

DOL Leadership Team Meeting
April 5, 10:30 am
2nd floor CR, Labor Building

Attendees: Commissioner Berry, Tina Morris Anderson, Jack Brinson, Art Britt, Renathe Cotten, Gina Cullen, Cliff Dautrich, Irene Diaz-Clark, William Gerring, Jane Gilchrist, Jennifer Haigwood, Kesha Holmes, Phil Hooper, Robby Jones, Wanda Lagoe, Allen McNeely, Kevin O’Barr, Tommy Petty, Dolores Quesenberry, and Anne Weaver.

Commissioner Berry: Commissioner Berry welcomed LT members. She announced she is proud that the latest report on the injury and illness rate is the lowest in state history for the 2nd year in a row.

The Commissioner has participated in meetings with Governor’s Office and State Budget and Management to discuss an expansion budget, including retaining boiler and elevator receipts. The General Assembly will be back in session on April 25th, and she is hopeful the department’s expansion money will be included in the Governor’s budget.

The 2015 Annual Report has been published and is ready for distribution. The Commissioner told team members she is proud of the work our 340 employees do, and she understands the department is shorthanded in areas and is hopeful we can rectify that.

The 2016 Safety Awards season has begun. The Commissioner announced that there will be a record number of attendees this year. She loves traveling the state to brag about the work of the department.

Budget Update: Jack Brinson gave a budget update. He stated 32% of funds are still available at this point in the fiscal year. He is hopeful we will be able to retain excess receipts from boiler and elevator, and believes the new leadership at the State Budget office are more receptive to our needs.

He asked members to look for memos from his employees regarding end of year close out receipts. He asked members to pay close attention to the timeframes.

Jack stated after a recent purchasing review, he noticed a lot of purchases close to or over \$100 from Kennedy Office Supply. They are not on a state purchasing contract. He asked members to try to use other state vendors as much as possible for office supply needs.

He also announced that ransomware has become a growing concern. He shared an article from the FBI detailing an investigation about a new tool that is available to hack websites. He asked members to be very careful when opening attachments.

Communications Update: Dolores Quesenberry gave a communications update. She announced the 2015 Annual Report has been published and thanked everyone for working with Neal on bureau revisions. The report is now on the department’s website under the “what’s new” and “communications” sections.

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Kevin Beauregard will be the Commissioner's guest for the April 5th WSHA Show. Don Kinney will be the May 3rd guest, and will discuss the launch of the Boiler Safety Awareness Campaign.

Dolores announced Mike Daniels is currently in Disney World and stated the new mailroom hours are due to security issues. She hopes the new hours will ensure that the mail is being distributed to the right people.

Dolores stated the labor law posters are now copyrighted, and many poster companies are promoting marketing blitzes to North Carolina companies without permission to use the copyrighted labor law posters. About 10 years ago, the department partnered with the Department of Revenue to post a notice about the poster companies in the new business packets that are distributed to new businesses.

She encouraged members to like the department's posts on social media like Facebook and Twitter.

Legislative Update: Jennifer Haigwood gave a legislative update. She announced the General Assembly will convene for the short session on April 25th. They have been back for two special sessions since the long session ended on September 30. They are returning earlier than normal due to the earlier primary schedule.

The main goal of the short session is to tweak the biennial budget. She announced that revenue is ahead of projections and predicts that raises for teachers and state employees are possible, but not certain. The department has not been asked to submit cuts.

Jennifer and the Commissioner have attended meetings with the Office of State Budget and Management about our IT expansion request. The Governor's budget should come out the last week in April. It would be great if our expansion money was included. The House will present their budget first this year, and we will hopefully have a new budget by July 1st.

The department submitted the zip line study to the General Assembly on February 1st. The department is having ongoing conversations with the General Assembly and stakeholders about regulating the industry.

The antineoplastic drug rule will also be part of the department's legislative agenda. The N.C. Office of Administrative Hearings (NCOAH) received a number of written objections which kicks the rule back to the General Assembly. They will have 30 legislative days to act once the session begins.

We are 5 months away from the 2016 Employee Recognition Banquet on September 14th. We have had several good fundraisers in the last month, including a Raleigh chili cook-off, Charlotte soup contest, and Winston-Salem low country boil. The annual silent auction will take place in May.

IT Update: Tina Morris-Anderson gave an IT update. She asked that all bulk purchase questions be directed to Terri Burns and all intranet questions and tasks be directed to Amanda Carroll.

IT is completing the budget accounts receivable for OSH through OSH Express. They are also working on an Elevator and Amusement system projects and working with Wage and Hour on their interim system. Server migration is almost complete with 17 servers purchased. Oracle and OnBase will be moving to the new servers and may require some down time.

Chris Lehenbauer is no longer with us. IT is now down two people, but will continue to keep the “red” projects progressing.

OSH Update: Allen McNeely gave an OSH update. Allen stated the 2015 Federal Annual Monitoring and Evaluation (FAME) report had been completed. Due to inquiries and diligence of Kevin Beauregard and Steve Sykes, we went from 6 findings (audit exceptions) to 2. Rational discussion prevailed during a call with Region 4 administrator, and the two findings we now have are regarding 300 logs reviewed and recorded and through process safety management with Consultative Services Bureau. We will have appropriate responses this summer.

Kevin will be on WSHA with the Commissioner discussing our relationship with federal OSHA.

There are 32 vacancies in OSH Compliance. There are just not enough applicants, and it comes down to the offer money we have available.

