

**N.C. Department of Labor Report on Impact of the Special Emphasis
Inspection Program on Safety and Health Compliance and Enforcement**

Citation of Law or Resolution:	G.S. 95-136.1
Section Number:	N/A
Due Date:	March 1, 2016
Submission Date:	March 1, 2016

Receiving Entities:

The Joint Legislative Commission on Governmental Operations
The Fiscal Research Division

Submitting Entity:

The N.C. Department of Labor

Impact of the Special Emphasis Inspection Program on Safety and Health Compliance and Enforcement

**North Carolina Department of Labor
Occupational Safety and Health Division**

FY 2015



Introduction

Pursuant to NCGS 95-136.1, the N.C. Department of Labor (NCDOL) submits the following annual report on the impact of the department's Special Emphasis Inspection Program (SEP) on employee safety and health compliance and enforcement.

To determine which specific industries and employers will be targeted for the SEP, the N.C. Department of Labor uses multiple resources. Some industries designated as SEP's were initiated by federal OSHA and are generated by high injury and illness rates or fatality rates on a national level. Most industries and specific employers though are selected for the SEP at the state level and are created during the strategic planning process. The decision to include an industry is based on a review of injury, illness and fatality data, and employment levels. Generally, industries with the highest employment levels and the highest injury and illness rates are selected as an SEP.

The NCDOL strategic planning process occurs on a five year cycle, but SEP industries are evaluated annually. The NCDOL also annually reviews the plan to ensure that industry activity goals are met. The department is currently operating under a strategic plan cycle that became effective October 1, 2013 and will conclude September 30, 2018.

The FY 2014-2018 Strategic Management Plan includes two primary outcome goals:

- Reduce the rate of workplace fatalities by 2%
- Reduce the rate of all workplace injuries and illnesses by 10%

The areas of emphasis included in the FY 2014-2018 Strategic Management Plan include:

- Construction Industry Fatality Reduction
- Logging and Arboriculture Fatality Reduction
- Grocery and Related Product Merchant Wholesalers Reduction
- Long Term Care Injury Reduction
- Exposures for Specific Health Hazards
- Food Manufacturing Reduction
- Accommodation Reduction

During the strategic planning process, outcome and activity goals are set for each industry. This report includes each industry's goal and the associated actual results. Baseline fatality rates were calculated by finding the average number of fatalities during an established period of time for the construction and logging and arboriculture industries. Baseline rates for Days Away, Restricted, or Transfer (DART) were also calculated based on the average of previous years' DART rates.

North Carolina continues to utilize a combination of compliance, consultation, and training as an effective approach toward reducing injury, illness, and fatality rates among all industries and employers. The success of this approach is evidenced by the state's total recordable case rate of 2.9 for CY 2014, which equals the lowest in the program's history. Fatality statistics for the current five year planning cycle are also some of the lowest in program history.

**Impact of the Special Emphasis Inspection Program (SEP)
On Safety and Health Compliance and Enforcement FY 2014-2018**

1.1 Reduce Construction Industry Fatality Rate Statewide by 2% by the end of FY 2018

Great safety and health strides have been made in the construction industry. The baseline rate of 30 fatalities indicated that this industry was still a leader in workplace deaths that could have a significant impact on the state's overall outcome goal of reducing the rate of workplace fatalities. However, the total number of fatalities decreased to fifteen and the fatality rate declined.

Outcome

	2014	2015
Fatalities	17	15
Rate	.0093	.0084
Hispanic	9	6

Activity in Emphasis Counties

	2014	2015
Inspections	1,198	1,014
Goals	1,075	1,075
Consultation	221	273
Goals	150	150
Trained*	1,619	2,504
Goals*	2,500	2,500

*Includes all persons trained in the construction industry.

1.2 Decrease Fatality Rate in Logging and Arboriculture Activity (NAICS 56173 and 11331) by 2% by the end of FY 2018

North Carolina has had success in the past reducing the number of logging and arboriculture fatalities. Experience has shown that a reduction in Occupational Safety and Health (OSH) activity can translate into an increase in the number of injuries and fatalities in this industry. The first state SEP for logging was initiated in FY 1994 in response to 13 logging fatalities in FY 1993. There were a total of two fatalities in FY 2014 and seven in FY 2015.

Outcome

	2014	2015
Fatalities	2	7
Rate	.0172	.0205

Activity in Logging and Arboriculture Industry

	2014	2015
Inspections	59	65
Goals	75	75
Consultation	15	15
Goals	15	15
Trained	280	232
Goals	25	150

2.1 Reduce the Injury and Illness Rate in Grocery and Related Product Wholesalers (NAICS 4244) by 10% by the end of FY 2018

The state's strategic planning process includes statistical analysis to determine which industry groups have high injury and illness rates that could affect the state's goal of reducing the overall injury and illness rate. The baseline rate for grocery and related product wholesalers is 4.1, which is more than the most recent overall DART rate of 1.5. For this reason, this industry has been added as an area of emphasis in the current Strategic Management Plan.

