

New Tack to Curb Construction Deaths

Forums Designed to Lower Workplace Fatalities in Construction Industry

By Dolores Quesenberry
Public Information Officer

The N.C. Department of Labor took a new tack recently to reduce the number of construction workers killed at work.

For the first time, the labor department sought out partners in the private sector to sponsor a series of construction forums aimed at helping construction companies—and their employees—become aware of where lethal dangers lie at the workplace.

The first-ever forums were sponsored in Goldsboro and Dallas, near Charlotte, to give employers the opportunity to send their representatives and employees without having to contend with too much travel.

“I wish we could have had 10 of these seminars, but this is a good start,” Labor Commissioner Cherie K. Berry said. “This is the beginning of a partnership that will help us reach out and make people aware of the simple steps we can take to safeguard our workers.”

Berry, who has encouraged innovation at the labor department, including the country’s first mobile safety training classroom, pushed the seminars as a way to reduce construction fatalities.

Although North Carolina recently experienced a dramatic overall drop in

workplace fatalities, the construction industry suffered an increase in fatalities. In 2001, the industry saw the death figure rise to 51 from the previous year’s total of 47. Overall work fatalities fell from 234 in 2000 to 203 in 2001.



Commissioner Cherie Berry addresses attendees at the first Construction Forum.

Berry opened the first forum in Goldsboro on March 6. She began by asking those in the audience to stand and begin counting off. Berry stopped the count when the number reached 51 and asked the remaining attendees to sit down. She addressed those still standing.

“You represent the 51 construction workers who died while working in 2001,” Berry said. “Your families and your co-workers miss you. We miss you.”

Labor officials and industry safety experts stressed the importance of

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employees watching out for fellow workers. They said that most construction fatalities are avoidable, which make resulting fatalities for survivors more difficult to deal with. Industry experts said fall-related accidents especially were relatively easy to avoid. Yet, they said, falls accounted for 38 percent of construction fatalities in 2001.

Kevin Beauregard, deputy director of the Occupational Safety and Health Division, said 13 construction workers fell to their deaths in 2001. Of the 13 who died, none was secured with fall protection equipment. One worker was actually found dead lying next to his unused safety harness.

Another factor contributing to the rise in construction fatalities in North Carolina is the influx of Hispanic workers in the construction industry. According to Jesse Mendoza, safety compliance officer, North Carolina’s Hispanic population grew 394 percent in the 1990s—a growth rate higher than anywhere else in the country.

Most of the Hispanic immigrants fill some of the most dangerous and least-desirable jobs in the construction industry. Communication barriers, coupled with high-risk low-paying jobs, have contributed to the rise in fatalities.

Labor officials are hoping that the forums will lead to a reduction of construction fatalities for 2003.

Look for new features
in this issue of the Labor Ledger!



From Commissioner Berry

Spring is a busy time of year at the N.C. Department of Labor. Safety awards banquets are under way, migrant workers are being trained, safety and health schools are being conducted throughout the state, and construction sites are picking up steam as they enter their busiest time of year.

This spring I'd like to see all employers and employees across the state of North Carolina renew their commitment to safety and health in the workplace.

Take advantage of the free programs offered by the N.C. Department of Labor.

Call and schedule a training session with Labor One, NCDOL's school on wheels. Labor One brings the training to your front door to eliminate traveling costs to employees. Labor One reaches out to the Hispanic workforce by providing safety and health training in Spanish if needed.

To schedule a safety training session with Labor One, simply call 1-800-NC-LABOR to make a reservation.

Cherie Berry
Commissioner of Labor



Cherie K. Berry
Commissioner

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Defibrillators Could Save Lives in the Workplace

By Steve Sykes
State Plan Coordinator

What do a 43-year-old forklift operator, 43-year-old computer programmer, 51-year-old high school soccer coach and 75-year-old grocery store employee have in common?

They all died on the job of an apparent heart attack this year in North Carolina.

In every case, the victim became ill near co-workers and complained of chest pains and physical distress.

While co-workers hurried to call for emergency medical assistance, the next few minutes were critical to the victims. If medical attention such as the use of an automated defibrillator is applied during this critical period, the chances for survival are much better.

