



NCDOL
N.C. Department of Labor

NC OSHA Update

**ASSP Tarheel Chapter Meeting
January 9, 2025**

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Occupational Safety and Health Division
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Objectives

- Develop an understanding of OSHNC activities and findings during FY2024 (10/1/23 to 9/30/24) and the emphases for FY2025.
 - North Carolina TRC rates and trends
 - OSH Division bureaus, alliances and partnerships
 - FY2024 fatality information
 - FY2024 inspection and citation information
 - Special Emphasis Programs
 - Current challenges



So...what's happening at NCDOL?



Commissioner Josh Dobson decided not to run for re-election...and then resigned his position on November 6, 2024, to take a job in the private sector. He was great to work with and we wish him well.

So...what's happening at NCDOL?



On November 8, 2024, Governor Roy Cooper appointed Kevin O'Barr as the Commissioner of Labor to finish out Josh's term. Kevin was the Consultative Services Bureau Chief and has been with NCDOL for 24 years.

So...what's happening at NCDOL?



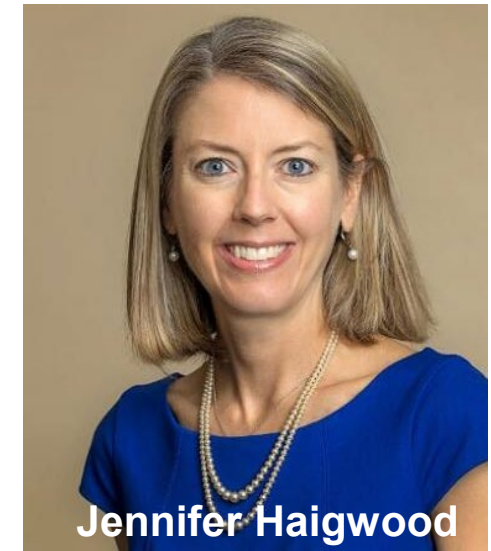
...and congratulations to Commissioner Luke Farley who was sworn-in on January 2, 2025.

So...what's happening at NCDOL?



Scott Mabry
Chief of Staff

Commissioner Farley has already announced that NCDOL and OSH Division senior staff will return...



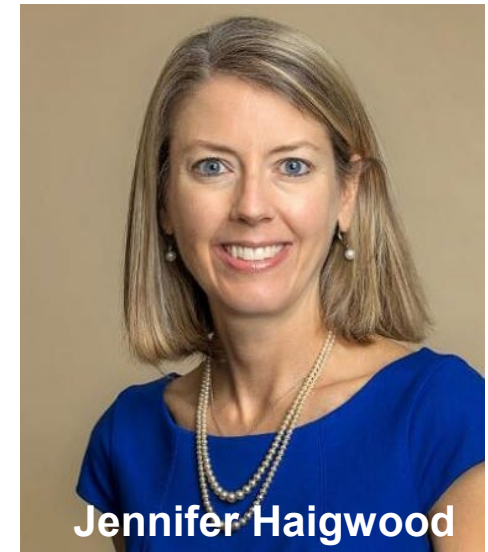
Jennifer Haigwood
OSH Director

So...what's happening at NCDOL?



Scott Mabry
Chief of Staff

...with one small change...



Jennifer Haigwood
OSH Director

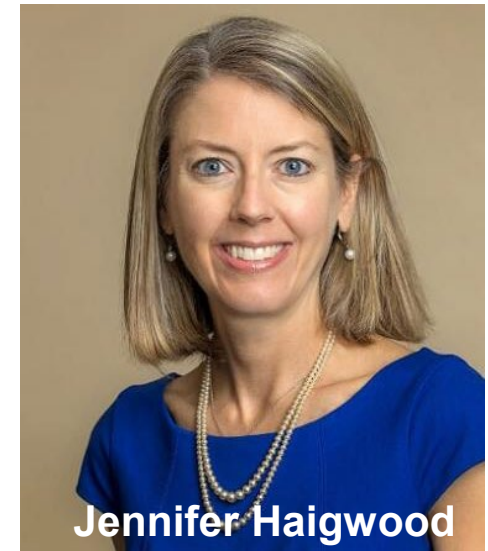
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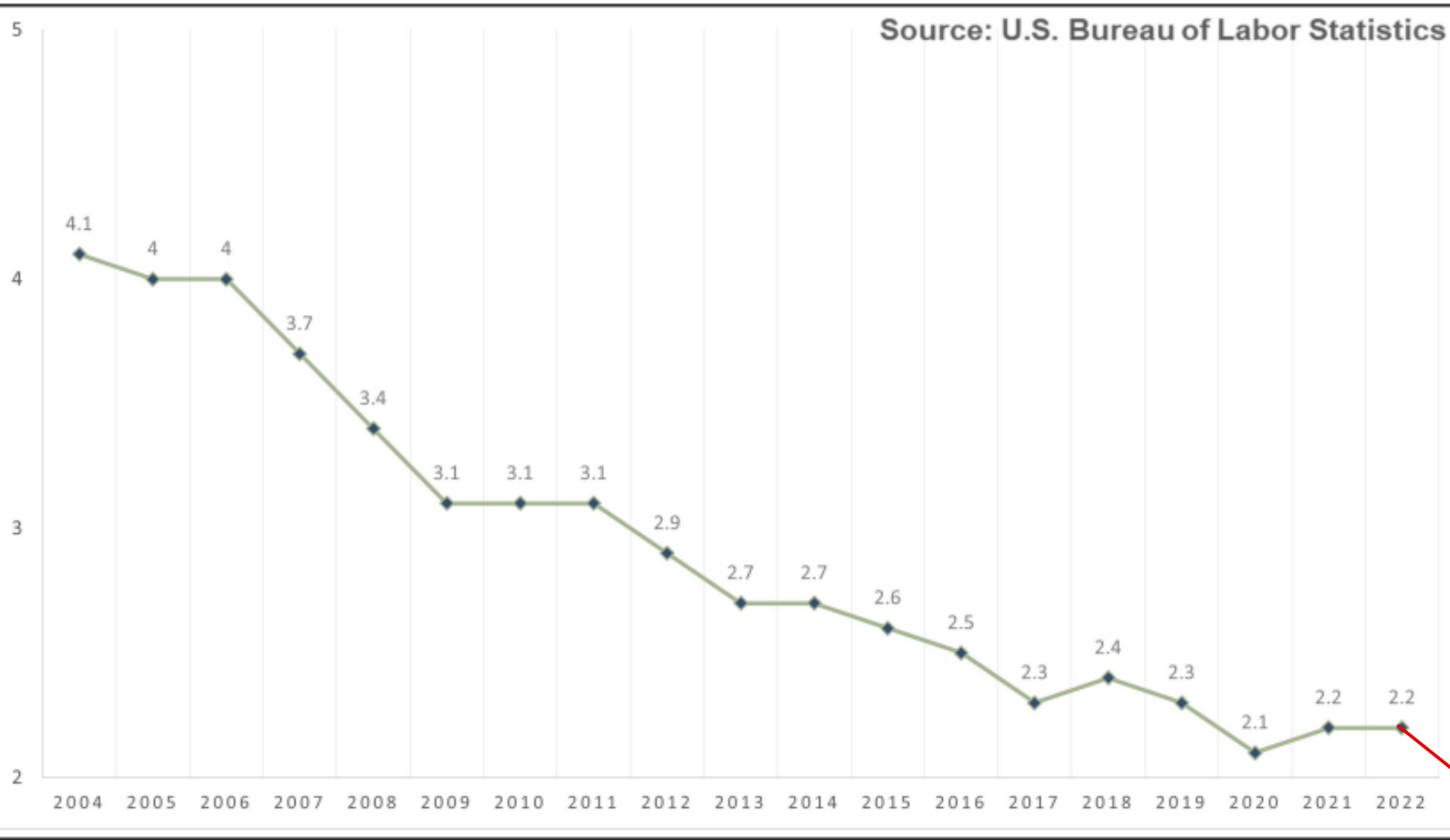


