the period 2012-2016. Operational Procedure Notice 140 was updated for food manufacturing and to provide specific inspection guidelines. The most recent DART rate is below the baseline.

#### **Strategies for Achieving Specific Outcome Goal**

- Give special attention to the OSHA recordkeeping process at each site visited
- Interview a sufficient number of employees to confirm accuracy of OSHA 300 log entries
- Develop educational materials and training presentations specific to this industry
- Provide consultation and technical assistance at sites covered by this area of emphasis
- Conduct inspections addressing industry hazards identified in OPN 140
- Utilize ergonomics inspection procedures to determine the appropriate response when ergonomic hazards may exist
- Consider inspection of additional company sites on targeting schedules when three or more serious violations are identified.
- Ensure that all CSHOs are sufficiently trained to recognize hazards associated within the food manufacturing industry

<b>Outcome</b>	<b>Baseline</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
DART	2.6	2.2	2.1	3.0*	2.6	

<b>Food</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
Inspections	42	41	50	39		
Goals	40	40	20	25		
Consultation	26	16	16	24		
Goals	12	12	12	12		
Trained	14	23	32	61		
Goals	25	25	40	40		

**\*The DART within this industry was significantly impacted due to the COVID-19 pandemic.**

### **2.5 Reduce the number of amputations in support of the overall outcome goals of reducing the rate of workplace injuries and illnesses by 5% by the end of FY 2023**

The first year of any new addition to the SP is designated as a planning year. FY 2019 was a planning year for amputations. A strategic management plan committee was established to manage the planning process. This includes developing strategies to achieve established goals and determining the appropriate activity level for department intervention including compliance activity, consultation, and training. In FY 2019, Operational Procedure Notice (OPN) 149 was developed to provide guidance for conducting amputation SEP inspections

#### **Strategies for Achieving Specific Outcome Goal**

- Meet quarterly to monitor and review the reported results related to amputations by OSH bureaus
- The SEP Committee Chair will prepare and distribute biannually to the Compliance Bureau supervisors a summary of the reported compliance inspections any trends or hazard trends identified
- Evaluate information and procedures in the FOM, OPNs, and other department reference materials and make recommendations for revisions to these documents as it relates to amputations
- Develop an OPN for amputations during the planning period

<b>Amputation</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Inspections	planning year	129	160	161	
Goals	planning year	105	100	150	
Consultation	planning year	124	175	173	
Goals	planning year	100	80	100	
Trained	planning year	365	690	681	
Goals	planning year	400	400	400	

### **PART III – SPECIAL ACCOMPLISHMENTS: FEDERAL FISCAL YEAR 2022**

Due to COVID-19, the NC Department of Labor's (NCDOL) Occupational Safety and Health (OSH) Division staff began working remotely in the middle of March 2020 and continued a hybrid remote/office plan through April of Federal Fiscal Year (FFY) 2022. Many inspections, training and outreach, recognition program events, Star site visits and consultation activities were cancelled, postponed and/or conducted virtually. The pandemic also had an impact on the FFY 2022 activity goals that were submitted to OSHA in July 2021, as part of the 23g and 21d grant applications. Despite the pandemic related adjustments to activity goals, the OSH Division was able to provide comprehensive services to the employers and employees of North Carolina.

- North Carolina's Total Recordable Case (TRC) rate for Calendar Year (CY) 2021 have stayed at historic low levels. The private sector TRC rate was 2.2 and the Days Away, Restricted, or Transferred (DART) rate was 1.3. These rates are 19% lower and 21% lower, respectively, than the national average. When the public sector numbers are included, the overall TRC rate was 2.4 and the DART rate was 1.4. These rates are 17% lower and 22% lower, respectively, than the national rates.
- In June 2022, the Commissioner of Labor, Josh Dobson, announced NCDOL senior staff changes due to upcoming retirements. Kevin Beauregard, the current Deputy Commissioner/OSH Director of the OSH Division, announced his retirement effective October 1, 2022 and that Jennifer Haigwood, NCDOL Director of Communications, was being promoted into the OSH Director position. To ease the transition, Jennifer began working alongside Kevin in August 2022. In addition, the Commissioner announced that Scott Mabry, the current Assistant Director of the OSH Division was being promoted to Chief of Staff effective August 1, 2022 due to the retirement of Art Britt. Further, Paul Sullivan, NCDOL West Compliance Bureau Chief, was being promoted to the OSH Assistant Director position.
- Effective October 1, 2022, North Carolina minimum and maximum civil penalties associated with occupational safety and health standard violations increased. Subsequent annual penalty adjustments shall be made in accordance with the United States Consumer Price Index published by the United States Department of Labor. These changes are reflected in North Carolina General Statute §95-138(a) in accordance with 13 North Carolina Administrative Code 07A.0301 and 29 CFR 1903.
- The OSH Division continued to invest in resources to source, secure and distribute personal protective equipment and disinfecting supplies to OSH Division staff to ensure their safety and health while maintaining critical operations and services throughout the state.
- During FFY 2022, COVID-19 rapid test kits were supplied to all field offices as an additional precautionary measure to help manage any potential spread of the virus and replenished as necessary.

