



Labor LEDGER

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Workplace Deaths in NC Drop 39 Percent

By Dolores Quesenberry
Communications Director

Workplace fatalities dropped 39 percent in 2013 based on preliminary figures released in January by the N.C. Department of Labor. Fatalities dropped from 38 in 2012 to 23 in 2013. The number of workplace fatalities in 2011 was 53.

“The Department of Labor is pleased that the number of fatalities is lower, but the only acceptable number is zero,” Labor Commissioner Cherie Berry said. “We are encouraged by a 39 percent drop, but I never lose sight of the fact that these are human lives lost at work. The average age was 44 years old. These were fathers, husbands, sons, brothers, co-workers and friends. I believe North Carolina is benefiting from increased awareness of safety and health in both private industry and the government, but we must do better.”

The Occupational Safety and Health Division has identified four hazards known as “the big four” that have caused 80 percent of the work-related deaths in North Carolina during the past decade. The leading cause of the work-related fatalities in 2013 was struck-by events with 11. Six workers died in falls from elevations, and three workers died after being caught in/between objects. One was electrocuted. Two workers died from inhalation of toxic fumes, which is not one of the big four hazards.

“All of us—safety professionals, employers and employees—must do better in identifying struck-by hazards, which represented nearly half of the fatalities last year,” said Allen McNeely, director of the OSH Division. “Staying vigilant around heavy machinery and construction material is critical.”

The Labor Department’s OSH Division has taken a proactive approach to help prevent injuries, illnesses and fatalities in North Carolina workplaces by establishing partnerships with some of the most hazardous industries. The division also issued hazard alerts regarding forklifts, struck-bys, heat stress and firefighter safety after identifying problems in those areas in previous years.

“The OSH Division will continue its outreach to employers and employees with hazard alerts, industry guides and posters, as well as focused training,” McNeely said. “Falls and struck-by accidents can and should be avoided.”

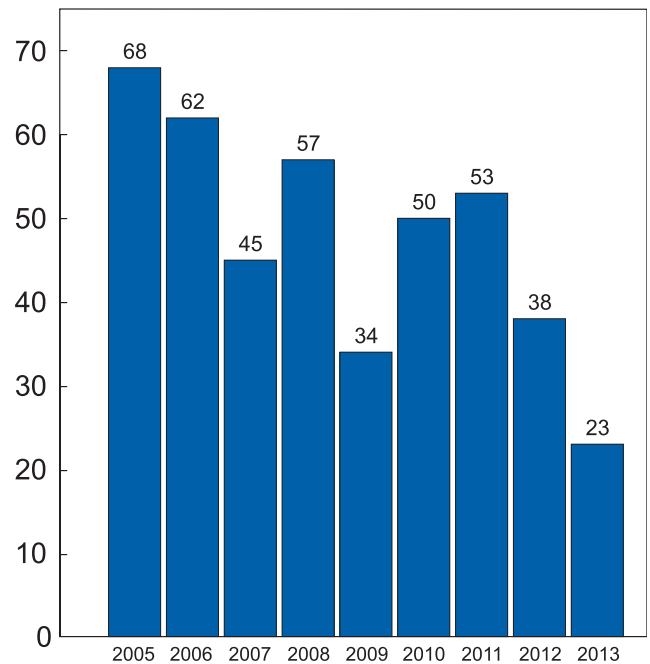
The state’s latest injury and illness rate for private industry achieved an all-time low of 2.9 per 100 full-time workers in 2012. The U.S. Bureau of Labor Statistics compiles the injury and illness rate data. Based on the most recent data released by the BLS, North Carolina was one of 15 states with a rate statistically lower than the national average of 3.4.

Construction and agriculture, forestry and fishing were the two leading industries for fatal accidents with seven apiece in 2013. The number of fatalities in construction decreased from 10 in 2012, and the number in agriculture, forestry and fishing stayed the same as in 2012.

There were four fatalities in manufacturing, a decrease from six in 2012. Retail trade experienced two fatalities, and wholesale trade experienced one in 2013. There was one fatality in the transportation and public utility industry as well as one in the services industry.

There were no work-related fatalities in 80 of North Carolina’s 100 counties. Buncombe, Forsyth and Mecklenburg experienced two fatalities each. There were 17 counties that experienced one fatality.

Whites accounted for 12 of the 23 workplace fatalities. Blacks accounted for one, and Hispanics for 10. Men accounted for all of the fatalities.



