

FY 2020 Follow-up Federal Annual Monitoring and Evaluation (FAME) Report

**NORTH CAROLINA DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH DIVISION**



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Executive Summary

The primary purpose of this report is to assess the North Carolina State Plan's progress in Fiscal Year (FY) 2020 in resolving outstanding issues and observations in the previous FY 2019 Comprehensive Federal Annual Monitoring Evaluation (FAME) Report. This report is based on the results of quarterly onsite monitoring visits with the North Carolina Department of Labor, Occupational Safety and Health Division (OSHNC), the State OSHA Annual Report (SOAR) for FY 2020 and the State Activity Mandated Measures (SAMM) Report ending September 30, 2020. A review of the SAMM data for FY 2020 indicated that OSHNC generally met or exceeded federal activity results. OSHNC continued to meet all criteria for an effective State Plan.

FY 2020 was a year like no other, due to the COVID-19 pandemic. In the middle of March 2020, the OSHNC staff began working remotely from home and many activities were canceled, postponed and/or conducted virtually. Activities included training, outreach events, recognition programs, STAR site and consultation visits, as well as some inspection activity. As a result, the goals and anticipated activities that were identified in the Strategic Management Plan for Federal FY 2020 were greatly impacted by the pandemic. Therefore, in July 2020, revisions to the previously planned activities and events in the Strategic Management Plan for 2020 were identified and resubmitted to OSHA. Even with the necessary adjustments, in response to COVID-19, the OSHNC staff continued to provide important and comprehensive services to the employers and employees of North Carolina. In FY 2020, OSHNC received over 1050 valid COVID-19 complaints and referrals, and conducted 21 inspections related to COVID-19.

The North Carolina Occupational Safety and Health Strategic Management Plan for FY 2019 through FY 2023 established two strategic goals: Goal 1– Reduce the rate of workplace fatalities by 2% and Goal 2– Reduce the rate of workplace injuries and illnesses by 5%. OSHNC establishes the framework in an annual performance plan to accomplish the goals in its Strategic Management Plan. Although OSHNC met the majority of its program outcome goals, fatalities rose in North Carolina from 54 in FY 2019 to 78 in FY 2020, which included 16 work-related COVID-19 fatalities investigated by OSHNC. In addition, there were 26 construction fatalities, which was an increase of 8, as compared to the same period in FY 2019. As a result of this increase, OSHNC conducted compliance, consultation, and training interventions. The State Plan also continued to maintain strong working relationships with construction industry groups, through partnerships and alliances.

There are no new findings, observations or recommendations in this FY 2020 Follow-up FAME Report, and therefore, Appendices A and B have been left blank. Appendix C has also been left blank because the State Plan had no previous findings in the FY 2019 Comprehensive FAME Report.

North Carolina's Total Recordable Case (TRC) rate for Calendar Year 2019 is at historic low levels. The private sector's TRC rate was 2.3, and the Days Away, Restricted, or Transferred (DART) rate was 1.2. When the state and local government sector numbers were included, the overall TRC rate was 2.5, and the DART rate was 1.3. These rates are 20% lower and 19% lower, respectively, than the national rates (BLS Data, November 2019).

II. State Plan Background

The North Carolina Occupational Safety and Health State Plan received final approval, under Section 18(e) of the OSH Act on December 10, 1996. The official designated as responsible for administering the program, under the Occupational Safety and Health Act of North Carolina (OSHNC), is the Commissioner of Labor. The Commissioner of Labor is a constitutional officer selected through a statewide election. During the evaluation period, the Commissioner of Labor was Cherie K. Berry. Within the NC Department of Labor, the Occupational Safety and Health Division has responsibility for carrying out the requirements of the State Plan. Kevin Beauregard serves as Deputy Commissioner/Director of the Occupational Safety and Health Division, and Scott Mabry serves as Assistant Deputy Commissioner/Assistant Director of the OSH Division. Commissioner Berry and her leadership team were all in position during the evaluation period. However, Josh Dobson was elected in November of 2020, and he is the current Commissioner of Labor. Mr. Dobson took office effective January 1, 2021.

The Occupational Safety and Health Division is organized into the following operating units: East and West Compliance Bureaus; Bureau of Education, Training, and Technical Assistance (ETTA); Bureau of Consultative Services; Bureau of Planning, Statistics and Information Management (PSIM), and the Agricultural Safety and Health (ASH) Bureau. The main office and a district office are located in Raleigh, with four additional offices located throughout the State: Asheville; Charlotte; Winston-Salem; and Wilmington. Currently, there are 196.8 positions funded under the 23(g) grant, including 102 positions, which are 100% state-funded. These positions include 64 safety compliance officers and 45 health compliance officers assigned to district offices throughout the State. Additional safety and health professionals work in ETTA with responsibilities related to training, development of outreach materials, standards, and the Carolina Star Program (Voluntary Protection Program). The worker population in North Carolina consists of approximately 4,436,892 workers, and nearly 282,534 establishments.

Employee protection from retaliation related to occupational safety and health is administered by the Employment Discrimination Bureau, which falls under the Deputy Commissioner for Standards and Inspections, in the North Carolina Department of Labor. This Bureau covers several types of employment-related retaliation, in addition to whistleblower protection that falls under the jurisdiction of the State Plan.

The North Carolina Department of Labor provides private sector onsite consultative services through a 21(d) Grant. There are 20.1 positions funded under the 21(d) grant, including consultants, administrative staff, and managerial employees. Four of the 21(d) positions are 100% state-funded. State and local government 23(g) grant consultative services, enforcement, and compliance assistance activities, are accomplished by the same staff, in accordance with consultation procedures established for the private sector. OSHNC's Carolina Star Program organizationally falls within the Education, Training, and Technical Assistance Bureau.

The table below reflects the funding levels for OSHNC from FY 2016 through FY 2020.

FY 2016-2020 Funding History					
Fiscal Year	Federal Award (\$)	State Plan Match (\$)	100% State Funds (\$)	Total Funding (\$)	% of State Plan Contribution
2020	5,810,300	5,810,300	7,782,005	19,402,605	70.05
2019	5,431,200	5,431,200	7,716,338	18,578,738	71.33
2018	5,326,000	5,326,000	7,578,359	18,230,359	70.78
2017	5,326,000	5,326,000	7,398,554	18,050,554	70.49
2016	5,326,000	5,326,000	8,226,808	18,878,808	71.79

New Issues

In accordance with the Bipartisan Budget Bill passed on November 2, 2015, OSHA published a rule on July 1, 2016, raising its maximum penalties. As required by law, OSHA then increased maximum penalties annually, most recently on January 8, 2021, according to the Consumer Price Index (CPI). State Plans are required to adopt both the initial increase and subsequent annual increases within the corresponding six-month timeframe set by regulation. December 2020 marked four years since the first deadline passed for adoption and the North Carolina State Plan has not yet completed the legislative changes to increase maximum penalties.

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

This report was prepared under the direction of Kurt A. Petermeyer, Regional Administrator, Region IV, Atlanta, Georgia, and covers the period of October 1, 2019, through September 30, 2020. OSHA has established a two-year cycle for the FAME process. This is the follow-up year and, as a result, OSHA did not perform a case file review associated with a comprehensive FAME. This strategy allows the State Plan to focus on correcting deficiencies identified in the most recent comprehensive FAME. The analyses and conclusions described in this report are based on information obtained from a variety of monitoring sources, including:

- State Activity Mandated Measures Report (Appendix D)
- State Information Report
- Mandated Activities Report for Consultation
- State OSHA Annual Report (Appendix E)
- State Plan Annual Performance Plan
- State Plan Grant Application
- Quarterly monitoring meetings between OSHA and the State Plan

B. Findings and Observations

No new findings or observations were identified during the FY 2020 follow-up FAME. In addition, the FY 2019 Comprehensive FAME Report did not identify any findings or observations.

