

NC Labor

LEDGER

September/October 2005

Working Together to Ensure Safety

Dell, Whiting-Turner, NCDOL Celebrate Construction Milestone

By Dolores Quesenberry
Marketing Director

A unique working relationship between the N.C. Department of Labor and Dell Inc. played a key role in the completion of the computer giant's huge manufacturing facility in Forsyth County.

Dell and Whiting-Turner Contracting Company, the general contractor on the site, reached an agreement with the labor department that allowed the state agency to extend its safety consultative services at the construction site throughout the six-month project.

"It's almost unheard of to build a facility of 760,000 square feet within a period of six months," Commissioner Cherie Berry said. "I commend both Dell and Whiting-Turner for their outstanding performance and for their cooperation. If all major construction sites would work with us the way that Dell and Whiting-Turner have, North Carolina would be a much safer place for construction workers."

The project broke ground in March and followed a rigorous construction schedule to get the facility completed.

"We were concerned that this was an accident waiting to happen, especially considering the aggressive construction schedule that involved concrete poured in place tilt-up wall construction," said Terry Conrad, a labor department employee



State Labor Commissioner Cherie Berry (center) thanks executives for Dell Inc. and Whiting-Turner Construction for their safety record while building the Dell manufacturing facility in Forsyth County. Dell and Whiting-Turner used the N.C. Department of Labor Consultative Services Bureau to finish the massive project in six months with no fatalities.

with the Consultative Services Bureau. Consultation visited the site regularly to consult with contractors and subcontractors on site.

"Most construction projects of this magnitude take anywhere from 28 to 30 months to complete," Conrad said. "It's still hard to believe that just nine weeks after the first footing was poured that the building was completely dried in."

In 2002, three workers lost their lives during a construction project in Greensboro. The workers were fatally injured when a tilt-up wall collapsed because of inadequate bracing. Tilt-up walls are poured on the ground and later raised and secured.

The labor department has intensified efforts to provide free consultative services and free training to employers and employees to help fight workplace fatalities. The construction industry is the focus of many of the department's efforts because of the serious hazards in the industry.

"We can see we're making progress," Berry said. "We just need to make sure we extend this awareness to every construction site in the state".

For more information regarding the Consultative Services Bureau, call 1-800-625-2267 or visit our Web site at www.nclabor.com/osha/consult/bcs1.htm.

"We can see we're making progress. We just need to make sure we extend this awareness to every construction site in the state."

— **Cherie Berry**
Labor Commissioner



**From
Commissioner
Cherie Berry**

Cotton candy, candy apples, stuffed animals and thrilling rides. That's right. It's time for the 2005 N.C. State Fair.

The State Fair has been a North Carolina tradition since the 1800s when the first midway ride, the Switchback Railway, was constructed on the fairgrounds in 1891. This year, the State Fair is slated to have the largest midway ever, with Wade Shows providing 112 rides.

The State Fair is organized by the N.C. Department of Agriculture, but the Department of Labor plays a big role in the fair. Our job is to make sure the rides are constructed safely and there are no mechanical problems.

We take that role very seriously. Last year we started a new program—the Rider Safety Campaign—that aims to make riders aware of the safety rules they must follow. We added a new aspect to the campaign this year—a coloring contest for kids in grades K-5. The coloring contest is aimed at making children more aware of the need to follow safety rules.

All kids are eligible to win one of 10 gift certificates to Toys "R" Us. You can download a sheet from our Web site at www.nclabor.com/elevator/ridersafety.htm.

When you're out at the fair, please stop by our booth in the Kerr Scott Building. You can pick up some information about the department and get a coloring sheet for your kids.

I hope you have a safe and fun time at the 2005 N.C. State Fair.



Cherie Berry
Commissioner

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Inside this edition:

New Fees for Mine and Quarry Training	page 3
N.C. Work Fatalities Continue at Low Level	page 3
Deadly Mistakes	page 4
NCDOL Bulletin Board	page 5

Wage and Hour Fall Seminars Scheduled

By Heather Crews
Public Information Officer

The N.C. Department of Labor has added three new wage and hour seminars to its fall training schedule.

The one-day seminars emphasize both state and federal labor laws, including the new federal overtime rules, minimum wage, employer-employee relationship, wage benefits and youth employment rules.

"We have had great success with our seminars since we started them in 2003," said Jim Taylor, administrator of the Wage and Hour Bureau. "It's a great way for employers to learn about wage and hour laws and ask any questions they may have."

Human resource specialists, managers, payroll specialists and any other employees involved in the wage determination and pay process are encouraged to attend.