Workplace fatalities in North Carolina were at a record low in 2013 according to preliminary figures released in January.



From Labor Commissioner Cherie Berry

As we begin a new year, it is time to reflect on the previous one. The number of workplace fatalities decreased 39 percent in 2013. While it is the lowest number of workplace fatalities we've ever recorded, the only acceptable number is zero. I never lose sight of the fact that these are human lives lost at work. The average age was 44 years old. These were fathers, husbands, sons, brothers, co-workers and friends. I believe North Carolina is benefiting from increased awareness of safety and health in both private industry and the government, but our goal must always be to do better.

I have met many of you at safety award banquets, and I commend you for making safety a priority. I ask that you spread the word in your community. Help other business people recognize how a commitment to safety improves the bottom line.

If you have not participated in our Safety Awards Program, I encourage you to start. Even if your company does not qualify for an award, the process of looking at the information gathered for the application can help you improve the safety and health of your employees.

We are here to help if your workplace safety and health program needs improving. Give us a call at 1-800-625-2267 if you'd like more information about our consultative services or education and training resources.

Cherie Berry



Cherie Berry
Commissioner of Labor

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Recognition Roundup

Recognition Roundup identifies businesses that qualify for one of the N.C. Department of Labor's recognition programs. Congratulations to all of the recent award recipients. To view a complete list of all North Carolina Star recipient companies, click **here**.

To view a complete list of all North Carolina general industry SHARP companies, visit www.nclabor.com/osha/consult/sharp_sites.pdf.



Safety and Health Achievement Recognition Program (SHARP) Award

- Gaston Skills Inc., *Gastonia*
- Roanoke Cement Co., LLC, *Castle Hayne*
- Tarheel Electric Membership Association Inc., *Raleigh*
- Tandemloc Inc., *Havelock*



Carolina Star Sites

- Corning Cable Systems, Hickory Manufacturing and Technology Center, *Hickory*
- Oldcastle Precast Inc., *Concord*
- Pfizer Inc., *Sanford*
- Frito-Lay Inc., *Charlotte*
- Valspar Inc., *Charlotte*
- Butterball, LLC, *Mount Olive*



Building Star Site

- D.H. Griffin Construction Co., *Raleigh*

Understanding the OSHA Inspection Process: A Graphic Recording

On Dec. 6, safety education training specialist Jesse Mendoza gave a talk on the inspection process at Carolina Management Team (CMT Coatings and Concrete Repair). Breah Parker participated in the training. She sketched Jesse's presentation in the accompanying graphic recording.

"Breah has a growing following with N.C. municipalities and the business community, and we have helped impact understanding and learning by adding her to meetings," said Wendy Banks, CMT co-owner. "She is especially talented at taking rather dry and complex information and graphically highlighting the message in real time."



Labor Department Urges Businesses to Apply for Safety Awards

By Dolores Quesenberry
Communications Director

The N.C. Department of Labor is now accepting applications from businesses that qualify for a workplace safety award. Safety awards are given to companies that have above-average worker safety and health programs.

"A safety award shows employees and the community that you are committed to a safe work environment," state Labor Commissioner Cherie Berry said. "A good safety record is something to be proud of, and businesses deserve to be recognized for their efforts."

Businesses that qualify for the award must meet two requirements. They must be free of fatalities at the site for which they are applying. The site's injury and illness rate also must be at least 50 percent below that of their industry's average rate.

Award recipients will be honored in their communities throughout the state at safety awards banquets co-sponsored by the N.C. Department of Labor and local chambers of commerce and other organizations.

For more information on the Safety Awards Program or to download an application, go to the NCDOL website, www.nclabor.com/osha/etta/safety_programs/safety_award.htm. The deadline for submissions is Feb. 15.

Posting of Injury and Illness Summary Required

Employers must post OSHA Form 300A: Summary of Work-related Injuries and Illnesses

By Neal O'Briant

Public Information Officer

Employers are reminded that they must post a summary of work-related injuries and illnesses that occurred in 2013. The N.C. Department of Labor requires the summary be posted from Feb. 1 through April 30.

Most employers must keep a Log of Work-Related Injuries and Illnesses (Form 300) that records work-related fatalities, injuries and illnesses. The Summary of Work-Related Injuries and Illnesses (Form 300A) is compiled from the data on the log. Companies without any injuries and illnesses should post the summary with zeroes on the total lines. A company executive must certify that they have examined the OSHA 300 Log and that they reasonably believe that the annual summary is correct and complete.