C. State Activity Mandated Measures (SAMM) Highlights

Each SAMM has an agreed upon Further Review Level (FRL), which can be either a single number, or a range of numbers above and below the national average. State Plan SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents the State Plan's FY 2020 State Activity Mandated Measures (SAMM) Report and includes the FRLs for each measure.

Overall, OSHNC has performed well on its SAMMs. For example, in FY 2020, OSHNC had an average of 1.99 violations, serious, willful, repeat, unclassified (SRWU) per inspection, which is well within the FRLs of 1.43 to 2.15 for SWRU (SAMM 5). OSHNC routinely places emphasis on keeping citation lapse times low. The average lapse time (in days) from an opening conference to a citation issuance was 45.21 (safety) and 42.93 (health). These lapse times were well within the FRLs (SAMM 11). In addition, the percent in-compliance rate for safety was 33.47%, and for health it was 36.81%, which were also within the safety and health percent in-compliance FRL ranges (SAMM 9).

According to the SAMM Report, OSHNC responded timely to complaints (SAMMs 1a and 2a). Complaint investigations were initiated within an average of 2.41 days, and complaint inspections were initiated within an average of 6.05 days, which were both below the negotiated FRLs of four days and ten days, respectively. This was a significant achievement during the COVID-19 pandemic. The OSH Complaint Desk staff and Compliance Bureaus worked nights and weekends, on a regular basis, to process over twice the normal amount of complaints and referrals usually received by OSHNC during the last two quarters of the year.

SAMM 10 indicates that the State Plan responded to fatalities 98.36% (60 out of 61) of the time within one workday. However, after further review, it was determined that there was a data error, and ultimately 100% of the fatalities were investigated within one workday.

The FRL for percent of 11(c) complaints that are meritorious is +/- 20% of the three-year national average of 18%, which equals an acceptable range of 14.40% to 21.6%. The State Plan's percent of retaliation cases that were meritorious was 17%, which is within the acceptable range.

The State Plan was outside the FRL on the following SAMMs:

SAMM 7 – Planned v. Actual Inspections – Safety/Health

Discussion of State Plan data and FRL: Actual safety and health inspections declined in FY 2020. OSHNC conducted 2,111 inspections (1,298 safety and 813 health), 68% of the planned number of 3,122 inspections.

Explanation: Although the COVID-19 pandemic and the quarantine measures affected the OSHNC goal, it also strengthened the staff's ability to work remotely and to maintain productivity. Due to the circumstances, OSHNC submitted a revised FY 2020 safety and health inspection goal in July 2020. The revised goal submitted for safety was 1273 inspections and OSHNC conducted 1298 inspections (102%). The revised FY20 health inspection goal was 755 inspections and OSHNC conducted 813 inspections (108%). The revised goals in July 2020 for safety and health were both

exceeded.

SAMM 8 – Average current serious penalty in private sector - total (1 to greater than 250 workers)

Discussion of State Plan data and FRL: The FRL for SAMM 8, a total average current penalty per serious violation (1 to greater than 250 employees) is +/- 25% of the three-year national average of \$2,964.86, which equals a range of \$2,223.65 to \$3,706.08. The North Carolina State Plan's total average current penalty per serious violation (1 to greater than 250 employees) was \$1,860.64, which was lower than the FRL and a cause for concern.

Explanation: The fact that OSHNC has not yet adopted the increase in maximum penalties, impacts the State Plan's performance on this SAMM. OSHA will continue to work with OSHNC on making the legislative changes necessary to adopt the increase in maximum penalties. NCDOL continues to await an opportunity to discuss with the next Assistant Secretary of Labor, at such time that one has been confirmed. According to the most current BLS data, NC's injury and illness rates continue to be well below the national average.

SAMM 14 - Percent of 11(c) investigations completed within 90 days

Discussion of State Plan data and FRL: OSHNC completed only 4% of their retaliation investigations within 90 days. This was well below the fixed FRL of 100%.

Explanation: This metric has been a challenge in FY 2020. Four (of six) new investigators were hired in September 2019 and were in training for three months before being assigned OSH cases. Two investigators were handling the bulk of the OSH cases for the first two quarters of the year. With the advent of COVID-19, OSH complaint filings increased during the last two quarters of the year, as compared to the same quarters during FY 2018-2019. At the same time, the total number of Retaliatory Employment Discrimination Act (REDA) complaints filed also increased from FY 2018- 2019 (382) to FY 2019-2020 (426). Lastly, the Bureau is required to submit redaction requests to the Planning, Statistics and Information Management Bureau (PSIM) to redact the complaint and position statements, prior to providing them to the other party. PSIM has been inundated with disclosure requests because of COVID-19. Due to the circumstances, this result does not rise to the level of an observation, but will continue to be discussed at quarterly meetings.

SAMM 16 - Average number of calendar days to complete an 11(c) investigation

Discussion of the State Plan data and FRL: The FRL for the average number of calendar days to complete an 11(c) investigation is fixed at 90 days. The average number of days for OSHNC to complete investigations was 279 days, which was above the FRL.

Explanation: OSHNC's performance was above the FRL but significantly better than the national average of 316 days. Due to the circumstances, this result does not rise to the level of an observation, but it will continue to be discussed at quarterly meetings.

Appendix A – New and Continued Findings and Recommendations

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FY 2020-#	Finding	Recommendation	FY 2019-# or FY 2019-OB-#
	None		

Observation # FY 2020-OB-#	Observation	Federal Monitoring Plan	Current Status
	None		

Appendix C - Status of FY 2019 Findings and Recommendations

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FY 2019-#	Finding	Recommendation	State Plan Corrective Action	Completion Date	Current Status and Date
	None				

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report

FY 2020 North Carolina Follow-up FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: California – North Carolina – OSHNC			FY 2020	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	6.05	10	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of work days to initiate complaint inspections (federal formula)	3.33	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of work days to initiate complaint investigations (state formula)	2.41	4	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	0.63	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to within one workday (imminent danger)	N/A	100%	N/A – The State Plan did not receive any imminent danger complaints or referrals in FY 2020. The further review level is fixed for all State Plans.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report

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U.S. Department of Labor				
5	Average number of violations per inspection with violations by violation type	SWRU: 1.99	+/- 20% of SWRU: 1.79	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.43 to 2.15 for SWRU and from 0.76 to 1.14 for OTS.
		Other: 0.97	+/- 20% of Other: 0.95	
6	Percent of total inspections in state and local government workplaces	4.88%	+/- 5% of 3.40%	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 3.23% to 3.57%.
7	Planned v. actual inspections – safety/health	S: 1,298	+/- 5% of S: 1,972	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 1,873.40 to 2,070.60 for safety and from 1,092.50 to 1,207.50 for health.
		H: 813	+/- 5% of H: 1,150	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$1,860.64	+/- 25% of \$2,964.86	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,223.65 to \$3,706.08.
	a. Average current serious penalty in private sector (1-25 workers)	\$1,338.00	+/- 25% of \$1,967.64	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,475.73 to \$2,459.55.