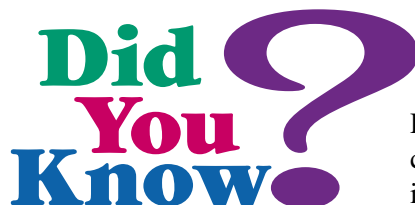
According to the U.S. Occupational Safety and Health Administration, cardiac disease leads to about 1 million deaths a year. One-third of these deaths are due to cardiac arrest—the sudden and unexpected loss of heart function—and about 400 people die on the job annually in the United States from heart attacks.

Survival rates for out-of-hospital heart attacks are only 1 percent to 5 percent. Most often, cardiac arrest is due to chaotic beating of the heart (ventricular fibrillation), which can be restored to a normal rhythm if treated with electric shock.

Some health experts have urged employers to consider the purchase of automated external defibrillators as part of their workplace safety and health programs. Although defibrillators can sell for between \$3,000 to \$4,000, prices have dropped since defibrillators were first introduced.

Health experts cite ease of use as one of the advantages. Defibrillators today come with instructions that enable laymen to use the equipment effectively. Studies have shown that untrained people can use the defibrillators to good effect during the critical first three minutes after a cardiac arrest. The airline industry and casinos have used defibrillators successfully.

A technical information bulletin, "Cardiac Arrest and Automated External Defibrillators," is available at <http://www.osha.gov>. The bulletin includes references and links to additional information.



Did you know that the average age of construction workers killed on the jobsite is 38 years old?

Did you know that falls account for the greatest number of fatalities in the construction industry?

Did you know that North Carolina's Hispanic population grew 394 percent in the 1990s—a growth rate higher than anywhere else in the country?

Look for more *Did You Know* features in future issues of the *Labor Ledger*.

Workplace Worries



How do I obtain an application for a youth employment certificate or work permit?

Go to our Web site, www.nclabor.com. The Web link to obtain an application for a youth employment certificate, including instructions for youths under the age of 18, is under the “Divisions/Programs” and then the “Wage and Hour” link. Some counties issue work permits in designated locations such as high schools and public libraries.

The work permit must be completed and signed by the youth’s employer and parent or guardian. To obtain a work permit, you must provide a birth certificate, passport or North Carolina driver’s license as proof of age. The youth signs the work permit in the presence of an

issuing officer at the Department of Social Services office or designated location. The work permit must be returned to the DSS county office that the youth will be working in. To check for designated locations in your county, visit www.dhhs.state.nc.us/dss.

What are the hourly and employment restrictions for teenagers?

Generally, 14- to-15-year-olds can work no more than three hours on a school day and eight hours when it is not a school day. They can only work between the hours of 7 a.m. and 7 p.m. When school is not in session, they can work until 9 p.m., but only from June 1 until Labor Day. They cannot work more than 40 hours a week when school is out and no more than 18 hours per week when school is in.

Youths who are 14 or 15 years old can only work in retail and service jobs such as fast food restaurants, movie theaters, clothing stores, shoe stores, department stores, grocery stores and convenience stores. They may also perform clerical duties or office work. Seasonal jobs with amusement parks,

water slides, outdoor dramas and city/county recreational programs also are acceptable.

No one under 16 can work in manufacturing, processing, construction and public utilities such as electric generating companies, water and sewage companies, and LP gas companies. No one under 16 can work in an establishment that holds an on-premises liquor permit, usually a restaurant, golf course or country club. Youths may work on the outside premises with written consent from a parent or guardian as long as the youth is not involved with the preparation, serving, dispensing or sale of alcoholic beverages.

One final note, no one under 16 can operate power driven equipment as part of their employment. This includes, but is not limited to, lawn mowers—both push and rider—weed eaters, paper shredders, and golf carts—both electrical and gas powered.

For more information, contact the N.C. Department of Labor’s Wage and Hour Bureau at 1-800-NC-LABOR or visit our Web site at www.nclabor.com.

DEADLY *Mistakes*

By Steve Sykes

What Happened: On a residential construction site, three men were placing a sheet of plywood over a window to protect the glass. Because of the window height, the job could not be done from the ground. The workers used the bucket of a backhoe to position the plywood to the required elevation. Two

employees climbed into the bucket with the sheet of plywood. The bucket was raised about 4 feet to complete the job. The backhoe operator noticed the two workers in the bucket needed help maneuvering the plywood. As the operator jumped from the cab of the backhoe, the strap from his body harness looped around the bucket control lever, pulled it forward, and caused the bucket to tilt with the employees and plywood in it. The operator eventually freed himself and checked on the employees in the bucket. He found one of the workers crushed between the plywood and the building.