"This posting requirement is an important way employers keep their employees informed about safety and health conditions in the workplace," said Wanda Lagoe, bureau chief of the Education, Training and Technical Assistance Bureau.

Companies that had 10 or fewer employees at all times during the previous calendar year are exempt from keeping injury and illness logs and posting summaries. Certain businesses classified in a specific low-hazard retail, service, finance, insurance or real estate industry are also exempt from keeping injury and illness logs and posting summaries unless requested to do so for survey purposes.

For more information about recording criteria or for a list of exempt industries, contact the Education, Training and Technical Assistance Bureau at 1-800-625-2267 or locally at 919-807-2875. To download a free copy of the OSHA 300, OSHA 300A or OSHA 301, as well as recordkeeping instructions, visit our website at www.nclabor.com, click on the *Publications* tab, then click on the *Forms* link.

WORKPLACE WORRIES

By Val Eucare

Wage and Hour Administrator

Q: *Has the minimum wage in North Carolina gone up?*

A: No. The minimum wage in North Carolina remains \$7.25 an hour. You may have heard about increases in the minimum wage rates in other states. Under the Wage and Hour Act of North Carolina, our state's minimum wage rate is tied to the federal minimum wage. If Congress passes a law to increase the federal minimum wage, then our state's minimum wage would increase as well.

The General Assembly could change the minimum wage under the Wage and Hour Act of North Carolina to one higher than the federal minimum wage. Under the rules of the General Assembly, however, such an action would have had to have passed one chamber last year (during what is called the "long session") for it to be eligible for passage this year (in the "short session.") It did not.

Q: *What are my rights as a full-time employee if I miss work during a winter storm when state officials ask people to stay home and off the roads?*

A: State officials do not have the authority to close private businesses because of weather conditions. How an employer treats employees during adverse weather falls under the concept of "employment at will." Employment at will means that unless there is a specific law to protect employees or unless there is an employment contract providing otherwise, the employer may treat its employees as it sees fit. The employer can hire or discharge employees at the will of the employer for any reason—or for no reason at all.

It is entirely up to each individual employer whether or not to allow employees to use vacation time to make up the time lost.

Employers are not required by law to have an adverse weather policy for employees. The employer can simply inform its employees—part-time, full-time or temporary—that they must report to work whenever the business is open, regardless of the weather and road conditions. Even if your company has an official adverse weather plan, there are no labor laws stating that your employer must give employees the opportunity to make up time not worked because of bad weather.

If an employer establishes an adverse weather policy, then under North Carolina law, the employer must make the employment practices and policies regarding promised wages available to its employees, either in writing or through an easily accessible posted notice.

Free **ReadyNC app** is available in the AppStore for iPhones and Google Play for Android devices. Download this all-in-one tool for emergency preparedness. The app includes:

- Current weather conditions.
- Real-time traffic conditions where you are, by route or region.
- Power outages near you and where you can report outages.
- Open shelters near you (including which accept pets).
- Counties being evacuated.
- How to prepare for and be safe during typical hazards that impact N.C.
- How to create an emergency plan and kit.
- Real-time information from stream and river flood gages near you.
- Who to contact for assistance when disasters strike.



DEADLY Mistakes

By Steve Sykes
State Plan Coordinator

Accident Event: A 25-year-old tobacco harvester operator was killed on July 22, 2013, when he was pulled into the harvester while attempting to unclog it.

Investigative Findings: The machine operator was harvesting tobacco using a mechanical tobacco harvester. There were a number of moving parts on the harvester when in operation including multiple conveyor belts. It was common for the harvester to become clogged as a result of the harvesting process. When this occurred, procedures called for the operator to remove the clog by idling down the engine on the harvester and turning off all other moving parts including the defoliators and the conveyor belts. However, interview statements taken during the investigation indicated that the victim had been seen unclogging the conveyor without stopping all moving parts.

On the day of the accident, a co-worker observed that the harvester had stopped and began to investigate to see if there was a problem. He found the operator caught in a conveyor belt, and he was unable to pull the victim free. The victim was finally freed after the conveyor belt was removed.

When manufactured, the harvester was equipped with a dead-man switch. The purpose of the switch was to stop all moving parts of the harvester, except the engine, when the operator got up from the seat. However at some point, the harvester had been modified so that the dead-man switch did not work as designed to shut off all rotating parts.