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U.S. Department of Labor				
	b. Average current serious penalty in private sector (26-100 workers)	\$1,890.05	+/- 25% of \$3,513.45	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,635.09 to \$4,391.81.
	c. Average current serious penalty in private sector (101-250 workers)	\$3,188.93	+/- 25% of \$5,027.02	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,770.27 to \$6,283.78.
	d. Average current serious penalty in private sector (greater than 250 workers)	\$4,460.46	+/- 25% of \$6,190.91	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$4,643.18 to \$7,738.64.
9	Percent in compliance	S: 33.47%	+/- 20% of S: 31.03%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 24.82% to 37.24% for safety and from 29.72% to 44.58% for health.
		H: 36.81%	+/- 20% of H: 37.15%	
10	Percent of work-related fatalities responded to in one workday	98.36%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 45.21	+/- 20% of S: 50.58	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 40.46 to 60.70 for safety and from 48.31 to 72.47 for health.
		H: 42.93	+/- 20% of H: 60.39	

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U.S. Department of Labor				
12	Percent penalty retained	92.68%	+/- 15% of 67.51%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 57.38% to 77.64%.
13	Percent of initial inspections with worker walk around representation or worker interview	100%	100%	The further review level is fixed for all State Plans.
14	Percent of 11(c) investigations completed within 90 days	4%	100%	The further review level is fixed for all State Plans.
15	Percent of 11(c) complaints that are meritorious	17%	+/- 20% of 18%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 14.40% to 21.60%.
16	Average number of calendar days to complete an 11(c) investigation	279	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	1.13%	+/- 25% of 1.09%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.82% to 1.36%.

NOTE: The national averages in this report are three-year rolling averages. Unless otherwise noted, the data contained in this Appendix D is pulled from the State Activity Mandated Measures (SAMM) Report in OIS and the State Plan WebIMIS report run on November 9, 2020, as part of OSHA’s official end-of-year data run.

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North Carolina

State OSHA Annual Report (SOAR)

Fiscal Year 2020



December 10, 2020

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PART I - STRATEGIC PLAN OVERVIEW

Program Outcome Goals

On October 1, 2018, North Carolina began its fifth five-year planning cycle as documented in the Strategic Plan (SP). The five-year SP ending on September 30, 2023 includes two primary outcome goals:

- Reduce the rate of workplace fatalities by 2%
- Reduce the rate of workplace injuries and illnesses by 5%

Outcome Goals Results

	Baseline	2018	2019	2020	2021	2022	Reduction
Fatality Rate	.00102	.00079	.00102	NA*			
Injury & Illness Rate	1.4	1.4	1.3	NA*			

Areas of Emphasis Outcome Goals

- Reduce the construction industry fatality rate by 2% by the end of FY 2023
- Reduce the fatality rate in logging and arboriculture by 2% by the end of FY 2023
- Reduce the days away, restricted, or transferred (DART) rate for grocery and related product wholesalers by 5% by the end of FY 2023
- Reduce the DART rate in long term care by 5% by the end of FY 2023
- Support the overall outcome goal of reducing workplace injury and illness rate by 5% by the end of FY 2023 by addressing specific health hazards in the workplace
- Reduce the DART rate in food manufacturing by 5% by the end of FY 2023
- Reduce the number of Amputations in support of the overall outcome goals of reducing the rate of workplace injuries and illnesses by 5% by the end of FY 2023

Areas of Emphasis Activity Goals

- Conduct inspections, consultative surveys and train employers and employees as documented for each area of emphasis

State Demographic Profile

Sector	Establishments	Employees
Total Private Industry	275,012	4,165,686
Total Public Sector	6,388	627,938

* Data only available through the 2nd Quarter of FY 2020

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Goal Setting Process

- Evaluate injury, illness, and fatality data
- Secure input from stakeholders
- Establish five-year outcome goals
- Select areas of emphasis and strategies to impact achievement of outcome goals
- As described in Administrative Procedure Notice (APN) 19, Strategic Management Plan Committee Activity, create a committee of division employees in each area of emphasis to manage the strategic planning process
- Determine level of activity for each emphasis area
- Share progress on achieving goals with staff on a monthly basis
- Alter strategies, if outcome goals are not being reached
- Evaluate the process

Areas of Emphasis

North Carolina's strategy for reducing injury, illness, and fatality rates is based on addressing specific areas that have the greatest impact on the overall rates. The areas of emphasis in the current Strategic Plan include:

- Construction
- Logging and Arboriculture
- Grocery and Related Product Wholesalers
- Long Term Care
- Exposures for Health Hazards (asbestos, lead, isocyanates, silica, hexavalent chromium)
- Food Manufacturing
- Amputations

Strategic Activity to Support Outcome Goals

- Improve safety and health programs through compliance, consultation, and training
- Expand safety and health recognition programs
- Develop construction partnerships at high profile construction sites
- Establish alliances in the areas of emphasis
- Implement Special Emphasis Programs (SEPs) for selected industries with specific intervention guidelines and activity goals
- Track activity and outcome goals monthly and share status with staff
- Conduct quarterly meetings for each area of emphasis committee

Factors Affecting Achievement of Outcome Goals and Strategic Activity Goals

- Insufficient federal funding requiring the elimination or freezing of positions
- Number of trained division personnel released to provide division intervention
- Need to maintain vacant positions in response to budget uncertainty
- Turnover rate and the loss of experienced compliance safety and health officers (CSHOs)

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- Response to Hurricane Florence required diversion of resources
- Strategies employed within each area of emphasis
- Resources committed to the areas of emphasis

Program Statistics

Fatality Totals	2018	2019	2020	2021	2022	2023
Total	49	54	78			
Construction	24	18	26			
Manufacturing	7	9	13			
Public Sector	4	4	5			
Logging/Arboriculture	5	6	8			
Hispanic	11	12	21			
Overall Rate	.00079	.00102	TBD*			

Injury and Illness Rates	2018	2019	2020	2021	2022	2023
TRC (All)	2.6	2.5				
DART(All)	1.4	1.3				
Public Sector TRC	3.9	3.8				
Public Sector DART	1.8	2.0				

Intervention Statistics	2019	2020	2021	2022	2023
Inspections	2,928	2,116			
Inspection Goals	2,994	2,028			
Consultation Visits	1,692	1,269			
Consultation Goals	1,370	1,012			
Trained	13,696	12,420			
Training Goals	9,600	7,350			

Compliance Activity	2019	2020	2021	2022	2023
Serious Violations	3,511	2,537			
Willful Violations	21	9			
Average Serious Penalty	\$1,783	\$1,883			
Follow-ups	106	57			

PART II - REVIEW OF SPECIFIC OUTCOME GOALS AND ACTIVITIES IN AREAS OF EMPHASIS

1.1 Reduce Construction Industry Fatality Rate Statewide by 2% by the end of FY 2023

Significant safety and health strides have been made reducing the fatality rate in the construction industry. During the last strategic planning cycle, the construction fatality rate increased. The construction industry continues to have a high number of workplace accidents compared to other industries, and this can have a significant impact on the State's overall

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outcome goals of reducing injury, illness and fatality rates.

