

DECEMBER 2022

# LABOR N.C.

*For all NCDOL Employees*

## FROM THE COMMISSIONER

I hope you had a wonderful Thanksgiving holiday with your family and friends. Personally, I always enjoy this holiday the most because I get to spend time with my family, and we have the opportunity to reflect on all we have to be thankful for – not just on Thanksgiving Day but every day of the year.

We are now entering the month of December and the busy holiday season. Our annual Toys for Tots collection is already underway, and our drive will culminate on Wednesday, Dec. 14 from noon until 3 p.m. in front of the Labor Building. I encourage you to drop by, bring a new, unwrapped toy to donate and enjoy a Christmas cookie or a mug of hot chocolate! Toys for Tots is a great opportunity to help our community and brighten the day of a child's life. I want to thank Lee Peacock for overseeing the entire Toys for Tots operation on behalf of the department. I also want to thank all of the Labor Department elves for promoting the Toys for Tots program and preparing for the drive on Dec. 14. Thank you everyone for your generosity which will ensure that no child is without a gift under the tree Christmas morning.

It was exciting to take part in my first Employee Recognition Banquet since becoming the Commissioner of Labor and seeing many of you at the different division trainings. It was a great celebration of our department's employees and their service to the State of North Carolina. I want to especially thank the members of the Employee Recognition Banquet Planning Committee for all of their hard work in making this year's banquet a success: Skyler Allen, Denise Ball, Judyth Forte, Jennifer Haigwood, Celeste Hardy, Tammy Higgins, Adriana Jordan, John Luckado, John Mallow, Meredith Watson, Kiley Willard, Erin Wilson and Caitlin Wood.

I want to wish each of you a blessed holiday season. Enjoy time with your friends and family and all the delights this holiday season has to offer. Merry Christmas, Happy Holidays and Happy New Year to you all!

*Josh Dobson*



# EMPLOYEE NEWS

- Wesley Herron, OSH East, Manager of Environmental, Safety and Health (MESH), Industrial Hygiene MESH and Emergency Preparedness MESH.
- Michael Greer, OSH West, Certified Safety Professional (CSP).

## NEW HIRES

- Kendy Leger, Wage and Hour, wage and hour case analyst, Raleigh
- Sharon Owens, OSH East, OSHA safety officer I, Raleigh
- Mona Bryan-McCall, PSIM, information processing archivist, Raleigh
- Darolyn Sutton, Human Resources, office specialist, Raleigh

## PROMOTIONS

- Crystal Williams, Human Resources, HR generalist, Raleigh
- James Zepede, Consultative Services, OSHA safety consultant, Winston-Salem

## SEPARATIONS

- John Rosser, Wage and Hour, administrative specialist, Raleigh

## RETIREMENTS

- Danielle Knowland, ASH, OSHA safety officer, Raleigh

# December Birthdays!



1 Jackie Haley  
2 Altagracia Guzman  
3 Janie Judd  
4 Beth Henley  
4 Jennifer Stackpole  
6 Phil Hooper  
6 Indira Jagdeo  
6 Anthony Pacitti



6 LaMont Smith  
8 Christina Medina  
10 Jaleesa Thomas  
11 James Thomas  
12 Christopher Sholar  
14 Donell Sanders  
14 Jeff Wilson  
17 John Kirkland  
18 Alvin Vocalan



22 Christopher Bellis  
22 Thomas Norwood  
23 Lee McKinney  
24 Matthew Fairfield  
26 Elizabeth Anderson  
27 Heidi Rodriguez  
28 Don Kinney  
30 Judyth Forte

# CONGRATULATIONS

Marcy Collyer, ETTA, and Don Kinney, Boiler Safety Bureau, were married on Oct. 26, 2022. The ceremony was in the Virgin Islands National Park, on Cinnamon Bay Beach, St. John U.S. Virgin Islands. Their love story began at the N.C. Department of Labor, where they first met at a training session over eight years ago.

On Nov. 18, 2022, Marcy and Don welcomed their first grandchild, Lillith Grace Kinney! They are so happy for the parents, Cameron and Brea Kinney, and they can't wait to spoil her rotten!