Jennifer Haigwood

Chief of Staff

NC TRC Trend Since 2004 (Private Sector)

Source: U.S. Bureau of Labor Statistics



- 2023 numbers were just recently released by BLS.
 - The NC private sector TRC rate has dropped from **2.2 to 2.0**. DART dropped from **1.4 to 1.2**.
 - National incidence rate is 2.4 for TRC and **1.5 for DART (down from 1.7 in 2022)**
- 2023 All industries (public and private):
 - NC: 2.2 TRC/1.2 DART
 - US: 2.7 TRC/1.5 DART

Incidence Rate Changes from 2022 to 2023

<u>Industry</u>	<u>NAICS</u>	<u>2022 TRC/DART</u>	<u>2023 TRC/DART</u>
Manufacturing	31-33	3.2 / 2.0	2.8 / 1.8
Construction	23	2.4 / 1.5	2.3 / 1.5
Residential Construction	2361	2.4 / 1.4	2.5 / 1.5
Non-residential Construction	2362	1.7 / 0.9	1.6 / 0.9
Water & Sewer Line Construction	23711	2.5 / 1.6	2.6 / 1.4
Framing Contractors	23813	7.1 / 3.8	5.5 / 3.8
Roofing Contractors	23816	3.9 / 2.5	3.2 / 2.0
Siding Contractors	23817	2.1 / 1.0	5.8 / 5.0

Special Note: Under the Federal Appropriations Act rider, employers with less than 11 employees controlled and in a NAICS code with a DART rate *less than* the national private sector average are exempt from programmed *safety* inspections. Other inspections are permitted but may be limited.

NCDOL/OSHNC

- The low injury and illness rates are the result of combined efforts by employers, employees, OSHNC, professional associations, and others with an interest in worker safety & health.
- OSHNC uses a multi-pronged approach, including (but not limited to):
 - Education & training
 - Consultative services
 - Recognition programs
 - Compliance



OSHNC Consultative Services



Consultative Services Bureau
For North Carolina Employers



Josh Dobson
Commissioner of Labor

1-800-NC-LABOR
(1-800-625-2267)

www.labor.nc.gov



Safety and Health Consultation Program

The N.C. Department of Labor has a program to assist small employers, especially those in high hazard industries, to reach their goal of achieving a safe and healthful workplace for their employees. Experienced professional safety and industrial hygiene consultants will identify safety and health hazards in your business or industry, supply recommendations to reduce or eliminate these hazards, and assess your safety and health management program. Our goal is to help your business meet safety and health regulations

In some instances, a return visit may be necessary. For example, the consultant may need to remonitor air quality or verify that hazards have been properly corrected.

Additional Information:

Two types of surveys are available. An employer may request a facility-wide (full-service) safety and health survey or a specific safety and/or health survey limited to only one or more issues.



OSHNC Consultative Services



Request for **FREE** Safety and Health Consultation

Please complete, print and sign form. Then scan and email to dol.consultationmail@labor.nc.gov or fax to 919-707-7966.
You will receive an acknowledgment letter confirming your receipt.

Name of company/employer: _____
(PLEASE USE THE LEGAL NAME)

Site address: _____
(STREET ADDRESS, CITY, STATE, ZIP)

Mailing address: _____
(STREET ADDRESS, CITY, STATE, ZIP)

Person to contact: _____ Job title: _____

Telephone number: _____ Ext.: _____ Fax number: _____

Email address: _____

Type of business and description of process: _____

North American Industry Classification System (NAICS): _____

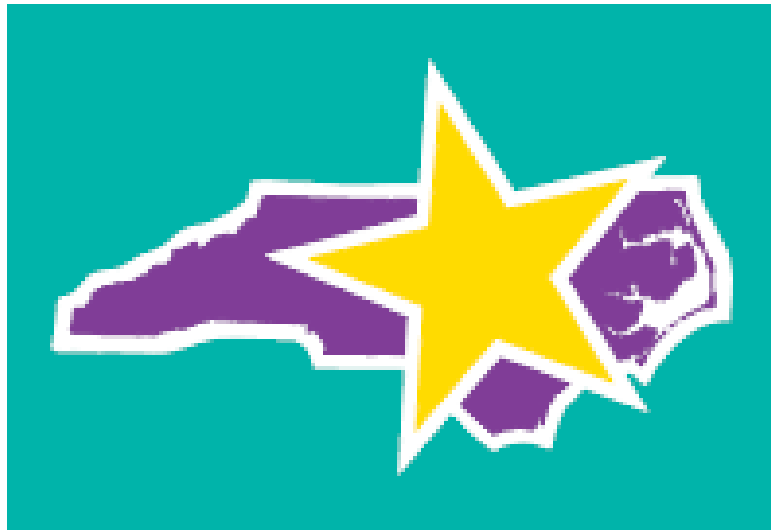
To determine your NAICS code, visit www.census.gov/eos/www/naics