Strategies for Achieving Specific Outcome Goal

- Conduct Occupational Safety and Health Division (OSH) compliance, consultation, and training interventions and outreach
- Utilize inspection guidelines established for the construction industry
- Maintain strong working relationships with construction industry groups through partnerships, alliances and other outreach efforts
- Identify high fatality, high activity counties for special emphasis on an annual basis
- Re-inspect those employers with workplace fatalities
- Use informal settlement agreements to require employers to attend construction training
- Provide Hispanic outreach personnel to conduct construction training in Spanish
- Establish partnership agreements at high visibility construction sites
- Develop Spanish language publications and training materials specific to construction
- Distribute outreach letters and training materials for companies cited for five or more serious violations.
- Promote recognition programs such as Building Sub-Contractor Star and SHARP
- Conduct consultative blitzes in high fatality and activity counties
- Inspect all cranes operating on construction sites
- Utilize mobile training unit “Labor One” for on-site training as requested
- Analyze statistical data to confirm validity of inspection targeting process
- Develop materials and training presentations specific to the construction industry
-

Outcome	Baseline	2019	2020	2021	2022	2023
Fatalities	73	18	26			
Rate	.00101	.0018	.0043*			
Hispanic	N/A	8	10			

Construction	2019	2020	2021	2022	2023	Total
Inspections	1,682	1,283				
Goals	1,050	1,050				
Consultation	501	409				
Goals	200	250				
Trained	2,293	1,346				
Goals	2,500	1,750				

1.2 Decrease Fatality Rate in Logging and Arboriculture by 2% by the End of FY 2023

The State has had success in reducing the number of fatalities in logging and arboriculture. The SEP for logging was initiated in FY 1994. This was in response to 13 logging fatalities in FY 1993. Experience has shown that a reduction in OSH activity can translate into an increase in the number of injuries and fatalities in this industry. For this reason, and the industry’s fatality history, logging Northern American Industry Classification System (NAICS 11331)

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and arboriculture (NAICS 56173) remain in the Strategic Plan.

Strategies for Achieving Specific Outcome Goal

- Place increased emphasis on tracking specific injuries and fatalities on a monthly basis. If there is an increase in injuries and fatalities, additional resources could be allocated including inspection and focused training events
- Increase employer and employee awareness of regulatory requirements and safety and health work practices
- Change employer and employee behavior to improve job safety and health through education, consultation, and compliance interventions
- Establish and maintain strong working relationships with industries, associations, groups, and key individuals through alliances and other outreach efforts
- Continue use of meaningful safety and health programs with site specific safety training such as the Pro Logger training
- Develop materials and training presentations specific to the industry
- Focus training events and outreach to specific problem areas such as tree felling
- Evaluate SEP strategies to maintain effectiveness
- Utilize guidance documents that address workplace hazards that are common to the industry

Outcome	Baseline	2019	2020	2021	2022	2023
Fatalities	5	6	8			
Rate	.02486	.0156	.0027*			

Logging	2019	2020	2021	2022	2023	Total
Inspections	39	28				
Goals	60	30				
Consultation	28	21				
Goals	13	13				
Trained	382	65				
Goals	150	75				

2.1 Reduce the DART Rate in Grocery and Related Product Wholesalers (NAICS 4244) by 5% by the end of FY 2023

The State’s strategic planning process includes statistical analysis to determine which industry groups have high injury and illness rates that could affect the state’s goal of reducing the overall injury and illness rate. The baseline rate for grocery and related product wholesalers is 3.5 which was more than twice the overall DART rate of 1.3. For this reason, this industry remains as an area of emphasis in the current SP. Operational Procedure Notice (OPN) 145 was updated to provide guidance in identifying hazards and completing inspections in the grocery industry. The most recent industry DART rate is less than the baseline.

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Strategies for Achieving Specific Outcome Goal

- Provide OSH compliance, consultation and training interventions
- Determine activity levels for OSH intervention
- Determine need for a grocery hazard alert and other industry specific training materials
- Evaluate inspection data to determine if there are any industry trends that should be addressed
- Advance alliances with industry trade groups
- Expand recognition programs such as Carolina Star and SHARP programs
- Evaluate employer’s safety and health program during intervention and recommend improvements

Outcome	Baseline	2018	2019	2020	2021	2022
DART	3.5	3.4	3.3			

Grocery	2019	2020	2021	2022	2023
Inspections	23	16			
Goals	20	14			
Consultation	4	0			
Goals	3	0			
Trained	7	23			
Goals	25	18			

2.2 Reduce the DART Rate in Long-Term Care (LTC) by 5% by the end of FY 2023

While progress has been made in this industry group during previous planning cycles, the baseline rate of 3.9 was still more than twice the overall DART rate. For this reason, the LTC (NAICS 623) emphasis area has been carried over from the previous strategic plan. The most recent DART rate is below the baseline.

Strategies for Achieving Specific Outcome Goal

- Conduct OSH compliance, consultation, and training interventions
- Develop and maintain alliances in LTC including the public sector
- Advance ergonomics guidelines during OSH interventions
- Address elements of long-term care intervention contained in OPN 132 including bloodborne pathogens, tuberculosis, ergonomics, slips, trips, falls, and workplace violence
- Develop materials and training presentations specific to the industry
- Distribute outreach material through direct contact with affected employers
- Properly code inspections for accurate tracking of activity at specific work sites
- Develop procedures to reduce workplace violence in LTC facilities

Outcome	Baseline	2018	2019	2020	2021	2022
DART	3.9	3.3	3.4			

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Long Term Care	2019	2020	2021	2022	2023	Total
Inspections	58	27				
Goals	48	29				
Consultation	66	30				
Goals	40	21				
Trained	442	15				
Goals	50	25				

2.3 Conduct Emphasis Inspections, Training, and Consultation Activity in Establishments Where Employees Might be Exposed to Health Hazards Such as Lead, Silica, Asbestos, Hexavalent Chromium and Isocyanates

The State has established a special emphasis program to address health hazards in the workplace. The current health hazards include lead, silica, asbestos, hexavalent chromium, and isocyanates. Tracking mechanisms have not been developed to allow for the establishment of specific outcome measures in this area of emphasis. The State will continue to monitor the progress of Federal OSHA in developing reliable outcome measures for health issues. A reduction in illnesses relating to the emphasis health hazards identified could influence the primary outcome goal of reducing the overall injury and illness rate by 10% during the five-year cycle of the strategic plan.

Strategies for Affecting Overall Outcome Goals through Elimination of Health Hazards

- Pursue OSH compliance, consultation and training interventions
- Conduct follow-up inspections where overexposure was initially detected
- Develop hazard alerts, training materials and industry guides for specific health hazards
- Provide consultative support on chemicals identified in health hazards SEPs
- Research and review site specific data sources that could be used to identify employers having or potentially having health hazard exposures
- During interventions, identify workplace activities where health hazards may be present
- Secure information from other agencies concerning possible employee overexposure
- Utilize specific inspection procedures described in OPN 135

Health Hazards	2019	2020	2021	2022	2023	Total
Inspections	144	86				
Goals	100	90				

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Consultation	245	169				
Goals	200	135				
Trained	795	238				
Goals	400	280				

Inspections with Detectable Results

Hazard	Inspections	Samples	Overexposures (Inspections)	Overexposures (Samples)
Silica	7	66	6	22
Lead	12	26	2	4
Asbestos	5	9	0	0
Cr (VI)	6	7	0	0
Isocyanates	5	9	0	0
Totals	35	117	8	26

2.4 Reduce the DART Rate in Establishments in Food Manufacturing (NAICS 311) by 5% by the end of FY 2023

The strategic planning process is intended to allocate resources in those areas of emphasis with above average injury and illness rates in an attempt to impact the overall State injury and illness rate. The Food Manufacturing (NAICS 311) DART rate was 2.5 in FY 2017 which was more than the overall DART rate of 1.3. For this reason, food manufacturing was carried over to the current five-year Strategic Management Plan. The baseline rate for this industry is 2.6 which is the five-year average DART rate for the period 2012-2016. Operational Procedure Notice 140 was updated for food manufacturing and to provide specific inspection guidelines. The most recent DART rate is below the baseline.