# HUMAN RESOURCES UPDATE

## Training Update

*By Angela Hamilton, Human Resources*

OSHR's Learning and Development Team has developed and launched featured playlists in the N.C. Learning Center. The playlists that are currently available can be found on a rotating banner once you login to the N.C. Learning Center on the homepage. The modules included in the playlists are normally under four to seven minutes in duration and may be taken at any time. On Dec. 1, a new playlist titled "Coping with Stress," will be available along with other topics. If you have any questions or training needs, please don't hesitate to contact me at 919-707-7734 or by email at [angela.hamilton@labor.nc.gov](mailto:angela.hamilton@labor.nc.gov) for assistance.

Your EAP administered by MYgroup is available to all DOL employees. This service is free and confidential. It is available 24 hours a day and can help in all areas of life. It includes up to three free counseling sessions as well as referrals for specialized services.

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USERNAME: nclabor

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# **N.C. Department of Labor Accomplishments**

## **Standards and Inspections Division**

### **Retaliatory Employment Discrimination Bureau (REDB)**

#### **1. Mediation Program**

A few years ago, the bureau implemented a voluntary mediation program as a tool for the parties to engage in settlement discussions. If they can resolve their case, no one has to go to court. The program has really taken off. We offer the opportunity to the parties to have a certified and experienced mediator help facilitate a process which may, hopefully, result in agreement. The mediator is not a decisionmaker and cannot advise the parties. The mediator helps them generate solutions and hopefully, reach a mutually satisfactory resolution. We have a roster of about 40 certified mediators, each of whom has agreed to serve as unpaid volunteers.

From July 2020 through Oct. 31, 2022:

<b>40</b>	DRC certified active volunteer mediators on our roster
<b>84</b>	Mediation conferences conducted
<b>47</b>	Full settlements reached at mediation
<b>56%</b>	Settlement rate (of cases mediated, 56% settled)
<b>\$689,600</b>	Total in settlement proceeds from mediation

#### **2. Case Management**

With seven investigators and two administrative staff, we have reduced the backlog and decreased the average elapsed days from filing to case closure. We also had some part-time help from six Wage and Hour investigators for a year or so. We now have approximately 250-275 pending cases at any one time in comparison to more than 400 cases five years ago.

### **Boiler Safety Bureau**

While the Boiler Safety Bureau did not have any significant milestones during the last few years, we would like to recognize the incredible efforts of the Boiler staff during the pandemic. For background, the insurance companies perform roughly 60% of the boiler and pressure vessel inspections in the state. During FY 2019-2020 (the height of the pandemic), the insurance companies performed little to no inspections, leaving it up to staff to try and get these inspections completed in addition to the normal workload. The insurance inspections also account for nearly 50% of the bureau's revenue, and as a receipt supported bureau, this was another serious blow. Thanks to the monumental efforts of the field staff, we were able to keep the amount of all overdue inspections to an incredibly low 3.53% by the end of FY 2020. Throughout the challenges of the pandemic, the office staff stayed vigilant in processing all the inspections and invoices, ensuring revenue continued coming in. All their efforts were pivotal in ensuring solvency and success, and we cannot be more grateful for them.

### **Wage and Hour Bureau**

The Wage and Hour Bureau successfully rolled out the online youth employment certificate process. Youth employment certificates are issued online using electronic signatures for the youth, parent and employer. The employer receives the completed certificate once all signatures are provided.

## **Elevator and Amusement Device Bureau**

1. The Elevator and Amusement Device Bureau inspectors worked hard during the peak of COVID-19 to get the job done.
2. During COVID-19, all county fairs were canceled. In 2021, county fairs began to open but operated with a reduced number of rides. This year, all county fairs were back. The N.C. State Fair in 2021 and 2022 had a few minor problems, none of which were ride operations related.
3. From 2020-2022, the Elevator and Amusement Device Bureau welcomed a new Bureau Chief, new Deputy Chief, two new Supervisors, a new Bureau Operations Supervisor and a few new Inspectors.

## **Mine and Quarry Bureau**

1. The transition between William Gerringer's retirement and the promotion of Beau Thomas as the new Bureau Chief was successful.
2. The Mine and Quarry Bureau added two safety representatives for the Eastern and Western parts of the state. This made the Mine and Quarry Bureau fully staffed for the first time since 2020.
3. Despite the transition and position changes, the bureau continued to meet the needs of the miners in the state of North Carolina.