- The OSH Division received and responded to 2,079 COVID-19 related emails and phone calls during FFY 2022.
- The OSH Division spent many hours collaborating with and assisting other North Carolina agencies lending their expertise and knowledge to larger employers that have been adversely affected by the pandemic.
- Due to COVID-19, the OSH Complaint Desk continued to process greater than the normal number of complaints and referrals that usually come into the office. There was also a greater number of complaints than the past two years that were not processed due to incidents not being reportable to OSH.
- The Agricultural Safety and Health (ASH) Bureau continued to work closely with various local and state agencies and other organizations to provide COVID-19 outreach, education, information and technical assistance to farmers and farmworkers in North Carolina.
- ASH also distributed bilingual, COVID-19 informational packets to all registered growers and migrant housing sites in North Carolina.
- In conjunction with various partner agencies, ASH developed COVID-19 training webinars for Gap Connections' annual grower training which was attended virtually by 775 growers.
- The ASH Bureau Chief continued to participate in and meet with the following workgroups related to the COVID-19 pandemic: Farmworker Vaccine Plan Project Management Team Advisory Group - includes representatives from NCSU Cooperative Extension, NC Agromedicine Institute, NC Community Health Care Association, and various sections of the North Carolina Department of Health and Human Services (NCDHHS) including the NC Farmworker Health Program and the Division of Public Health's (DPH) Communicable Disease Branch. This small group was established to provide leadership and guidance to vaccination teams across the state.
- In FFY 2022, the Education, Training and Technical Assistance (ETTA) Bureau continued to maintain and update the COVID-19 safety and health topic page that was developed to assist employers and employees to find information about COVID-19 as well as other related topics such as respiratory protection, personal protective equipment and recordkeeping. The COVID-19 safety and health topic page had 42,766 web page views.
- The NCDOL (Charles H. Livengood Jr. Memorial) Library continued to provide access to COVID-19 related videos (streaming video service via The Training Network Now and DVDs).
- Frequently Asked Questions (FAQs) on COVID-19 were updated multiple times on the COVID-19 safety and health topic page. The information was available in English and Spanish and included questions related to personal protective equipment, wage and hour, recordkeeping, and COVID-19 vaccination.

- ETTA hosted one webinar on COVID-19 Emergency Temporary Standard (ETS) for Healthcare which provided training for 106 employees.
- An ETS Captivate video was developed to provide a brief overview of the COVID-19 ETS and posted to the NCDOL website.
- Four COVID-19 ETS webinars including additional ones for respiratory protection, N95 respirator use, and use of personal protective equipment in general industry and construction were prerecorded and posted to the website.
- The Librarian, Nick Vincelli, responded to COVID-19 related requests as well as cataloged resources, added documents to the standards spreadsheet, added DVDs and online videos to the audiovisual database, forwarded webinar announcements to staff, and publicized resources in the monthly employee newsletter.
- The OSH Director served on the Advisory Board for Carolina Promoting Safe Practices for Employees' Return (Carolina PROSPER). It is a rapid-response COVID-19 occupational safety and health technical assistance program based out of the UNC Gillings School of Global Public Health. The program is made up of experts in industrial hygiene, occupational safety and health, and workplace health promotion and they provide COVID-19 related technical assistance to employers.
- In State Fiscal Year (SFY) 2022, the NC Legislature and the Governor provided a 3.5% across-the-board salary increase.
- The SFY 2022 budget also included funding for two additional ASH safety compliance officer positions which have now been filled.
- The OSH Division has experienced difficulties of attracting and retaining safety and health professionals, primarily due to noncompetitive salaries. NCDOL submitted a SFY 2022 expansion budget request of \$1,360,437 in recurring funds to support implementing a graduated salary scale, based on tenure, which would be used to raise the salaries of the safety and health compliance officers to a level more consistent with the market rate. These funds would also be used to increase the hiring rate. Unfortunately, the SFY 2022 Budget did not include any of these funds. However, the department was able to take internal budgetary action to increase salaries across the OSH Division. It is the intent of NCDOL to request funds once again during the next state legislative cycle.
- The OSH Division has taken various actions to increase safety and health professional pay to be more competitive with the private sector. A policy change was made that allowed salary adjustments for various professional certifications and designations. This change resulted in 329 pay increase actions from 2015 through 2022. The staff certifications and designations strengthen the ratios associated with professionalism in the Division and associated pay increases appear to be impacting the Division's overall strategy to retain experienced safety

