

# **North Carolina State Employees Workplace Requirements Program For Safety and Health FY 2009**

**Summary of Programs in Compliance with Article  
63 of Chapter 143**

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Personnel**

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## **EXECUTIVE SUMMARY**

### **Fiscal Year 2008-2009**

#### **INTRODUCTION**

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This report summarizes the safety and health program activities of State Departments and Universities in compliance with Article 63 of Chapter 143 of the General Statutes, ratified in July of 1992. In accordance with legislation, the Office of State Personnel (OSP) Workplace Requirements Program for Safety and Health staff, in cooperation with the State Steering Committee for Safety and Health, developed an assessment tool to evaluate the safety and health programs of each Department and University. Nine (9) elements provide a summary of the thirty (30) safety and health criteria assessed and six (6) safety and health committee criteria established to evaluate the Department and University programs.

The report provides the following:

- Safety and Health Program Assessment Summary for departments and universities
- Department of Labor Inspections and fines for State facilities
- Workers Compensation Data Summary
- Statistical Data

#### **RECOMMENDATION**

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A proactive and unrelenting effort by each State Department and University is essential in making safety a priority, thereby reducing occupational injuries and illnesses, and associated Workers' Compensation costs. This can be accomplished through actively supporting the implementation of safety and health programs, maintaining safety and health committees, providing safety resources, and training both new employees and personnel responsible for implementing an effective employee safety and health program.

## ASSESSMENT SUMMARY

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Safety and Health written program assessments focused on program development and implementation of all program areas. Assessments were conducted for six (6) Departments and two (2) Universities from July 2008 through June 2009.

- Assessment Results for written program Component Compliance:
  - 2008-2009 98% of all assessed Departments and 99% of all assessed Universities were in Compliance.
- Written Program Components Compliance:
  - 2008-2009 Departments achieved 99% compliance a decline of 1% and Universities achieved 99% compliance an improvement of 3% with the Workplace Requirements Program for Safety and Health compared to the prior Fiscal Year.
- Written Program Safety and Health Committees Components Compliance:
  - 2008-2009 100% of all assessed Departments and 100% of all assessed University Committee components were in compliance with written policy and procedures.

Written Safety and Health Program evaluation elements provide a summary of Safety and Health Program assessments FYE 2009 on pages 6 & 7. This summary includes basic criteria listed on pages 10 & 11.

Of the eight (8) Departments/Universities evaluated in 2009 six (6) were in compliance with Workplace Requirements Program criteria. OSP confirmed recommendations to two (2) Departments/Universities where implementation and/or improvement of the Workplace Requirements Program criteria were identified. Written confirmation of an action plan for achieving compliance with recommendation(s) was requested. Verbal and/or written responses with action plans were received from two (2) Departments/Universities. A summary of the evaluation elements required for Department and University safety and health assessments is shown in Appendix A. Each element contains individual criteria that are assessed. The number of criteria assessed varies in each of the nine (9) required elements.

Agency implementation of Best Practices in Continuity of Operations Plans, Safety and Health and Workers' Compensation continue to improve management involvement in workplace safety and health. Priorities for State Agencies and Universities continue to be Continuity of Operations Plan, Pandemic Plan, and the control and prevention of occupational injury and illness.

## STATE EMPLOYEE FATALITIES FISCAL YEAR 2009

There were no reported State employee occupational fatalities in FY 2009:

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## NORTH CAROLINA OCCUPATIONAL SAFETY AND HEALTH FINES

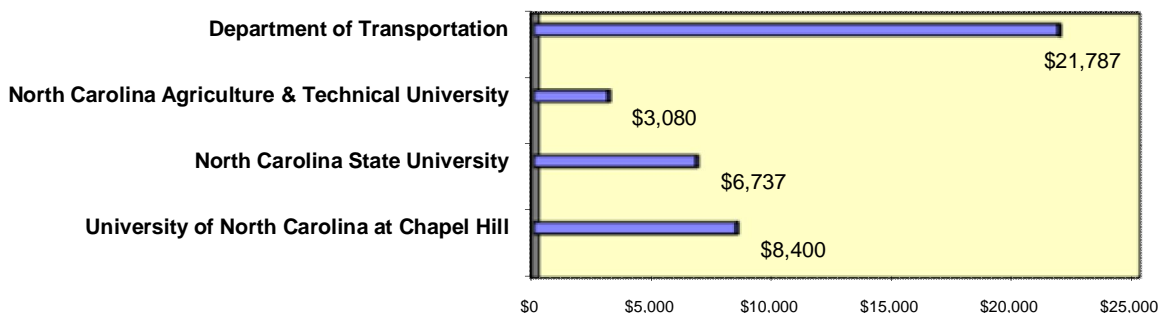
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The North Carolina Department of Labor, Division of Occupational Safety and Health conducted inspections or response to complaints in State government facilities:

