

# NC Labor

## LEDGER

July/August 2005

## Communication Tower Rules in Effect

*State to hold training sessions for the tower industry*

By Heather Crews  
Public Information Officer

The country's first workplace safety rules on communication towers are now in effect in North Carolina.

The Rules Review Commission approved nine safety rules proposed by the state Department of Labor. Seven of the rules became effective May 1, and the two remaining rules must now go to the General Assembly for approval.

North Carolina is the first state to address communication tower safety for an industry that has a worker fatality rate more than 30 times the average for workers in all industries.

"We've seen a high number of tower fatalities in North Carolina," said Kevin Beauregard, assistant director of the NCDOL Occupational Safety and Health Division. "We hope this standard will place an added emphasis on tower safety and keep these workers safe."

Ten workers have died in North Carolina from falls off communication towers since 1997, including one earlier this year. A majority of injured tower employees—64 percent—were with their employer less than one year.

In June, the Department of Labor provided training to safety and health compliance officers on how to enforce the standard. Labor inspectors received one day of classroom training and a day of field training to learn what to look for when doing communication tower inspections. Key components of the



*Workers climb a communication tower in Clayton as part of a training session on the industry. North Carolina is the first state to adopt safety rules governing the communication tower industry.*

standard include hazard assessment, recordkeeping, training, and hoists and gin poles. The currently unapproved sections require 100 percent fall protection and non-ionizing radiation training. The fall protection standard is expected to pass during the 2005 legislative session and the radiation section in 2006.

To help the tower industry comply with the new regulations, the labor department is holding five training sessions at community colleges across the state. A brief history and provisions of the rule will be discussed.

"The training sessions are for tower

owners, lessees and employers in the tower industry," said Ivette Mercado-Bijkersma, who will lead the training. "It is a great opportunity for them to learn how to comply with the new standard."

Sessions are free of charge. For more information, contact the community college or visit our Web site at [www.nclabor.com/osa/etta/comtower.pdf](http://www.nclabor.com/osa/etta/comtower.pdf).

Please see accompanying box for the five training locations.

### Communication Tower Training Schedule

#### Aug. 15

Asheville-Buncombe  
Technical Community College  
Contact Jo Ann Gipe at (828) 254-1921  
or [jgipe@abtech.edu](mailto:jgipe@abtech.edu)

#### Aug. 16

Rowan-Cabarrus Community College  
Contact Heidi Whitesell at (704) 637-0760  
or [whitesellh@rowancabarrus.edu](mailto:whitesellh@rowancabarrus.edu)

#### Aug. 17

Fayetteville Technical Community College  
Contact Susan Reid at (910) 678-8496  
or [reids@faytechcc.edu](mailto:reids@faytechcc.edu)

#### Aug. 18

Cape Fear Community College  
Contact Neela Rajendra at (910) 362-4769  
or [nrajendra@cfcc.edu](mailto:nrajendra@cfcc.edu)

#### Aug. 19

Wake Technical Community College  
Contact Sara Boswell at (919) 851-3695  
or [slboswell@waketech.edu](mailto:slboswell@waketech.edu)



**From  
Commissioner  
Cherie Berry**

North Carolinians experienced a period of extreme heat throughout July, and we still have a couple of months left in the summer season. Heat can cause a serious risk to workers, especially those working in agriculture, construction and manufacturing.

Three farm workers died in July and all indications point to heat stroke. The employees were working during days when temperatures reached into high 90s.

These three unfortunate deaths bring to light the need for employers to protect employees from the heat. Plenty of water must be provided to workers. If you are working outside during extreme heat, the Labor Department recommends frequent rest breaks, particularly between noon and 3 p.m. when the sun is the strongest. Workers inside plants are also at risk for heat-related illnesses.

Posters with information about symptoms and tips for preventing heat stress and heat stroke are available on our Web site in Spanish and English.

Nothing is more important than our workers' safety this summer. Please be mindful of the heat and take adequate precautions to protect your workers.

