

Western NC Safety & Health Conference

OSH NC and the New OSHA: Changes and Impacts

Presented by:

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Occupational Safety and Health Division of North Carolina



OSH Strategic Management Plan 2010-2013

Outcome Goals –

- **By the end of FY 2013, reduce the rate of workplace fatalities by 5%**
- **By the end of FY 2013, reduce the rate of workplace injuries and illnesses by 15%.**

Results of Strategic Plan Goals FY 2010 - 3rd Qtr.

	1 st Qtr.	2 nd Qtr.	3 rd Qtr.
Serious Hazards Eliminated	3,436	8,669	14,246
Safety Inspections	522	867	692
Health Inspections	321	493	416
Private Sector Consultation Visits	211	257	248
Public Sector Consultation Visits	28	65	54
Program Improvements	812	1,001	877



Results of Strategic Plan Goals FY 2010 - 3rd Qtr.

	1 st Qtr.	2 nd Qtr.	3 rd Qtr.
People Trained By OSH in Special Emphasis Program Areas	1,799	1,322	2,171
People Trained By OSH/OSH Sponsored Events	3,174	2,557	3,338
Publications Distributed	9,898	18,805	12,404
Standards Interpretations	1,173	1,453	1,374
ASH Outreach Materials Distributed	1,228	2,487	1,116
ASH Pre-Occupancy Inspections	15	827	429
ASH Certificates Issued	56	541	739



Strategic Plan

Special Emphasis Program Areas

FY 2010 - 3rd Qtr.

- Construction
- Logging and Arboriculture
- Sawmills, Veneer, Manufactured Home and Other Wood Products
- Long Term Care
- Health Hazards
- Food Manufacturing
- Alliances and Partnerships



Also monitoring . . .

FY 2010 - 3rd Qtr.

- **Safety and Health Recognition Programs**

	1 st Qtr.	2 nd Qtr.	3 rd Qtr.
New Star Sites	1	7	5
Carolina Star	86	84	83*
Building Star	19	22	22*
Rising Star	4	5	5*
Public Sector Star	12	15	15*
Star Re-Certifications	3	7	4
Star-Related Presentations	6	11	5
Star Program Interventions	29	32	28
Sharp-Related Sites (Total = 89)	13	16	9

*Current number

Special Star Team Members (SSTM)

Trained employee volunteer from a Carolina Star Program participant, knowledgeable in:

- Safety and health management systems assessments
- Formally trained by OSHNC in Star policies and procedures
- Determined by OSHNC to qualify to perform Star onsite evaluations

Training Calendar

FY 2010 - 3rd Qtr.

● Five Training Locations

- Wilmington
- Raleigh
- Charlotte
- Winston-Salem
- Asheville

Training Schedule

08/04/10						
Intro to OSH / Reading the CFR Registration: Wilmington						
Respiratory Protection Registration: Wilmington						
Fall Protection Registration: Wilmington						
Electrical Safety Registration: Wilmington						
Recordkeeping Registration: Wilmington						
08/06/10						
Intro to OSH / Reading the CFR Registration: Live Web Training						
08/10/10 - 08/13/10						
30/10 Hour General Industry Awareness Course Registration: Flat Rock						
08/20/10						
Recordkeeping Registration: Live Web Training						
08/25/10						
Inspection Process Registration: Live Web Training						
08/27/10						
Confined Space Entry Registration: Live Web Training						

◀	August 2010						▶	
Prev.	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	Next
	1	2	3	4	5	6	7	
	8	9	10	11	12	13	14	
	15	16	17	18	19	20	21	
	22	23	24	25	26	27	28	
	29	30	31					

Billboards

*“Get on board
with safety.”*

Cherie Berry
Commissioner of Labor



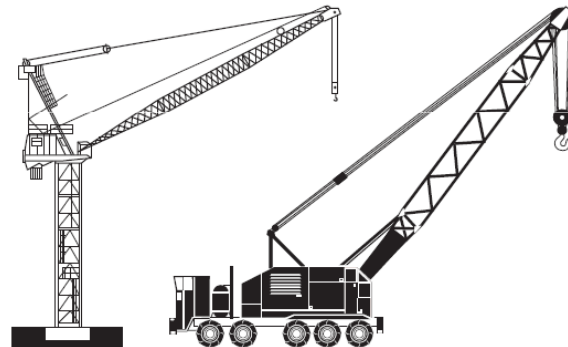
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Training Activities

FY 2010 - 3rd Qtr.