and health professionals.

- In April 2021, the OSH Division implemented a sign-on bonus policy as a Compliance Safety and Health Officer (CSHO) recruitment incentive which is still in place. CSHOs hired after April 12, 2021, are eligible to receive a \$3,000 signing bonus. The new hire receives half of the bonus upon hiring (\$1,500) and the remaining half after successfully completing 18 months in the position.
- The OSH Division continues to promote continuing education of staff and offers occupational safety and health training courses along with Certified Safety Professional (CSP), Associate Safety Professional (ASP), and Certified Industrial Hygienist (CIH) professional certification courses. In addition, certification software and study materials for CSP, CIH, Certified Hazardous Materials Manager (CHMM), Occupational Hygiene and Safety Technician (OHST), Construction Health and Safety Technician (CHST), and Certified Environmental, Safety and Health Trainer (CET) are available to assist employees in obtaining certifications. The OSH Division firmly believes that providing staff members with quality training and access to certification software allows them an opportunity for self-improvement and it allows us to better serve our customers.
- Three OSH Division personnel attained the CSP certification. A CSP is a safety and/or health professional who has met education and experience requirements, has demonstrated by examination the knowledge that applies to professional safety practice, continues to meet recertification requirements established by the Board of Certified Safety Professionals (BCSP), and is authorized by BCSP to use the Certified Safety Professional designation.
- One OSH Division staff member attained the OSH Construction Safety School (OCSS) designation. The OCSS designation was established by the Construction Special Emphasis Program (SEP) committee to encourage OSH employees to expand their construction expertise. The program consists of 12 advanced construction modules scheduled through ETTA on an on-going basis. By attending OCSS Modules, employees can work toward the OCSS designation while expanding their expertise in the construction field. Employees must complete a minimum of six modules, have completed all the OSH core courses and be a career state employee at the time of completion. Once an employee has completed all requirements, they will receive a certificate recognizing their achievement in completing the program.
- Three OSH Division staff attained the 500 and/or 501 Train-the-Trainer authorization. To be eligible for this program, the employee must be recommended by their supervisor and/or bureau chief. This authorization allows an employee to teach state and federal 10- and 30-hour courses. In addition, one OSH staff member attended the 502/503 refresher course and was recertified as an authorized trainer.
- West Compliance Bureau Chief, Paul Sullivan, was appointed as a Member Candidate of the American Conference of Governmental Industrial Hygienists (ACGIH) Industrial Ventilation Committee in March 2022.

