

Regulation on Institutional Occupational Safety and Health Programs

I. Purpose

A. This regulation¹ provides the framework for the establishment and maintenance of a comprehensive safety and health program at each UNC constituent institution in accordance with federal law², and state law and regulations.³

B. The federal Occupational Safety and Health Act is designed to ensure, so far as possible, safe and healthful working conditions for every worker in the nation. In 1973, the General Assembly passed the Occupational Safety and Health Act of North Carolina (N.C. Gen. Stat. §§ 95-126 through 95-155; hereinafter, the OSHA NC Act). The OSHA NC Act assigns the responsibility for administration of the State-wide Occupational Safety and Health Program to the North Carolina Department of Labor (NC DOL). Section 23 of the OSHA NC Act outlines the responsibilities of public agencies.

II. Roles and Responsibilities

A. Role of the North Carolina Department of Labor. The NC DOL is responsible for the administration of the OSHA NC Act. The state program is self-inspecting with respect to public agencies; however, the NC DOL will provide advice and counsel, certain printed forms and materials, and inspection assistance as may be required.

B. Role of the Office of State Human Resources. The Office of State Human Resources (OSHR) is responsible for providing the North Carolina State Employee Safety and Health Handbook, which is intended to assist state agencies and UNC constituent institutions in establishing institutional programs in conformance with the OSHA NC Act; for providing consultation and technical services to state agencies to ensure compliance with the minimum standards of the program; and for producing an annual report to the State Human Resources Commission assessing program compliance.

C. Role of the UNC System Office. The associate vice president of safety and emergency operations is designated as the primary liaison for the UNC System Office to the safety and health officers at each UNC constituent institution and to NC DOL and OSHR with regard to institutional health and safety matters.

D. Role of the Chancellor. In accordance with N.C. Gen. Stat. (hereinafter G.S.) § 143-580, for purposes of the safety and health program, each UNC constituent institution is considered a public agency. The chancellor, as chief executive, is responsible for implementation of the institutional safety and health program and shall designate an institutional safety and health director to provide daily oversight of this program. This individual shall have appropriate training and experience to carry out these responsibilities and shall report to a senior officer of the institution. As an alternative, a chancellor may make arrangements with another constituent institution of the University under a shared services arrangement to provide for this role.

E. Role of the Institutional Safety and Health Director

1. The institutional safety and health director shall act as the institutional liaison with the UNC System Office, NC DOL, and OSHR on matters relevant to the scope of responsibility.
2. The institutional safety and health director is responsible for preparing a campus safety and health plan, in accordance with standards and requirements of the NC DOL, G.S. 143-582, and the OSHR Workplace Requirements for Safety and Health. This plan shall be shared at least annually with the institution's board of trustees.
3. The institutional safety and health director is responsible for periodic risk assessments of institutional operations to ensure that occupational health and safety hazards are assessed and that any hazards are mitigated.
4. The institutional safety and health director shall prepare such reports and maintain such records as required by the System Office, NC DOL, and OSHR.

F. Role of the Safety and Health Advisory Committee

1. Each UNC constituent institution must comply with G.S. 143-584 and establish a safety and health committee to coordinate with the institutional safety and health director "to perform workplace inspections, review injury and illness records, make advisory recommendations to the agency's managers, and perform other functions determined by the Office of State Human Resources to be necessary for the effective implementation of the State Employees Workplace Requirements Program for Safety and the workers' compensation program."
2. In accordance with the requirements of 25 NCAC 01N .0105, the institutional safety and health director or designee shall serve as an ex-officio committee member with voting rights, and the committee must be representative of the community it serves by inclusion of senior administrators, supervisory personnel, and non-supervisory personnel.
3. In accordance with the requirements of 25 NCAC 01N .0106, the committee shall serve as the liaison between the institutional safety and health director and institutional employees and shall, at a minimum, assist the institutional safety and health director with health and safety program oversight.

G. Role of Institutional Personnel. In order to achieve successful results, the program must involve persons at a wide variety of administrative levels. Support and promotion of the program by institutional leadership is a primary requisite. Institutions shall implement a system to encourage the participation and cooperation of all employees in health and safety compliance and best practices.

III. Program Requirements. Site safety programs shall emphasize the inclusion of appropriate risk assessments, training, operating procedures, use of personal protective equipment, and the effective investigation of injuries with appropriate follow up to ensure that identified hazards are corrected. Each safety and health program must include the following objectives:

- A. To provide safe and healthful working conditions for all persons employed by the University, regardless of their employment status (e.g., SHRA or EHRA, full-time or part-time, temporary, or permanent).
- B. To identify and correct as early as possible any and all unsafe or hazardous conditions on the campus.
- C. To provide, or make available at minimal cost as applicable, personal equipment or devices as may be found necessary for protection of employees in their operations.
- D. To establish and maintain an environment conducive to the prevention of illness or injury of all persons.
- E. To plan, establish, and conduct such education and training programs as are deemed advisable to keep employees actively conscious of safety in all operations, on and off the job.
- F. To provide for first aid, by training and equipment, in event of any accident with a view toward minimizing the effects of any injury.
- G. To make all employees aware of the provisions of the OSHA NC Act and the requirements of OSHR to ensure compliance.

IV. Annual Reporting. The institutional safety and health director shall make a written report at least annually to the institution's chancellor, board of trustees, and UNC System Office associate vice president of safety and emergency operations on the major activities and programs conducted as part of the institution's safety and health function. The report shall also include the latest OSHA 300A summary and any outstanding OSHR or NC DOL findings.

V. Other Matters

- A. Effective Date. The requirements of the policy and this regulation shall be effective as of the fall semester of the 2019-20 academic year and thereafter.
- B. Relation to Federal and State Laws. The foregoing regulation as adopted by the president is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern or relate to the subject matter of this regulation.

¹ This regulation replaces Section 300.8.3[G] of the UNC Policy Manual, adopted March 3, 1974, which was originally a rewrite of Administrative Memorandum #30.

² The Occupational Safety and Health Act, 91 P.L. 596.

³ G.S. 95-126 through 95-155, and 25 NCAC 01N .0105.