Findings: The employer failed to instruct his employees how to recognize and avoid unsafe conditions as required by Construction Industry Standard 1926.21(b)(2). The backhoe operator indicated that he had little training in the operation of the backhoe, and that safety rules were not provided in Spanish. All of the workers involved with the job were Hispanic. The employer also failed to provide his employees with conditions of employment and a place of employment free from recognized hazards as required by NCGS 95-129(1) regarding the use of the backhoe bucket as a work platform.

Recommendations: Employers need to provide all employees with on-site equipment training. Employees need to be trained on company-owned equipment as well as rental equipment. Hazards associated with the operations of material handling equipment and construction vehicles constitute one of the leading causes of injuries and death on construction sites. Operation of construction equipment requires specific training and instruction. The equipment operations manual should also be available in a language the operator can understand. Statistics indicate that one in five Americans does not speak English at home. Employees should never use a backhoe bucket as a work platform or personnel carrier. In this incident, the employees had not been provided with training in hazard recognition nor did they realize that working from a bucket could have dangerous consequences.

Safety Awards Banquets Under Way Statewide

Lumberton hosted the first safety awards banquet of 2003. Safety awards have also been presented to area businesses in Lincolnton, Asheboro, Concord, Roxboro and Sanford. For more information regarding the upcoming safety award banquets, contact LaFonda Mauldin, NCDOL safety awards coordinator, at (919) 807-2908.

The awards require that businesses record no fatalities at the site during 2002. Following is the safety awards schedule for the remainder of this year's banquets. (The schedule is subject to change.)

April 24	Greenville, N.C.	May 20	Rockingham, N.C.	June 5	Asheville, N.C.
April 29	Oxford, N.C.	May 21	Statesville, N.C.	June 10	Durham, N.C.
April 30	Wilson, N.C.	May 22	Charlotte, N.C.	June 11	Kinston, N.C.
May 1	Wilmington, N.C.	May 22	Albemarle, N.C.	June 12	Shelby, N.C.
May 6	Clinton, N.C.	May 28	High Point, N.C.	June 17	Rocky Mount, N.C.
May 14	Burlington, N.C.	May 29	Gastonia, N.C.	June 19	Hickory, N.C.
May 15	Mount Airy, N.C.	May 30	Lexington, N.C.	June 24	Morganton, N.C.



NCDOL

Check the NCDOL calendar each month for the latest updates regarding safety workshops, seminars and other important labor-related events.

The calendar will keep you informed of training opportunities throughout the state.

For more information and accurate updates, call the numbers provided below the event.

May

- 6-9** 73rd Annual N.C. Statewide Safety Conference
For information, contact Anne Hill at (919) 807-2603.
- 15** Apprenticeship and Training Awards Ceremony
NEW LOCATION: N.C. State Fairgrounds, Raleigh, N.C.
For information, contact Shirley Barnhill at (919) 733-7533.
- 19-23** OSHNC 30-hour Awareness Workshop
Sheraton Atlantic Beach, Atlantic Beach, N.C.
For information, contact Lauren Kash at (919) 807-2896.
- 28-29** Construction Industry Awareness Workshop
Rowan-Cabarrus Community College, Concord, N.C.
For information, contact Myrton Hall at (919) 807-2966.

July

- 15** Independent Star Assessor (ISA) Training
For information, contact Leonard Mangum at (919) 807-2922.
- 24-25** Wilmington Safety and Health School
Wilmington, N.C.
For information, contact Cindy Wetherwax at (919) 807-2894.

August

- 12-13** General Industry Awareness Workshop
Halifax Community College, Weldon, N.C.
For information, contact Willa Dickens at (252) 536-2241.
- 20-21** Construction Industry Awareness Workshop
Robeson Community College, Lumberton, N.C.
For information, contact Myrton Hall at (919) 807-2966.

NCDOL Introduces New Mining Star Program

N.C. Department of Labor officials announced recently the creation of a new mining program aimed at reducing the number of workplace injuries and fatalities in North Carolina.

The program—called Mining Star—is designed to encourage mine and quarry operators to maintain low injury and illness rates by implementing and maintaining effective safety and health programs.

“We were able to reduce injuries and fatalities last year,” Mine and Quarry bureau chief James Turner said. “This is a new program that we think will help us keep moving in the right direction.”

The new program will recognize mine and quarry sites with low injury and illness rates in the hope that other companies will adopt similar safety measures to protect their employees.

There are 450 active mines in the state with more than 4,850 miners and contract workers.