Seminar participants will receive a wage and hour reference notebook, snacks and lunch. The cost is \$50 per person. Registration is required and should be completed at least 14 calendar days before the seminar is scheduled. To register, visit the NCDOL Web site at www.nclabor.com/wh/seminar_regist.pdf.

Nov. 1

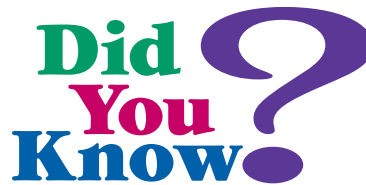
Carteret Community College, Crystal Coast Civic Center
Morehead City, NC 28557

Nov. 15

Holiday Inn Airport Hotel
Greensboro, NC 27409

Dec. 8

Charlotte, NC (Location to be determined)



g The N.C. Department of Labor has sponsored apprenticeship contests at the N.C. State Fair since 1953. More than 75 contestants participated in last year's contests. The contests are located under white tents on the north side of the midway. Stop by and watch apprentices show off their skills.



New Fees for Mine and Quarry Training

By William Gerringier
Mine and Quarry Bureau Chief

The N.C. General Assembly recently passed legislation allowing the state labor commissioner to charge fees for education and training programs provided to the mine and quarry industry by the N.C. Department of Labor.

After significant cuts for the 2005-2006 budget, it became necessary for the Mine and Quarry Bureau to charge fees for its training programs. The new fee schedule became effective Sept. 13. The fee schedule includes first aid and CPR training, Part 46 and Part 48 training, explosive safety schools, supervisor training, and new or experienced miner refresher training.

Although the training sessions are focused on the mining industry, independent contractors such as construction workers providing their services on mine property are required to receive training as mandated by the Federal Mine Safety and Health Act of 1977. For example, crane operators, supply truck drivers, and excavators

who frequently work on mine and quarry sites would benefit from the training and can apply the information to regular worksites to increase safety and health.

The NCDOL Mine and Quarry Bureau has been recognized nationally for its outstanding training programs. The bureau provides an opportunity for those in the industry to learn from the experts. The explosives safety course is open to anyone who handles or uses explosives. The training is of particular importance because no state certification is required for the handling and use of dangerous explosives.

The bureau enforces the 1975 N.C. Mine Safety and Health Act. It conducts a series of consultations, programmed inspections and training events. More than 4,650 North Carolinians are employed at about 440 mines and quarries in the state.

The fee schedule is located on our Web site at www.nclabor.com/mq/mq_fee_schedule.pdf. Mine and Quarry training events are located on the Calendar of Events page.

N.C. Work Fatalities Continue at Low Levels

By Heather Crews
Public Information Officer

Figures released in August by the N.C. Department of Labor show that work fatalities in North Carolina totaled 183 in 2004, the fourth-lowest total seen in the state since labor officials started keeping detailed records.

Transportation-related incidents such as fatal highway accidents once again represented the major number of fatalities with 78 deaths out of 183 occurring on North Carolina roads.

“Although we’re encouraged by the huge improvement in work safety in recent years, there’s still more to be done,” state Labor Commissioner Cherie Berry said. “I want to see us continue to expand our free consultative services and our safety training.”

The labor department saw a major decline in fatalities in 2001, Berry’s first year as labor commissioner. The total dropped to 203 from a previous high of 234 the year before. In 2002, the total dropped to 169, the record low for fatalities since recordkeeping began under the Occupational Safety and Health Act. Last year, the total of 182 was the state’s third-lowest total.

Compiled by the U.S. Bureau of Labor Statistics, the 2004 figures show that 54 workers died in construction accidents. Another 20 employees died in manufacturing.

A total of 23 employees lost their lives to workplace violence. Six committed suicide and 17 were murdered.

Agriculture, forestry, fishing and hunting accounted for 17 deaths.

The labor department in recent years has sponsored throughout the state a series of free training seminars for construction workers. Labor inspectors have focused on areas that are the leading causes of construction deaths. These accidents include fatalities from falls, electrocutions, trenching and contact with heavy equipment.

Labor officials also are encouraging unique partnership agreements that allow safety inspectors free access to worksites to help spot dangers before accidents happen.

“We’re trying new approaches,” said Allen McNeely, the department’s occupational safety and health director. “We’ve expanded our consultative services and our training, all free of charge. We’re open to suggestions from employers and employees, and we’ve gotten a lot of help from different groups throughout the state.”

Of the 183 fatalities, 128 were white, 26 were black and 26 were Hispanic. Of these, 175 were men and 8 were women.

Raw statistical figures are provided by the U.S. Bureau of Labor Statistics. Other information concerning specific accidents is provided from information gathered during N.C. Department of Labor work-related investigations.

