

DEPUTY COMMISSIONER FOR OSHA

This is executive work managing the Occupational Safety and Health Division of the Department of Labor. The Deputy Commissioner is responsible for fostering safe and healthy workplaces for employees and migrant workers throughout North Carolina. Through subordinate managerial, professional and support staff, the Deputy Commissioner coordinates programs to educate, consult, develop, and enforce compliance with safety, health, and agricultural laws, rules, regulations and standards. Work includes providing leadership in setting program policies, goals and standards. The Deputy Commissioner is the primary contact and negotiator between the State of North Carolina and the U.S. Department of Labor regarding federal approval of the operation of the State OSHA program. The Deputy Commissioner represents the state with private employers, state agencies and universities, and local governmental officials or supervises the divisional response in cases involving major penalties, unusual applications of safety and health rules, and catastrophes. Duties include oversight of instructions to the Attorney General's office for prosecution of cases, negotiation directly with employers, and settlement approval of major cases. Work is performed independently and is evaluated by the Commissioner of Labor through oral discussions and periodic conferences and reports addressing the effectiveness of the statewide OSHA program.

SUPERVISORY/MANAGERIAL FUNCTIONS:

Planning – The Deputy Commissioner for OSHA is responsible for overseeing development of a program strategy for enforcing the OSHA Act, the Agricultural Safety and Health statutes, Right to Know statutes and related regulations through the State Plan. The Deputy Commissioner establishes the Bureau's long and short-term goals and objectives, which includes consideration of the nature, degree and extent to which federal changes affect the State Plan. Assesses and directs the Division's resources for enforcement, educational, and consultative components of the overall program. The Deputy Commissioner oversees the development of individual work plans and training needs for the Division staff both directly and through the Assistant Deputy Commissioner, bureau chiefs, and administrators.

Organizing and Directing – The Deputy Commissioner evaluates Division policies and objectives for the effective administration of the acts and for improvement of relations among personnel, employers, employees, other federal and state agencies, and the general public. Employee meets with the Commissioner of Labor on a regular basis to monitor accomplishment of goals and objectives. The Deputy Commissioner works with senior staff within the Department of Labor to coordinate and direct OSHA's activities with other division activities to accomplish the mission of the Department of Labor. The Deputy Commissioner is responsible for assuring that the Division is organized to assure optimum effectiveness and utilization of manpower.

Budgeting – The Deputy Commissioner reviews budgets prepared by the bureaus and sections, submits the OSHA budget and subsequently justifies needs to the Commissioner. The Deputy Commissioner manages funds between work groups based on prior experience, anticipated needs, input from Assistant Deputy Commissioner and by balancing funding sources including federal funding and state appropriations. Employee evaluates human resource allocations, manages assets and negotiates leases for field office across the state.

Training – The Deputy Commissioner provides general oversight for the orientation and training programs developed for OSHA staff. As manager of the executive staff of the OSHA Division, the employee develops methods and initiatives to lead personnel growth and improvement to maximize the value of human resources of the Division.

Setting Work Standards – The Deputy Commissioner works with OSHA Division managers to set goals and objectives for their respective office responsibilities and provides leadership to the executive staff to set collective and consistent goals for the entire division.

Reviewing Work – The Deputy Commissioner reviews all aspects of the Division’s work assuring conformance with the organization’s goals and mission. Work includes reviewing inspection methods, fine assessment, and contested case resolution to assure that quality, quantity and timeliness of work meet with Division work standards. Employee determines effectiveness of staff engaged in building partnerships with industries, the Community College systems, and advocacy groups, publishing resource guides, interpreting statutes, and conducting voluntary consultation interventions to reduce lost workday injury and illness cases and fatalities.

Counseling and Disciplining – The Deputy Commissioner is involved in the most serious disciplinary actions. The Deputy Commissioner and the Human Resources Division approve recommendations for termination. Employee consults with Human Resources to ensure conformance to department policies and regulations. Oversees compliance with the Division’s Performance Management Program.

Performing Other Personnel Functions – The Deputy Commissioner interviews applicants and participates in the selection process for positions directly supervised. Employee conducts annual performance evaluations and makes recommendations regarding salary adjustments and increases and makes sure executive staff carry out these functions with Division personnel. Employee has final sign-off authority on all recommendations to hire, promote, dismiss, and award salary increases.

SCOPE AND NATURE OF WORK SUPERVISED:

Dynamics of Work Supervised - The laws, rules and regulations administered by the Division are subject to change and the Deputy Commissioner is responsible for the administration of these changes. Employee is responsible for maintaining and improving effective safety and health efforts across the state. This includes identifying emerging trends for accident statistics, growth of new industries, and hazards related to emerging new technologies and materials. Work is periodically impacted by court decisions that may provide new precedents and interpretations, administrative positions taken by the Department and alterations in internal work methods and procedures.

Variety of Work Supervised – The Deputy Commissioner is ultimately responsible for administratively and technically supervising all staff and operations of the Division.

Number of Employees Responsible For – The employee is responsible for a professional, administrative and support staff of approximately 230 employees

III. EXTENT OF SUPERVISION RECEIVED: Work is performed independently under the general direction of the Labor Commissioner. Guidance is provided with regard to policy and constituent issues.

IV. SPECIAL ADDITIONAL CONSIDERATIONS: N/A

V. RECRUITMENT STANDARDS:

Knowledges, Skills and Abilities - Thorough knowledge of the Federal and State Occupational Safety and Health standards, and the provisions, policies and requirements promulgated under the OSH Act of 1970 and NC Occupational Safety and Health Act of 1973 and amendments. Considerable knowledge of the technical operations and safety practices of North Carolina industries. Ability to evaluate the overall effectiveness of the program and the State Plan. Ability to understand and interpret laws, standards, and regulations applicable to diverse workplaces. Ability to establish and maintain effective working relationships with management, Federal and State officials, and the general public. Ability to formulate, present and defend an operational budget for the entire program. Ability to communicate effectively in written and oral form.

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Ability to direct and manage a diverse workforce with job assignments as trainers, standards officers, industrial hygiene and safety consultants and inspectors in the field and office staff.

Minimum Training and Experience Requirements - Graduation from a four-year college or university with a degree in public or business administration, or a curriculum closely related to occupational safety and health and five years of managerial experience in the public or private sectors involving significant decision-making authority in planning, organizing, and directing of operations preferably in an area related to occupational safety and health; or an equivalent combination of training and experience.

Special Note - This is a generalized representation of positions in this classification and is not intended to identify essential functions per ADA. Examples of work are primarily essential functions of the majority of positions in this classification, but may not be applicable to all positions.