

DOL Leadership Team Meeting
January 10, 10:30 am
Commissioner's Conference Room 205, Labor Building

Attendees: Commissioner Berry, Kevin Beauregard, Jack Brinson, Art Britt, Nicole Brown, Tom Chambers, Marcy Collyer, Renathe Cotten, Regina Cullen, Mike Daniels, Gary Franks, William Gerringer, Jane Gilchrist, Jennifer Haigwood, Kisha Holmes, Phil Hooper, Felicia Hoover, Robby Jones, Don Kinney, Sarah Beth Koonce, Scott Mabry, Judyth Niconienko, Kevin O'Barr, Dolores Quesenberry and Anne Weaver.

Commissioner Berry: Commissioner Berry welcomed LT members. She announced since the last meeting, we have a new Governor, new Superintendent of Schools, new Commissioner of Insurance, and a new State Treasurer, but still the same Commissioner of Labor! Commissioner welcomed everyone to the start of our 5th term.

Commissioner Berry noted since our last meeting, we have completed another safe fair season. We also had a very successful Toys for Tots Drive. We had a record breaking year in which we collected 1,256 toys and \$525 in monetary donations. Since 1999 we have collected 12,208 toys and \$5,777.75 in monetary donations. Commissioner thanked everyone for all of their contributions, especially Lee Peacock who does a great job organizing.

She thanked everyone for 16 great years and said she is very excited about 2017.

Budget Update: Jack Brinson gave a Budget Update. He recently emailed a report with all expenditures through December, the first 6 months of the fiscal year. He asked all managers to review the report and use it as a tool to know your own budget.

He also discussed the changing mileage rates and stated he hoped to see an increase in these rates. New information will be coming soon, but for now please manually input this information until updated. He also asked that everyone be diligent with security updates. It is critical to change your passwords and update firewalls.

Commissioner Berry: Commissioner Berry recognized Scott Mabry as the new OSH Assistant Director and Gary Franks as the new IT Director.

Communications Update: Dolores Quesenberry gave a Communications Update. She announced she has filled the position which will be left vacant upon Neal O'Briant's retirement January 31, 2017. Jason Tyson will begin January 23, 2017 and will overlap with Neal for one week. Dolores will be sending information regarding the deadline for annual report submissions. The statewide news release on fatalities is coming soon. Mary Katherine will be attending the Saab Barracuda event to write an article for the Ledger.

The WSHA radio show will continue in 2017. Eursula Joyner will be the February guest and Regina Cullen will be the March guest. Dolores stated the importance of reviewing the numbers you submit for the annual report. Commissioner Berry reiterated it is not the Communications Bureau's job to verify the numbers and we can't publish numbers we can't verify. Commissioner uses these number quotes in speeches and in reports to the General Assembly.

Dolores announced we will give away hair ties at the 2017 State Fair as part of our safety initiative.

Human Resources Update: Renathe Cotten gave a Human Resources update. She announced the class and comp initiative has been delayed due to the new administration change. She is not sure when it will finally go live, possibly sometime in July. HR is now able to reclassify positions and they are also looking at positions that have been posted for close to 1 year. It is time for the NCVIP progress update. Please contact Angela Hamilton with any NCVIP questions.

Legislative Update: Jennifer Haigwood gave a Legislative Update. She thanked everyone for their help with Toys for Tots, especially Lee Peacock and our partner agencies. She announced the new legislative long

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session begins January 11, with organization meetings, members taking the oaths of office, and making committee assignments. The General Assembly will then recess for two weeks before returning January 25.

The big issue for this legislative session will be the budget. We submitted requests for OSH salary increases and IT funding, but our new governor will have a new budget direction and we may need to resubmit these requests.

Jennifer announced we have a new legislative fiscal analyst, Eric Moore. Jennifer will be meeting with him next week so he can learn more about the department. Our annual Wage & Hour and Youth Employment reports are due to the legislature February 1. If you submitted requests for statutory changes, we will be in touch soon.

She announced after serving as the Parking Coordinator and Labor Building manager for 4 years, Sarah Beth Koonce will become the new Parking Coordinator and Labor Building Manager effective February 1.

IT Update: Gary Franks gave an IT Update. He stated DIT has directed a mandatory encryption update and they are currently testing applications to make sure there are no problems. He announced Julie Chang will be retiring later this month and IT will be looking for a replacement programmer. IT is in the process of blocking all traffic from Ukraine due to hacking and security issues.

OSH Update: Kevin Beauregard gave an OSH Update. He stated there were ongoing discussions with the feds regarding maximum penalties and we will not pursue any changes in the legislative long session. Last summer we submitted a number of questions to the feds regarding these penalties and we are expecting a post to the federal register soon with responses to these questions. Vacancies in the OSH Division are decreasing with only 19 for the first time in many years. He stated other state agencies pay their safety and health people more than we do. OSH has made recommendations for the OSH Advisory Council.

He spoke about complaints they have received regarding American Airlines' new uniforms. So far, they have received about 11 or 12 complaints. Complainants report the uniforms are causing problems like hives, wheezing, coughing, and headaches.