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OSHNC Recognition Programs

Carolina Star



Public Sector Star



Rising Star



STAR PROGRAM

Br200

OSH Division - Alliances and Partnerships

● Alliances

- Carolinas AGC
- Lamar Advertising Company
- Mexican Consulate
- N.C. State – Industry Expansion Solutions
- Safety and Health Council of NC
- NUCA of the Carolinas
- NCALGESO
- Tree Care Industry Association
- Plumbing-Heating-Cooling Contractor's Association
- N.C. Masonry Contractors Association



OSH Division - Alliances and Partnerships

● Partnerships

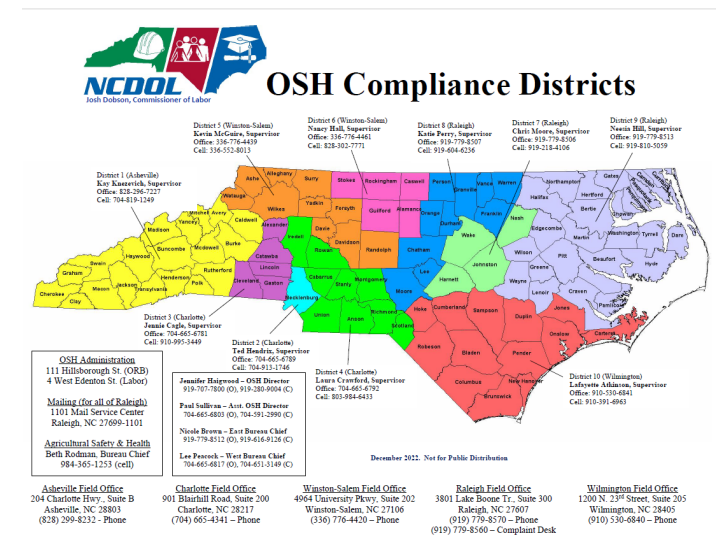
- *Holder – Edison Foard – Leeper, A Joint Venture*
 - » Charlotte – Charlotte Douglas International Airport – Terminal Lobby Expansion – Phase 5 (2023 – 2025)
- *Jacobs Engineering Group*
 - » Holly Springs – FUJIFILM Diosynth Biotechnologies Manufacturing Facility and Campus, Phases 1 & 2 (2022 – 2026)
- *Whiting – Turner Contracting Company*
 - » Siler City – Wolfspeed Semi-conductor/Silicon Carbide Plant (2023 – 2025)
- *Barnhill – Balfour Beatty – Metcon, A Joint Venture*
 - » Raleigh – NC Education (2024 – 2026)



OSH Compliance (18b State Plan)

- East & West Bureaus

- 96 OSHA inspectors (safety and health), including three whose duties partially include managing complaints/accidents investigated by letter.
- 10 district supervisors
- 2 bureau chiefs (East & West) and 1 assistant director
- Approximately 15 support staff (complaint desk, admin)
- Offices in Raleigh, Charlotte, Winston-Salem, Asheville, and Wilmington



- Agriculture Safety & Health (ASH) – one bureau chief and a staff of eight safety inspectors. They also handle migrant housing inspections.

OSH Compliance Activity – Inspections

Activity	FY2024	FY2023	FY2022	FY2021	FY2020
Total Compliance Inspections	1675	1761	1956	2217	2107
Construction Inspections	859	915	1050	1190	1285
Fatality Inspections	55	77	73	85	71
Complaint %	18.4%	18.9%	23.9%	19.3%	17.4%
Referral %	9.4%	10.7%	9.8%	10.1%	8.7%
Follow-up %	2.9%	3.1%	2.9%	2.9%	2.7%
Public Sector %	6.8%	6.7%	4.8%	5.7%	4.6%
Programmed (Proactive) %	58.8%	54.1%	49.7%	56.5%	59.9%

OSHA Compliance Activity - Citations

Activity	FY2024	FY2023	FY2022	FY2021
Total Compliance Inspections	1675	1761	1956	2217
% of Inspections without Violations (In-Compliance)	39.5%	34.9%	39.0%	36.4%
% of Inspections with Serious, Willful or Repeat Violations	51.2%	54.8%	52.7%	53.8%
Total Violations	3644	4195	4376	5406
Serious Violations	2367	2734	2989	3413
Repeat Violations	117	92	177	210
Willful Violations	6	11	10	21
SWR Violations/Inspection	1.49	1.61	1.62	1.64
Total Current Penalty	\$7.72M	\$9.29M	\$7.31M	\$6.63M
Average Penalty per Inspection	\$4610	\$5277	\$3739*	\$2992
% of Inspections with Citations Contested	3.8%	5.5%	4.3%	4.1%

*New OSHNC penalties went into effect for citations issued after 10/01/2022.

FY2024 Fatalities

FY 2024 (October - September, 2024) = 48 Fatalities				**By Event:		#	%
By Industry*:	#	%	All Fatals		Struck By	20	42%
Construction	15	31%	By District Office:	#	Caught In/Between	5	10%
Manufacturing	6	13%	Asheville	6	Bite/Sting/Scratch	0	0%
Transportation & Public Utilities	8	17%	Charlotte	9	Fall (Same Level)	0	0%
Wholesale Trade	3	6%	Raleigh	15	Fall (From Elevation)	11	23%
Retail Trade	1	2%	Wilmington	5	Struck Against	0	0%
Services	5	10%	Winston-Salem	13	Rubbed/Abraded	0	0%
Agriculture, Forestry, Fishing	4	8%			Inhalation	0	0%
Government	5	10%	Total	48	Absorption	0	0%
Finance: Insurance & Real Est.	1	2%			Repeated Motion/Press.	0	0%
Other	0	0%	By Age:		Cardio/Respiratory	1	2%
			<20-29	7	Shock	3	6%
Total	48	100%	30-39	8	Other***	8	17%
			40-49	7	COVID-19***	0	0%
			50-59	14	Criminal Activity***	0	0%
			60 & over	12	Total	48	100%

Source: Occupational Fatality Inspection Review (OFIR)

