



Labor

LEDGER

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Increase in Forklift Accidents Prompts NCDOL Hazard Alert

By Tom Wilder
Safety Education Specialist

In December, the Department of Labor's Occupational Safety and Health Division published a hazard alert on the dangers of forklifts and material handling.

Material handling carries an accident risk that has always been a challenge to control. Unfortunately, material handling accidents can be deadly. Optimal material storage conditions, worksite layout, equipment condition and employee behavior are four approaches to a safe material handling environment. In North Carolina, seven fatalities occurred in 2010 as a result of material handling accidents.

The following examples illustrate material handling dangers that resulted in fatalities.

- An employee was unloading a truck with a forklift and using a concrete brick ramp. Upon descending the ramp, the pallet bottom caught the ramp and turned "corner down." The driver tried to square the pallet by turning the forklift on the ramp. After turning the forklift, the left wheels slipped off the ramp and knocked the guardrails to the ground. He removed his seatbelt and slid off the seat to the ground and took one step when the forklift fell off the ramp, fatally crushing him.
- A forklift operator was cleaning a cabinet that was on the forks of a lift truck while sitting in the driver's seat. He reached through the mast with his right hand and head when he activated the lower lever of the truck. The upper part of the mast came down on his neck, asphyxiating him.
- During forklift operation, a forklift operator noticed that a hydraulic hose had jumped off its sheave. The operator then dismounted the equipment and went around the front. While troubleshooting/returning the hose, a nearby unbalanced stack of three cardboard bales fell. Two of the bales fell onto the operator. Responders called 911 while removing the bales with another forklift. The operator was unresponsive, received CPR and was transported to the hospital where he later died.
- A truck driver was outside of his truck and in a company yard area where forklift operators were moving bales of paper. The truck driver died after being run over by another forklift.
- At a distribution center, a few employees started conducting odd picks from order pickers when a loud crash was heard. Employees ran to see what happened and found an employee who had been working off an order picker lying face down on the floor of the warehouse. It appeared that he had fallen from the order picker, 12-15 feet to the concrete floor. EMS was contacted and the victim was taken to the local hospital in critical condition. The employee died 16 days later after being taken off of life support.

To prevent these type accidents, always be on a constant watch for your surroundings such as pedestrians, blind spots, and ramp/dock edges. During forklift operation, always wear your seatbelt and do not ever extend your hands, arms or head outside of the safe zone. If

continued on page 3

Cherie Berry, Commissioner of Labor
Occupational Safety and Health Division
1101 Mail Service Center, Raleigh, NC 27699-1101

Forklifts and Material Handling

NCDOL Urges Employees to Be Aware of Material Handling and Storage Dangers

Material handling carries an accident risk that has always been a challenge to control. Unfortunately, material handling accidents can be deadly. Optimal material storage conditions, worksite layout, equipment condition and employee behavior are four approaches to a safe material handling environment. In North Carolina, fatalities have occurred as a result of material handling accidents.

• A forklift operator was cleaning a cabinet that was on the forks of a lift truck while sitting in the driver's seat. He reached through the mast with his right hand and head when he activated the lower lever of the truck. The upper part of the mast came down on his neck, asphyxiating him.

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To prevent these type accidents, always be on a constant watch for your surroundings such as pedestrians, blind spots, and ramp/dock edges. During forklift operation, always wear your seatbelt and do not ever extend your hands, arms or head outside of the safe zone. If you end up in an unbalanced situation due to loads shifting or wheels leaving floor edges, do not remove your seatbelt and call out for help. In most cases, the safest place to be is to be belted in your seat. Always do your best to designate forklift work zones and pedestrian areas. Use your horn when needed as you approach blind spots and intersections.

Drive in reverse when load blocks vision. Always look in the direction of travel.

The following five examples illustrate material handling dangers that resulted in fatalities.

• An employee was unloading a truck with a forklift and using a concrete brick ramp. Upon descending the ramp, the pallet bottom caught the ramp and turned "corner down." The driver tried to square the pallet by turning the forklift on the ramp. After turning the forklift, the left wheels slipped off the ramp and knocked the guardrails to the ground. He removed his seatbelt and slid off the seat to the ground and took one step when the forklift fell off the ramp, fatally crushing him.

The new NCDOL Forklift and Material Handling Hazard Alert is available on our website.



**From
Commissioner
Cherie Berry**

Each January, I find myself wondering how another year could have passed so quickly. As we begin a new year; it is time to reflect on the previous one. The number of work-place fatalities increased in 2010. Any workplace death is a tragedy and of great concern because it affects so many people—the family, co-workers, the community and our department.