*Cherie Berry*



**Cherie Berry**  
Commissioner

Editor .....Heather Crews  
Layout and Design .....Jeff Wilson  
Publications Bureau Chief .....Mike Daniels

**N.C. Department of Labor**  
1101 Mail Service Center  
Raleigh, NC 27699-1101

Direct all questions and comments to:  
**Communications Division**  
(919) 733-0363

1-800-625-2267 • [www.nclabor.com](http://www.nclabor.com)

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## Apprentice Contest Registrations Due

All North Carolina apprentices wanting to compete in the 2005 Apprentice Contests at the N.C. State Fair are reminded to mail their entry form as soon as possible. Electrical contest registrations should be received by Sept. 2. All other registration forms are due Sept. 9.

**Masonry and HV/AC-R Contests, Oct. 17**

**Electrical Contest, Oct. 19**

**Carpentry Contest, Oct. 20**

**Plumber/Pipefitter Contest, Oct. 21**

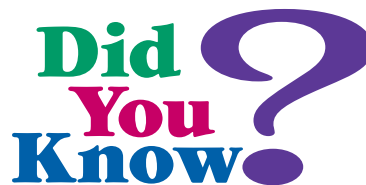
## Learn How to Become a Carolina Star

Join labor officials at the ninth annual Carolina Star conference Sept. 28-30 in Greensboro to learn how your facility can become a Carolina Star.

A series of sessions will highlight some of the best practices in safety with topics including ergonomics, employee involvement in safety and contractor safety. The theme of this year's conference is "Creating a Winning Team." Former Dallas Cowboys star D.D. Lewis will be the keynote speaker.

The Carolina Star program recognizes those companies that have exceptional safety and health programs at their facilities.

Registration is \$140 until Aug. 15 and \$150 thereafter. For agenda information or to register, visit [www.carolinastar.org](http://www.carolinastar.org).



**g** The group that hears contestment of citations, penalties and abatement periods issued by the N.C. Department of Labor, Occupational Safety and Health Division, is now called the N.C. Occupational Safety and Health Review Commission. The N.C. General Assembly formally changed the name from the Safety and Health Review Board.

# Hazard Alert Issued to 1-Bromopropane Users

By Heather Crews  
Public Information Officer

Earlier this year, seven employees at a furniture plant in North Carolina became seriously ill after being exposed to 1-bromopropane, a solvent used mainly for degreasing and in spray adhesives.

Now the N.C. Department of Labor is issuing an alert to industries that may use the chemical to make them aware of the hazards associated with 1-bromopropane.

Alerts are being sent to about 800 employers—mainly in the furniture and dry cleaning industries—that may use 1-bromopropane.

There currently is no standard for 1-bromopropane and the substance is not regulated. However, as use becomes more widespread, recommended time-weighted average threshold limits are being established.

The American Conference of Governmental Industrial

Hygienists recently published a recommended time-weighted average threshold limit value (TLV-TWA) of 10 parts per million, which is equivalent to 50 milligrams of 1-BP per cubic meter of air.

Although there is no currently legal permissible exposure limit for 1-bromopropane, employers nonetheless are required to provide a safe and healthy workplace free of recognized hazards.

1-Bromopropane vapors enter the body through the lungs. The body also can absorb it through the skin. Animal testing shows the chemical can damage the reproductive system, nervous system and liver. It is also irritating to the eyes, nose and throat. Future testing will determine if it causes cancer.

To view the complete hazard alert, including ways to reduce exposure, click on the Hazard Alert link below. For questions, please call 1-800-NC-LABOR.

***NCDOL INDUSTRY ALERT***

# NCDOL Kicks Off Annual Rider Safety Campaign

By Heather Crews  
Public Information Officer

The N.C. Department of Labor will begin for the second year a campaign to keep riders safe at the 47 local fairs across the state.

The second annual Rider Safety Campaign follows a successful first year when no serious injuries were recorded during the entire fair season. The department hopes to repeat that success this year.

“Last year we didn’t have any accidents that required more than basic first aid,” Labor Commissioner Cherie Berry said. “It’s obvious that our rider safety campaign reached fairgoers, and I hope this fair season goes just as well.”

N.C. Department of Labor inspectors are responsible for more than 5,000 ride safety inspections conducted at all county fairs in the state. Labor officials want to enhance safety by educating fairgoers about some of the ride hazards they can encounter during fair season.

Labor officials said North Carolina has an outstanding amusement ride safety record. No fatalities have ever been recorded because of mechanical error.