To reach Mining Star status, the average for the injury and illness rates and the lost/restricted workday injury and illness rates for the last three years must be below that of the industry.

The labor department’s Mine and Quarry Bureau has administered state laws on the operation and inspection of mines and quarries since 1897. The bureau was one of the first units established in the labor department.

The bureau serves as the administrator of the 1975 Mine Safety and Health Act of North Carolina. It offers a broad range of education and training programs, technical assistance, and consultative services to enforce provisions of the act.

For additional information about the Mining Star program, contact Turner at jturner@mail.dol.state.nc.us or (919) 807-2790.

Cooper Crouse-Hinds Honored for Outstanding Safety Performance

LaGrange—The Cooper Crouse-Hinds facility here had some celebrating to do recently. The plant received one of parent company Cooper’s highest safety awards—the annual Take Charge Bi-Star award.

The award is given to plants whose management and employees show the highest level of consistent safety performance.

The facility’s accident record of over three years—1.5 million man hours without a lost time accident—made the facility one of the safest in the United States.

N.C. Labor Commissioner Cherie K. Berry attended the luncheon in LaGrange to congratulate Cooper employees and thank them for helping North Carolina reduce workplace injuries and illnesses in 2001.

“Not only have you maintained an outstanding safety program within your company, but you also played a role in reducing the number of injuries and illnesses in our state,” Berry said.



Front (l-r): Commissioner Cherie K. Berry, NCDOL; Dwight Smith, human resources manager; Jeff Measley, general manager. **Back (l-r):** Sen. John H. Kerr; Woody Gurley, mayor of LaGrange; Steve Sisney, president, Cooper Crouse-Hinds; Tom Bonk, division director SEF.

The injuries and illnesses reported in the workplace in 2001 dropped to 4.8 for every 100 full-time employees from the 5.3 of the previous year.

Cooper Industries employs 1,713 workers in North Carolina and 15,409 workers worldwide. Cooper Industries is a leader in the global electrical products marketplace. The company manufactures thousands of products used around the world.

Have labor-related questions? Call ...

1-800-NC-LABOR



Frequently Cited Violations: A Guide to Common Workplace Oversight

By Nancy Wooten
Safety Compliance Officer

General Industry and Construction

29 CFR 1910.1200(e)(1): Written Hazard Communication Program. From Jan. 1, 2002, to Jan. 12, 2003, this standard was cited during 548 inspections. The standard helps to ensure that chemical hazards are evaluated and that the information is passed along to employees.

The Hazard Communication Standard is about 17 pages in the N.C. Occupational Safety and Health Standards for General Industry. The standard provides specific instructions on hazardous chemicals in the workplace. An employer's hazard communications program must include and address the following items:

1. A written policy that includes the company's intentions on how to deal with hazardous chemicals. The policy must include topics such as labeling requirements; material safety data sheet use and availability; a chemical inventory; a list of non-routine hazardous tasks, if applicable; contractor responsibilities; and training.

2. A labeling system for all containers used to store chemicals for more than one work shift.

3. A system for collecting, maintaining and providing availability of all material safety data sheets (MSDS) for chemicals used and stored in the facility.

4. Development and maintenance of a chemical inventory that lists all hazardous chemicals stored on site by means that can be cross referenced to MSDSs and labels.

5. Development of a list of non-routine tasks (if applicable) employees may perform that could expose them to hazardous chemicals.

6. Implementation of a plan on how outside contractors (or subcontractors in construction) will be informed of the chemical hazards located in the facility, if applicable.

7. Development and documentation of hazard communication training so employees will be aware of the requirements of the HAZCOM program, as well as the presence of hazardous chemicals used and stored on site.

Stephanie Herman, health compliance officer, also contributed to this article.

Click below for Spanish translation.

Click here for the translation in Spanish.

Subscribers Respond Favorably to New Ledger

Following the release of the first electronic edition of the *Labor Ledger*, we received dozens of e-mails from new and existing subscribers. The response has been overwhelmingly positive and your feedback is greatly appreciated. Thank you!

Here is a sample of the subscriber comments we received.

"Just took a look at the first issue of the *Labor Ledger*. Fantastic Job!"

Kim Plaster, Kay Chemical Company

"Extraordinary! Thank you so much, NC *Labor Ledger*, for my first newsletter. The format of the letter makes it very reader friendly and it contains lots of valuable information."

A Very Pleased Reader,

Carol P. Mitchell, Custom Frame Works, Inc.