- OSH Health Compliance Officer, Ushang Desai was appointed as a Member Candidate of the ACGIH Bioaerosols Committee in August 2022.
- The following OSH Division staff serve on the board of the American Industrial Hygiene Association (AIHA) Carolinas Section: Jill Warren, OSH Senior Health Compliance Officer (Past President); Grant Quiller, OSH Reviewer (Treasurer); and Matthew Gruber, OSH Health Compliance Officer (Outreach Coordinator).
- OSH Safety Compliance Officer, Tracy Wolfe, serves as the Secretary/Webmaster for the American Society of Safety Professionals (ASSP), Western Carolina Chapter.
- OSH Compliance District Supervisor, Laura Crawford and, OSH Health Consultant, Lee McKinney, serve on the board of directors for the Charlotte Regional Safety and Health Conference.
- West Compliance Bureau Chief, Paul Sullivan and OSH Case File Reviewer, Grant Quiller, served on the faculty of the North Carolina Industrial Ventilation Conference. The OSH Division sent five health compliance officers to the week-long conference in May 2022.
- OSH Division outreach presentations were provided by multiple OSH Compliance staff to groups such as ASSP, AIHA, the Environmental Health and Safety Institute, Blue Ridge Safety Council, and the Gaston County Safety, Health, and Environmental Association.
- OSH Compliance District Supervisor, Ted Hendrix, conducted training for 33 high school students and teachers at Bessemer City High School on OSHA procedures and responsibilities, as well as OSHA's top ten violations.
- The OSH Division met with the OSH Advisory Council on November 10, 2021, and May 12, 2022. The OSH Advisory Council provides guidance to the OSH Division on matters related to the OSH Act during meetings that are conducted twice per year.
- OSH Division Director, Kevin Beauregard and Assistant Director Scott Mabry attended the Occupational Safety and Health State Plan Association (OSHSPA) meetings virtually. The primary purpose of OSHSPA meetings is to share information and ensure consistency amongst OSHA state programs nationwide.
- Former Assistant OSH Director, Scott Mabry, was reappointed to Federal OSHA's Advisory Council on Construction Safety and Health (ACCSH) for another two-year term. ACCSH is a continuing advisory body established to advise the Assistant Secretary for Occupational Safety and Health with respect to setting construction standards and policy matters.
- The NCDOL Communications Department reached North Carolina employers and employees with safety messages by posting them on numerous social media sites including Facebook, Instagram, Twitter, YouTube, LinkedIn, and broadcasting Podcasts on the NCDOL Website, YouTube, Spotify, iTunes, Google Podcasts, and Anchor. In FFY 2022,



the NCDOL had 2,176 Facebook followers, 707 Instagram followers and 2,177 Twitter followers.

- The OSH Division participated in two OSH-related podcasts. In June, Kevin O’Barr, Consultation Services Bureau Chief, talked about onsite consultation and services they provide. In July, Beth Rodman, ASH Bureau Chief, Grant Quiller, OSH Administration, and the North Carolina State University Cooperative Extension discussed heat stress hazards and solutions.
- The OSH Division has seven active alliances including Carolinas Association of General Contractors (CAGC), Lamar Advertising Company, Mexican Consulate, NC State Industry Expansion Solutions, National Utility Contractors Association (NUCA) of the Carolinas, the Safety and Health Council of North Carolina and the North Carolina Association of Local Governmental Employee Safety Officials.
- The OSH Division pursued two new alliances in FFY 2022. These include the Tree Care Industry Association (TCIA) and the Plumbing, Heating Cooling Contractors Association (PHCC). The TCIA alliance signing is scheduled for November 10, 2022, and the PHCC alliance signing is tentatively planned for January 2023.
- OSH Compliance staff also attends quarterly meetings with two alliance partners: CAGC and NUCA. The OSH staff provide a formal OSHA update at each meeting and answers questions from the members in attendance.
- The OSH Division was engaged in three high visibility construction projects in support of the construction strategic plan goal through the partnership program. These included:
  - Barringer Construction
    - o Charlotte - Foundry Building Including Ancillary Buildings (2020 – 2023)
  - Holder – Edison Foard – Leeper, A Joint Venture
    - o Charlotte - Charlotte Douglas International Airport – Terminal Lobby Expansion (2021 – 2023)
  - Jacobs Engineering Group
    - o Holly Springs - Biotech Manufacturing Facility and Campus (2022 – 2024)
- Compliance conducted 1,954 inspections during FFY 2022. They identified over 4,300 hazardous conditions on these inspections, including 3,143 (72.5%) that were classified as serious, willful, or repeat violations.
- Over 52% of Compliance inspections resulted in serious, willful, or repeat violations, with a total initial penalty assessment of \$8.3 million. Additionally, only 3.2% of inspections were legally contested by employers.
- Inspections with citations were written and processed in a timely manner which expedited abatement of the hazardous conditions. Compliance had an average lapse time of 52.7 days

for safety inspections and 54.8 days for health inspections, both of which are significantly lower than the respective national averages of 54.7 and 67.1 days.