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FY2024 Fatalities

This total was 72 in FY2023

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			50-59	14	Criminal Activity***	0	0%
			60 & over	12	Total	48	100%

Construction Fatalities – FY2024 vs. FY2023

FY 2024 = 15 Construction Fatalities			
By Month:	#	**By Event:	#
October	1	Struck By	8
November	0	Caught In/Between	1
December	0	Bite/Sting/Scratch	0
January	0	Fall (Same Level)	0
February	2	Fall (From Elevation)	5
March	1	Struck Against	0
April	2	Rubbed/Abraded	0
May	2	Inhalation	0
June	3	Ingestion	0
July	1	Absorption	0
August	1	Repeated Motion/Press.	0
September	2	Cardio/Respiratory	0
Total	15	Shock	0
		Other***	1
		Total	15

FY 2023 = 23 Construction Fatalities			
By Month:	#	**By Event:	#
October	1	Struck By	2
November	1	Caught In/Between	1
December	0	Bite/Sting/Scratch	0
January	5	Fall (Same Level)	0
February	3	Fall (From Elevation)	15
March	1	Struck Against	0
April	3	Rubbed/Abraded	0
May	3	Inhalation	2
June	2	Ingestion	0
July	1	Absorption	0
August	3	Repeated Motion/Press.	0
September	0	Cardio/Respiratory	0
Total	23	Shock	2
		Other***	1
		Total	23

Construction Fatalities – FY2024 vs. FY2023

FY 2024 = 15 Construction Fatalities			
By Month:	#	**By Event:	#
October	1	Struck By	8
November	0	Caught In/Between	1
December	0	Bite/Sting/Scratch	0
January	0	Fall (Same Level)	0
February	2	Fall (From Elevation)	5
March	1	Struck Against	0
April	2	Rubbed/Abraded	0
May	2	Inhalation	0
June	3	Ingestion	0
July	1	Absorption	0
August	1	Repeated Motion/Press.	0
September	2	Cardio/Respiratory	0
Total	15	Shock	0
		Other***	1
		Total	15

FY 2023 = 23 Construction Fatalities			
By Month:	#	**By Event:	#
October	1	Struck By	2
November	1	Caught In/Between	1
December	0	Bite/Sting/Scratch	0
January	5	Fall (Same Level)	0
February	3	Fall (From Elevation)	15
March	1	Struck Against	0
April	3	Rubbed/Abraded	0
May	3	Inhalation	2
June	2	Ingestion	0
July	1	Absorption	0
August	3	Repeated Motion/Press.	0
September	0	Cardio/Respiratory	0
Total	23	Shock	2
		Other***	1
		Total	23

FY 2024 Construction Struck-by Fatalities

Age	Event Type	Event Description
38	Struck by	The victim was making a cut on PVC pipe when the saw kicked back and struck him in the chest and neck area, resulting in fatal injuries.
64	Struck by	The victim, a bobcat operator, received a traumatic head injury after the bobcat slipped down a 12-15 ft. embankment and he struck his head on something.
70	Struck by	The victim was struck by a scissor lift which fell over and landed on him. He was transported by EMS to the hospital but died of his injuries.
38	Struck by	The victim was cutting down trees when the employer that was operating excavator pushed a tree down on top of him.
53	Struck by	The victim was working as a spotter for the pavers when a vehicle entered the work zone and struck the victim.
64	Struck by	The victim was working near a chimney of a house, the chimney fell onto the victim causing multiple injuries to head and torso. The victim stayed in the hospital due to injuries and later passed on 08/02/2024 after being taken off of life support.
54	Struck by	The victim was operating small compacting roller when it started to tilt, victim jumped off of the roller, resulting in the roller landing on top of victim.
51	Struck by	The victim was operating a manlift and attempting to cross the railroad tracks, the rail guards lowered due to an approaching train. The manlift was unable to clear the railroad tracks and the train struck the victim and the lift.

Source: Occupational Fatality Inspection Review (OFIR)

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FY 2024 Construction Fall Fatalities

Age	Event Type	Event Description
58	Fall (from elevation)	The guardrail failed on a tubular welded frame scaffold and the victim fell to the asphalt surface.
41	Fall (from elevation)	The victim suffered a head injury after falling from a ladder - the victim was declared brain dead.
47	Fall (from elevation)	The victim was installing insulation inside an elevator shaft while working from a ladder that was placed on a 2x6 plank extended across the shaft. The victim fell approximately 30 feet to the surface below.
52	Fall (from elevation)	The victim fell from cell phone service tower.
39	Fall (from elevation)	The victim was working on a new home on a steep mountainside site, fell, about 18 feet from a walkway, and struck his head against a concrete wall. The victim passed on 09/05/2024 after being taken off of life support.

OSHNC Strategic Plan

- OSHNC has a Strategic Plan with a five-year cycle. There are two main outcome goals. The various SEPs fall under these goals.
- In March 2023, senior staff and team leaders met to evaluate each SEP and look at BLS data to plan for the new 5-year cycle.

<i>OSH Outcome Goal #1</i>	By the end of FY 2028, reduce the rate of workplace fatalities by 2%.
<i>OSH Outcome Goal #2</i>	By the end of FY 2028, reduce the rate of workplace injuries and illnesses by 5%.

OSHNC Special Emphasis Programs (SEPs)

§ 95-136.1. Special emphasis inspection program.

(a) As used in this section, a "special emphasis inspection" is an inspection by the Department's occupational safety and health division that is scheduled because of an employer's high frequency of violations of safety and health laws or because of an employer's high risk or high rate of work-related fatalities or work-related serious injuries or illnesses.

Field Information System

Subject: Special Emphasis Program for Amputations

Field Information System

Operation

Subject: Special Emphasis Program for Exposures to Health Hazards

Strategic Plan *Special Emphasis Programs (SEP)*

- *Construction*
- *Logging and Arboriculture*
- *Long Term Care Facilities*
- *Health Hazards*
- *Food Manufacturing*
- *Warehousing and Storage and Related Product Distribution Industries*
- *Amputations*



Goals for FY2025

<i>Areas of Emphasis Activity Summary</i>	<i>FY 2025 Annual</i>	
	Compliance	Consultation
Number of Worksites Inspected or Surveyed:		
1.1 Construction	800	300
1.2 Logging and Arboriculture	24	14
2.1 Warehousing and Storage and Related Product Distribution Industries	24	15
2.2 Long Term Care	24	25
2.3 Health Hazards	100	125
2.4 Food Manufacturing	24	12
2.5 Amputations	180	140
Total for Emphasis Areas	1,176	631

Goals for the Health Hazards and Amputations SEPs were increased for FY24 due to the success of those programs.

