

**North Carolina Department of Labor
Division of Occupational Safety and Health
Raleigh, NC**

Field Information System

CFR Revision 103

Subject: Access to Employee Exposure and Medical Records

Discussion:

On September 29 1988, Federal OSHA published at 53 FR 38140 a revision to its Access to Employee Exposure and Medical Records standard, 29 CFR 1910.20. Paragraphs (d), (e), (f)(2), (f)(8), (f)(12), (g) and (h) were to become effective pending approval by the Office of Management and Budget (OMB). All paragraphs were subsequently approved by OMB as announced on December 13, 1988 at 53 [FR 49981](#), copy attached.

The provisions of this rule are essentially the same as those now in effect in North Carolina with the major exceptions that: (1) first aid records and medical records of short-term employees are exempt from records retention requirements; (2) the microfilm storage of all employee X-rays except chest X-rays is permitted; (3) employer trade secrets are provided additional protection and are made to conform with OSHA's Hazard Communication standard; (4) union representatives are required to show an occupational health need for requested records when seeking unconsented access to employee exposure records; and (5) no industries are treated separately with respect to trade secret disclosure.

Action:

A copy of the Federal Register announcements are attached for your information and action. Please file this CFR Revision in Part I of your Field Information System.

Signed on Original

James A. Oppold, PhD, PE, CSP

Effective Date: July 1, 1989

Number: 13 NCAC 7F.0101 (a)(3)(D)