We'll redouble our efforts and work even harder to prevent these accidents from happening. Many of you became Ledger subscribers through our annual Safety Awards Program, the regional safety and health schools, and other safety events.

I commend you for making safety a priority. I ask that you spread the word in your community. Help other business people recognize how a commitment to safety improves the bottom line.

If you have not participated in our Safety Awards Program, I encourage you to start. Even if your company does not qualify for an award, the process of looking at the information gathered for the application can help you improve the safety and health of your employees.

If you have a problem with workplace injuries and illnesses or would like more information about our consultative services or educational outreach, please call us at 1-800-625-2267.

Let us all recommit ourselves to workplace safety and health in 2011.

Cherie Berry

Inside this edition:

Train the Trainer Program	page 3
Labor Dept. Accepting Safety Award Applications	page 4
NCDOL Releases Workplace Fatality Figures	page 4
Deadly Mistakes	page 5
Workplace Worries	page 5
Posting of Injury and Illness Summary Required	page 6
Pricing Change Notice	page 6
Bulletin Board	page 7

Recognition Roundup

Recognition Roundup recognizes businesses that qualify for one of the N.C. Department of Labor recognition programs. Congratulations to all of the recent award recipients. *To view a complete list of all North Carolina Star recipient companies, visit www.nclabor.com/osa/star/starsite.htm.*

To view a complete list of all North Carolina SHARP companies, visit www.nclabor.com/osa/consult/sharp_sites.pdf.



Safety and Health Achievement Recognition Program (SHARP) Award

Armacell, LLC, *Mebane*
Olympic Products, LLC, *Greensboro*



Cherie Berry
Commissioner of Labor

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NCDOL Employee Elected Chairman of National Board

At their meeting Oct. 19, 2010, the members of the National Board of Boiler and Pressure Vessel Inspectors elected Jack Given Jr. as chairman of the organization's Board of Trustees. Given, the bureau chief for the N.C. Department of Labor's Boiler Safety Bureau, served as a member-at-large on the Board of Trustees from April 2008 until September 2010.

The National Board membership oversees adherence to laws, rules and regulations relating to boilers and pressure vessels. The National Board members are the chief boiler inspectors representing most states and all provinces of North America, as well as many major cities in the United States.

Labor Department Publishes Forklift Hazard Alert

continued from page 1

you end up in an unbalanced situation due to loads shifting or wheels leaving floor edges, do not remove your seatbelt and call out for help. In most cases, the safest place to be is to be belted in your seat. Always do your best to designate forklift work zones and pedestrian areas. Use your horn when needed as you approach blind spots and intersections.

Material Handling

- Do not ever stack materials above a safe stacking height. Consider the use of warehouse rack storage when needed.
- Follow standard practices when stacking materials to ensure optimal stability. In addition, consider the use of shrink wrap to enhance the stability of a stack.
- Make sure that warehouse racks are not loaded above their rated capacity.
- Make your best effort to store the heaviest materials on the floor or on the lowest rack locations.

Forklift Operation

- Be careful during forklift movement near and around warehouse racks. If racks are struck by equipment, make sure to inspect all equipment immediately and take corrective action if necessary.
- Always use all appropriate fall protection equipment when elevated by lift trucks.
- Take pre-use inspections seriously and correct issues prior to operating a forklift.
- Instruct forklift drivers to always wear installed seatbelts.
- The forklift offers structural protection during an accident. In most cases, the driver is safest when remaining securely belted in the operator safety zone.
- Do not ever extend any part of your body outside of the safety zone during forklift operation.
- Drive the forklift in reverse if bulky items obstruct the front view.
- On inclines, always drive with the load uphill.
- Prior to trailer entry from a dock, inspect the trailer floor to ensure good condition. Do not drive forklifts into trailers that have damaged or weak floors.
- Make sure that trailers are secured from movement and tipping prior to forklift entry.

With proper training of employees and supervisory observation of employees operating forklifts, you can prevent tragedy at your workplace. NCDOL offers free training to employers on occupational safety and health standards. Copies of safety and health standards for 29 CFR 1910 (General Industry) and 29 CFR 1926 (Construction) are available from NCDOL/ETTA upon request. Publications can also be ordered online (www.nclabor.com).

The complete hazard alert is available on the N.C. Department of Labor's website at www.nclabor.com/osha/etta/hazard_alerts/Forklifts.pdf.

Train the Trainer Program

*By Marcy Collyer
Training Supervisor*

In October, the Education, Training and Technical Assistance Bureau of the NCDOL OSH Division launched the first State Plan State Train the Trainer Program for general industry and construction. The program is open to industries in the OSH Special Emphasis Programs and is an additional vehicle for the OSH Division to train North Carolina workers in the basics of occupational safety and health.