Construction SEP

Field Information System

Operational Procedure Notice 123Z

Subject: Special Emphasis Program for Construction Activities

A. **Purpose.**

This Operational Procedure Notice (OPN) establishes a North Carolina Occupational Safety and Health (OSH) Division Special Emphasis Program (SEP) to decrease fatalities related to the construction industry, specifically North American Industry Classification System (NAICS) sectors 236 - 238. This SEP will also focus on hazards associated with operations that involve tower and mobile cranes.

Construction SEP

Inspections

Conducted:	858	Attempted:	991
Safety:	601	70.0 %	
Health:	257	30.0 %	

Ownership

Private:	857	99.9 %
Local:	0	.0 %
State:	1	.1 %
Federal:	0	.0 %

Unprogrammed

Fat/Cat:	17	2.0 %
Complaint:	79	9.2 %
Referral:	31	3.6 %
Monitor:	0	.0 %
Variance:	0	.0 %
Followup:	4	.5 %
Unp Related:	88	10.3 %
Other:	1	.1 %
Accident:	0	.0 %
Referral-ER:	16	1.9 %

Programmed

Planned:	585	68.2 %
Prog Related:	37	4.3 %
Other:	0	.0 %

Other

Other:	0	.0 %
Other-Data NR:	0	.0 %

Violations

Citations Issued: 1377

Inspection Percentages

Without Violations:	334	38.9 %
S, W, R Violations:	497	57.9 %
Citations Contested:	30	3.5 %

Citation Types

Other:	230	16.7 %
Serious:	1063	77.2 %
Willful:	1	.1 %
Repeat:	83	6.0 %
Post Settle:		
FTA's:	0	
Instances:	1806	

Penalties

Total Initial Penalty:	\$3,587,005.70
Total Revised Penalty:	\$3,254,784.97
Total Initial FTA Penalty:	\$0.00
Total Revised FTA Penalty:	\$0.00
Total Penalty Paid:	\$901,741.78
Total FTA Penalty Paid:	\$0.00



FY2024 Frequently Cited Construction Standards

Standard	#Cited	Willful	Repeat	Serious	Other	#/Pen	Avg Pen\$	Max Pen\$	Tot Init\$	Tot Curr\$
1926.501(b)(13)	332	1	51	280	0	330	4893.62	156250.00	1624681.40	1489171.04
1926.102(a)(1)	178	0	14	162	2	175	1696.03	23437.50	301893.50	265658.50
1926.503(b)(1)	172	0	10	107	55	13	98.25	6000.00	16800.00	15787.50
1926.1053(b)(1)	98	0	5	93	0	97	2908.37	23437.50	285020.10	251224.33
1926.100(a)	96	0	5	91	0	95	1295.85	6000.00	124401.20	109141.73
1926.20(b)(2)	51	0	3	46	2	40	3421.15	14062.50	174478.60	152272.35
1926.1053(b)(13)	47	0	4	43	0	37	1273.94	5850.00	59875.00	52087.50
1926.503(a)(1)	40	0	1	39	0	25	1749.73	9375.00	69989.30	62245.55
1910.1200(g)(8)	32	0	1	13	18	7	607.42	6250.00	19437.50	16390.00
1926.1053(b)(4)	31	0	0	25	6	19	823.85	4839.30	25539.30	24626.80
1903.19(c)(1)	20	0	0	1	19	20	542.50	750.00	10850.00	9250.00
1926.652(a)(1)	20	0	0	20	0	20	5147.92	14062.50	102958.40	93122.29
1926.1153(c)(1)	19	0	0	19	0	19	2517.83	9375.00	47838.70	42631.20
1926.501(b)(10)	19	0	1	18	0	19	3069.86	9375.00	58327.40	51911.98
Grand Totals:	1879	3	100	1498	278	1334	2,364.42	156,250.00	4,442,636.20	4,019,873.12

Fall Protection

- Residential construction – no fall protection
- Fall protection training or certification
- No fall protection – low sloped roofing work.

Residential Fall Protection



Skylights



NCDOL Photo Library



NCDOL Photo Library

Scaffolds

NCDOL Photo Library



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Grand Totals: 1879 3 100 1498 278 1334 2,364.42 156,250.00 4,442,636.20 4,019,873.12

PPE

- Eye protection and hard hats

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1926.501(b)(13)	332	1	51	280	0	330	4893.62	156250.00	1624681.40	1489171.04
1926.102(a)(1)	178	0	14	162	2	175	1696.03	23437.50	301893.50	265658.50
1926.503(b)(1)	172	0	10	107	55	13	98.25	6000.00	16800.00	15787.50
1926.1053(b)(1)	98	0	5	93	0	97	2908.37	23437.50	285020.10	251224.33
1926.100(a)	96	0	5	91	0	95	1295.85	6000.00	124401.20	109141.73
1926.20(b)(2)	51	0	3	46	2	40	3421.15	14062.50	174478.60	152272.35
1926.1053(b)(13)	47	0	4	43	0	37	1273.94	5850.00	59875.00	52087.50
1926.503(a)(1)	40	0	1	39	0	25	1749.73	9375.00	69989.30	62245.55
1910.1200(g)(8)	32	0	1	13	18	7	607.42	6250.00	19437.50	16390.00
1926.1053(b)(4)	31	0	0	25	6	19	823.85	4839.30	25539.30	24626.80
1903.19(c)(1)	20	0	0	1	19	20	542.50	750.00	10850.00	9250.00
1926.652(a)(1)	20	0	0	20	0	20	5147.92	14062.50	102958.40	93122.29
1926.1153(c)(1)	19	0	0	19	0	19	2517.83	9375.00	47838.70	42631.20
1926.501(b)(10)	19	0	1	18	0	19	3069.86	9375.00	58327.40	51911.98

Grand Totals: 1879 3 100 1498 278 1334 2,364.42 156,250.00 4,442,636.20 4,019,873.12

Ladder Violations

- Side rails not extending 3' past the upper landing.
- Using the top or top step of a stepladder.
- Ladder used only for purpose as designed.

