

DOL Leadership Team Meeting
July 10, 2018 10:30 am
Commissioner's Conference Room 205, Labor Building

Attendees: Commissioner Berry, Kevin Beauregard, Art Britt, Tom Chambers, Renathe Cotten, Jill Cramer, Mike Daniels, Cliff Dautrich, Gary Franks, William Gerringer, Jennifer Haigwood, Kisha Holmes, Felicia Hoover, Harriet Hopkins, Doris Kester, Don Kinney, Wanda Lagoe, Scott Mabry, Kevin O'Barr, Dolores Quesenberry, Beth Rodman, Christine Ryan, Karissa Sluss, Jennifer Stackpole, and Anne Weaver.

Commissioner Berry: Commissioner Berry welcomed LT members. It has been 3 months since our last meeting.

She told team members Lee White's daughter passed away yesterday and asked them to remember Lee and family in their prayers. Lee is a former employee with the department who worked in Human Resources.

The Commissioner said she was pleased to announce another highly successful Safety Awards season. She attended all 30 official events. The Fair season is gearing up along with the revived Fair Partner Program which Tom Chambers and Dolores Quesenberry will discuss later.

On July 26 Courtney Malveaux, former VA Commissioner of Labor, will be visiting John Deere in Fuquay to celebrate the codification of our VPPA Star Program.

Commissioner Berry told team members after a 5 year run, Lunch and Labor on WSHA aired its last program. She thanked all those in the room who were guests on the program with her for participating.

Budget Update: Jennifer Stackpole gave a Budget Update. Jennifer passed out a spreadsheet to team members on the Department of Labor SFY-18 Budget Analysis – Fourth Quarter and Expenditure Status as of June 30, 2018. She asked if there were any questions and thanked team members for their hard work. She stated there was no approved budget yet and it will be August before a budget will be sent to agencies.

Communications Update: Dolores Quesenberry gave a Communications Update. Dolores told team members the safety awards banquet season has been wrapped up. Eighteen newspapers, we know of, covered the events. The banquets also generate a lot of social media activity and helps us increase the number of followers. One of the highlights occurred at the Albemarle Safety Awards Banquet—the feature dessert was a Cherie Berry Tart. First a cocktail, then a beer and now a tart!

Eursula Joyner places subscription cards at each table at the banquets. We have added almost to 500 new subscribers via the banquets increasing the number of subscribers to 16,710.

Last week there were several incidents. A fireworks incident at Class A Services and Storage in Swansboro, NC with minor injuries. There was an explosion at Rapid Xchange in Sampson County, Clinton, NC, where two employees were injured that the media covered, and nobody called the department. The Wieland Copper Products in Pine Hall, NC, Stokes County, had an explosion in the casting department. WGHP, Fox 8 contacted us. One employee was severely burned.

Dolores stated the media has changed so much and is so fragmented with a lot of turnover. She said it is almost as if Communications is retraining the media to call the Communications Office. Dolores reminded team members if they receive media calls to continue directing the calls to Communications and they will coordinate any requests with bureaus and divisions.

Smokey Mountain News called as they heard Ghost Town is trying to open again.

Dolores told team members they are constantly tweaking and improving the website. Communications recently added bios to the Leadership page. Communications also worked with Legal Affairs to add information regarding rulemaking: Verbatim Adoptions, Periodic Review and Rulemaking Actions.

Mary Katherine Revels and Carrie Shortt have created a landing page for all elevator forms so they are now all on one page.

Any of the old phone numbers on our website will eventually be changed to the new phone numbers. Old phones numbers on the Labor Law Posters will also be removed and replaced with new numbers before the next order of the Labor Law Posters.

Communications is gathering photos for the video that will be played at the Employee Recognition Banquet. She asked team members to send any photos or videos they would like considered to Mary Katherine. Mary Katherine will be sending a message to all soon requesting photos and videos for the banquet video.

Dolores told team members this year the Elevator and Amusement Device Bureau is presenting plaques to those fairs that have been in the Amusement Star Program as fair partners for six years or more. Thirteen of the 23 current partners have been in the program since it was first launched in 2008. Commissioner Berry is scheduled to attend eight fairs this upcoming season to present fair managers with plaques thanking them for their dedication to the program and for voluntarily going above and beyond what is required by law to make midways as safe as possible.

On a lighter note, Dolores told team members the Bad News Berry's lost its second game last night to DHHS by only two runs. She said the score was 10 to 8 but declined to mention the score of the first game. There are seven teams and the Bad News Berry's are not in last place.

HR Update: Doris Kester presented for Renathe who was present but unable to speak due to a cold. Since the last meeting the classification and compensation project launched June 1st. Each employee was sent a letter from HR stating their new position title and grade. We are now in the post implementation phase of the project. HR is asking for several in-depth studies to be conducted to make sure all of our classes are appropriately classified. The process could take several months. Thank you for your patience as we transition to the new system.

Beacon will shut down this weekend so the legislative increase can run.

