



HOUSE BILL 373: DOL/Carolina Star Program.

2017-2018 General Assembly

Committee:	House State and Local Government II	Date:	April 3, 2017
Introduced by:	Reps. McElraft, Howard, Johnson, Hurley	Prepared by:	Brad Krehely
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *House Bill 373 would codify the Carolina Star Program in the Department of Labor. The act would become effective July 1, 2017.*

[As introduced, this bill was identical to S502, as introduced by Sens. Wade, Brock, which is currently in Senate Rules and Operations of the Senate.]

BILL ANALYSIS:

Section 1 defines the Carolina Star Program as: "A voluntary program designed to recognize work sites that implement effective safety and health management systems and that meet standards adopted by the Commissioner pursuant to G.S. 95-157. The Carolina Star Program is inclusive of four distinct programs, which includes the following: Carolina Star, Rising Star, Building Star, and Public Sector Star."

Section 2 codifies the Carolina Star Program as part of the Occupational Safety and Health Act. It allows the Commissioner of Labor to adopt rules that will promote safe workplaces in the State. The rules must pertain to all of the following:

- Upper management leadership and active and meaningful employee involvement.
- Assessment of occupational hazards.
- Comprehensive hazard prevention, control, and mitigation programs.
- Employee safety and health training.
- Annual safety and health program evaluation.
- Star Annual Report.
- Attendance and active participation on Carolina Star Safety Conference Regional Teams and conference related activities.

The workplace's management submits applications for participation in the program and must show that the employer meets standards for participation. The Department must provide for on-site evaluations, as resources allow, for each workplace applicant to determine if that workplace complies with standards for participation in the program.

To continue to participate in the Carolina Star Program, the workplace must meet requirements established by the Carolina Star Program Policies and Procedures Manual, Star Annual Report, and successful completion of periodic on-site evaluations.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

House Bill 373

Page 2

If a workplace is participating in the program, the workplace is exempt from inspections under G.S. 95-136. However, the exception does not apply to inspections or investigations arising from complaints, referrals, fatalities, catastrophes, nonfatal accidents, or significant toxic chemical releases.

Section 3 provides that a workplace that was a participant in the uncodified Carolina Star Program prior to July 1, 2017, may continue as a participant in the Carolina Star Program established pursuant to G.S. 95-157, as enacted by this act. On and after July 1, 2017, the continued participation by that workplace in the program is conditioned upon the workplace's ability to meet all guidelines for participation in the program and adopted by the Commissioner.

EFFECTIVE DATE: July 1, 2017.