FY2024 Frequently Cited Construction Standards

Standard	#Cited	Willful	Repeat	Serious	Other	#/Pen	Avg Pen\$	Max Pen\$	Tot Init\$	Tot Curr\$
1926.501(b)(13)	332	1	51	280	0	330	4893.62	156250.00	1624681.40	1489171.04
1926.102(a)(1)	178	0	14	162	2	175	1696.03	23437.50	301893.50	265658.50
1926.503(b)(1)	172	0	10	107	55	13	98.25	6000.00	16800.00	15787.50
1926.1053(b)(1)	98	0	5	93	0	97	2908.37	23437.50	285020.10	251224.33
1926.100(a)	96	0	5	91	0	95	1295.85	6000.00	124401.20	109141.73
1926.20(b)(2)	51	0	3	46	2	40	3421.15	14062.50	174478.60	152272.35
1926.1053(b)(13)	47	0	4	43	0	37	1273.94	5850.00	59875.00	52087.50
1926.503(a)(1)	40	0	1	39	0	25	1749.73	9375.00	69989.30	62245.55
1910.1200(g)(8)	32	0	1	13	18	7	607.42	6250.00	19437.50	16390.00
1926.1053(b)(4)	31	0	0	25	6	19	823.85	4839.30	25539.30	24626.80
1903.19(c)(1)	20	0	0	1	19	20	542.50	750.00	10850.00	9250.00
1926.652(a)(1)	20	0	0	20	0	20	5147.92	14062.50	102958.40	93122.29
1926.1153(c)(1)	19	0	0	19	0	19	2517.83	9375.00	47838.70	42631.20
1926.501(b)(10)	19	0	1	18	0	19	3069.86	9375.00	58327.40	51911.98

Grand Totals: 1879 3 100 1498 278 1334 2,364.42 156,250.00 4,442,636.20 4,019,873.12

- Lack of frequent and regular inspections as part of an accident prevention program.

FY2024 Frequently Cited Construction Standards

Standard	#Cited	Willful	Repeat	Serious	Other	#/Pen	Avg Pen\$	Max Pen\$	Tot Init\$	Tot Curr\$
1926.501(b)(13)	332	1	51	280	0	330	4893.62	156250.00	1624681.40	1489171.04
1926.102(a)(1)	178	0	14	162	2	175	1696.03	23437.50	301893.50	265658.50
1926.503(b)(1)	172	0	10	107	55	13	98.25	6000.00	16800.00	15787.50
1926.1053(b)(1)	98	0	5	93	0	97	2908.37	23437.50	285020.10	251224.33
1926.100(a)	96	0	5	91	0	95	1295.85	6000.00	124401.20	109141.73
1926.20(b)(2)	51	0	3	46	2	40	3421.15	14062.50	174478.60	152272.35
1926.1053(b)(13)	47	0	4	43	0	37	1273.94	5850.00	59875.00	52087.50
1926.503(a)(1)	40	0	1	39	0	25	1749.73	9375.00	69989.30	62245.55
1910.1200(g)(8)	32	0	1	13	18	7	607.42	6250.00	19437.50	16390.00
1926.1053(b)(4)	31	0	0	25	6	19	823.85	4839.30	25539.30	24626.80
1903.19(c)(1)	20	0	0	1	19	20	542.50	750.00	10850.00	9250.00
1926.652(a)(1)	20	0	0	20	0	20	5147.92	14062.50	102958.40	93122.29
1926.1153(c)(1)	19	0	0	19	0	19	2517.83	9375.00	47838.70	42631.20
1926.501(b)(10)	19	0	1	18	0	19	3069.86	9375.00	58327.40	51911.98

Grand Totals: 1879 3 100 1498 278 1334 2,364.42 156,250.00 4,442,636.20 4,019,873.12

- Lack of proper sloping, a trench box, or other protective system for an excavation.

Trench Accident



NCDOL Photo Library



NCDOL Photo Library

Trench Complaint



NCDOL Photo Library



NCDOL Photo Library

FY2024 Frequently Cited Construction Standards

Standard	#Cited	Willful	Repeat	Serious	Other	#/Pen	Avg Pen\$	Max Pen\$	Tot Init\$	Tot Curr\$
1926.501(b)(13)	332	1	51	280	0	330	4893.62	156250.00	1624681.40	1489171.04
1926.102(a)(1)	178	0	14	162	2	175	1696.03	23437.50	301893.50	265658.50
1926.503(b)(1)	172	0	10	107	55	13	98.25	6000.00	16800.00	15787.50
1926.1053(b)(1)	98	0	5	93	0	97	2908.37	23437.50	285020.10	251224.33
1926.100(a)	96	0	5	91	0	95	1295.85	6000.00	124401.20	109141.73
1926.20(b)(2)	51	0	3	46	2	40	3421.15	14062.50	174478.60	152272.35
1926.1053(b)(13)	47	0	4	43	0	37	1273.94	5850.00	59875.00	52087.50
1926.503(a)(1)	40	0	1	39	0	25	1749.73	9375.00	69989.30	62245.55
1910.1200(g)(8)	32	0	1	13	18	7	607.42	6250.00	19437.50	16390.00
1926.1053(b)(4)	31	0	0	25	6	19	823.85	4839.30	25539.30	24626.80
1903.19(c)(1)	20	0	0	1	19	20	542.50	750.00	10850.00	9250.00
1926.652(a)(1)	20	0	0	20	0	20	5147.92	14062.50	102958.40	93122.29
1926.1153(c)(1)	19	0	0	19	0	19	2517.83	9375.00	47838.70	42631.20
1926.501(b)(10)	19	0	1	18	0	19	3069.86	9375.00	58327.40	51911.98

Grand Totals: 1879 3 100 1498 278 1334 2,364.42 156,250.00 4,442,636.20 4,019,873.12

- Crystalline Silica – failure to use controls in Table 1 (such as ventilation or wet methods).

Silica Exposure – 1926.1153(c)(1)



Health Hazards SEP

**North Carolina Department of Labor
Occupational Safety and Health Division**

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 135J

Subject: Special Emphasis Program for Exposures to Health Hazards

A. **Purpose and Scope.**

This Operational Procedure Notice (OPN) establishes and implements the North Carolina Department of Labor (NCDOL) Occupational Safety and Health (OSH) Division's Special Emphasis Program (SEP) in accordance with North Carolina General Statute (NCGS) 95-136.1(b)(3) for health inspections where employees may be exposed to chemical health hazards that present high risk for serious or fatal work-related illnesses. The current SEP is intended to reduce levels of occupational exposures to beryllium, respirable crystalline silica, hexavalent chromium (chromium VI), isocyanates, and lead. This instruction applies statewide to establishments under OSH Division jurisdiction.