Discussion: Fatality statistics confirm that farm work continues to result in employee injuries and deaths. There has been at least one agricultural fatality annually in North Carolina in recent years. In 2013, the N.C. Department of Labor investigated three

farming fatalities. The deaths resulted from a tobacco box falling on an employee and carbon monoxide poisoning in addition to this machine operator event.

This list of fatalities reflects the variety of hazards that are present in an agricultural setting. There may have been other farm fatalities in 2013, but the NCDOL only investigates those fatalities within its jurisdiction. Farms with 10 or fewer employees that do not maintain a migrant labor camp are exempt from NCDOL inspections. The small farm exemption was established by Congress in 1976 soon after the federal Occupational Safety and Health Act was passed.

Recommendations:

- ✖ Work should not be done on powered equipment when contact with moving parts is possible.
- ✖ Before servicing, adjusting, cleaning or unclogging equipment, the power source should be disconnected. No work should be done on equipment until machine movement has stopped.
- ✖ Equipment should not be modified to disable the dead-man switch.
- ✖ The equipment's operations manual should be used to help establish safe procedures for operation, adjustment and maintenance of equipment.
- ✖ At the time of initial assignment and annually thereafter, employees should be provided training in the safe operation and servicing of powered machinery. When equipment is added to the work environment, additional training must be provided.
- ✖ Machine guards should be in place when machinery is in operation and replaced after working on equipment.

New Hazard Alert on the Dangers of Type 1.4S Explosives

By Neal O'Briant
Public Information Officer

The Occupational Safety and Health Division's Education, Training and Technical Assistance Bureau has issued a new hazard alert on the dangers of type 1.4S explosives.

An explosion occurred during the construction of a parking deck while an employee was using a type 1.4S explosive cartridge device working at the bottom of a 19-foot shaft. The employee was setting the cartridges to blast rock. To use the firing device and cartridges, a worker drills into the rock, places one or more cartridges in the hole, and sets the firing device. The worker then exits the area and sets off the explosive from a safe distance. In this instance, a cartridge failed to fire. The employee re-entered the shaft and attempted to drill a parallel hole in which to put another explosive cartridge. The drill accidentally entered the original hole and set off the explosive that was still there, causing serious injury to the driller.

Many manufacturers refer to type 1.4S explosives as "rockbreaking tools" instead of as explosives. These explosives deflagrate rather than detonate, which does make them less hazardous than conventional explosives. The risk of injury, however, is not eliminated. These tools are sold by several manufacturers in a variety of sizes under many different brands.

"Everyone using type 1.4S explosives needs to be aware of the hazards they present," said Bobby Davis, safety standards officer. "Learning how to use these explosives safely can prevent serious injuries."

Click [here](#) to read the hazard alert.





Bulletin Board

Mine and Quarry Training

Part 46 New Miner Training

Feb. 11, Winston-Salem

Feb. 18, Stanley

March 10-12, Wake Forest

Part 46 Annual Refresher Training

Feb. 13, Winston-Salem

March 13, Wake Forest

March 26, Charlotte

Part 48 New Miner Training

Feb. 18-20, Greensboro

March 11-13, Statesville

March 24-26, Wake Forest

Part 48 Annual Refresher Training

Feb. 17, Greensboro

March 14, Statesville

March 27, Wake Forest

First Aid Training

Feb. 12, Winston-Salem

Feb. 19, Stanley

For details and to register for any of these seminars or classes, contact the Mine and Quarry Bureau at 919-807-2790.

10-Hour Construction Industry Awareness Courses

Feb. 5-6

OSH Charlotte Field Office

Click [here](#) for more information.

Feb. 10-11

Wake Technical Community College

Western Wake Campus, Cary

Click [here](#) for more information.

Top Four Hazards in the Construction Industry—Spanish

Feb. 25, Raleigh

March 4, Charlotte

April 8, Asheville

April 22, Winston-Salem

Aug. 26, Wilmington

Click [here](#) for more information.

OSH Webinar Courses

Visit the OSH Training Schedule Calendar [here](#) to view upcoming Internet training courses. Past topics include steel erection, concrete and masonry, arboriculture safety, walking and working surfaces, personal protective equipment, hand and power tools, and excavations and trenching. Check the calendar for new courses being added soon.

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Charlotte Regional Safety and Health School

April 10-11

Crowne Plaza Charlotte Executive Park

Visit www.charlottesafetyschool.com for more information.