July 1, 2008 through May 31, 2009

- Forty-nine (49) inspections or response to complaints were conducted.
  - Forty-one (41) State facilities or work sites were inspected.
  - Initial or reduced fines following informal hearings totaled \$40,004.
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### Summary of North Carolina Department of Labor, Occupational Safety and Health Fines for State Departments and Universities Fiscal Year 2009



## Safety and Health Program Components Assessment for Departments

### SUMMARY FY 2009

	Element 1	Element 2	Element 3	Element 4	Element 5	Element 6	Element 7	Element 8	Element 9	Total	Percent
NC Board of Elections	7	5	4	3	3	3	2	1	1	29	97%
Employment Security Commission	5	5	4	3	3	3	2	1	1	27	90%
Housing & Finance	8	5	4	3	3	3	2	1	1	30	100%
Justice	8	5	4	3	3	3	2	1	1	30	100%
Department of Revenue	8	5	4	3	3	3	2	1	1	30	100%
Secretary of State	8	5	4	3	3	3	2	1	1	30	100%

Elements Found In Compliance	44	30	24	18	18	18	12	6	6
Elements Needing Improvement	4	0	0	0	0	0	0	0	0
Elements Not In Place	0	0	0	0	0	0	0	0	0
Elements Not Audited	192	120	96	72	72	72	48	24	24
Total Possible For Compliance	240	150	120	90	90	90	60	30	30
Total Elements Audited	48	30	24	18	18	18	12	6	6

	Element 1	Element 2	Element 3	Element 4	Element 5	Element 6	Element 7	Element 8	Element 9	Total %
% Audited-In Compliance	92%	100%	100%	100%	100%	100%	100%	100%	100%	99%
% Audited-Needs Improvement	8%	0.0%	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.9%
% Audited-Not In Place	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Appendix A – page 11-12 provides a summary of the evaluation elements required for Department and University safety and health assessments.

# Safety and Health Program Components Assessments for Universities

2008 - 2009 Legislative Summary Report

## SUMMARY FY 2009

Element 1	Element 2	Element 3	Element 4	Element 5	Element 6	Element 7	Element 8	Element 9	Total	Percent
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Appalachian State University	7	5	4	3	3	3	2	1	1	29	97%
East Carolina State University	8	5	4	3	3	3	2	1	1	30	100%

Elements Found In Compliance	15	10	8	6	6	6	4	2	2
Elements Needing Improvement	1	0	0	0	0	0	0	0	0
Elements Not In Place	0	0	0	0	0	0	0	0	0
Elements Not Audited	136	85	68	51	51	51	34	17	17
<b>Total Possible For Compliance</b>	152	95	76	57	57	57	38	19	19
<b>TOTAL ELEMENTS AUDITED</b>	16	10	8	6	6	6	4	2	2

Element 1	Element 2	Element 3	Element 4	Element 5	Element 6	Element 7	Element 8	Element 9	Total
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<b>% Audited-In Compliance</b>	94%	100%	100%	100%	100%	100%	100%	100%	100%	99.3%
<b>% Audited-Needs Improvement</b>	6.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.7 %
<b>% Audited-Not In Place</b>	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

## WORKERS' COMPENSATION DATA

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The Workers' Compensation Summary Comparison Report summarizes statistics of accidents, injuries and illnesses workers' compensation activity and the associated costs to North Carolina State Government. The report compares current fiscal year data with the prior fiscal year as well a five year comparison.

Following are some general points of interest.