“It takes an effort on the parts of NCDOL inspectors, the ride operators and the riders to make an amusement ride safe,” said Jonathan Brooks, chief of the Elevator and

Amusement Device Bureau.

To educate riders, the department will distribute bookmarks with safety tips to elementary school children. More than 15 fairs are scheduled to give out safety bookmarks that include

coupons for various free gifts at the fair, such as popcorn, a drink or admission discount.

In addition to bookmarks, the department is sponsoring a new rider safety coloring contest. Children in grades K-5 will be eligible to submit a coloring sheet either at their local fairs or directly to the N.C. Department of Labor.

Coloring sheets are downloadable free of charge from the NCDOL Web site at [www.nclabor.com](http://www.nclabor.com). Contestants can access the coloring pages by clicking on “Rider Safety Campaign” on the main page.

Twelve drawings for \$50 Toys “R”

Us gift certificates will be held throughout the fair season. Drawings are scheduled at participating fairs, beginning in September.

Labor officials are providing safety tip signs and will hold ride operator safety meetings to emphasize safety.

“Last year, we had great support from the fairs, and they are looking forward to participating in the rider safety campaign again this year,” Brooks said. “We’re glad that fairs are taking the safety of riders seriously.”



*Jonathan Brooks (right), Labor Commissioner Cherie Berry and two ride inspectors look at a ride during last year’s Central Carolina Fair in Greensboro. Labor officials will inspect rides at 47 fairs across the state this year.*



**Q:** *My employer reduced my wages without telling me. Is this legal?*

**A:** No. Employers may change wage agreements with employees at any time, regardless of what the original wage agreements were and without an employee's permission. However, there are

certain requirements that an employer must meet pursuant to the N.C. Wage and Hour Act to make changes in wage agreements.

First, employers must notify employees of any changes to wage agreements, including any reductions in pay or wage

benefits in writing, pursuant to N.C.G.S. 95-25.13(3) before the effective date of the changes.

Second, employers cannot make changes in pay or wage benefits that result in the retroactive reduction of wages or wage benefits. Any reduction in pay or wage benefits must be after the notification date, but there is no minimum amount of notice required before the reduction can go into effect. A wage reduction cannot take away pay or wage benefits that the employee earned up to the date of notification. An employer may terminate any future wage benefits after the date of written notification.

Last, employers cannot reduce employees' pay below the minimum wage, which is currently \$5.15 an hour under both North Carolina and federal labor laws.

## DEADLY Mistakes

By Steve Sykes  
State Plan Coordinator

**Fatal Event:** On July 12, 2004, a

groundskeeper working at a golf course died from asphyxiation after being trapped under a riding lawn mower designed for golf course maintenance.

**Investigation Results:** The victim's job was to perform routine course maintenance using a commercial riding lawn mower. Co-workers found the victim lying under the mower with a hammer near the body. There were no witnesses to the accident.

Other employees said that a metal ring that protected the mower blade from damage frequently got bent into the blade after contact with rocks or debris. The metal ring's contact with the blade caused a loud scraping noise and affected mowing. Employees speculated that the victim was trying to bend the ring back into its normal position so that it did not come in contact with the blade. The victim apparently parked the mower up on the curb to gain easier access to the bottom of the mower. The mower rolled over the employee and asphyxiated him. The parking brake was not engaged on the mower. Employees said they had been told to bring the mowers into the maintenance shop for repairs, and that mowers should not be repaired on the course.

**Discussion:** All lawn mowers are dangerous. In 2003, the U.S. Consumer Product Safety Commission reported that more than 76,000 people were treated for lawn mower injuries. In the last three years, the Department of Labor has investigated

five fatalities related to the landscaping industry, including:

- 42-year-old employee suffered fatal injuries when the commercial lawn mower he was operating on a hill overturned and crushed him to death.
- 69-year-old man was killed when his tractor with a mower attachment was struck on the highway by an oncoming truck.
- 64-year-old farm employee was killed when he was pinned under a mower while replacing the blade.
- 63-year-old man was struck by a pickup while trimming weeds next to the highway.