Kevin stated he is happy OSH Administration is fully staffed and said Judyth is warming up to the State Plan Coordinator position. He announced the Gold Star Growers meeting is coming up, as well as an OSHSPA meeting in Virginia and the 2nd Annual Safety Summit at the Zoo. The National Safety Stand-Down will be May 8-12.

Standards & Inspections Update: Phil gave a Standards & Inspections Update. He stated Boiler continues to operate with an open position and has a temp inspector under contract. They are investigating an incident which occurred at University Apartments in Durham December 15. The boiler leaked carbon monoxide and has been declared an imminent danger and is out of service. Cliff is attending a NBIC committee meeting this week. He has been asked to serve on NBIC part two.

He explained the Elevator & Amusement Device bureau continues to experience overdue elevators in the Western B region. However, they have hired 2 new inspectors to fill the vacant areas. Because of the backlog of inspections in this area we have enlisted the help of inspection staff across the state to work a week in the area to assist with inspecting critical facilities in the area, such as hospitals, senior homes and colleges. Elevator hopes to reduce the back log and allow the new inspectors to transition into their new roles. Elevator & Amusement anticipates as many as 5 career inspectors to retire this year. This will pose additional rollovers in the vacant areas. They are looking forward to purchasing tablets for the field inspection staff, as both elevator and amusements are now automated. Tablet technology should increase inspection productivity.

The Employment Discrimination Bureau continues to work diligently to reduce their backlog. We have hired two new investigators who have hit the ground running and have, through hard work, helped EDB and its

investigators reduce our backlog. Our team continues to attend OSHA training when possible. Jeff Hand successfully completed OSHA Whistleblower class in Chicago in November 2016. Kathy Martorell is scheduled to attend the same class this coming June 2017 in Chicago.

Mine & Quarry Bureau staff attended the TRAM/State Grants Meeting on Oct 11-13 at the National Mine Academy in Beckley, WV. Allan Greene attended the MSHA SE District Conference in Birmingham, AL Nov 2-3, 2016. MAQB conducted NC Mine Safety & Health Law Seminar conducted December 13-15 in Morganton with 27 attendees. The 40th N.C. Mine Safety & Health Conference will be held March 22-24, 2017 in Cherokee. USDOL MSHA SE District Manager, Sam Pierce and Commissioner Berry are confirmed to speak.

Wage & Hour worked with the Attorney General's office to file a complaint in Superior Court against an employer on behalf of over 80 employees who are owed more than \$80,000 in unpaid wages. They also hired a new Investigator for Charlotte and hired a new Call Center Assistant.

W&H is no longer conducting seminars regarding the changes to the overtime rules, as a federal court has halted the implementation of the overtime rules indefinitely.

Around the Room:

Judyth Niconienko (OSH Admin) stated the SOAR (state report) has been submitted and the FAME (Federal Annual Monitoring Evaluation) report will be submitted soon.

Marcy Collyer (ETTA) stated ETTA will soon have a new webinar platform that will hopefully be operational in 3-4 weeks. They are finalizing the fall stand down plans by March 24 and are working on PR for the events. ETTA is also working on Safety Awards season.

Tom Chambers (Elevator & Amusement) stated in the eastern region, man lifts are being installed with new wind turbine technology. This new technology will add around 300 new units that will need inspections and more inspector positions may be needed.

Gary Franks (IT) reemphasized staying safety on the internet and phone, especially in the age of internet scammers.

Regina Cullen (ASH) announced the Gold Star Growers will be held February 1st and 2nd. Linda Andrews from Farm Bureau will discuss immigration issues. The Huddler award is going to a non-grower, Ron Wright, for the first time.

Nicole Brown (East Compliance) announced two employees, Karen Kelly and Tom O'Connell have retired. Cynthia Richardson started February 1. There were a number of fatalities over the holidays that are being inspected.

Tiffany Lathan (EDB) stated the new employees were doing well and thanked the department for the contributions made to the Honoring Military Families project.

Anne Weaver (PSIM) said PSIM will be double checking all of the numbers for the Annual Report.

Mike Daniels (Publications) stated the new portrait of the Commissioner is being printed and distributed on our printed material.

William Gerringer (Mine & Quarry) said there will be a lot of training taking place in the upcoming weeks and months.

Kevin O'Barr (Consultative Services) said the federal audit for private sector will be February 28-March 2 and there will be lots of upcoming SHARP ceremonies.

Jane Gilchrist (Legal Affairs) stated the Boiler rule changes are being finalized and they have completed the DMV audits. If an employee gets a moving violation, please report it to Legal Affairs.

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Scott Mabry (OSH Admin) stated he was glad to be back at NCDOL. Last month he visited several district offices and is relearning the computer system.

Robby Jones (West Compliance) announced they are retaining more employees. West Compliance kept track of the forest fires and received no reported incidents. Lee Peacock is going to Houston for wind turbine safety training.

Kisha Holmes (Wage & Hour) stated the backlog is down to 70 cases. Two positions are being filled in Raleigh and one in Charlotte.

The meeting adjourned at 11:52 am.