

March 3, 2009

H 390. POULTRY WORKER PROTECTION. Filed 3/3/09. *TO PROTECT THE HEALTH OF EMPLOYEES OF POULTRY PROCESSING PLANTS BY AUTHORIZING THE STATE HEALTH DIRECTOR TO INSPECT THE PLANTS.*

Enacts new GS 95-136.2 as title indicates. Establishes definitions for *large processing plant*, *licensed medical professional*, *poultry processing plant*, and *State Health Director*. Provides that the purpose of inspection is to review and investigate the medical evaluation, treatment, referral, record keeping, reporting, and possible causes of injuries, illnesses, or deaths within a poultry processing plant. Requires that the State Health Director (Director) provide a written report of inspection findings and any deficiencies to the Director of the Occupational Safety and Health Division, who will take appropriate action to correct any deficiencies or violations. Provides that the Director has full and immediate access to any part of the poultry processing plant and to any and all records, as well as the ability to privately question any employer, owner, operator, agent, or employee. Requires that an administrative search warrant be obtained if access is denied. Permits the Director to examine, review, and obtain copies of all records, reports, or other materials maintained by the Department of Labor pursuant Article 16 of GS Chapter 95. Allows the Commissioner of Labor (or the Director appointed by the Commissioner of Labor) to examine, review, and obtain a copy of all records, reports, or other materials maintained by the Director. Requires that a poultry processing plant maintain a written log of all injuries and health concerns, including complaints of pain, whether or not the complaints reach any other threshold. Specifies the information to be included in the log. Employers must not discourage, threaten, or prevent employees from freely reporting this information. Requires that the Director report annually to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Commissioner of Labor on the findings of the inspection program. Effective October 1, 2009.

Intro. by Earle.

GS 95