The following counties had three or more fatalities:

Wake (20), Forsyth, Mecklenburg (8), Cumberland, Guilford (7), Davidson, Pitt (6), Buncombe, Catawba, Johnston (5), Durham, Iredell, Onslow, Orange, Union (4), New Hanover, Robeson (3)

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DEADLY Mistakes

By Steve Sykes
State Plan Coordinator

Fatal Event: On Aug. 13, 2004, a 43-

year-old truck driver was killed when his truck was struck by a freight train.

Investigation Results: The driver needed to go in his company truck across some railroad tracks by his manufacturing plant to take some materials to a nearby facility. The driver was familiar with the railroad crossing and routinely drove to the nearby storage facility. Well-marked signs made the crossing visible in both directions. A whistle post used by train engineers to warn motorists of approaching trains stood 1,800 feet away from the crossing.

Interviews with witnesses confirmed the engineer blew the whistle as the victim approached the crossing. A driver who immediately preceded the victim across the tracks also confirmed the whistle blew and indicated he saw the headlights of the train in the distance and initially thought the train was stopped. However, the victim continued to slowly approach the crossing. When the victim's truck reached the crossing, it suddenly stopped on the tracks. The freight train—complete with three engines and 100 empty coal cars—struck the truck at 44 mph. The driver of the truck was killed.

The company voluntarily had developed a crossing guard program to assist employees who entered and left the facility, including a crossing guard to direct traffic. On the day of the accident, the crossing guard was on vacation, and the back up was running late. The supervisor of the crossing guard program also had not arrived at work at the time of the accident.

Discussion: Although educational programs are in place, railroad crossing accidents continue to take lives. There were 76 railroad crossing collisions resulting in 12 fatalities and 24 injuries in North Carolina last year. The number of fatalities in 2003 was four and only two in 2002. Nationally, there were 2,924 collisions resulting in 324 deaths. There are 4,182 railroad crossings in North Carolina, with 2,404 equipped with

protective devices, and more than 154,000 railroad crossings in the nation.

A recent study of railroad crossing accidents determined that nearly half of the accidents occurred at crossings with functioning warning devices. Little research has been done on the human factors that contribute to crossing accidents, such as the impulse to try to “beat the train,” driver impatience and inattention.

A train traveling 50 mph can take a mile or more to stop after applying the brakes. Optical illusion can cause a train to appear to be farther away and moving slower than it is.

North Carolina General Statutes 20-142.1 through 20-142.5 include specific requirements relating to railroad crossings.

Recommendations:

- ☒ A vehicle should not be driven around a crossing gate or barrier.
- ☒ Always respond to flashing lights and stop signs at railroad crossings.
- ☒ Never stop a vehicle on the railroad tracks. If your vehicle stalls on the tracks, get out immediately and call 911.
- ☒ Be aware that North Carolina law requires that a school bus stop at every railroad crossing.

☒ Do not advance through a railroad crossing unless there is sufficient space

on the other side of the crossing to accommodate your vehicle.

☒ Pay attention to activity near a railroad crossing and be patient while waiting for a train to pass through the crossing area.

☒ Make sure your accident prevention strategy takes into consideration issues that can affect the plan's success, including availability of employees to manage the plan.

☒ Look both ways before driving through a railroad crossing.

☒ Do not race in an attempt to beat the train to the crossing.

☒ Companies should establish standard operating procedures for drivers who must negotiate railroad crossings.

☒ A company culture should be encouraged that does not place a greater value on getting the job done quickly at the expense of taking the time to do the job safely.

☒ Consider that visibility could be diminished in bad weather or at night.



Accidents at train crossings take the lives of workers every year. Twelve people were killed at railroad crossings last year in North Carolina.

APPRENTICESHIP ADVANTAGE

Look for the winners of the 2005 Apprentice Contests
in the November/December Edition of the *Ledger!*



Bulletin Board

Mine and Quarry Training Events

Oct. 18

Part 46 New Miner/Experienced Miner Training

Oct. 20

Part 46 Annual Refresher Training

Nov. 17

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.

10-Hour General Industry Workshop

Nov. 15-16

Robeson Community College, Lumberton

Contact Jo Ann Oxendine at jaoxendi@robeson.cc.nc.us.

Safety School Schedule

Nov. 3-4

Western N.C. Safety and Health School, Asheville

www.westernncsafetyschool.com

Contact Rebecca Israel at (336) 761-4420.

Nov. 17-18

N.C. Safety and Health Congress/Annual Meeting

Charlotte

www.safetync.org/congress/congress05.htm

Contact Matt Thompson at 1-800-868-8777, ext. 126.

10-Hour Construction Workshop

Nov. 29-30

Central Piedmont Community College, Charlotte

Contact Steve Corriher at Steve.Corriher@cpcc.edu.