DOL Leadership Team Meeting
July 9, 2019 10:30 am
Commissioner's Conference Room, Labor Building

Attendees: Commissioner Berry, Kevin Beauregard, Art Britt, Nicole Brown, Tom Chambers, Tommy Petty, Renathe Cotten, Britne Becker, Don Kinney, Jeremy Smith, Gary Franks, William Gerringer, Jennifer Haigwood, Kisha Holmes, Felicia Hoover, Harriet Hopkins, Wanda Lagoe, Scott Mabry, Kevin O'Barr, Dolores Quesenberry, Beth Rodman, Karissa Sluss, Jennifer Stackpole, Mike Daniels.

Commissioner Berry: Commissioner Berry welcomed the Leadership Team members. This is the first meeting since April 2.

Safety Award season wrapped up with the Mt. Airy banquet on June 28. It was another great year for the program, and the department has presented over 50,000 safety awards since the program started.

Fair season kicks off in September and is expected to be very busy for NCDOL.

Commissioner Berry officially acknowledged Kisha Holmes (Wage and Hour) and Don Kinney (Boiler Safety) in their new leadership roles as Administrator and Chief of their respective bureaus.

Budget Update: Jennifer Stackpole distributed a handout showing the State Fiscal Year 2019 spending analysis for the department. The department is where it should be from a financial standpoint**.**

Communications Update: Dolores Quesenberry reported that the newest podcast will be available on July 12 and features Hollis Yelverton from ETTA as its guest. There have been over 1300 listens to the podcast since it began.

Greg Gordon, a reporter formerly with McClatchy, is supposedly coming out with a story about NCDOL in July. He submitted over 130 questions to the department in researching this story.

The lion attack case, which garnered a great deal of media interest, is now closed.

In 2018, Consultative Services began recognizing 10-year participants of the SHARP program.

HR Update: Renathe Cotten stated that we are halfway through the calendar year and have hired 22 new employees and had 10 internal promotions. These numbers are higher than last year at this time. There have also been 27 separations, 6 of which are retirements.

Until the state budget passes, HR is restricted to keying only new hire, promotion, and separation actions. In-range adjustments are frozen until the budget passes. The earliest date for in-range adjustments will be August.

Legislative Update: Jennifer Haigwood introduced Evan Harrell, the summer intern who is dividing his time between legislative and legal affairs. Evan will be here until July 29. He is attending UNC Law in the fall.

The state budget has not yet passed in the legislature (it was vetoed by Gov. Cooper June 28 and a compromise bill has not been reached). Until the budget passes, we can continue to operate on recurring funds.

Jennifer specifically mentioned a couple of bills from this session that we have been tracking:

- The zipline bill is quiet for now and has not come up on the Senate calendar since crossover.
- We are trying to have our agency bill pushed along in the Senate.

The Employee Recognition Banquet is October 9. Jennifer will soon reach out to management regarding annual awards.

OSH Update: Kevin Beauregard announced that the Director's Office is finalizing Federal FY20 23G and 21D Grant applications (due July 12). FY20 Strategic Plan is finalized and will be submitted with grant applications.

OSH is requesting supplemental federal funding to cover IH equipment and tablets.

The video conference equipment bid was approved, and P.O. was entered June 28. A meeting with the vendor is being scheduled, at which point we will learn the start date for ORB installation.

The first section of the OSHA Express manual has been released and is 115 pages long. Seven additional sections are scheduled for release by Oct. 31. The manual is being published in anticipation of Jackie Spangler's retirement.

The next OSHPA Board meeting is July 25. There is a COOP exercise this afternoon.

S & I Update: Phil Hooper was absent, but his staff gave updates during the Around the Room.

Around the Room:
Don Kinney: Cliff Dautrich officially retired at the end of June, and Don is now the bureau chief for Boiler. Don introduced Jeremy Smith as deputy chief, and said they are hiring a new supervisor soon, as well as posting for a new inspector.

Gary Franks: Lots of things are going on behind-the-scenes in IT. The On-Base server upgrade has been an ongoing large-scale project that will be completed by the end of July. IT is also working with Wage and Hour to establish a new case-management module. They are waiting on some DIT issues to be resolved before work begins. Additionally, IT is working with Jackie Spangler in OSH to roll out the OSHA Express manual. IT has taken 1,199 help desk calls since the last Leadership Team meeting in April.