- Employment - Workers' compensation covers all employees who hold permanent probationary, part-time and time-limited positions of the Executive, Judicial, and Legislative Branches of State government, the University of North Carolina System, and State Boards and Commissions. The State also covers temporary employees, including students on payroll as temporary staff. In FY 2008-09 approximately 171,208 employees were covered.
- Illness/Injury Cases and Claims - The number of illness and injury cases in each category is based on whether compensation was paid for total or partial lost work time. There was an overall decrease in the frequency of cases. Although the number of cases with lost work days increased by 13.7% from the previous year, there is actually a 7% decrease for the five year comparison.
- Lost & Restricted Workdays - Lost work time is one measure of the severity of cases, and is determined by the number of lost and restricted work days. Lost workdays peaked in the 2007/08 fiscal period so the 3% reduction in lost days in 2008/09 is more a sign of the flattening of the trend, as there is still a 4% increase over the five year period.
- Accident & Injury Expenditures - Workers' compensation expenditures are based on fiscal year costs for all active claims during the period, regardless, of the date of accident. Total workers' compensation expenditures increased by about 1% from fiscal year 2007/08 to 2008/09, although there was a significant increase of 25% in medical costs. The drivers of the medical cost increase continue to be hospitalization and outpatient costs. There was a decrease in settlements in the last half of the fiscal year, which had an effect on the reduction in Permanent Partial Disability expenditures.
- Characteristics of Injuries - The primary cause of accidents remains falls, representing 30 percent of claims and 48 percent of costs. The second most prevalent cause is "strains/injuries by lifting" with 24 percent of claims and 27 percent of costs, followed by struck or injured by another person, with 19 percent of claims and 12 percent of costs. The most prevalent nature of injuries resulting from the accidents was strain, followed by contusions and sprains. The parts of body most injured are backs, knees and fingers.



# **NORTH CAROLINA STATE GOVERNMENT WORKERS' COMPENSATION PROGRAM**

## **SUMMARY COMPARSION REPORT - FISCAL YEARS 2004/05 through 2008/09**

	FY 04/05	FY 05/06	FY 06/07	FY 07/08	FY 08-09	% CHANGE FY 08-09	AVERAGE % CHANGE FOR 5 YR.
<b>EMPLOYMENT INFORMATION</b>							
Number of Employees	159,137	162,335	165,396	168,716	171,208	1.46%	1.52%
Number of Man-hours	300,566,811	300,775,537	313,533,535	320,605,664	328,223,345	2.32%	1.84%
Number of Death Cases	0	3	4	6	0		
<b>INJURIES / ILLNESSES</b>							
Injury & illnesses cases with Lost Wkdays	881	766	535	491	569	13.71%	-7.08%
Injury & illnesses cases without Lost Wkdays	6,954	7,088	6,954	6,677	5,798	-15.16%	-3.32%
Injury & illnesses cases with restricted Wkdays	257	235	231	219	302	27.48%	3.50%
<b>TOTAL REPORTED CASES</b>	<b>8,092</b>	<b>8,089</b>	<b>7,720</b>	<b>7,387</b>	<b>6,669</b>	<b>-4.51%</b>	<b>-1.04%</b>
Number of Lost Workdays	106,582	123,604	112,359	130,144	126,776	-2.66%	3.79%
Number of Restricted Workdays	21,031	17,891	15,509	11,322	11,490	1.46%	-9.07%
<b>TOTAL # OF LOST &amp; RESTR. WKDAYS</b>	<b>127,613</b>	<b>141,495</b>	<b>135,588</b>	<b>148,853</b>	<b>138,266</b>	<b>8.91%</b>	<b>7.77%</b>
<b>WORKERS' COMPENSATION</b>							
Medical Only Claims	7,037	7,143	6,731	6,282	5,561	-12.97%	-4.19%
IC Reportable/Indemnity Claims	1,013	873	765	805	760	-5.92%	-5.00%
<b>TOTAL NUMBER OF WC CLAIMS</b>	<b>8,050</b>	<b>8,016</b>	<b>7,496</b>	<b>7,087</b>	<b>6,321</b>	<b>-5.77%</b>	<b>-1.65%</b>
Number of Denied Claims	62	91	238	328	330	0.61%	86.45%
<b>ACCIDENT &amp; INJURY EXPENDITURES</b>							
Medical	\$ 22,996,435	\$ 23,235,647	\$ 26,584,845	\$ 24,001,716	\$ 31,652,384	24.17%	7.53%
Temporary Disability Payments	\$ 10,485,960	\$ 11,363,948	\$ 12,211,444	\$ 13,497,474	\$ 15,616,123	13.57%	9.78%
Partial Disability Payments	\$ 8,719,648	\$ 10,699,277	\$ 11,890,139	\$ 13,688,620	\$ 9,943,946	-37.66%	2.81%
Death Benefits	\$ 493,059	\$ 700,506	\$ 636,216	\$ 786,882	\$ 898,957	12.47%	16.46%
Other Costs	\$ 2,789,307	\$ 3,199,655	\$ 3,082,244	\$ 2,931,877	\$ 1,710,179	-71.44%	-7.74%
<b>TOTAL WC EXPENDITURES</b>	<b>\$ 45,484,409</b>	<b>\$ 49,199,032</b>	<b>\$ 54,404,888</b>	<b>\$ 54,906,569</b>	<b>\$ 59,821,589</b>	<b>0.91%</b>	<b>8.12%</b>
<b>AVERAGE WC COST PER EMPLOYEE</b>	<b>\$ 286</b>	<b>\$ 303</b>	<b>\$ 329</b>	<b>\$ 325</b>	<b>\$ 349</b>	<b>-1.08%</b>	<b>6.52%</b>
In-house Treatment Cost	\$ 359,334	\$ 362,973	\$ 321,307	\$ 243,753	\$ 459,976	47.01%	5.60%
Subrogation	\$ 331,020	\$ 291,394	\$ 368,684	\$ 473,898	\$ 314,004	-50.92%	-1.03%