Through the program, individuals who complete a one-week trainer course are authorized to teach OSH 10-hour and 30-hour courses in construction or general industry. The course is an intense week that focuses on teaching students training and facilitation skills as well as a variety of training techniques. Each student must design, develop and deliver a 45-minute presentation to pass the course.

The cost of the course is free, however students must apply for course acceptance and meet prerequisite requirements. If you would like more information, please view ETТА's webpage on the program at www.nclabor.com/osha/etta/train_the_trainer/train_the_trainer.htm.



Labor Commissioner Cherie Berry (front row, second from right) joins the participants in one of NCDOL's Train the Trainer classes.

Labor Department Accepting Safety Award Applications

The N.C. Department of Labor is now accepting applications from businesses in North Carolina for safety awards and million-hour awards.

The annual safety awards recognize companies for maintaining excellent worker safety and health programs and showing a commitment to employees during the previous year. Million-hour safety awards are given to firms that accumulate 1 million employee hours with no cases of injury or illness involving days away from work. Subsequent awards are given for each additional 1 million safe employee hours. Million-hour awards may be presented to the firm at its place of business at any time, or during the local annual safety awards ceremony.

The Safety Awards Program is open to any private company or public entity with a site in North Carolina. Those that qualify for an award are recognized at 30 banquets across the state featuring Labor Commissioner Cherie Berry as the guest speaker. The first banquet will take place in Lincolnton on March 29. The next issue of the *Ledger* will have a list of safety award banquets scheduled for April, May and June.

Safety awards recognize companies with no work-related fatalities at the site and an incidence rate at least 50 percent below the industry average. Million-hour awards recognize companies for working 1 million employee-hours, or multiples thereof, without an injury or illness requiring days away from work.

An organization may apply for one safety award for the entire organization, or the applications may be submitted for a division/department within the organization. If an organization chooses to apply by division/department, it must have at least 10 full-time employees in that division.

The safety award application is posted on the NCDOL website at www.nclabor.com/osa/consult/safaward.htm. Completed applications are due Feb. 15.

Contact Eursula Joyner, NCDOL safety awards coordinator, at (919) 807-2908 or Eursula.Joyner@labor.nc.gov if you have any questions about the program.

NCDOL Releases 2010 Workplace Fatality Figures

By Dolores Quesenberry
Communications Director

Preliminary figures released mid January by the N.C. Department of Labor show 49 fatal work accidents in 2010, up from 34 in 2009, with the two leading causes of workplace fatalities being struck-by accidents and falls.

“Any workplace death is a tragedy and of great concern because it affects so many people—the family, co-workers, the community and our department,” Labor Commissioner Cherie Berry said. “We’ll redouble our efforts and work even harder to prevent these accidents from happening, and we’ll call on employers and employees across the state to recommit themselves to workplace safety and health in 2011.”

The 49 fatal work accidents in 2010 are below the five-year average of 53.2.

The NCDOL Occupational Safety and Health Division tracks fatalities to identify patterns or trends and to alert industries as a means to prevent similar accidents. The OSH Division also partners with employers and employees in hazardous industries like construction to prevent injuries, illnesses and fatalities. In 2010, the OSH Division issued hazard alerts regarding bridge construction, tree care and forklifts after identifying problems in those areas.

The OSH Division has identified four hazards known as “the big four” that have caused 80 percent of the work-related deaths in North Carolina during the past decade. The leading causes of the work-related fatalities in 2010 were struck-by accidents and falls with 16 each. Nine workers were crushed by objects, and four were electrocuted. Four workers died in other fatal events.

“Many of the fatalities involved falls or crushed-by accidents, and these can be avoided by using fall protection and paying close attention to your surroundings,” said Allen McNeely, director of the Occupational Safety and Health Division.

Some speculate that job loss and a weakened economy have workers worried about their livelihoods and this distraction may be a factor.

The state’s injury and illness rate, which is the best barometer for measuring how the state is doing in terms of safety and health, is currently at an all time low for private industry.

The injury and illness rate has steadily declined from 5.3 per 100 fulltime workers in 2000 to 3.1 in 2009.

“The injury and illness rate is encouraging for our state because it shows dramatic reduction in the number of employees injured per 100 workers,” Commissioner Berry said. “Although injuries and illnesses are headed in the right direction, the ultimate injury—a fatal accident—is not. We will work even harder to educate our employers and employees in creating a safety culture that reduces these accidents.”