- Compliance inspected 72 fatalities and catastrophe inspections during FFY 2022, identifying serious, willful, or repeat violations on 55% of those inspections.
- Compliance began inspection activity in FFY 2020 for the Amputations SEP after completing the planning and education phases during FFY 2019. The purpose of the program is to reduce the number of amputations across the State. During FFY 2021 and FFY 2022, Compliance conducted 53 programmed planned inspections selected through this proactive targeting program. Serious, willful, or repeat violations were identified on over 75% of these inspections. Most of the items cited were for violations of machine guarding or lockout/tagout standards.
- Four change requests were submitted for the OSHA Express (OE) Data Management System this past year. The OSH Division transitioned to a paperless system, during FFY 2020 and FFY 2021, which became very beneficial during the COVID-19 pandemic. Staff was able to work from home and continue to write and process files on a timely basis until the time we came back into the office.
- In FFY 2022, OSH transmitted data from OE to OSHA's Information System (OIS) via an interface. OSH and the OE vendor continue to work together to ensure that the OE and OIS, State Activity Mandated Measures (SAMM) and State Information Report (SIR) reports are providing accurate data.
- OSH continues to provide administrative support for the OSHA Legacy Data (OLD) system. The OLD system was rolled out in late FFY 2016 and additional features were subsequently added to allow OSHA and State Plans to access and modify pre-OIS inspection files, as necessary. Progress continues to be made in closing NC open legacy case files. At the end of FFY 2021, OSH had 25 cases remaining in the OLD system.
- Two action requests were processed by Compliance. This Quality Program activity provides opportunities for program improvement identified by customers, OSH Division employees or as a result of internal audits and Federal OSHA audits. Ongoing revisions are made to the Field Operations Manual (FOM) and Operational Procedure Notices (OPN) as a result of the quality program action items.
- As part of the OSH Quality Program, 111 high profile case file reviews were completed by the OSH Director's Office. The purpose of the audits was to ensure that inspection activities were being conducted in accordance with established policies and procedures. The findings of these audits were posted internally, and feedback was provided to the compliance bureau chiefs, district supervisors, and compliance officers.
- An internal audit was conducted in 2021 to evaluate the Consultative Services Bureau (CSB) OE files against the "workflow checklist." This checklist was developed to supply directions to the supervisors as to how they should review and enter information into the OE system to

assure files are accurately populated since going paperless. Meetings and changes were completed in FFY 2022 to assure identified issues were corrected, and providing for an improved streamline process, especially for external review purposes.

- The OSH Complaint Desk staff and field office personnel processed 3,575 complaints and 777 referrals in FFY 2022. Over 4,122 additional contacts were made with the public that did not result in valid complaints along with 130 reports of injuries that were not processed due to the incidents not being reportable to OSH.
- The OSH Laboratory completed 358 in-house equipment calibrations. As part of their quality program, an additional 103 pieces of equipment were sent to the manufacturer for calibration or repair.
- The OSH Division's Unmanned Aircraft Systems (UAS) Program was utilized as a resource during compliance inspections requiring aerial photographs and videos. In FFY 2022, drones were successfully deployed on four inspections which aided in evidence collection where staff would otherwise have not been able to reach the site due to unsafe conditions. These inspections included multiple high-profile fatality and accident investigations including a fall through a skylight, a fall from a scaffold, and an excavation and trenching collapse.
- As required by the FAA, several pilots successfully completed the biannual Part 107 Small UAS Recurrent Training Course to maintain their flight currency and proficiency in operating the drones. There are currently 13 virtual observers and ten remote pilots as part of the UAS Program.
- To aid with the pilot's flight competency, the OSH Division is further developing the UAS training program to be in line with national standards, such as the American Society for Testing and Materials (ASTM) Standard on Test Methods for Small Unmanned Aircraft Systems. By aligning to a national standard for training, this will improve the pilot's proficiency, as well as becoming more consistent and uniform with the level of training that other state and national agencies are going to. The National Institute of Standards and Technology (NIST) has designed a skills course as part of a national standard for drone pilots which the division recently procured. Over the next year, pilots will receive additional flight training in the use of this enhanced training system.
- During FFY 2022, CSB identified and addressed 47 overexposures to noise and silica.
- In 2021, the OSH Division Consultation Program received a stellar Regional Annual Consultation Evaluation Report (RACER). The report did not have any negative findings or observations nor were there any recommendations for improvement.
- There were 105 private sector companies participating in the Safety and Health Achievement Recognition Program (SHARP) with two additional private sector employers in Pre-SHARP. There were six construction SHARP employers and 49 public sector SHARP employers with two in Pre-SHARP.

