

## Wage and Hour Notice to Employees and OSH Notice to Employees must be posted together.

# OSH Notice to Employees

## Safety and Health (OSHA)

### N.C. Department of Labor Responsibilities

The state of North Carolina has a federally approved program to administer the Occupational Safety and Health Act (OSHA) in North Carolina. This program is administered by the N.C. Department of Labor, Occupational Safety and Health (OSH) Division.

The OSH Division has the following responsibilities and powers:

- **Inspections**—The OSH Division conducts workplace inspections that can be triggered by complaints, accidents or because the workplace has been randomly selected for an inspection.
- **Citations**—Following an inspection, the employer may be cited for one or more violations of the OSHA standards. The employer will be given a timeable to correct the violation to avoid further action.
- **Penalties**—An employer can be fined up to \$7,000 for each "serious" violation. An additional maximum \$7,000 penalty can be assessed for each day an employer fails to correct or abate a violation after the allotted time to do so has passed. A penalty of up to \$70,000 may be issued for each willful or repeat violation of an OSHA standard.
- **Criminal penalties** of up to \$10,000 may apply against employers who are found guilty of willfully violating any standard, rule or regulation that has resulted in an employee's death.
- **OSHA Standards**—The division adopts all federally mandated OSHA standards verbatim or can rewrite them to meet state conditions, as long as the new version is at least as strict as the federal standard.
- A copy of any specific standard adopted by the OSH Division is available free of charge. The entire "General Industry" or "Construction Industry" standards are available for a nominal cost by calling 1-800-625-2267 or (919) 807-2875.

### Unemployment Insurance

NCDDOL does not handle matters relating to unemployment insurance. If you would like information about unemployment insurance policies or procedures, please contact the local Employment Security Office or the N.C. Employment Security Commission at N.C. Employment Security Commission, Unemployment Insurance Division, P.O. Box 25903, Raleigh, NC 27611-5903, 1-866-278-3822; [www.ncesc.com](http://www.ncesc.com).

### Employer Rights and Responsibilities

Public and private sector employers have a "general duty" to provide their employees with workplaces that are free of recognized hazards likely to cause serious injury or death. Employers must comply with the OSHA safety and health standards adopted by the Labor Department.

- **Inspections**—An employer has the legal right to refuse to allow an inspector to enter the workplace without an administrative inspection warrant. If this occurs, the inspector will obtain a warrant to conduct the inspection. The employer has the right to accompany the inspector during the physical inspection.
- **Discrimination**—Any employer who retaliates in any way against an employee for filing a complaint or assisting an inspector is breaking the law. The department will investigate and may prosecute employers who take such action.
- **Citations**—If an OSH inspection results in one or more citations, the employer is required to promptly and prominently display the citation(s) at or near the place where the violation allegedly occurred. It must remain posted for three days or until the violation has been corrected or abated, whichever is longer.
- **Contesting Penalties**—Once an employer has been cited, he or she may request an "informal conference" with OSH officials to discuss the penalty, abatement or other issues related to the citation. This request must be made within 15 working days after the citation is received.
- The employer may formally contest (by filing a "Notice of Contest") the citation(s) or proposed penalty to the N.C. Occupational Safety and Health Review Commission. The Review Commission is an independent body that hears and decides contestations by employers and employees concerning citations, abatement periods and penalties.
- Employers wishing to know more about the procedures for filing a "Notice of Contest" should contact the Review Commission. Telephone: (919) 733-3589. Web site: [www.oshrb.state.nc.us](http://www.oshrb.state.nc.us).

### N.C. Workers' Compensation Notice to Injured Workers and Employers (Form 17)

NCDDOL does not handle matters relating to workers' compensation. If you would like information about workers' compensation policies or procedures, please contact the N.C. Industrial Commission at N.C. Industrial Commission, 4340 Mail Service Center, Raleigh, NC 27699-4340; (919) 807-2500; [www.ic.nc.gov](http://www.ic.nc.gov). Employers, please note that Form 17 was revised effective 2/2009. It must be prominently posted and must be printed in the same colors and format that appear on the Industrial Commission Web site. To download and print Form 17, visit [www.ic.nc.gov](http://www.ic.nc.gov).

### Other OSHA Information

- **Federal Monitoring**—The OSH Division is monitored by the U.S. Department of Labor. Federal authorities ensure that continued state administration is merited. Any person who has a complaint about the state's administration of OSHA may contact the Regional Office of the U.S. Department of Labor, 61 Forsyth St. S.W., Suite 6150, Atlanta, GA 30303.
- **Additional Information or Questions**—Anyone having a question about any of the above information may write or call:
  - N.C. Department of Labor  
Occupational Safety and Health Division  
1101 Mail Service Center  
Raleigh, NC 27699-1101  
Phone: 1-800-625-2267 or (919) 807-2796  
Fax: (919) 807-2856  
E-mail: [ask.osh@labor.nc.gov](mailto:ask.osh@labor.nc.gov)  
[www.ncclabor.com](http://www.ncclabor.com)



*Cherie Berry*  
Cherie Berry  
Commissioner of Labor

**THIS NOTICE MUST BE POSTED  
CONSPICUOUSLY. THIS POSTER  
IS AVAILABLE FREE OF CHARGE  
TO ALL NORTH CAROLINA  
WORKPLACES. CALL  
1-800-625-2267 or (919) 807-2796.**

**1-800-NC-LABOR  
(1-800-625-2267)**

N.C. Department of Labor Internet Address:  
**[www.ncclabor.com](http://www.ncclabor.com)**

To find out more information about this poster and to download all of the required state and federal posters, please visit our Web site at: <http://www.ncclabor.com/posters/posters.htm>

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