- 40 Power Point Presentations Available On-Line
- NC500 and NC501 offered in October 2010
- Hispanic Outreach
 - Radio Interviews on Heat Stress



N.C. Workplace Safety and Health Statistics

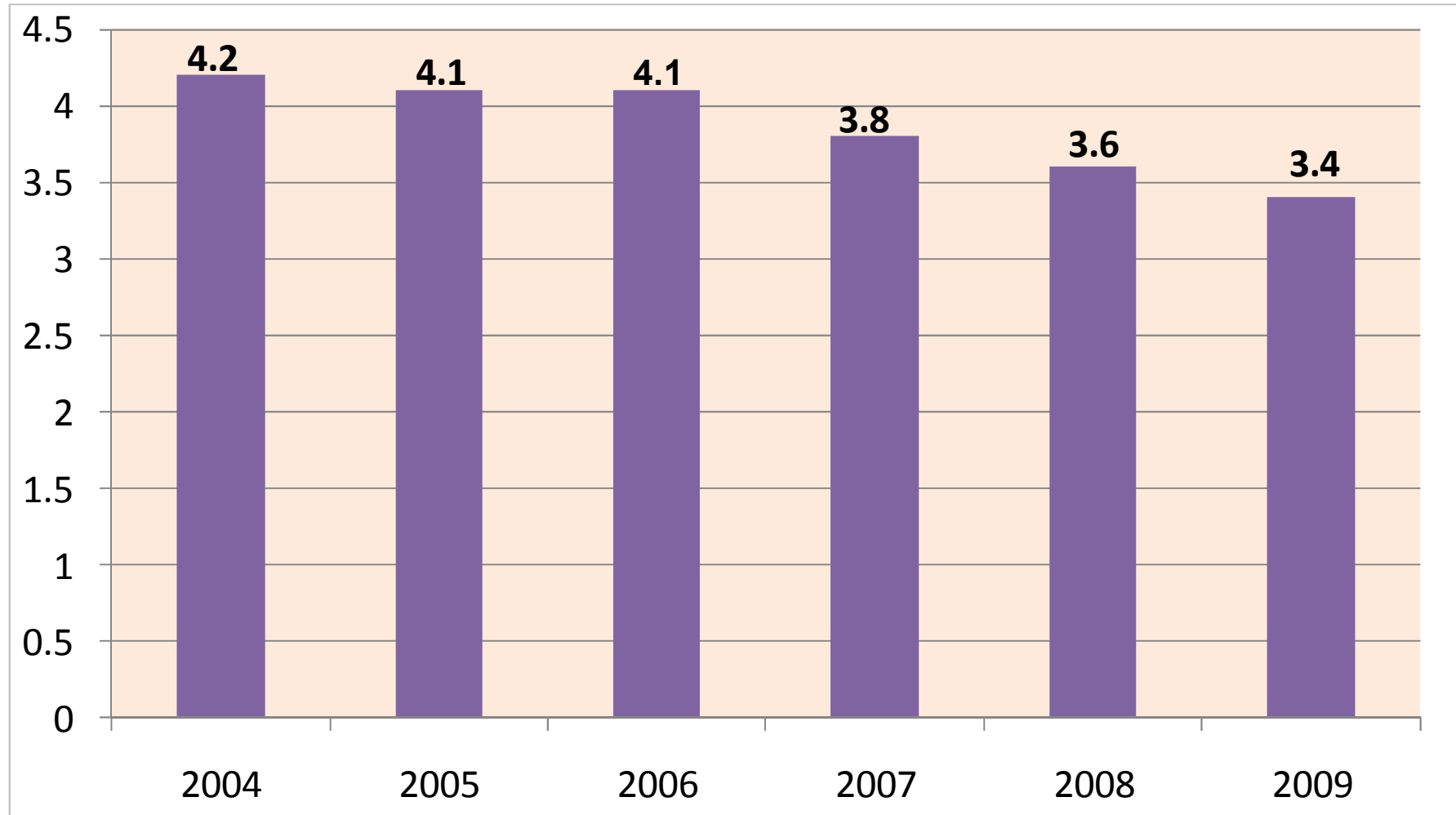
CY 2009	Total Recordable Case		DART Rate	
North Carolina	3.1	3.4*	1.6	1.6*
National Average	3.6	3.9*	1.8	1.9*