## **Occupational Safety and Health Division**

### **OSH Administration**

1. Paul Sullivan, assistant director of OSH, was appointed as a Member Candidate of the American Conference of Governmental Industrial Hygienists (ACGIH) Industrial Ventilation Committee in March 2022.
2. Ushang Desai, OSH health compliance officer, was appointed as a Member Candidate of the ACGIH Bioaerosols Committee in August 2022.
3. The following OSHNC staff serve on the board of the American Industrial Hygiene Association (AIHA) Carolinas Section: Jill Warren, OSH senior health compliance officer (Past President); Grant Quiller, OSH reviewer (Treasurer); and Matthew Gruber, OSH health compliance officer (Outreach Coordinator).
4. Tracy Wolfe, OSH safety compliance officer, serves as the Secretary/Webmaster for the American Society of Safety Professionals (ASSP), Western Carolina Chapter.
5. Laura Crawford, OSH compliance district supervisor, and Lee McKinney, OSH health consultant, serve on the board of directors for the Charlotte Regional Safety and Health Conference.
6. Paul Sullivan, assistant director of OSH, and Grant Quiller, OSH reviewer, serve on the faculty of the N.C. Industrial Ventilation Conference. OSHNC sent five health compliance officers to the week-long conference in May 2022.

**OSH Administration Cont.**

- 7. OSH outreach presentations were provided by multiple OSH Compliance staff to groups such as ASSP, AIHA, the Environmental Health and Safety Institute, Blue Ridge Safety Council and the Gaston County Safety, Health and Environmental Association.
- 8. Ted Hendrix, OSH compliance district supervisor, conducted training for 33 high school students and teachers at Bessemer City High School on OSHA procedures and responsibilities, as well as OSHA’s top 10 violations.

**Consultative Services Bureau (CSB)**

- 1. In 2022, the Consultation Program received a stellar Regional Annual Consultation Evaluation Report (RACER). The report did not have any negative findings or observations nor were there any recommendations for improvement.
- 2. During FFY 2022, CSB received 830 requests for service resulting in approximately 1,500 visits for employers across the state eliminating more than 6,200 hazards.
- 3. North Carolina organized and hosted the regional on-site consultation meeting for the eight programs in Region IV. The conference had the safety and health director of the Biltmore House as the featured speaker.

**Education, Training and Technical Assistance (ETTA) Bureau**

- 1. The ETTA Bureau integrated a new internal and external online training registration.
- 2. The One Stop Shop received a much-needed upgrade.
- 3. ETTA established a Virtual Training Studio.
- 4. The 25th Annual Carolina Star Conference for 2022 almost reached the record number of attendees with 724 total. There was a total of nine 25-year award recipients.

**Planning, Statistics and Information Management (PSIM) Bureau**

- 1. A total of 3,293 Public Sector Surveys were mailed by PSIM Bureau staff to public sector employers on May 25, 2022, for the collection of calendar year 2021 injury and illness data. As of Nov. 6, 2022, 3,193 survey responses have been received for a 97% response rate and a 100% clean rate. Efforts will continue to collect the remaining 100 outstanding surveys prior to early December 2022.
- 2. PSIM staff researched and provided monthly updated data on the Occupational Fatality Inspection Review (OFIR) report on all fatality inspections conducted by Compliance East and West Bureaus and the ASH Bureau. PSIM Bureau staff researched and analyzed OSH Division statistical data to provide information for the NCDOL Annual Report and various other annual department, division and legislative reporting requirements. Staff also completed analysis of data collected and published that data in the N.C. Occupational Safety and Health Program Statistics Report for FFY 2021. In past years, this report may also have been known as the OSH Annual Comparison Report. Most of these reports are posted on the NCDOL webpage.

**PSIM Cont.**

3. The PSIM Bureau received 1,090 disclosure requests for OSH Compliance files during FFY 2022 and processed 971 requests (714 from FFY 2022 and 257 from previous years) during the same period. We continue to see a substantial increase in the number of requests we receive for contested cases, fatality investigations, court orders, subpoenas, etc.