Health Hazards SEP – Programmed Assignments

- This targeting program starts with our Health and Safety “general schedule” program, which identifies the Class I and II NAICS codes based on DART rate and/or # of serious safety/health violations (nationwide).
- The selected assignments are then further screened to identify those with NAICS codes likely to have silica, lead, chromium VI, isocyanates, or beryllium (typically from Federal OSHA NEPs).
- Those meeting both criteria are placed on a separate list for priority targeting.

Health Hazards SEP

Inspections

Conducted:	97	Attempted:	97
Safety:	9	9.3 %	
Health:	88	90.7 %	

Ownership

Private:	88	90.7 %
Local:	9	9.3 %
State:	0	.0 %
Federal:	0	.0 %

Unprogrammed

Fat/Cat:	0	.0 %
Complaint:	21	21.6 %
Referral:	9	9.3 %
Monitor:	0	.0 %
Variance:	0	.0 %
Followup:	2	2.1 %
Unp Related:	4	4.1 %
Other:	0	.0 %
Accident:	0	.0 %
Referral-ER:	1	1.0 %

Programmed

Planned:	59	60.8 %
Prog Related:	1	1.0 %
Other:	0	.0 %

Other

Other:	0	.0 %
Other-Data NR:	0	.0 %

Violations

Citations Issued: 371

Inspection Percentages

Without Violations:	15	15.5 %
S, W, R Violations:	64	66.0 %
Citations Contested:	7	7.2 %

Citation Types

Other:	229	61.7 %
Serious:	139	37.5 %
Willful:	0	.0 %
Repeat:	3	.8 %
Post Settle:		
FTA's:	0	
Instances:	563	

Penalties

Total Initial Penalty:	\$599,406.30
Total Revised Penalty:	\$502,589.25
Total Initial FTA Penalty:	\$0.00
Total Revised FTA Penalty:	\$0.00
Total Penalty Paid:	\$247,131.68
Total FTA Penalty Paid:	\$0.00



FY2024 Frequently Cited Standards – HH SEP

Standard	#Cited	Willful	Repeat	Serious	Other	#/Pen	Avg Pen\$	Max Pen\$	Tot Init\$	Tot Curr\$
1910.1200(g)(8)	24	0	0	9	15	6	967.19	6250.00	23212.50	16648.00
1926.1153(c)(1)	21	0	0	21	0	21	2739.94	9375.00	57538.70	50931.20
1910.1200(e)(1)	18	0	0	8	10	7	725.00	3125.00	13050.00	11556.25
1910.134(e)(1)	18	0	0	6	12	5	266.67	1800.00	4800.00	3907.50
1910.1200(h)(1)	17	0	0	10	7	4	264.71	2000.00	4500.00	4200.00
1926.1153(g)(1)	16	0	0	15	1	3	296.88	3250.00	4750.00	3780.00
1910.134(c)(1)	13	0	0	5	8	6	407.69	1300.00	5300.00	4845.00
1910.134(f)(2)	10	0	0	4	6	1	200.00	2000.00	2000.00	2000.00
1910.132(d)(2)	9	0	0	0	9	3	550.00	2400.00	4950.00	1200.00
1910.157(e)(2)	9	0	0	0	9	0	0	0	0	0
1903.19(c)(1)	8	0	0	0	8	8	575.00	750.00	4600.00	4200.00
1910.134(g)(1)(i)(A)	8	0	1	2	5	2	843.75	6000.00	6750.00	4650.00
1910.212(a)(1)	8	0	0	8	0	7	3600.30	9000.00	28802.40	25311.92
1910.303(g)(1)(ii)	8	0	0	0	8	0	0	0	0	0
1910.305(g)(1)(iv)(A)	8	0	0	0	8	2	206.25	900.00	1650.00	1245.00
1926.1153(d)(2)(i)	8	0	0	8	0	1	250.00	2000.00	2000.00	2000.00
1910.1200(f)(6)(ii)	7	0	0	1	6	0	0	0	0	0

- The top eight standards cited (and 11 of the top 17) were for health-related violations:
 - hazard communication
 - crystalline silica
 - respiratory protection.

Amputations SEP

**North Carolina Department of Labor
Occupational Safety and Health Division**

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 149A

Subject: Special Emphasis Program for Amputations

A. **Purpose and Scope.**

This Operational Procedure Notice (OPN) establishes and implements the North Carolina Department of Labor (NCDOL) Occupational Safety and Health (OSH) Division's Special Emphasis Program (SEP) for safety and health inspections where employees may be exposed to amputation hazards on machinery due to lack of guarding and/or the failure to utilize energy control procedures. This SEP is intended to reduce occupational exposures to amputations by focusing on employers' lockout/tagout program and use of machine guarding. This instruction applies statewide to establishments under OSH Division jurisdiction.

Amputations SEP

Inspections

Conducted:	185	Attempted:	200
Safety:	158	85.4 %	
Health:	27	14.6 %	

Ownership

Private:	183	98.9 %
Local:	1	.5 %
State:	1	.5 %
Federal:	0	.0 %

Unprogrammed

Fat/Cat:	0	.0 %
Complaint:	13	7.0 %
Referral:	2	1.1 %
Monitor:	0	.0 %
Variance:	0	.0 %
Followup:	2	1.1 %
Unp Related:	6	3.2 %
Other:	0	.0 %
Accident:	0	.0 %
Referral-ER:	60	32.4 %

Programmed

Planned:	101	54.6 %
Prog Related:	1	.5 %
Other:	0	.0 %

Other

Other:	0	.0 %
Other-Data NR:	0	.0 %

Violations

Citations Issued: 337

Inspection Percentages

Without Violations:	56	30.3 %
S, W, R Violations:	122	65.9 %
Citations Contested:	13	7.0 %

Citation Types

Other:	65	19.3 %
Serious:	265	78.6 %
Willful:	3	.9 %
Repeat:	4	1.2 %
Post Settle:		
FTA's:	0	
Instances:	626	