**STATE EMPLOYEE WORKPLACE REQUIREMENTS  
FOR SAFETY AND HEALTH**

***WRITTEN PROGRAM REQUIREMENTS AND  
EVALUATION CRITERIA***

Purpose

Each State agency will have a written safety and health program for State employees that promote safe and healthful working conditions and will be based on clearly stated goals or objectives for meeting these requirements. The program shall provide managers, supervisors, and employees with a clear and firm understanding of the States' concern for protecting employees from job-related injuries and health impairment.

Scope

These requirements shall apply to State agencies, commissions, divisions, boards, and institutions within the Executive Branch of the Government and their respective employees.

Requirements

Components of an agency written program shall describe at a minimum, the following nine (9) elements:

Written Program Elements

1. The methods to be used to identify, analyze, and control new or existing hazards, conditions, and operations include the maintenance of a safety and health recordkeeping system; a system for agency hazard assessment of each operation; the requirements for written safe work practices; and an audit plan that specifies inspection at least once annually. Procedures provided for the review of new construction and renovation plans to ensure compliance with applicable safety and health codes or regulations and policy requiring agency compliance with all applicable laws, regulations, and accepted practices.
2. How managers, supervisors, and employees are responsible for implementing the program, controlling accident-related expenditures, and how continued participation of management and employees will be established, measured, and maintained. Provide policy that defines and outlines the role and responsibilities of management, supervisors, and employees in their overall safety and health program. Provide annual written goals and objectives for the agency safety and health program. Provide emergency preparedness plan that includes individual responsibilities and the workplace evacuation plan.

3. How the plan will be communicated to all affected employees so that they are informed of work-related physical, chemical, or biological hazards, and controls necessary to prevent injury or illness. Procedures for New Employee Safety and Health Orientation Program that would identify hazards inherent to the job, explain hazards assessment, inspection requirements and reporting procedures as well as the availability of Personal Protective Equipment and Procedures for Medical Surveillance Programs, as required by regulations.
4. How managers, supervisors, and employees will receive training such as for the purpose, use, and maintenance of Personal Protective Equipment and other safety devices provided in the workplace in avoidance of job-related injuries and health impairments. Provide procedures outlining required training, training frequency, and documentation requirements.
5. How workplace accidents will be reported and investigated and how corrective actions will be implemented and procedures to ensure the timely correction and interim controls of identified hazards.
6. How safe work practices and rules will be communicated and enforced by a program for safety and health policies and procedures consisting of such communication tools as manuals and handbooks. How communication is made to inform contractors and others, unfamiliar with the hazards that are likely to be encountered in the workplace, including foreseeable emergencies.
7. The safety and health policy required for training programs based on the job assignments and potential hazards in the workplace that will be made available to all employees. Written Plan to ensure training is conducted at the time of initial assignment or reassignment.
8. Written policy that outlines how employees can make complaints concerning safety and health matters that also ensure employee protection against discrimination or reprisal.
9. How employees will report an occupational accident and receive medical attention following an occupational work-related injury/illness.

Six (6) Safety and Health Committee Criteria

- Committee structure and reporting must be in accordance with requirements based on agency size.
- Number of employee representatives on the committee must be in accordance with requirements based on agency size.
- Field operations must be represented on committee.
- Committee operation and responsibilities must be identified in writing.
- Committees must meet at least every three (3) months.
- Meetings' minutes must be maintained and either dispersed or posted in the workplace.