Strategies for Achieving Specific Outcome Goal

- Give special attention to the OSHA recordkeeping process at each site visited
- Interview a sufficient number of employees to confirm accuracy of OSHA 300 log entries
- Develop educational materials and training presentations specific to this industry
- Provide consultation and technical assistance at sites covered by this area of emphasis
- Conduct inspections addressing industry hazards identified in OPN 140
- Utilize ergonomics inspection procedures to determine the appropriate response when ergonomic hazards may exist
- Consider inspection of additional company sites on targeting schedules when three or more serious violations are identified
- Ensure that all CSHOs are sufficiently trained to recognize hazards associated within the food manufacturing industry

Outcome	Baseline	2018	2019	2020	2021	2022
DART	2.6	2.2	2.1			

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Food	2019	2020	2021	2022	2023	Total
Inspections	42	41				
Goals	40	40				
Consultation	26	16				
Goals	12	12				
Trained	14	23				
Goals	25	25				

2.5 Reduce the number of Amputations in support of the overall outcome goals of reducing the rate of workplace injuries and illnesses by 5% by the end of FY 2023

The first year of any new addition to the SP is designated as a planning year. FY 2019 was a planning year for Amputations. A strategic management plan committee was established to manage the planning process. This includes developing strategies to achieve established goals and determining the appropriate activity level for department intervention including compliance activity, consultation, and training. In FY 2019, Operational Procedure Notice (OPN) 149 was developed to provide guidance for conducting amputation SEP inspections

Strategies for Achieving Specific Outcome Goal

- Meet quarterly to monitor and review the reported results related to Amputations by OSH bureaus
- The SEP Committee Chair will prepare and distribute biannually to the Compliance Bureau supervisors a summary of the reported Compliance inspections any trends or hazard trends identified
- Evaluate information and procedures in the FOM, OPNs, and other department reference materials and make recommendations for revisions to these documents as it relates to Amputations
- Develop an OPN for Amputations during the planning period

Amputation	2019	2020	2021	2022	2023
Inspections	planning year	129			
Goals	planning year	105			
Consultation	planning year	124			
Goals	planning year	100			
Trained	planning year	365			
Goals	planning year	400			

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PART III – SPECIAL ACCOMPLISHMENTS: FEDERAL FISCAL YEAR 2020

Due to COVID-19, the NC Department of Labor’s (NCDOL) Occupational Safety and Health (OSH) Division staff began primarily working remotely at the middle of March 2020. Many inspections, training and outreach, recognition program events, Star site visits and consultation activities were cancelled, postponed and/or conducted virtually. This impacted the anticipated activities and goals that were initially identified in the Strategic Management Plan for Federal Fiscal Year (FFY) 2020. Revisions to previously established activity goals were made in July 2020 and revisions of the FY 2020 Strategic Management Plan were submitted to OSHA. Despite the necessary adjustments in response to COVID-19, the OSH Division was still able to provide comprehensive services to the employers and employees of North Carolina.

- North Carolina’s total recordable case (TRC) rate for Calendar Year (CY) 2019 is at historic low levels. The private sector TRC rate was 2.3 and the Days Away, Restricted, or Transferred (DART) rate was 1.2. When the public sector numbers are included, the overall TRC rate was 2.5 and the DART rate was 1.3. These rates are 20% lower and 19% lower, respectively, than the national rates.
- The OSH Division invested in resources to source, secure and distribute personal protective equipment and disinfecting supplies to OSH staff to ensure their safety and health while maintaining critical operations and services throughout the State.
- The OSH Division received and responded to 5,257 COVID-19 related emails and phone calls between April 1st and October 30th.
- The OSH Division spent many hours collaborating with and assisting other NC agencies lending their expertise and knowledge to large employers that have been adversely affected by the pandemic.
- Due to COVID-19, the OSH Complaint Desk staff worked nights and weekends on a regular basis to process over twice the normal amount of complaints and referrals that usually come into the office during the last two quarters of the year. Additional assistance was provided by the Compliance Bureaus to ensure the large volume of complaints received could be processed and addressed in a timely manner.
- OSH participated on an interagency task force with the North Carolina Department of Human Services (NCDHHS), North Carolina Department of Agriculture (NCDA) and the Centers for Disease Control (CDC). The purpose of this task force was to evaluate efforts by meat and poultry companies in NC to comply with recommendations by various government entities due to the COVID-19 pandemic. This included conducting in-person site visits to companies during the year.

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- Agricultural Safety and Health (ASH) has been working closely with various local and State agencies and other organizations to provide COVID-19 outreach, education, information and technical assistance to farmers and farmworkers in North Carolina.
- Beginning in March 2020, the ASH Bureau Chief met weekly with a migrant health and housing workgroup that included representatives from various sections of the NCDHHS including the NC Farmworker Health Program and the Department of Health's (DPH) Communicable Disease Branch, the NC Agromedicine Institute, and the NC Community Health Center Association. The workgroup developed and presented two online COVID-19 training webinars for the agricultural community. The workgroup also worked with USDOL's Wage and Hour Division to provide an online webinar for NC growers explaining the requirements of the Families First Coronavirus Response Act.
- ASH partnered with the NCDHHS, NC Cooperative Extension, NC Department of Agriculture and the NC Agromedicine Institute to expedite delivering 900,000 masks and infection control supplies to protect the health and safety of farmers and agricultural workers across the State.
- In September, the ASH Bureau Chief joined a COVID-19 workgroup that included representatives from the NC Department of Agriculture and Consumer Services, NC Agromedicine, NC Farmworker Health Program, NCGA, NC Farm Bureau, NC Christmas Tree Association, and the NC Sweet Potato Association. The workgroup meets weekly to discuss COVID-19 challenges faced by growers and farm workers and possible solutions. Discussion topics include transportation, housing, personal protective equipment, COVID-19 testing, vaccine distribution, and training opportunities.
- As a result of the COVID-19 pandemic, the Planning, Statistics, and Information Management (PSIM) Bureau had an unprecedented increase in the number of disclosure file requests compared to last year, with an overwhelming 53% increase. PSIM staff worked diligently to process disclosure requests, which resulted in an 8% increase in the actual number of files processed compared to the last fiscal year.
- Through an alliance with Lamar Advertising, two digital billboards were posted across the State to advertise the NCDOL available resources related to COVID-19 including free training, guidance documents and example programs.
- A COVID-19 safety and health topic was developed by ETTA and continues to be updated along with several other COVID-19 related safety and health topics including respiratory protection, personal protective equipment and recordkeeping.
- There have been over 21,000 web page views of the COVID-19 safety and health topic page that was developed to assist employers and employees to find information about COVID-19.
- Eleven temporary guidance memorandums were put out by the OSH Division to compliance officers to assist them in the evaluation and enforcement measures concerning COVID-19.