- North Carolina Boon Edam was awarded SHARP status and was published as a success story on the OSHA website
- Nine SHARP participants reached their ten consecutive year milestones during 2022. These companies are offered extra recognition through CSB, supporting their great accomplishment.
- CSB mailed 972 letters to employers with an Experience Modifier Rate (EMR) of 1.5 or higher informing them of their state mandated requirement to implement a safety and health program.
- The CSB has a task/measure called “intervention” that is different from onsite visits and is not counted in the program statistics. During FFY 2022, 227 interventions were conducted. (208 private sector) Activities included substantive telephone and email correspondence, off site technical training, regulation interpretations and presentations.
- CSB participated in supporting and teaching in the OSH Division’s annual Construction forum along with ETTA.
- CSB recorded and released a new podcast describing their services for the Inside Labor podcast that is published on the agency’s website.
- One CSB supervisory staff completed the Certified Public Manager program which is an intensive year and a half program.
- In an increased marketing effort, CSB mailed 2,599 letters to manufacturers in the state with less than 250 employees and 2,626 letters to employers on the high hazard North American Industry Classification System (NAICS) list.
- During FFY 2022, CSB received 830 requests for service resulting in approximately 1,500 visits for employers across the state eliminating over 6,200 hazards.
- North Carolina organized and hosted the regional on-site consultation meeting for the eight programs in Region IV. The conference had the safety and health director of the Biltmore House as the featured speaker.
- A Training Newsletter is sent out by ETTA periodically to over 11,000 employers and employees in North Carolina providing information regarding upcoming training.
- The ETTA Training Section conducted four 10-hour and two 30-hour general industry awareness courses and three 10-hour construction awareness courses.
- ETTA participated in 190 events to include speaker’s bureau requests, 10- and 30- hour courses, individual topic workshops, stand downs, construction forums, webinars and public outreach fairs and conferences.

- ETTA offered 181 hours of formal training, 100 hours of continuing education, and 19 hours of other job-related training to internal personnel.
- The OSH Division participated with Federal OSHA in the National Safety Stand Down to Prevent Falls in Construction. ETTA hosted five webinars: one on fall protection, two on scaffolds, one on steel erection and one on stairways and ladders. ETTA also participated in two Labor One events at partner sites, to include the Charlotte Pipe and Foundry, in Charlotte, NC and the 400 H Tower project in Raleigh, NC. A total of 280 employees were trained during these webinars and events.
- During Safe + Sound Week, ETTA hosted two webinars on Safety and Health Management Systems that provided training for 19 employees.
- ETTA contributed to the designs of five billboards located on prominent highways in NC. The billboards addressed the following topics: Grain Safety, Fall Prevention, Heat Stress, Trenching Safety and the Safe + Sound Initiative.
- The Library loaned out 2,747 items (e.g., consensus standards, safety videos, certification exam preparation books) to NCDOL employees and registered public patrons.
- The Library responded to 631 information requests and 262 reference questions, provided streaming video access (via The Training Network NOW) to 74 patrons, served 247 visitors, acquired 151 items for the collection and cataloged 1341 items.
- The ETTA Standard's Section responded to 2,681 standard inquiries.
- The Standard's Section made several revisions to existing publication. This included brochures on the following: NCDOL Library, Spanish Toolbox Reviews, Labor One and the Top 10 Serious Standards Cited in FFY 2021.
- ETTA mailed an outreach letter to 40 construction employers with five or more serious violations. The letter provided employers with information regarding OSH outreach services and publications. This letter is an outreach strategy used by the Construction SEP committee to lower injury and illness rates in construction.
- The Standards Section added 20 documents to the Field Information System (FIS) including updates to the Field Operations Manual (FOM), revised OSH Division policies, and adoption of multiple Federal OSHA Instructions and Final Rules. PSIM, Compliance, and/or Legal Affairs work jointly to update and revise FIS documents
- Through the Standards Section, final rules adopted in North Carolina included four technical corrections to standards affecting 29 CFR 1926 – Safety Health Regulations for Construction, 29 CFR 1910 – Occupational Safety and Health Standards, and 29 CFR 1915- Occupational Safety and Health Standards for Shipyard Employment.

