

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 373

Short Title: DOL/Carolina Star Program.-AB (Public)

Sponsors: Representatives McElraft, Howard, Johnson, and Hurley (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government II

March 16, 2017

1 A BILL TO BE ENTITLED
2 AN ACT CODIFYING THE CAROLINA STAR PROGRAM IN THE DEPARTMENT OF
3 LABOR.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 95-127 is amended by adding a new subdivision to read:

6 "(2a) Carolina Star Program. – A voluntary program designed to recognize work
7 sites that implement effective safety and health management systems and
8 that meet standards adopted by the Commissioner pursuant to G.S. 95-157.
9 The Carolina Star Program is inclusive of four distinct programs, which
10 includes the following: Carolina Star, Rising Star, Building Star, and Public
11 Sector Star."

12 **SECTION 2.** Article 16 of Chapter 95 of the General Statutes is amended by
13 adding a new section to read:

14 "**§ 95-157. Carolina Star Program.**

15 (a) The Commissioner may adopt rules for the operation of the Carolina Star Program
16 in a manner that will promote safe and healthy workplaces throughout the State. The rules for
17 the Carolina Star Program adopted by the Commissioner shall pertain to the following matters:

- 18 (1) Upper management leadership and active and meaningful employee
19 involvement.
20 (2) Systematic assessment of occupational hazards.
21 (3) Comprehensive hazard prevention, control, and mitigation programs.
22 (4) Employee safety and health training.
23 (5) Annual safety and health program evaluation.
24 (6) Star Annual Report.
25 (7) Attendance and active participation on Carolina Star Safety Conference
26 Regional Teams and conference related activities.

27 (b) Applications for participation in the Carolina Star Program shall be submitted by the
28 workplace's management. Applications shall include documentation establishing to the
29 satisfaction of the Commissioner that the employer meets all standards for Carolina Star
30 Program participation.

31 (c) The Department shall provide for on-site evaluations, as resources allow, by
32 Carolina Star Program evaluation teams of each workplace that has applied to participate in the
33 Carolina Star Program to determine if the applicant's workplace complies with the standards for
34 Carolina Star Program participation.



1 (d) A workplace's continued participation in the Carolina Star Program shall be
2 conditioned on meeting the requirements and expectations established by the Carolina Star
3 Program Policies and Procedures Manual, Star Annual Report, and successful completion of
4 periodic on-site evaluations conducted by the Carolina Star Program evaluation team.

5 (e) During periods in which a workplace is a participant in the Carolina Star Program,
6 the workplace shall be exempt from inspections under G.S. 95-136; however, this exception
7 shall not apply to inspections or investigations of the workplace arising from complaints,
8 referrals, fatalities, catastrophes, nonfatal accidents, or significant toxic chemical releases."

9 **SECTION 3.** A workplace that was a participant in the uncodified Carolina Star
10 Program prior to July 1, 2017, may continue as a participant in the Carolina Star Program
11 established pursuant to G.S. 95-157, as enacted by this act. On and after July 1, 2017, the
12 continued participation by that workplace in the Carolina Star Program shall be conditioned
13 upon the workplace's ability to meet the requirements and expectations established by all
14 guidelines for participation in the Carolina Star Program adopted by the Commissioner under
15 G.S. 95-157.

16 **SECTION 4.** This act becomes effective July 1, 2017.