"I love this! Thanks."

Melanie Snow, Moore & Van Allen

"GREAT JOB, been waiting for this for a long time."

Mel Rosas, Carolinas AGC

"As a long time subscriber of the *Labor Ledger* I really enjoyed this 1st pdf issue. I read it from screen to screen. Many thanks. Looking forward to the next issue."

Leighton Dowdle

If you have questions, comments or suggestions regarding the *Labor Ledger*, contact Dolores Quesenberry at dquesenberry@mail.dol.state.nc.us or by phone at (919) 733-0348.

Efforts Made to Improve Safety and Health in Long Term Care Industry

By Kevin O'Barr
Education and Training Specialist

The N.C. Association of Long Term Care Facilities, N.C. Association of Long Term Care Facilities Educational Foundation, and N.C. Department of Labor met recently to sign an alliance agreement. The agreement formalizes a relationship to improve working conditions for long term care employees.

The three partners recognize the value of establishing a collaborative relationship to foster safer and more healthful working conditions for long term care employees. The labor department, along with the two private sector groups, will work together to accomplish training and education goals they have set. They also will promote statewide dialogue on workplace safety and health.

“We have worked together for seven years,” said Les Kafel. “The association and its members have been very responsive and are great working partners.”

The work and cooperation extends to other NCDOL bureaus. Leonard Mangum of Consultative Services recently attended the NCALTCF board of directors’ meeting to promote the various safety recognition programs.

The labor department’s Education and Training Bureau already has offered four workshops this year highlighting NCDOL’s new focus on long term care facilities.

“It has been exciting to work with this industry and I am glad to see it continue,” Kafel said. “Our bureau will continue to offer these informative workshops as part of this alliance.”

The U.S. Occupational Safety and Health Administration and the National Association Directors of Nursing Administration in Long Term Care also formalized an alliance agreement in April 2003.



Seated (l-r): Les Kafel, NCDOL ETTA bureau chief; Belinda Wilson, director NCALTCF Education Foundation. Standing (l-r): Lou Wilson, director NCALTCF; John Johnson, director NCDOL OSH.

19th Annual Apprenticeship and Training Awards Ceremony Scheduled for May 15 in Raleigh

The N.C. Department of Labor is hosting its Apprenticeship and Training Awards Ceremony in May.

Barry Judge, the labor department’s bureau chief for Apprenticeship and Training, is excited about bringing the apprenticeship community together for another year.

“This is an opportunity for us to explore ways to help improve our performance and share best practice as employers, employees, mentors, educators and students,” Judge said.

During the ceremony, awards will be presented for Outstanding Apprentice for the first, second, third, fourth and fifth year; Outstanding Apprenticeship Programs; Outstanding On-the-Job Training Program; Outstanding

On-the-Job Trainee; Outstanding Individuals Contributing to Apprenticeship; Outstanding High School Apprentice; Outstanding High School/High School System; Outstanding Master Craftsman Program; and Outstanding Master Craftsman.

The awards ceremony is scheduled to begin at 10 a.m. on May 15 at the Gov. Holshouser Building at the N.C. State Fairgrounds. The theme for this year’s ceremony is “Celebrating Excellence in Apprenticeship.”

For more information, contact the Apprenticeship and Training Bureau at (919) 733-7533 or visit us on the Web at <http://www.nclabor.com/appren/forum/ceremony.htm>.



Bulletin Board

Safety Videos Available Through Labor Library

If you would like to borrow a video from the NCDOL Library on tilt-up construction or other occupational safety and health topics, call (919) 807-2848 or visit our Web site for a complete listing of all videos.

FREE Labor Law Posters Available

FREE labor law posters are available by calling 1-800-NC-LABOR.

Employers are required to display the posters in their businesses where workers can see them.

The information on the poster is provided in both English and Spanish.

Access all Web sites mentioned in the Ledger by clicking on the link!

Tilt-Up Wall Industry Alert Available on Labor Web Site

To access the Tilt-Up Wall Industry Alert publication, click on the logo header below.

NCDOL INDUSTRY ALERT
Division of Occupational Safety and Health

NC LABOR LEDGER

The *NC Labor Ledger* is a free publication offered by the N.C. Department of Labor.

The *Ledger* is issued electronically during the months of February, April, June, August, October and December.

The *Ledger* provides employers and employees with information about workplace safety, education and training, wage and hour laws, inspections, elevators and amusement rides, etc.

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