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- Nine hazard alerts were created by Education, Training and Technical Assistance (ETTA) on COVID-19 safety and health guidelines for general industry, construction, agriculture, food processing and retail. Alerts were also developed for Respiratory Protection for Healthcare Workers, Respiratory Protection for Long Term Care, Face Coverings vs. Respirators, and Risk Considerations for Face Coverings.
- Agricultural Safety and Health (ASH) Bureau developed COVID-19 guidance for migrant housing facilities that was disseminated to all registered growers in North Carolina and posted to the NCDOL website.
- Frequently Asked Questions (FAQs) on COVID-19 were developed and posted to the Coronavirus safety and health topic page and is available in English and Spanish. They include questions related to personal protective equipment, wage and hour, recordkeeping, and COVID-19 vaccination. The FAQs are routinely updated.
- ETTA developed an example COVID-19 Preparedness and Response for Low and Medium Risk Employers Program.
- Six presentations were developed by ETTA to assist employers in educating employees on COVID-19. They included the following: basic COVID-19 training, COVID-19 for the construction industry, COVID-19 training for the retail industry, COVID-19 training for manufacturing, COVID-19 training for poultry processing industry and COVID-19 training for higher education. Live webinars on the COVID-19 topics continue to be posted routinely to the Online Training Calendar.
- Five COVID-19 prerecorded webinars are available on the NCDOL website including basic employee training on COVID-19, respiratory protection, and use of personal protective equipment in general industry and construction.
- In May, ASH participated in a COVID-19 training webinar for growers hosted by NC Cooperative Extension in Henderson County.
- The OSH Director joined the Advisory Board for Carolina Promoting Safe Practices for Employees' Return (Carolina PROSPER), in August 2020. It is a rapid-response COVID-19 occupational safety and health technical assistance program based out of the UNC Gillings School of Global Public Health. The program is made up of experts in industrial hygiene, occupational safety and health, and workplace health promotion and they provide COVID-19 related technical assistance to employers.
- In State Fiscal Year (SFY) 2019, the NC Legislature provided a 2.5% across-the-board salary increase for all State employees which provided a modest increase to all OSH staff. The bi-annual budget also included a provision for an additional 2.5% salary increase for most State employees in 2020.

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- The OSH Division has taken various actions to increase safety and health professional pay to be more competitive with the private sector. A policy change was made that allowed salary adjustments for various professional certifications and designations. This change resulted in 311 pay increase actions from 2015 through 2020. The staff certifications and designations strengthen the ratios associated with professionalism in the division and associated pay increases appear to be impacting the division's overall strategy to retain experienced safety and health professionals.
- The OSH Division continues to promote continuing education of staff and offers occupational safety and health training courses along with Certified Safety Professional (CSP), Associate Safety Professional (ASP), and Certified Industrial Hygienist (CIH) professional certification courses. In addition, certification software and study materials for CSP, CIH, Certified Hazardous Materials Manager (CHMM), Occupational Hygiene and Safety Technician (OHST), Construction Health and Safety Technician (CHST), and Certified Environmental, Safety and Health Trainer (CET) have been purchased to assist employees in obtaining certifications. The OSH Division firmly believes that providing staff members with quality training and access to certification software allows them an opportunity for self-improvement and it allows us to better serve our customers.
- One OSH Division staff member attained the CIH certification. A CIH is a safety and/or health professional who has met education and experience requirements, has demonstrated by examination the knowledge that applies to the professional practice of industrial hygiene, continues to meet recertification requirements established by the American Board of Industrial Hygiene (ABIH), and is authorized by ABIH to use the Certified Industrial Hygienist designation.
- Two OSH Division personnel attained the CSP certification. A CSP is a safety and/or health professional who has met education and experience requirements, has demonstrated by examination the knowledge that applies to professional safety practice, continues to meet recertification requirements established by the Board of Certified Safety Professionals (BCSP), and is authorized by BCSP to use the Certified Safety Professional designation.
- Two OSH Division personnel attained the ASP certification. The ASP is an independent certification awarded by BCSP. This certification denotes that an individual has met academic requirements and has passed the Safety Fundamentals Examination (the first of two examinations leading to the CSP).
- Eighteen OSH Division personnel attained the OSH OCSS designation. To be eligible for this program, the employee must be recommended by their supervisor and/or bureau chief. This program focuses on advanced construction topics to include, but not limited to, excavations and trenching, cranes and derricks, fall protection, steel erection, electrical safety, scaffolding, residential construction (i.e.; frames, trusses, and roofing), health hazards, concrete and masonry, materials handling equipment (i.e.; loaders, bulldozers) and work zone safety. Each course contains a field portion with an emphasis on OSH inspection procedures.

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- Two OSH Division personnel attained the Manager of Environmental Safety and Health (MESH) certificate, one received the Construction MESH certificate, and one received the Public Sector MESH certificate as a result of receiving 100 hours of safety and health training. These certificates are offered in collaboration with NC State Industry Expansion Solutions and the Safety and Health Council of North Carolina.
- Two OSH Division staff attained the 500 and/or 501 Train-the-Trainer authorization. To be eligible for this program, the employee must be recommended by their supervisor and/or bureau chief. This authorization allows an employee to teach State and Federal 10- and 30-hour courses. In addition, one OSH staff member attended the 502/503 refresher course and was recertified as an authorized trainer.
- The OSH Division met with the OSH Advisory Council on November 12, 2020. The OSH Advisory Council provides guidance to the OSH Division on matters related to the OSH Act and meetings are conducted twice per year. Due to the COVID-19 pandemic, the Spring meeting was cancelled and the Fall meeting was held virtually via video conference.
- OSH Division Director, Kevin Beauregard, served as past Chairman of the OSHSPA Board in FFY 2020. He began his 2-year term as OSHSPA Chairman near the beginning of FFY 2018. The OSHSPA Board meets with Federal OSHA leadership three times a year. The purpose of the OSHSPA meetings are to ensure consistency amongst OSHA programs nationwide. Due to COVID-19, one in-person meeting was held in January 2020 and the other meetings were held virtually.
- The NCDOL Communications Department reached NC employers and employees with safety messages by posting them on numerous social media sites including Facebook, Instagram, Twitter, YouTube and broadcasting Podcasts.
- The OSH Division participated in nine podcasts relating to bureau services, stand downs, and alliance activity. Podcasts included services provided by the library, recognition programs (Gold Star Growers, Carolina Star, Safety Awards), and OSH activities. Topics covered during the respective stand down weeks included fall hazards, grain bin safety, and excavation and trenching hazards. Podcasts were also conducted with individual alliance organizations including Carolinas AGC, NC State Industry Expansion Solutions, National Utility Contractors Association (NUCA), and the Safety and Health Council of North Carolina.
- The OSH Division has seven active alliances including Carolinas Association of General Contractors (AGC), Lamar Advertising Company, Mexican Consulate, NC State Industry Expansion Solutions, NUCA, the Safety and Health Council of North Carolina and the North Carolina Association of Local Governmental Employee Safety Officials.
- As part of our alliances, our Western Compliance Bureau Chief participated on the safety committees for both the Carolinas AGC and the NC Chapter of NUCA.