Manufacturing, dropped from eight fatalities in 2009 to six in 2010. Construction fatalities increased by two to 16 in 2010.

There were six fatalities in the service industry, the same number as in 2009. Transportation and public utility fatalities increased from one in 2009 to five in 2010. Wholesale trade experienced five fatalities, and retail trade experienced four in 2010, an increase from no fatalities for wholesale trade and one for retail trade in 2009.

Agriculture, forestry and fishing fatalities increased from two in 2009 to four in 2010. Finance, insurance and real estate accounted for three of the 2010 fatalities. There were none in that sector in 2009.

There were no work-related fatalities in 66 of North Carolina’s 100 counties. Mecklenburg County experienced the most fatalities with seven. Nine counties had two fatalities. They were Beaufort, Burke, Chowan, Cleveland, Gaston, Guilford, Nash, Pitt and Rowan. There were 25 counties that experienced one fatality.

Whites accounted for 32 of the 49 workplace deaths. Blacks accounted for eight and Hispanics for seven. One victim was Asian and one was Native American. Men accounted for 48 of the 49 workplace fatalities.



DEADLY Mistakes

By Steve Sykes
State Plan Coordinator

Fatal Event: On Sept. 2, 2008, a 40-year-old man

hired to perform cleanup duties was killed when the forklift he was operating overturned, causing his head to be trapped under a portion of the forklift.

Investigative Findings: The victim was a part-time employee who had worked at the site about three months. The employer had been in the cabinet and counter top business about one year. The victim was hired to clean the employment site including the yard area. The company had only three full-time employees including the owner/operator and no formal safety and health program. The owner indicated that he and the company vice president were the only company employees that were authorized to use the forklift, which contradicted an employee interview that indicated the owner observed the victim driving the forklift and even commented that the victim drove too fast. Another part-time employee indicated that the victim did not drive the forklift very well.

The accident occurred at the end of a workday when the victim was operating the forklift in the yard and was attempting to move an empty wooden crate. The forks were used to lift the crate and were extended to the top of the mast even though this position was not required to move the crate. As the victim drove toward a dumpster at a high rate of speed, the forklift turned over penning the victim underneath it.

The company had not developed a forklift training program, and no one had been trained in the proper use of the forklift. The forklift was not equipped with a seat belt at the time of the accident. The employer had been provided a seatbelt when the forklift was purchased. Unapproved retrofits had been performed on the forklift including installation of a boom for moving large pieces of granite slab. Any repairs to the forklift were conducted by an outside company, but periodic inspections of the forklift were not conducted.

Discussion: The business of safety and health is one in which you cannot rest on your laurels. While there was only one forklift fatality in 2008 and none in 2009, there were six forklift fatalities in 2010. Safety and health success is not usually a quick fix. Rules and procedures must be in place and followed at all times to prevent accidents at home or on the job. Success does not necessarily breed success, but constant vigilance has its rewards.

The N.C. Department of Labor recently posted a **hazard alert** on our website that describes the dangers associated with material handling and operation of forklifts. These dangers are most pronounced when a forklift is operated by an untrained driver at a high speed carrying an unstable load.

Recommendations:

- ✖ Employers should ensure that only fully trained employees are allowed to operate forklifts or other powered industrial trucks.
- ✖ Employees must complete a training program specified in the powered industrial truck standard before operating a vehicle.
- ✖ Forklifts should be operated at a safe speed.
- ✖ Grades should be ascended or descended slowly and sharp turns should be avoided.
- ✖ Consideration should be given to conditions that might affect the stability of the forklift and result in the vehicle overturning. Factors that affect stability include where the load is placed on the truck, the height of the load above the ground, and the vehicle's degree of lean.
- ✖ Forklifts should be equipped with rollover protection and seat belts should be worn.
- ✖ A forklift operator should never extend any body part outside of the safety zone of the forklift while it is being operated.
- ✖ Watch out for pedestrians.
- ✖ Don't take shortcuts or ignore the safety and health procedures that have been put in place.



My employer fired me when I got to work last Saturday. She did not give me my paycheck that day. Doesn't she have to? Also, doesn't she have to pay me for the hours I was scheduled to work that day?

If an employee is dismissed for any reason, either voluntarily or involuntarily, then the employer must pay all wages due on or before the next regular payday—

not immediately. The pay may be distributed through the regular pay channels or by mail, if requested by the employee. If an employee requests that the employer mail his or her final paycheck, the

employer must mail the paycheck to the employee at the employer's expense. Employers may not withhold a final paycheck because the employee refuses to pick up the paycheck. The employer may require the employee to provide a notarized or witnessed written request for the mailing of the final paycheck.