*All industries including state and local government



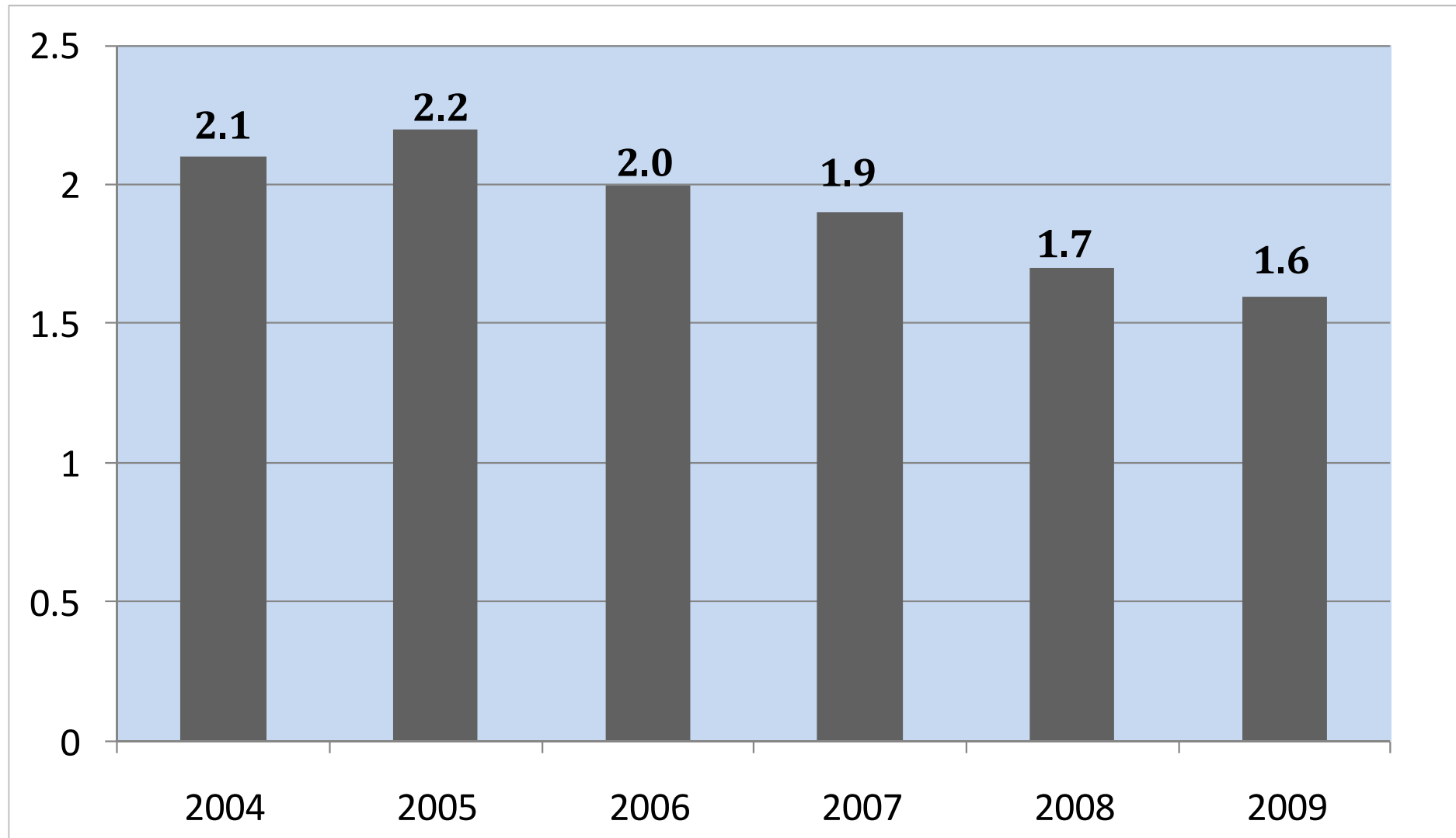
NC Injuries and Illnesses

Total Recordable Cases (TRC)



