

Investigation Process

What triggers an investigation by the N.C. Department of Labor's Occupational Safety and Health Division?

- A worker's death.
- Hospitalization of an employee, an amputation or the loss of an eye.
- The department may also receive information of a fatality or catastrophe from media reports or referrals from other government agencies.

How is the NCDOL OSH Division notified?

- An employer must notify NCDOL within eight hours of any work-related fatality. In-patient hospitalizations of one or more employees, any work-related amputation, and any work-related loss of an eye must be reported within 24 hours.

What will the investigation focus on?

- The investigation will usually be limited to the events surrounding the accident unless observations at the site indicate a broader investigation is needed.

What will happen during the investigation?

- An OSH investigator will go to the accident site and collect physical evidence, including photographs.
- The investigator will interview employees, witnesses and management officials about the accident to determine its cause.
- Any violations of safety and health standards will be noted and citations will be issued.

How long will the investigation take?

- An investigation can take anywhere from a few weeks to six months, depending on the complexity of the accident.

When are investigation results disclosed?

- Citations and penalties, if issued, can be released to the public on the issuance date.
- Other contents of the file cannot be released until the case is closed or final order on citations is rendered.



NCDOL
N.C. Department of Labor
Cherie Berry, Commissioner

N.C. Department of Labor
Occupational Safety and Health Division
1101 Mail Service Center
Raleigh, NC 27699-1101
www.nclabor.com
1-800-625-2267



Photo: NCDOL/Neal O'Briant

Construction vehicles, such as this truck, must meet the safety requirements listed in 29 CFR 1926.601.

The Investigation

OSH investigators will seek to determine several factors, including whether:

- Truck had an audible warning device.
- A reverse signal alarm was in place or a signaling employee helped with clearance if the driver's view was obstructed.
- Cab protected the driver from debris and falling materials.
- Cracked or broken glass was repaired.
- Defective equipment was used. Equipment should be inspected daily.
- Training on hazard recognition was provided to workers.
- A worker directing a truck's path remained in the driver's line of vision.

Standards: 29 CFR 1926.601, Motor Vehicles

Industry Type: Construction

Accident Type: Struck by truck

Statistical Data: From Oct. 1, 2013, through Sept. 30, 2014, 40 workers died on the job, including 17 in construction.

What programs does the Department of Labor have in place to prevent struck-by accidents?

Construction special emphasis program: Increased training and consultation in one of the most dangerous industries.

Free training: Customized training, consultation and standards assistance.

Publications: Brochures, alerts and industry guides.