Outcome

	2013	2014
DART Rate	4.0	2.7

Activity in Grocery and Related Product Wholesalers

	2014*	2015
Inspections		47
Goals		20
Consultation		6
Goals		4
Trained		2
Goals		25

*FY 2014 was a planning year.

2.2 Reduce the Days Away, Restricted, or Transferred (DART) Rate in Long-Term Care (LTC) Facilities by 10% by the end of FY 2018

While some progress has been made in this industry group, the baseline rate of 4.7 is still more than the overall DART rate.

Outcome

	2013	2014
DART Rate	3.9	4.2

Activity in Long-Term Care

	2014	2015
Inspections	101	71
Goals	60	60
Consultation	45	67
Goals	25	25
Trained	123	45
Goals	75	50

2.3 Conduct Emphasis Inspections, Training, and Consultation Activity in Establishments Where Employees Might be Exposed to Health Hazards Such as Lead, Silica, Asbestos, Hexavalent Chromium, and Isocyanates

North Carolina has established the health hazards special emphasis program to address health hazards in the work place, including lead, silica, asbestos, hexavalent chromium, and isocyanates. A reduction in illnesses relating to the emphasis health hazards could have an effect in the primary outcome goal of reducing the overall injury and illness rate during the five year cycle of the Strategic Plan.

Activity for Selected Health Hazards

	2014	2015
Inspections	249	262
Goals	200	180
Consultation	139	181
Goals	100	100
Trained	441	395
Goals	500	400

2.4 Reduce the Injury and Illness Rate (DART) in Establishments in Food Manufacturing (NAICS 311) by 10% by the end of FY 2018

The strategic planning process is intended to allocate limited resources in those areas of emphasis with above average injury and illness rates in an attempt to impact the overall state injury and illness rate. The food manufacturing DART rate for North Carolina was more than the North Carolina average for all industries including state and local government. For this reason, food manufacturing is included in the current Strategic Management Plan. The DART rate dropped, which is a reduction from the baseline rate.

Outcome

	2013	2014
DART Rate	2.6	2.5

Activity in Food Manufacturing

	2014	2015
Inspections	48	78
Goals	50	50
Consultation	18	15
Goals	10	10
Trained	26	18
Goals	25	25

2.5 Reduce the Injury and Illness Rate in Accommodation (NAICS 721) by 10% by the end of FY 2018

A review of injury and illness statistics identified the accommodation industry (NAICS 721) as a candidate to be added to the state's Strategic Management Plan for FY 2014-2018. This employment sector not only has a high DART rate but includes over 2,000 active sites. The first year of the Strategic Plan was designated as a planning year. A Strategic Management Plan

committee, representing the entire OSH Division, was established to manage the planning process. This included developing strategies to achieve established goals and determining the appropriate activity level for division intervention including compliance activity, consultation, and training. However, the most recent DART is below the baseline so this industry group has been placed in the “maintenance mode”, which means the committee will monitor the DART rate and industry activities. Normal OSH Division activity for this industry will continue unless the DART rate increases and/or there is an increase in accidents within this specific NAICS code.

Outcome

	2013	2014
DART Rate	1.7	1.5

Activity in Accommodation

	2014*	2015
Inspections		21
Goals		20
Consultation		4
Goals		4
Trained		40
Goals		25

*FY 2014 was a planning year.

Summary

North Carolina has developed a Strategic Management Plan with specific areas of emphasis made up of employers with a high rate of serious injuries and illnesses. This approach is consistent with the requirements of NCGS 95-136.1. The state’s specific overall outcome goals include reducing the rate of workplace fatalities by 2% and reducing the rate of workplace injuries and illnesses by 10% by September 30, 2018. The plan also provides program guidance for the most appropriate allocation of resources in pursuit of the outcome goals.

As well as overall outcome goals, the plan includes activity and outcome goals for specific areas of emphasis included in the plan. The new five year plan includes two new areas of emphasis. These include grocery and related product merchant wholesalers (NAICS 4244), and accommodation (NAICS 721). As well as these new areas of emphasis, the plan includes carryovers from the previous planning years including construction, logging and arboriculture, long term care, health hazards, and food manufacturing.

Each of the plan’s areas of emphasis is managed by a specific Strategic Management Plan committee made up of OSH Division employees. Strategies to achieve outcome goals are continuously reviewed and can be altered to enhance program performance. Any changes to the plan are documented annually.

The success of the OSH Division special emphasis inspection program is measured by the continuous reduction in employer injury and illness rates. The most recent rate of 2.9 for calendar year 2014 equals the lowest in program history.