OSH NC is hosting OSHPA in the fall at Wilmington Riverside Hilton. House Bill 2 has concerned some of our state plan states including Washington, Connecticut and New York. Oregon and California are also reviewing whether they will attend.

S&I Update: Phil Hooper gave a S&I update. In Elevator and Amusement, we have been experiencing high levels of attrition, based on retirements and other opportunities. This will continue for the rest of this year and the first quarter of the following year. We have reached out to other national industry organizations and advertised in their publications with job openings.

Just recently, we increased our hiring salary rate with hopes to attract more candidates for open positions, however the new increased pay rate is only about half of what the industry is offering at this time. With that said, we will continue to advertise the openings with hope of attracting candidates from other states.

Testing was conducted for the 6 new members of our inspection staff on 3/31/16 for their national certification QEI. 100% passed.

We are in the final stages of finishing the amusement automation program. Amusement season has begun and we are getting the job done.

Boiler safety inspectors will be in Raleigh for training April 19 to 21. Independent Audit of the Boiler Quality Program was done by Walter Beach on March 29 and 30. Terry Putek and Janie Judd have been helping in Budget.

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As part of the Boiler Safety Public Awareness campaign, we have mailed 900 letters and brochures to Plumbing, Heating and Air and Mechanical contractors. Don will host a booth at a Heating and Air trade show in Greensboro April 14. Don will be a guest on the Commissioner's radio show May 3. Boiler has begun the process of registering Knotter vessels at five paper mills.

The revision of the civil penalty procedure for violations of the BPV Act is nearly complete. NC State will be training boiler staff on Incident Investigation during our fall training.

The vacant Mine and Quarry Field Representative position vacated from the retirement of Steve Franklin was filled by James Beau Thomas. He began employment on March 14.

The annual NC Mine Safety & Health Conference was just held last week on March 30-April 1 at Sea Trail in Sunset Beach. There were 93 confirmed registrations and 90 people in attendance. Speakers representing federal and state government, the mining industry, trainers, legal updates, and others all gave very good presentations. Early comments and evaluations indicate a very successful conference.

NC Mine Safety & Health Law School was conducted March 15-17 in Morganton with 35 people in attendance. Jim Spigner was the Lead Instructor and did a very good job conducting this seminar. Many favorable comments were noted on the evaluations.

MAQB was very busy with training requests throughout the winter. William conducted a good amount of training as well as filling in with the retirement of Steve Franklin. There are training dates listed on the department webpage through October 2016 and more will be added.

Since the last Leadership Team meeting, we continue to significantly reduce our inventory in Wage and Hour. Currently we have 973 open investigations. Last year at this time we had 1667 open investigations. We continue to work with IT to improve our database. They have made some changes in where the information is entered to make the process easier for investigators. We are working with them currently in an effort to begin sending out letters utilizing OnBase and eventually creating our forms from one database. Still working on opening the Charlotte W&H office.

EDB passed the federal OSHA audit conducted in December. Case files were reviewed and compared to Federal OSHA standards. EDB is currently working on 3 high profile cases. One case resulted in a Merit finding (City of Charlotte) and the other two cases are leaning towards merit.

Two EDB investigators are scheduled to attend the OSHA whistleblower class in Arlington Heights, IL in June 2016.

Around the Room:

Kesha Holmes, (Wage and Hour) said she is excited about the decrease in the backlog.

Tina Morris-Anderson, (IT) said the BLS team is close to maintaining their goal.

Kevin O'Barr, (Consultative Services) said he is happy with the audit conducted by Federal OSHA.

Renathe Cotten, (Human Resources) announced supervisor training in Charlotte and Winston-Salem last week and asked team members to welcome new employee Brittany McCray.

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Tommy Petty, (Elevator and Amusement) said they are very busy inspecting inflatables. Tweetsie Railroad opens Friday. The Carowinds inspections were finished three weeks ago. There are 7 vacancies that have been hard to fill because of starting salaries. Tom will be coming back from his cruise this week.

Cliff Dautrich, (Boiler Safety) said they are in the process of the special registration for Knotter vessels at paper mills.

William Gerringer, (Mine & Quarry) said the safety and health conference was very successful and focused more on real safety and health issues with personal discussions in the presentations.

Anne Weaver, (OSH PSIM) said the bureau is gearing up for the Public Sector Injury and Illness Survey.

Irene Diaz-Clark, (Employment Discrimination) said the bureau's thoughts and prayers are with Tiffany after the loss of her brother.

Robby Jones, (OSH Compliance – West) had no report.

Regina Cullen, (ASH) announced Larry Watts has left the department and is now the Safety Director for a food processing company. ASH is seeking help with IT.

Wanda Lagoe, (ETTA) announced LaMont Smith is going to VPPA training in Kentucky and Brendon will be training in Florida. A retirement party for Ron Ellis will be held April 8. They are working on getting more power points and webinars posted. Hollis is back from maternity leave and will be working part-time for 2 weeks before going back to full-time.

The silica rule has been given to Ed Geddie for review. They have received lots of requests for training.

Jane Gilchrist, (Legal) is mourning the loss of the Tar Heels in the NCAA Championship to Villanova.

Kevin Beauregard, (OSH) said there have been lots of questions about Federal OSHA's increase in penalties. Federal OSHA will also want NC OSH to accept the same penalties. We would have to introduce the issue to the legislature.

They have received lots of questions about the silica and walking and working standards. Nicole and Robby are working on turnover by training new staff members more frequently to get them up to speed.

The meeting adjourned at 11:30.