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- The OSH Division was engaged in three high visibility construction projects in support of the construction strategic plan goal through the partnership program. These included:
 - Flatiron/Blythe Development Company
 - Site #1 – Charlotte Douglas Airport Improvements – Charlotte
 - Successful completion in November 2019
 - Fluor Enterprises
 - Site #2 – DAPI US Project, Novo Nordisk Facility – Clayton
 - Successful completion in October 2019
 - Turner – Rogers Joint Venture
 - Site #3 – Charlotte-Douglas Airport Concourse A, Expansion Project – Charlotte
- Compliance conducted 2,110 inspections during FFY 2020. They identified and corrected over 4,900 hazardous conditions, including 3,598 (73%) that were classified as serious, willful, or repeat violations.
- Approximately 56% of Compliance inspections resulted in serious, willful, or repeat violations, with a total initial penalty assessment of \$7.33 million dollars. However, only 4.2% of inspections were legally contested by employers.
- Inspections with citations were written and processed in a timely manner, which expedites abatement of the hazardous conditions. Compliance had an average lapse time of 47.38 days for safety inspections and 44.77 days for health inspections, both of which are significantly lower than the respective national averages of 55.3 and 68.0 days.
- Compliance inspected 74 fatalities during FFY 2020, identifying serious, willful, or repeat violations on 65.3% of those inspections.
- Compliance began inspection activity in FFY 2020 for the Amputations Special Emphasis Program (SEP) after completing the planning and education phases FFY 2019. The purpose of the program is to reduce the number of amputations across the State. Compliance inspected or investigated 158 accidents resulting in an amputation plus an additional 21 accidents where an employee was pulled into machinery.
- Four change requests were submitted for the OSHA Express (OE) Data Management System this past year. The OSH Division transitioned to a paperless system during FFY 2020 which became very beneficial during the COVID-19 pandemic. Staff was generally able to work from home and continue to write and process files on a timely basis.
- In FFY 2020, OSH transmitted data from OE to OSHA's Information System (OIS) via an interface. OSH and the OE vendor continue to work together to ensure that the OE and OIS, State Activity Mandated Measures (SAMM) and State Information Report (SIR) reports are providing accurate data.

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- OSH continues to provide administrative support for the OSHA Legacy Data (OLD) system. The OLD system was rolled out in late FFY 2016 and additional features were subsequently added to allow OSHA and State Plans to access and modify pre-OIS inspection files, as necessary. Progress continues to be made closing NC open legacy case files. At the end of FFY 2020, OSH had 44 cases remaining in the OLD system.
- Six action requests were processed by Compliance. This quality program activity provides opportunities for program improvement identified by customers, division employees or as a result of internal audits and Federal OSHA audits. Ongoing revisions are made to the Field Operations Manual (FOM) and Operational Procedure Notices as a result of the quality program action items.
- As part of the OSH Quality Program, 22 internal inspection report audits were conducted, and 97 high profile case file reviews were completed by the OSH Director’s Office. The purpose of the audits was to ensure that inspection activities were being conducted in accordance with established policies and procedures. The findings of these audits were posted internally, and feedback was provided to the compliance bureau chiefs, district supervisors, and compliance officers.
- Another internal audit was conducted to evaluate the ASH publications and related materials that are utilized by the ASH Bureau and the ‘grower’ communities to assist them in meeting preoccupancy requirements and maintaining permit requirements of the Migrant Housing Program. As such, the ASH Bureau is working on issues that were identified to improve and streamline the processes.
- The OSH Complaint Desk staff and field office personnel processed 4,121 complaints and 703 referrals in FFY 2020. Over 3,770 additional contacts were made with the public that did not result in valid complaints along with 121 reports of injuries that were not processed due to the incidents not being reportable to OSH.
- The OSH Lab completed 327 in-house equipment calibrations. An additional 83 pieces of equipment were sent to the manufacturer for calibration or repair.
- The OSH Division’s Unmanned Aircraft Systems (UAS) Program was utilized as a resource for use during compliance inspection, requiring aerial photographs or videos. The drones have been successfully deployed on multiple inspections, including fatality investigations, where staff would otherwise have not been able to reach the site due to unsafe conditions.
- West Compliance conducted “Introduction to OSHA” courses at two area high schools, introducing students to OSHA requirements and hazards commonly found in general industry.

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- Additional OSH outreach presentations were provided by Compliance to groups such as American Society of Safety Professionals (ASSP), Scott Insurance, and the Safety and Health Council of North Carolina.
- East Compliance and CSB provided instruction to students in the East Carolina University Industrial Hygiene Program. The Industrial Hygiene (IH) Lab Day provided students with hands on instruction on the use and calibration of various IH sampling equipment. This class has been provided annually for the past several years.
- During FFY 2020, CSB identified and addressed overexposures to copper, noise, manganese, methylene chloride, and silica.
- In 2020, the Consultation Program received the Regional Annual Consultation Evaluation Report (RACER). The report did not have any negative findings or observations nor were there any recommendations for improvement.
- CSB and Federal OSHA provided collaborative training on hexavalent chromium to US Army staff at Fort Bragg, NC. The class included 44 representatives from various safety-related US Army offices coming from as far away as Texas, Wisconsin, Georgia, New York and Kentucky.
- There were 121 private sector companies participating in the Safety and Health Achievement Recognition Program (SHARP) with four in pre-SHARP. In addition, there were six construction SHARP companies, and 40 public sector SHARP with three in pre-SHARP.
- CSB mailed 970 letters to employers with an Experience Modifier Rate (EMR) of 1.5 or higher. Tracking last year's requests from the mailing, the bureau noted that 50% of customers no longer had an EMR above 1.5.
- The Consultative Services Bureau Chief and Dr. Ahmed Al-Bayti, a construction safety research professor, presented research results regarding the use of the workers' compensation experience modifier rate (EMR) as a safety indicator to the Construction Institute Summit. This research was published in the ASSP's journal regarding the EMR Program.
- The CSB has a task/measure called "intervention" that is different from onsite visits and is not counted in the program statistics. During FFY 2020, 264 interventions were conducted. Activities included substantive telephone and email correspondence, off site technical training, speeches and presentations. CSB continued to conduct interventions and surveys in the logging and arboriculture industries providing outreach to this highly hazardous industry.
- ETTA mailed an outreach letter to 55 construction employers with five or more serious violations. The letter provided employers with information regarding OSH outreach services and publications. This letter is an outreach strategy used by the Construction SEP committee to lower injury and illness rates in construction.

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- ETTA distributed a letter announcing the new Amputations SEP and listing resources to assist employers in reducing amputation hazards in the workplace. The letter was mailed to 1,700 employers in target industries located in NC with high amputation rates.
- A Training Newsletter is sent out by ETTA periodically to over 11,000 employers and employees in North Carolina
- The Training Section conducted two 10-hour and one 30-hour general industry awareness courses and three 10-hour construction awareness courses. Several 10- and 30-hour courses were canceled and/or postponed due to the pandemic.
- **ETTA** participated in 243 events to include speaker's bureau requests, 10- and 30- hour courses, individual topic workshops, webinars and public outreach fairs and conferences.
- The Training Section provided training and outreach services to the Spanish speaking population through delivery of individual topic workshops. During FFY 2020, 162 Spanish speaking workers were trained.
- ETTA offered 225 hours of formal training, 271 hours of continuing education, and three hours of other job-related training to internal personnel.
- The OSH Division participated with Federal OSHA in the National Safety Stand Down to Prevent Falls in Construction. ETTA hosted three webinars; two on fall protection and one on stairways and ladders. A total of 56 employees were trained during these webinars.
- During Safe + Sound Week, ETTA hosted a webinar on Safety and Health Management Systems that provided training for 55 employees.
- ETTA contributed to the designs of three billboards located on prominent highways in NC. The billboards advertised the fall prevention stand down, the upcoming safety awards season and one was posted during the summer months regarding heat stress prevention.
- The NCDOL (Charles H. Livengood Jr. Memorial) Library loaned out 498 items (e.g., consensus standards, safety videos, certification exam preparation books) to NCDOL employees and registered public patrons.
- The library responded to 761 information requests and 329 reference questions, provided streaming video access (via The Training Network NOW) to 82 patrons, served 261 visitors, acquired 241 items for the collection and cataloged 408 items.
- The Standard's Section responded to 3,379 standard inquiries.
- The Standard's Section developed three new safety and health topic pages for the NCDOL website including pages on the following topics: Laser Safety, Amputations SEP, and

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Coronavirus. Additionally, all existing safety and health topic pages were reviewed and edited.