Your employer only has to pay you for the actual hours you worked regardless of how long you were scheduled to work.

The office where I work as a physician's assistant closed one day because of snow. My employer told all of the salaried employees that we have to use a vacation day for the day the office was closed. Can he do this?

Yes. All salaried non-exempt employees must receive their weekly equivalent salary in any workweek that any work is performed. Your employer cannot deduct the closed day from your pay, but your employer can require employees to use a day of vacation for the day they missed.



Need answers to labor-related questions?

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www.nclabor.com

Posting of Injury and Illness Summary Required

By Neal O'Briant
Public Information Officer

Employers are reminded that they must post a summary of work-related injuries and illnesses that occurred in 2010. The N.C. Department of Labor requires the summary be posted from Feb. 1 through April 30.

Most employers must keep a *Log of Work-Related Injuries and Illnesses* (Form 300) that records work-related fatalities, injuries and illnesses. The *Summary of Work-Related Injuries and Illnesses* (Form 300A) is compiled from the data on the log. Companies without any injuries and illnesses should post the summary with zeroes on the total lines. A company executive must certify that they have examined the OSHA 300 Log and that they reasonably believe that the annual summary is correct and complete.

"This posting requirement is an important way employers keep their employees informed about safety and health conditions in the workplace," said Wanda Lagoe, bureau chief of the Education, Training and Technical Assistance Bureau.

Companies that had 10 or fewer employees at all times during the previous calendar year are exempt from keeping injury and illness logs and posting summaries unless informed otherwise. Certain businesses classified in a specific low-hazard retail, service, finance, insurance or real estate industry are also exempt from keeping injury and illness logs and posting summaries unless requested to do so for survey purposes.

For more information about recording criteria or for a list of exempt industries, contact the Education, Training and Technical Assistance Bureau at 1-800-625-2267 or locally at (919) 807-2875. To download a free copy of the OSHA 300, OSHA 300A or OSHA 301, as well as recordkeeping instructions, visit our website at www.nclabor.com, click on the *Publications* tab, then click on the *Forms* link.

Pricing Change Notice

For the foreseeable future, the N.C. Department of Labor will no longer charge shipping and handling on publication purchases. However, effective Dec. 1, 2010, as directed by the N.C. General Assembly and approved by the Rules Review Commission, the prices of our publications will be as follows:

Item #	Title of Publication	Price
600	N.C. OSH Standards for the Construction Industry	\$32.00
700	N.C. OSH Standards for General Industry	\$37.00
01-44	Industry Guides	\$ 3.50

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Bulletin Board

Mine and Quarry Training

Part 46 New Miner Training

Feb. 8, Winston-Salem

Part 46 Annual Refresher Training

Feb. 10, Winston-Salem

First Aid Training

Feb. 9, Winston-Salem

*To register for any of these classes,
contact the Mine and Quarry Bureau at (919) 807-2790.*

10-Hour General Industry Awareness Course

Feb. 23-24

Southwestern Community College, *Sylva*
www.nclabor.com/osha/etta/10hr/10hrschedule.pdf

Safety and Health Schools

March 24

Hickory Safety School

For information, contact John Saunders at (704) 665-4341.

April 7-8

Eastern Carolina Safety and Health School

New Bern
www.ecshs.com

April 7-8

Charlotte Safety and Health School

www.charlottesafetyschool.com

Special Star Team Member (SSTM) Training

March 7-8

NCDOT Transportation Office
375 Silas Creek Parkway
Winston-Salem, NC 27127

March 10-11

OSH Division Field Office
3801 Lake Boone Trail, Suite 300
Raleigh, NC 27607

*Limited to 20 participants per session. Registration is free.
For more information, contact Lamont Smith at (919) 807-8909
or lamont.smith@labor.nc.gov.*

Earn While You Learn

NCDOL Apprenticeship and Training Bureau Conference

April 6-8

Embassy Suites, Greensboro

www.nclabor.com/appren/appindex.htm

First Annual Carolinas AGC Construction Safety and Health Conference

March 29-31

Great Wolf Lodge, Concord

www.cagc.org/legal_labor_hr/files/2011_hrsafety_conference.cfm

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OSH Regional and Webinar Courses

Visit the OSH Training Schedule Calendar at www.nclabor.com/osha/etta/training_calendar/february.html to view upcoming regional and Internet training courses. The regional training courses take place in OSH Division offices in Asheville, Charlotte, Raleigh, Wilmington and Winston-Salem. Upcoming topics include powered industrial trucks, lockout/tagout, and recordkeeping.