*Lawn mowers like the one pictured here can be very dangerous equipment. Five fatalities in the landscaping industry have been reported during the last three years.*

### Recommendations:

- Protective clothing should always be worn, including sturdy shoes and eye protection.
- Maintain all guards and other safety devices in good working order, including the dead man control that shuts off the mower when the grip on the handle is released.
- Never make adjustments to the mower while it is running.
- Never fill the gasoline tank when the mower engine is hot.
- Push walk-behind mowers forward. Never pull the mower backward to avoid slipping under the mower and contacting the mower blade.
- Do not operate lawn equipment on steep slopes.
- Do not operate lawn equipment too close to water, a hazard that is common on golf courses.
- Beware of drop offs and muddy or unstable ground.
- Rollover protection with a seat belt should be included on commercial mowers and tractors.
- Never let children on or near a mower.



Want **FREE** safety training for your employees?  
Contact our Education, Training and Technical Assistance Bureau for more information.  
**1-800-NC-LABOR • www.nclabor.com**

## NCDOL Awards Safety Winners

The N.C. Department of Labor recognized more than 1,800 worksites for making safety and health a staple in the workplace.

At 29 banquets across the state, 1,885 safety awards and 88 Million Hour awards were presented during the agency's 59<sup>th</sup> safety banquet season.

"I'd like to thank the 2,940 employers and employees who attended the banquets this year," said LaFonda Mauldin, NCDOL safety awards coordinator. "Their commitment to safety and health is a model we hope all businesses in North Carolina will follow."

Following is a list of highlights from the banquet season. The number in parentheses shows the number of consecutive years a company has received the gold award.

### Four Million Hours

American & Efirid Inc.  
Kaba Ilco Corp.

Wayne Farms  
Stanley Furniture

### Five Million Hours

AAI PHARMA  
West Point Stevens

### Six Million Hours

Hickory Chair

### Seven Million Hours

Dow Corning  
Progress Energy

### Gold Award

Parks Building Supply (25)  
Liggett Group (25)  
McDowell Comm. College (26)  
National Gypsum Co. (26)  
ATI Allvac (27)  
Universal Spring Co. (27)  
Broyhill Furniture Industries (28)  
Pictorial Engraving Co. (28)

### Gold Award (continued)

Carolina Mills Plant #3 (30)  
LP (30)  
INVISTA (30)  
Alcoa Inc. (31)  
Badin Works (31)  
Bernhardt Furniture, Corp. (32)  
ENCO Oil Inc. (33)  
DAK Americas (34)  
Ethan Allen, Upholstery Plant (35)  
Melatex (35)  
Lindsay Hosiery Mill (37)  
Bernhardt Furniture, Main (38)  
Bost Neckwear Co. (38)  
Vulcan Construction (39)

**Congratulations to all of our 2005 Safety Award and Million Hour Award recipients!**



# Bulletin Board

## 10-Hour Construction Workshop

Aug. 9-10

Durham Technical Community College, Durham

For more 10-Hour Workshop registration information, visit <http://www.nclabor.com/osha/etta/10hrsched.pdf>.

## 10-Hour General Industry Workshop

Sept. 8-9

Southwestern Community College, Sylva

Contact Gary Mease at [gary.mease@ncmail.net](mailto:gary.mease@ncmail.net).

## 30-Hour Construction Industry Workshop

Sept. 26-30

Holiday Inn Express, Boone

To register, go to [www.nclabor.com/calendar.htm](http://www.nclabor.com/calendar.htm).

## Mine and Quarry Training

Aug. 8 and Sept. 12

Part 46 New Miner/Experienced Miner Training

Aug. 11 and Sept. 15

Part 46 Annual Refresher Training

All training sessions will take place at the Hanson Mine Safety Training Center in Wake Forest. Registration is required. To register, contact William Gerringer at [William.Gerringer@nclabor.com](mailto:William.Gerringer@nclabor.com).

## Safety School Schedule

Nov. 3-4

Western N.C. Safety and Health School, Asheville

[www.westernncsafetyhschool.com](http://www.westernncsafetyhschool.com)

Nov. 17-18

N.C. Safety and Health Congress/Annual Meeting

Charlotte

[www.safetync.org/congress/congress05.htm](http://www.safetync.org/congress/congress05.htm)