- ETTA distributed 52,591 publications to employers and employees across the state. The Bureau's Publications Desk served 2,425 customers.
- The ETTA Carolina Star Program had 35 Star re-certifications and approved one new Star work site. At the end of FFY 2022, there were 147 Star Sites: 102 Carolina Star sites, 23 Building Star sites, 18 Public Sector Star sites and four Rising Star sites.
- ETTA hosted their annual construction forum in May with 25 attendees.
- The annual Carolina Star Safety Conference was held September 14-16, 2022. Although FFY 2022 represented the 26<sup>th</sup> year of conference existence but due to the pandemic, the 2020 conference was cancelled. Therefore the 2022 conference was officially recognized and celebrated as the 25<sup>th</sup> anniversary of the Carolina Star Conference. Total attendance for this event was 724.
- During the 2022 Carolina Star Conference, one Star site was recognized for achieving 25 years in the Star Program. There are now nine sites that have achieved the status of 25 years as a Star Program Participant.
- The Carolina Star Program hosted its 3rd Annual Building Star Best Practices Workshop in November 2021. The workshop was held virtually with a total of 44 people in attendance.
- The Safety Awards Program celebrated its 76<sup>th</sup> year. During FFY 2022, the Safety Awards Program recognized 1,801 Gold Awards, 331 Silver Awards, and 50 Million-Hour Awards at 28 banquets across the state. Banquet attendance totaled 1,983 attendees.
- To increase the ability of staff to converse in Spanish with employers and employees while in the performance of their job duties, an online Spanish Training Software Platform was purchased for one year as part of a pilot program. If deemed successful, the program will be renewed for another year.
- The Planning, Statistics, and Information Management (PSIM) Bureau Chief, Anne Weaver, continued to perform duties associated with the responsibility of being the Medical Records Coordinator for the OSH Division.
- PSIM staff participated as a representative from the OSH Division to the Occupational Surveillance Advisory Group.
- PSIM continued to provide notifications of workplace accidents and fatalities to the NC Department of Commerce, NC Industrial Commission, Fraud Investigation Section of the Criminal Investigations and Employee Classification Division.
- The PSIM Bureau Chief assisted ETTA with reviewing photos and graphics within various PowerPoint presentations to verify adherence to copyright, privacy, ownership, and brand name restrictions.

- PSIM compiled OSH data initiated for the NCDOL Annual Report, the OSH Annual Program Statistics Report, and various other annual reporting requirements.
- PSIM analyzed public sector inspection activities for FFY 2017 – 2021 and construction inspection activities for FFY 2021.
- PSIM completed FFY 2021 Occupational Fatalities Comparison Report using Occupational Fatality Inspection Review (OFIR) data.
- PSIM analyzed and verified CY 2021 fatality data for the Communications Division’s annual press release.
- PSIM continued refinement of the OSH private and public-sector databases to supplement the bureaus exclusive use of the Division of Employment Security database.
- PSIM received, researched, and processed 973 requests for revisions/changes to the private and public-sector establishment databases, which helps to enhance the accuracy of these site databases and the OSH Division Targeting System.
- PSIM worked on various targeting schedules that were updated and assignments released for:
  - Public Sector Schedule
  - General Industry Schedules (Safety and Health)
  - ASH Schedule
  - Health Hazards Schedules (Asbestos, Lead, and Isocyanates)
  - Fatality Reinspection Schedule
  - Communication Tower Schedule
  - Amputations SEP Schedule
- PSIM received a total of 291 closed inspection files (those still in paper copy format) from the field offices for archiving.
- PSIM prepared 245 inspection files for scanning and scanned 46 of those files for archiving into the department’s file content management system (OnBase).
- The project of quality control review is continuing and ongoing for OSH inspection files, which have been archived through the imaging and file conversion processes.
- PSIM received 1,090 disclosure requests during FFY 2022 and processed 971 requests (714 from FFY 2022 and 257 from previous years) which resulted in a 89% response rate. PSIM has continued to receive an unprecedented number of disclosure file requests. Bureau staff worked diligently to process disclosure requests. Some of the disclosure requests were COVID-19 related; however, there continues to be a substantial increase in non-COVID related requests related to contestments, fatalities, court orders, subpoenas, etc.