Penalties

Total Initial Penalty:	\$2,015,984.30
Total Revised Penalty:	\$1,664,913.90
Total Initial FTA Penalty:	\$0.00
Total Revised FTA Penalty:	\$0.00
Total Penalty Paid:	\$852,973.35
Total FTA Penalty Paid:	\$0.00



FY2024 Frequently Cited Standards – Amputations SEP

Standard	#Cited	Willful	Repeat	Serious	Other	#/Pen	Avg Pen\$	Max Pen\$	Tot Init\$	Tot Curr\$
1910.212(a)(1)	41	0	0	41	0	40	7059.53	16131.00	289440.70	227998.99
1910.147(c)(4)(i)	33	0	2	31	0	33	10022.72	31250.00	330749.60	280183.83
1910.147(c)(6)(i)	29	0	1	27	1	14	3595.65	15625.00	104273.90	85886.65
1910.147(c)(7)(i)(A)	15	0	1	14	0	8	4794.85	16131.00	71922.70	67797.70
1910.212(a)(3)(ii)	15	1	0	14	0	13	10990.25	80661.50	164853.80	116048.06
1910.219(c)(2)(i)	13	0	0	13	0	13	3284.62	6500.00	42700.00	28774.00
1910.132(d)(2)	10	0	0	0	10	1	75.00	750.00	750.00	487.50
1910.147(c)(1)	10	0	0	10	0	10	4351.79	14062.50	43517.90	34440.50
1910.215(b)(9)	9	0	0	9	0	3	2333.33	8000.00	21000.00	14225.00
1910.219(c)(4)(i)	7	0	0	7	0	5	3285.71	6500.00	23000.00	15394.00
1904.39(a)(2)	6	0	0	1	5	6	3458.33	6500.00	20750.00	15150.00
1910.147(c)(4)(ii)(B)	6	0	0	6	0	6	12064.30	15625.00	72385.80	62829.54
1910.157(e)(2)	6	0	0	0	6	0	0	0	0	0
1910.215(a)(4)	6	0	0	6	0	4	1320.83	5200.00	7925.00	6610.00
1910.219(d)(1)	6	0	1	5	0	6	5811.22	12904.80	34867.30	27896.00
1910.147(c)(4)(ii)	5	0	0	5	0	4	8277.50	15625.00	41387.50	27696.87
1910.147(c)(4)(ii)(D)	5	0	0	5	0	2	4163.70	16131.00	20818.50	16281.25
1910.147(c)(7)(i)	5	0	0	5	0	1	937.50	4687.50	4687.50	3047.00

- 15 of the top 18 standards cited under this SEP are for machine guarding and lockout/tagout violations...which are the issues that commonly result in amputations.

Amputation Accident



Additional Discussion Points

- ITA 2025 – Injury and Illness data submission to Federal OSHA began on January 2, 2025. Includes 300A data and possibly OSHA 300/301 data.
- Worker Walk-Around Rule – adopted by OSHNC at the end of September 2024. 3rd party EE reps may accompany the inspection if the CSHO believes there is value added.
- With the new administration in DC, the status of any new OSHA regulations is certainly up in the air.

OSHNC – Challenges for FY2025 (and beyond)

- Recruiting and retention, especially of Compliance Safety and Health Officers (CSHOs).
 - A significant percentage of our current OSHNC staff is either eligible for full retirement now or will be within the next five years.
- The final 2023 NC budget surprisingly included language that removed OSHNC’s exemption from sending verbatim adoption rules through the NC rules-making process.
 - This could result in new Federal OSHA standards not being adopted within the required 6-month time frame (or at all) – and hence jeopardize our “at least as effective as” requirement for an OSHA state-plan state.

Recruiting – Safety and IH Trainees

- Given the lack of fully qualified applicants for the SCO and HCO positions, we are now hiring *trainees* who have an appropriate bachelor's degree, but no experience...at all.

This position may be filled as Health Compliance Officer (HCO) Trainee if there are no fully qualified HCO I candidates in the applicant pool. The hiring salary for an HCO Trainee is \$58,613. The hiring salary for a fully qualified HCO I is \$62,500.

This position may be filled as Safety Compliance Officer (SCO) Trainee if there are no fully qualified SCO I candidates in the applicant pool. The hiring salary for a SCO Trainee is \$55,823. The hiring salary for a fully qualified SCO I is \$58,000.

Recruiting – Safety and IH Trainees

For HCO Trainee:

Bachelor's degree in chemistry, physics, industrial hygiene, mechanical engineering, or a closely related curriculum from an appropriately accredited institution or an equivalent combination of education and experience. No industrial hygiene experience is required.

Applicants enrolled in an applicable bachelor's or master's degree program will be considered if all degree requirements will be completed by the end of the current semester. Any offer of employment will be contingent upon the applicant providing an official transcript or other proof the degree has been conferred prior to the first day of employment.

- If you know of any soon-to-be college grads with a degree in biology, chemistry, etc. who are undecided on a career, med school, etc., send them our way! We'll pay them \$58.6k with no experience and provide the industrial hygiene training.

So, what have I learned in 30+ years?

- Skylights kill people. They must be covered or guarded. Don't rely on the opinion that "nobody goes up there."
- Zero-turn lawn mowers tip-over on inclines next to water and trap the operator.
- The vast majority of exposure to machinery during servicing and/or maintenance work is to operators and not maintenance personnel. Employees lose fingers WAY more often than you'd expect. Make sure the right folks get LOTO training.
- Strict controls (engineering or administrative) must be in place for any potential pedestrian and truck/trailer interactions on your property. Trucks are unforgiving.
- Employee exposure to a hazard may be occasional, casual or even inadvertent. Some carelessness and negligence *must* be anticipated and expected.

Final Thoughts...

- Thanks so much for your dedication to worker safety and health. It certainly makes a difference.
- It's been an absolute pleasure...
- Moving forward, your NCDOL points of contact:
 - Lee Peacock, West Compliance Bureau Chief. 704-972-6301
 - Nicole Brown, East Compliance Bureau Chief. 919-707-7601
 - Scott Mabry, OSH Director. 919-707-7800

Final Thoughts...

- My contact information after March 31, 2025:

Paul Sullivan

704-591-2990

paulsullivancih@gmail.com

- Go Twins!



Thank You For Attending!

Questions?

1-800-NC-LABOR

(1-800-625-2267)

www.labor.nc.gov