- The Standard's Section added 51 documents to the Field Information System (FIS) including updates to the Field Operations Manual (FOM), revised OSH Division policies, and adoption of multiple Federal OSHA Instructions. ETTA, PSIM, Compliance, and/or Legal Affairs work jointly to update and revise FIS documents
- Final rules adopted in NC included Technical Corrections (29 CFR 1904, 29 CFR 1910, 29 CFR 1915 and 29 CFR 1926), Corrections to the Walking-Working Surfaces Personal Protective Equipment, and Special Industries standards (29 CFR 1910.23, 29 CFR 1910.25, 29 CFR 1910.27, 29 CFR 1910.29, 29 CFR 1910.140, and 29 CFR 1910.269), the revised rule for Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors (29 CFR 1926.1124 and 29 CFR 1915.1024), revisions to the Respiratory Protection Standard (29 CFR 1910.134, Appendix A), and two revisions to the rule on Occupational Exposure to Beryllium and Beryllium Compounds in General Industry (29 CFR 1910.1024).
- Six quick cards were translated into Spanish; Injury Reporting, Hazardous Animals, Lockout/Tagout, Vehicle Safety, Process Safety Management and Portable Ladders. The OSH Division now has 33 quick cards available in English and Spanish.
- The Standard's Section made 12 revisions to publications including brochures, industry guides and hazard alerts, covering multiple safety and health topics. This included brochures on Labor One (Mobile Training Unit), Public Sector Surveys and the Top Ten Most Frequently Cited Serious Violations. Industry guides included Standards Requiring Programs, Inspections, Procedures, Records and/or Training for General Industry, Construction, Marine Terminals and Agriculture.
- ETTA distributed 20,621 publications to employers and employees across the State. The Publications Desk served 3,831 customers.
- The Carolina Star Program had 27 Star re-certifications, one Star promotion and added three new Star sites for an overall total of 151 Star Sites: 103 Carolina Star sites, 23 Building Star sites, 21 Public Sector Star sites and four Rising Star sites.
- Due to COVID-19, the 2020 Annual Carolina Star Safety Conference was canceled. This would have marked the 24th annual conference for the Carolina Star Program.
- The Carolina Star Program hosted an inaugural Building Star Program Best Practices Workshop in November of 2019 with a total of 31 in attendance.
- The Carolina Star Program trained ten new Special Star Team Members (SSTMs) during one in-person training class; one training class was canceled due to COVID-19.

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- The Safety Awards Program celebrated its 74th year and gave out 2,251 Gold Awards, 486 Silver Awards, and 96 Million Hour Awards during 28 virtual banquets.
- The PSIM Bureau Chief continued to perform duties associated with the responsibility of being the Medical Records Coordinator for the OSH Division.
- PSIM participated as a representative from the OSH Division to the Occupational Surveillance Advisory Group.
- PSIM continued to provide notifications of workplace accidents and fatalities to the NC Department of Commerce, NC Industrial Commission, Fraud Investigation Section of the Criminal Investigations & Employee Classification Division.
- The PSIM Bureau Chief assisted ETTA with reviewing photos and graphics within various PowerPoint presentations to verify adherence to copyright, privacy, ownership, and brand name restrictions.
- PSIM compiled OSH data initiated for the NCDOL Annual Report, the OSH Annual Program Statistics Report, and various other annual reporting requirements.
- PSIM analyzed public sector inspection activities for FFY 2015 – 2019 and construction inspection activities for FFY 2019.
- PSIM completed FFY 2019 Occupational Fatalities Comparison Report (OFIR Report Analysis).
- PSIM analyzed and verified CY 2019 fatality data for the Communications Department’s annual press release.
- PSIM continued refinement of the OSH private and public-sector databases to supplement our exclusive use of the Division of Employment Security database.
- PSIM received, researched, and processed 945 requests for revisions/changes to the private and public-sector establishment databases, which helps to enhance the accuracy of these site databases and the OSH Division Targeting System.
- PSIM worked on various targeting schedules that were updated and assignments released for:
 - Public Sector Schedule
 - General Industry Schedules (Safety and Health)
 - ASH Schedule
 - Health Hazards Schedules (Asbestos, Lead, and Isocyanates)
 - Fatality Reinspection Schedule
 - Communication Tower Schedule
 - Amputations SEP Schedule

Appendix E – FY 2020 State OSHA Annual Report (SOAR)

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- PSIM received closed inspection files for archiving from the field offices.
- PSIM prepared 694 inspection files for scanning and scanned 163 of those files for archiving into the department's file content management system (OnBase).
- The project of quality control review is continuing and ongoing for OSH inspection files, which have been archived through the imaging and file conversion processes.
- PSIM received 2,421 disclosure requests during FFY 2020 and processed 1,089 requests (878 from FFY 2020 and 211 from previous years) during this fiscal year, which resulted in a 45% response rate.
- PSIM staff updated APN 19 – Strategic Management Plan Committee Activity for FFY 2020 and OPN 128 – Public Sector Surveys.
- PSIM coordinates the strategic plan process for all bureaus in the OSH Division to submit data for the FFY 2021 Strategic Management Plan (SMP). All OSH Division bureaus continue as active SMP Committee members and participate in all SMP meetings, discussions, and activities which are essential functions directly related to the success of OSH Division Strategic Management Plan goals.
- PSIM completed an analysis of data collected from the 2016, 2017, and 2018 Public Sector Surveys, resulting in updated, established target rates for employer specific categories.
- PSIM received and processed 705 requests from the public sector for revisions/changes to the Public-Sector Injury and Illness Survey database.
- PSIM mailed a total of 3,110 surveys to public sector employers (collection of calendar year 2019 injury and illness data). At the end of FFY 2020, 2,696 survey responses were received with an 86.7% response rate and a 100% clean rate. The response rate is lower this year compared to last year's 96.2% as a result of the COVID-19 pandemic causing a two-month delay in mailing the first notice to employers.
- The ASH Bureau is working with NCDOL Information Technology to develop a new preoccupancy inspection database to improve user functionality, transition to an electronic storage system, and allow growers to register their migrant housing online and access their housing certificates.
- ASH Bureau completed 1,629 preoccupancy housing inspections of migrant farmworker housing and conducted 40 compliance inspections.
- Housing certificates were issued to 1,600 sites with a total occupancy (beds) of 20,742.

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- In October 2019, ASH staff provided training to ten farm labor contractors during a workshop hosted by NC Cooperative Extension. Training topics included migrant housing regulations, field sanitation requirements, injury and illness logs, and worker training requirements.
- During the NC Farm Bureau’s annual meeting, ASH staff presented on the following topics; the Migrant Housing Act of NC, historical inspection data, preoccupancy and compliance inspection procedures, heat stress prevention, and controlling the spread of communicable disease in the workplace.
- The ASH Bureau continues to strengthen partnerships and associations with other groups, such as: NC Cooperative Extension, NC Agromedicine Institute, NC Farmworker Health Program, NC Community Health Center Association, NC Farm Bureau, NC Agribusiness Council, and the NCGA.
- The ASH Bureau developed a sample Heat Stress Prevention Program for agricultural employers.
- At the 26th Annual Gold Star Growers’ Meeting, ASH recognized 197 Double Gold Star growers and 86 Single Gold Star growers.