The annual performance evaluation is at the manager step. This step needs to be completed by midnight Saturday, July 14. As of this morning we have 63% that have not been started, 16% in progress, and 21% completed. Anything past due Angela Hamilton will email the supervisor and all the way up the chain to the Deputy Commissioner. Performance Review Prep labs that were conducted were about gathering performance data to determine how employees met expectations and promoting ownership of their work. This lab will continue throughout 2018-2019 cycle.

HR is looking at scheduling a 2 day supervisor training for early August in Charlotte, Winston-Salem and Raleigh.

Legislative Update: Jennifer Haigwood gave a legislative update. She said the Council of State has approved renewal of the Lake Boone Trail lease.

The legislative short session was actually a short session lasting 6 weeks and 2 days. A 2% salary increase was approved for state employees and 5 days bonus leave which cannot be cashed out if an employee leaves employment. Legislators focused mainly on the budget. Legislators will return the end of November to implement legislative changes to amendments and the long session will begin in January 2019.

The Employee Recognition Banquet is scheduled Wednesday, September 12. LaMont Smith has agreed to MC the banquet again this year.

Next week an email will be sent to division directors, chiefs and supervisors with instructions and a nomination form for the Commissioner's Award for Excellence in Service.

Jennifer congratulated BLS staff on all their hard work on the Occupational Injury and Illness survey. As of last week 85% of the surveys were returned.

IT Update: Gary Franks gave an IT Update. Gary told team members IT had a security audit week before last and he is awaiting results.

IT continues to work with VOIP (Voice over IP) phone installation in ORB. Labor Building has not been scheduled yet.

IT continues to work for approval on the OSHA Express Scanner project.

IT continues to support Elevator, Wage and Hour, ASH and PSIM with current projects.

Emily McGill will be out of the office for 6 weeks and her workload will be distributed among IT staff.

OSH Update: Kevin Beauregard gave an OSH Update. Last week the US House Appropriations committee released a proposed FY2019 OSHA Budget to the Senate. The budget included \$102,850,000 for grants to states under Section 23(g) of the OSHA Act. This would be a \$2 million increase over FY2018, however still \$1.5 million below 2013 levels. Kevin said he is doubtful there will be an increase.

Going into the last quarter of FFY2018 OSH is in the process of attempting to purchase several items including replacement file systems for Lektrievers that are no longer serviceable and replacement for a video conferencing system that is failing. The file replacement systems are out to bid and we are working on RFP for a videoconference system.

They are also looking into the possibility of a long overdue carpet replacement in Standards and Inspections and OSH sections of the ORB.

Kevin stated OSH is preparing to complete and submit our 23G and 21D Grant applications by Friday. We have completed a new 5-year strategic (FFY2019-FFY2023) plan for inclusion with the grant applications.

All of the OSH laptops ordered last year have been distributed.

OSHSPA FY2017 Grassroots distributed and posted on the OSHSPA website www.oshspa.org (NC pages 56-63).

OSHAExpress scanner project is underway. In phase 1, all licenses were secured and installed on 2 systems for testing. This is the key to eventually going paperless except for disclosures or contested cases.

The OSHA's Injury Tracking Application for reporting 2017 deadline was July 1. Employer's over 250 and/or in high hazard NAICS were required to submit data. Site will allow data submission until December 31, however it will be marked late.

The Lake Boone Trail lease approval was on the Council of State's agenda today. Charlotte office space will be renewed for the final 2 year option but will require bidding in 2020. Winston-Salem lease last renewal expires in 2019 and will require bids.

Construction fatalities are up for FFY2018. This year on pace for 27, last year 12. This is the highest number of construction fatalities since FFY2007. Overall on pace for 51 fatalities, last year 38.

Around the Room:

Jill Cramer said the joint contract between the NC Department of Commerce and PSIM/Research & Policy has been completed and signed June 6, 2018. A new 3-year contract for both PSIM and Research & Policy replaces the prior separate two-year contracts. This contract establishes two parameters, which allow our agencies to exchange confidential historical and current information regarding the Quarterly Census of Employment and Wages, employment status, and employment contact information.

AskLAD is receiving 15-20 public inquiries per week. Legal Affairs is responding to all inquiries promptly and at most, within a few days of receiving the inquiries.

Christine Ryan said it is the peak season for issuing youth employment certificates. Shannon Council is manually reviewing certificates to ensure compliance with the ABC on-premises permit laws. There are over 500 certificates issued online every day just now. Due to a statutory change, youth can only obtain a youth employment certificate online from the NCDOL website.

Christine said there are open investigator positions which have been posted and they are interviewing to fill those vacancies.

Kevin O'Barr is working with Tammy Higgins on a new grant. Consultative Services Bureau is staying busy with SHARP events.

Tom Chambers said Tommy Petty is at Ghost Town today doing some testing on the lift.

Tom has ordered certificates and plaques to recognize the fair partners. Elevator and Amusement Device bureau is getting ready for the fair season.