Tom Chambers: Tom announced that fair season is coming, which will be very busy for all inspectors. In addition, there are 3 upcoming retirements in Elevator in 2020, so Tom is trying to be creative with recruitment and pay. The Elevator inspection backlog is strained due to vacant positions.

Tommy Petty: Tommy echoed Tom Chambers' statement that fair season will be a very busy and critical time for their inspectors. The season will kick off with the Drexel Fair in mid-August.

Britne Becker (for Jill Cramer): LAD began the periodic NCDMV audit of employees who drive for the agency. Please remind employees that they are required to notify LAD of any moving violations. NCDOL employees can contact Britne Becker with any DMV questions.

Maughmer v. Commissioner of Labor – Lawsuit filed against the agency objecting to administrative closures of REDA complaints that do not fall under the specifically listed statutes in the Retaliatory Employment Discrimination Act. No decision as of 6/28/19.

LAD renewed the Cooperative Agreement with the NC Dept. of Justice for the attorneys in the Labor Section effective 7/1/2019.

Scott Mabry had no update.

Felicia Hoover had no major updates but said she and the rest of the OSH Review Commission are thankful for the proposed budget increase to their department.

Mike Daniels announced that there has been a recent increase in postage for packages weighing more than 1 pound.

William Gerringer reported that there was record turnout at the last MSHA event.

Jennifer Stackpole said that Financial Services is recruiting for the vacant Accounts Receivable position, and has another new hire starting in August.

Beth Rodman introduced the ASH intern, Felicity Watson, who attends Pomona College in California. Beth also stated that Martina Gonzalez retired at the end of June, and ASH has a new hire starting August 5.

Kisha Holmes: Wage and Hour currently has 7 vacancies. They are awaiting approval on two new hires in the Charlotte office, and a reference check for a third. The case backlog for W&H has increased due to the vacancies. The Deputy Administrator position was posted on July 7.

For the fiscal year, W&H closed 2,474 cases and collected over $1 million in wages.

Harriet Hopkins stated that she and two REDB investigators attended an OSHA Whistleblower training in May. The training was held at the OSH Training Institute in Arlington Heights, IL. As an approved State Plan program for federal OSHA whistleblower investigations, the bureau's staff are required to attend the introductory course and three others.

Kathy Martorell left the bureau in June and will be missed. REDB now has three open positions, all of which have been posted. Interviews will be conducted this month. The vacant positions are making it difficult to keep up with the bureau's backlog.

Nicole Brown provided an update on OSH Compliance East:

- Paul Sullivan sends his apologies for not calling into the meeting. He is teaching the OSH 100 course today with Lee Peacock.
- The Conservator's Center inspection was completed and issued to the employer. OSH cited 3 GDC for ineffective procedures, emergency response, and preventative maintenance for the gate/enclosures. Although a fatality occurred at the facility, it was decided during early

consultation with the AG's office that the victim (an intern) was not an employee; therefore, OSH opened a referral inspection to address the Conservator Center's employees' exposure to the hazard. Since this was not a fatality/accident, the employer was eligible for penalty adjustments. The employer has requested an informal conference which has been held. The Supervisor will make their final recommendation to BC/Director's Office.

- OSH East is finalizing the excavation collapse inspections and has met with the Director's Office to discuss the files and has also consulted with the AG's office. OSH Compliance has opened inspections with three employers (Harold K. Jordan and Co. – 2 citations recommended; Honeycutt Construction – 1 citation recommended; and Vertical Walls – 3 citations recommended).
- OSH has 8 inspections open related to the Durham explosion. A status meeting with Legal Affairs, the Director's Office, and the AG's office is scheduled for July 22.

Kevin O'Barr said Consultative is finalizing its grant for FY20. He also said that more SHARP awards have been issued recently, for a current total of 144 in the private sector, 6 in construction, and 40 in the public sector. He emphasized Dolores Quesenberry's earlier statement that the recognition program for 10-year SHARP recipients has been very well-received.

Wanda Lagoe stated that Tom Wilder retired at the end of June, and that the Stand Down week went very well.

Art Britt announced that interviews for a new internal auditor position have been completed and that the new hire will likely start in early August. The internal auditor will look at internal programs to determine efficiency and will also help with some personnel issues.

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