NC Injuries and Illnesses

Days Away, Restricted, Transferred (DART)



N.C. Workplace Safety and Health Statistics

FY 2009 OSH Jurisdiction Fatalities	41
Crushed by	12
Electrocution	2
Fire/explosion	9
Falls	7
Struck by	7
Other	4

FY 2010 OSH Jurisdiction Fatalities	43
Crushed by	6
Electrocution	5
Fire/explosion	0
Falls	15
Struck by	12
Other	5

Alliances and Partnerships

Special Emphasis Program

FY 2010 - 3rd Qtr.

- **12 Alliances**

- Safety and Health Council of NC
- Carolinas Roofing and Sheet Metal Contractors Association
- NC State University – Industrial Extension Service
- Public Safety Divers Association
- North Carolina Forestry Association
- Lamar Advertising Company
- NC Association of Professional Loggers
- NC Forestry Mutual Insurance Company
- Builders Mutual Insurance Company
- North Carolina Utility Contractors Association
- Sampson Community College
- Carolinas Associated General Contractors



Alliances and Partnerships

Special Emphasis Program

FY 2010

- **3 Partnerships**

- Justice Center
 - Barnhill, Balfour – Beatty
- Wake County Detention Center
 - Skanska USA
- Guilford County Detention Center
 - DH Griffin, Balfour-Beatty
- Western Wake Raleigh-Durham Roadbuilders
 - Archer Western-Granite



- Alliance and Partnership Application Process Being Finalized

2010 Accomplishments

- Lowest injury and illness rate in program history
- Great participation in our annual Star Conference—over 600 participants
- 11,000 employers/employees trained
- 40 PowerPoint presentations on safety training available on the Labor website
- 2,500 workplaces were recognized through the Safety Awards Program

Protecting America's Worker Act (PAWA)

- Civil and Criminal enhancements
 - Serious to \$12,000
 - Willful or repeat that involve a fatality up to \$250,000
 - Changes “willfully” to “knowingly”
 - Fine and not more than 10 years in jail versus current 6 months
 - Expands coverage to all public employees
 - Expands the rights of workers and victims' families

Miner Safety and Health Act of 2010

- Many good and needed revisions to the current MSH Act following the West Virginia tragedy
- Legislation was added that to the House bill that pushed the PAWA agenda
- Included were victims' family rights during investigation/settlements; abatement of serious violations prior to contestment; penalty increases (passed committee 7/21/10)
- The OSH language and changes were added without bipartisan support

“As effective as”

- State plan association (27 states) has been notified that all states, regardless of federal or state status, must adopt National Emphasis Programs and must move to increase serious penalties to average between \$3,000-\$4,000
 - Policy or procedural changes instead of OSH Act changes
 - Letters to federal OSHA asking for legal authority to require state-plan states to adopt these changes—answer was unclear; “policy or procedure of national importance.”
-

Questions swirling around . . .

What about the NC crane standard?

- Adoption of the federal Crane and Derrick standard effective November 8, 2010

Are penalties going to increase in NC?

- Federal policies, not changes in the OSH Act, will result in penalty increases in federally controlled OSHA states, start date October 1, 2010.
- State-plan states, like NC, have not been involved in discussions on this policy change or other differences in how we administer our programs.

Questions swirling around, cont'd.

What about the severe violator enforcement program?

- The OSH NC program has many of the components of this already in place.
- This includes follow-up inspections, fatality re-inspections, provisions for instance-by-instance penalties.
- OSH NC will not adopt this verbatim but continue to use our state policy.

What about the enhanced monitoring report of OSH NC and the other state plans?

Monitoring was completed in April and all of the reports were posted on OSHA.gov in September and the US Congress will ask for another hearing to discuss deficiencies.

Employers and Safety

- Frank White, senior VP of ORC Worldwide's Health, Safety, and Environmental Practice, reported that there are 4 types of employers regarding safety regulations:
 - COMMITTED
 - COMPLIANT
 - CONFUSED
 - CRIMINAL

Thank You For Attending!

Contact information:

1-800-NC-LABOR

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