Harriet Hopkins reported on EDB stating they have had some staff changes. Julian Rengifo has been hired as a discrimination investigator. Juliana has a law degree from Charleston School of Law and comes to us from ECU where she work in the NCAA compliance office.

Ellen Allbritton retired effective July 1, 2018 with 21.5 years of service in state government, most of the service with DOL.

Kathy Martorell attended an 8 day OSH training course in DC on "Legal Concepts for Whistleblower Investigators."

In FY2017-18 the Bureau closed 79 more cases than were opened. This is the first year in 4 years this work has been accomplished. Harriet said she attributes this to Christine's initiative to check old files for needed information and verify contact information. Many of these cases could be closed due to complainants no longer wishing to proceed or the case had been settled.

Beth Rodman stated ASH's processing Assistant IV position is still open. However, she received an email from HR this morning approving the selected candidate and will make the offer today.

GAP Training Attendance for 2018; 6/22/18 Newton Grove, total 280, worker total, 250, grower total, 30; 6/25/18 Wilson, total 276, worker total 235, grower total 41 and 6/29/28 Leasburg total 246, worker total 194, grower total 52. Beth said the numbers are not final since GAP's numbers are higher.

ASH has a summer intern, Carly Robertson, who began in May and will be here until 7/27/18. Carly has been assisting CSHOs with interviewing workers for compliance inspections, participated in their recent farm training events and is translating the Injury reporting quick card into Spanish. She is going to Henderson County today to work with Lauren. Lauren located several sites that are likely unregistered housing and will be conducting inspections this week.

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The number of current preoccupancy registered sites for 2018 is 1,980; preoccupancy inspections completed is 1,766. Certificates issued 1, 732.

Anne Weaver told team members the second mailing for the Public Sector Injury and Illness Survey was mailed on June 22nd. There are currently 345 non-responders (11%), reflecting an 89% response rate. She stated efforts will continue to acquire a 100% response rate.

PSIM is currently working with Legal Affairs on several subpoenas and court orders related to OSH inspection files.

PSIM is also currently working with the Financial Services Division on the bid process for replacement of the Lektrievers (filing system) in PSIM.

PSIM staff worked with other bureau staff to complete the Strategic Management Plan for OSH for the next 5 year cycle (FY 2019 – FY 2023), which includes the FY 2019 Annual Performance Plan.

William Gerringer stated May 22-24 a Mine Safety & Health Law School was held in Morganton with 34 people in attendance. It was well received with favorable comments.

Allan Greene, Mine and Quarry Field Rep, retired May 31, 2018.

Mine and Quarry is in the process of filling 2 vacant positions. Vacancies have been posted and interviews have been conducted. William hopes to make offers to fill the vacancies promptly.

USDOL MSHA has given their approval to apply for our FY 2018 federal grant. Marcia Page is in the process of completing the application.

August 22, 2018 there will be an MSHA/NC Aggregates Association stakeholders meeting in Greensboro. Commissioner Berry is scheduled to speak.

Wanda Lagoe said ETTA is now fully staffed, including a Star Consultant who is coming from the KY VPP Program who begins work in September.

Carlene Harris attended a Regional VPPPA Conference in Biloxi, MS. Morgan Brown will be attending the National VPPPA Conference in Nashville, TN.

ETTA Standards is working with Tom Chambers on a Hazard Alert due to the Charlotte buck hoist fatality.

Wanda told team members ETTA has purchased video software for scrubbing drone footage.

Eursula is working on the Safety Awards numbers, however the numbers will not be available until August.

ETTA has added SEP webpages to the website which includes a Construction page.

Wanda said she will be unable to attend the John Deere facility for the Star/VPPPA visit because she will be teaching a construction class.

Mike Daniels will be working to make changes to printed material once the new phone system is installed. Let Mike know if you are having difficulty with your orders and mail delivery.

Scott Mabry told team members the current construction blitz activity will continue over the summer to hopefully stem the increase in fatalities.

There are 13 vacancies in OSH. The Supervisor position at Lake Boone Trail will hopefully be filled soon. We have two OSH positions with start dates. One OSH reviewer position vacancy.

The drone project is going well. NCDOT will be conducting a drone summit August 5-7. We have 60% of our trained pilots so far who have passed the test and are now licensed.

Significant cases: Pasquotank case, contested by NCDPS.

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There were 4 companies involved in the inspection where 6 employees got into a boat which sank quickly. Two of the employees drowned. The companies involved include Three Duces, Torrains Brothers, B & M and Corey Koonce C&D.

There was a propane explosion at Rapid Xchange. Two employee were working in a shed area emptying tanks. Employees were taken to the burn center.

Masterbrand Cabinets had a chemical release involving a total of 64 employees. There was a mixing issue at a paint booth. All were okay.

Art Britt told team leaders there is a new certificate request form located on the intranet to request NCDOL Certificates of Appreciation and Governor's Office awards should employees qualify for the awards. Eligible employees must be in good standing to qualify. DOL employees must submit completed forms with supporting documents to Sandra/Wanda when requesting these awards.

The meeting adjourned at 12:00.