- PSIM coordinates the strategic plan process for all bureaus in the OSH Division to submit data for the FFY 2023 Annual Performance Plan in relation to the 5-year Strategic Management Plan (SMP) for FFY 2019 - 2023.
- PSIM staff members continue as active SMP Committee members and participate in all SMP meetings, discussions, and activities which are essential functions directly related to the success of OSH Division Strategic Management Plan goals.
- PSIM completed an analysis of data collected from the 2018, 2019, and 2020 Public Sector Surveys, resulting in updated, established target rates for employer specific categories.
- PSIM received and processed 800 requests from the public sector for revisions/changes to the Public-Sector Injury and Illness Survey database.
- PSIM mailed a total of 3,293 surveys to public sector employers (collection of calendar year 2021 injury and illness data). At the end of FFY 2022, 2,990 survey responses were received with a 90.8% response rate and a 100% clean rate. Efforts continue to collect the remaining outstanding surveys prior to the end of November 2022.
- PSIM worked in conjunction with ETTA Bureau, East and West Compliance Bureaus and Legal Affairs Division staff to update and revise several Field Operation Manual chapters and Operational Procedure Notices (OPN). PSIM staff updated OPN 128 – Public Sector Surveys and Inspections.
- 20 Administrative Procedure Notices were reviewed, and ten additional ones were updated during FFY 2022.
- The Retaliatory Employment Discrimination Bureau (REDB) requested to begin redacting the position statements and complaints associated with their occupational safety and health related cases. PSIM is training two members of their staff to process the redaction and release of this information. Training will continue in the upcoming year until REDB staff are proficient in the redaction process.
- ASH Bureau completed 2,034 preoccupancy housing inspections of migrant farmworker housing and conducted 52 compliance inspections. Housing certificates were issued to 2,014 sites with a total occupancy (beds) of 26,010.
- During annual preoccupancy inspections, ASH distributed 6,752 safety and health publications to farmers and farmworkers.
- ASH did not convene the 28<sup>th</sup> Annual Gold Star Growers' meeting due to COVID-19; however, 120 Double Gold Star growers and 74 Single Gold Star growers were identified during the 2021 season.
- On May 26, 2022, ASH participated in an online forum for farmworkers. Attendees were able to ask questions and share any work-related concerns with the following agencies and organizations: US Equal Opportunity Employment Commission, USDOL Wage and Hour, and AMEXCAN.



- On June 2, 2022, ASH staff participated in a Safety at Work Forum hosted by Univision 40 North Carolina to raise awareness in the Hispanic community about workplace hazards and how workers can report unsafe working conditions. The virtual forum was recorded and aired on Univision's Facebook page. The following topics were included: The employer's responsibility to provide a safe workplace; the employee's responsibility to maintain safety in their workplace, safety and health training requirements in the workplace, what to do if the workplace is not safe, how and who can file a complaint about unsafe working conditions, what an employee can do if they are fired or disciplined for reporting safety or health issues in the workplace, what happens and what to do when an employee suffers an accident at work, and the employer's responsibilities related to the accident.
- On June 30, 2022, ASH staff participated in the 2022 Farm Safety and Compliance Event hosted by Gap Connections. ASH staff trained 124 farmworkers and 19 farmers and farm managers about the signs and symptoms of heat-related illness, prevention methods, and emergency response. Farmers were provided with an example Heat Stress Prevention Program and CSHOs discussed strategies for designing and implementing a customized program on their farm. Attendees were also given a variety of NCDOL publications in English and Spanish to include Green Tobacco Sickness, Injury and Illness reporting, and ticks, spiders, and venomous snakes in NC. Workers and growers also received training on wage and hour regulations, equipment safety, human trafficking, basic CPR and first aid, pesticide safety, and green tobacco sickness.
- ASH continued working with NCDOL Information Technology (IT) to develop a new preoccupancy inspection database to improve user functionality, transition to an electronic storage system, and allow growers to register their migrant housing online and access their housing certificates.
- ASH continues to strengthen partnerships and associations with other groups, such as: NCSU cooperative extension, NC Agromedicine Institute, NCDHHS, NC Farmworker Health Program, NC Department of Commerce, NC Community Health Center Association, NC Farm Bureau, NC Agribusiness Council, and the North Carolina Growers Association.