**Agricultural Safety and Health (ASH) Bureau**

- 1. The Agricultural Safety and Health (ASH) Bureau conducted 2,034 housing inspections, issued 2,014 housing certificates for migrant housing and conducted 52 compliance inspections.
- 2. Throughout the year, ASH staff distributed 6,752 safety and health publications and conducted safety and health training for 799 agricultural employers and 124 farmworkers. Training topics include COVID-19 and Heat Stress.

**Administration**

**Information Technology (IT) Bureau**

- 1. The IT Bureau in the past year has closed 3,500 service calls supporting the department.
- 2. The IT Bureau deployed a revamped workflow process for Wage and Hour in the OnBase document management system.
- 3. The IT Bureau put in countless hours behind the scenes enhancing the department's data security.

**Financial Services Division (FSD)**

The total number of payments issued to staff and vendors: 2,773.  
The total number of purchase orders issued: 602.  
The total number of A/R invoices processed for inspection fees, fines and penalties: 42,492.  
The total amount of NCDOL civil fines and penalties collected: \$5,533,930.  
The total amount of Boiler and Elevator inspection fees collected: \$7,655,162.

**Legal Affairs Division (LAD)**

- 1. LAD has responded to 645 AskLAD public inquires since January.
- 2. LAD completed an audit of 275 employee driving records in August.
- 3. LAD worked with HR, FSD and Motor Fleet Management to revise the agency’s Motor Vehicle-related policies.
- 4. Jill Cramer assisted with the interviews of Victoria Voight’s replacement; the Attorney IV position (previously held by Melissa Taylor and filled by Rory Agan); and will assist with the interviews of the new Attorney I and the now open Attorney III position (vacated by Rory).



## **Communications Division**

The Communications Division established a new platform (Constant Contact) to send the external newsletter and press releases to help modernize how information is sent to the public. The Communications Division, along with the help of Publications, revamped the N.C. State Fair NCDOL booth by adding new promotional items and more engaging table displays.

## **Publications Bureau**

The Publications Bureau Print Shop has transitioned from a traditional Offset Print Shop to a new look Production High Speed Color Copy Center. The Publications Bureau has added a new Konica Minolta C4070 Production Color Copier with Square Spine Saddle Stitch Binding, and the XANTE Digital Envelope Press with the capability of producing full color envelopes and 11" x 39" banners.

## **Human Resources (HR) Division**

1. HR facilitated agency wide bonuses.
2. HR setup and initiated Sign-On and Retention bonuses for multiple positions in the agency.

Merry  
Christmas,  
Happy Holidays  
and Happy New  
Year!

# What's New @Your Library

## Online Resources

- **Electrical Injuries and Citations in Construction.** CPWR Data Bulletin. November 2022 issue.
- **Employer-Reported Workplace Injuries and Illnesses, 2021.** BLS Economic News Release.
- **Injury Tracking Application (ITA).** OSHA webpage.
- **...Keeping Drivers Safe.** OSHA document.
- **Know Your Rights: Workplace Discrimination is Illegal.** Updated EEOC poster webpage.
- **Monkeypox Virus.** OSHA Fact Sheet.
- **NIH News in Health.** November 2022 issue.
- **Nano Safety Data Sheet Improvement Tool.** CPWR tool/webpage.
- **Safety + Health.** November 2022 issue.
- **Workplace Stress.** OSHA Safety and Health Topic webpage.

## Books

- *2022 TLVs and BEIs...* RA1229.5 .T56 2022. ACGIH, 2022.
- *2023 National Electrical Safety Code (NESC).* IEEE C2-2023. IEEE, 2022.
- *Laboratory Ventilation.* ANSI/ASSP Z9.5--2022. ASSP, 2022.
- *Safety Colors.* ANSI Z535.1--2022. NEMA, 2022.
- *Safety Requirements for Entering Confined Spaces.* ANSI/ASSP Z117.1--2022. ASSP, 2022.
- *Safety Requirements for Excavation.* ANSI/ASSP A10.12--2022. ASSP, 2022.
- *Safety Requirements for Power Press Brakes.* ANSI B11.3--2022. B11 Standards Inc., 2022.

## Periodical Issues

- *Safety + Health.* November 2022 issue. National Safety Council, 2021. Donated by Wanda Lagoe, OSH-ETTA.



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