

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

Field Information System

CFR Revision 127C

**Recording and Reporting Occupational Injuries and Illnesses**

**1904.0-1904.46**

**Discussion:**

On January 19, 2001 ([66 FR 5917](#)), federal OSHA promulgated the revised final rule, 29 CFR 1904, "Recording and Reporting Occupational Injuries and Illnesses". Two sections of this rule were revised in earlier rulemakings. The rule titled "Reporting Fatalities and Multiple Hospitalization Incidents to OSHA," effective May 2, 1994, is incorporated into this rule and recodified from 1904.8 to 1904.39. The second rule titled "Annual OSHA Injury and Illness Survey," effective March 13, 1997, is incorporated into this final rule and recodified from 1904.17 to 1904.41.

This rule is revised to include interpretive guidance formerly found in the "Blue Book" as well as changes to the recordkeeping forms. There are significant changes in the way lost or restricted workdays are counted and illnesses are recorded. Additionally, there are specific provisions for recording needlestick injuries, contagious diseases, and assuring employee confidentiality. There is also a requirement to record anytime an employee is medically removed from work or restricted from a work activity due to the medical surveillance provision of a specific OSHA standard.

On October 12, 2001 ([66 FR 52031](#)), federal OSHA issued an amendment to the final rule. The amendment delays sections 29 CFR 1904.10, "Recording criteria for cases involving occupational hearing loss" and 29 CFR 1904.12, "Recording criteria for cases involving work-related musculoskeletal disorders" until January 1, 2003. The amendment discusses the employers requirements for recording these types of injuries/illnesses for 2002.

**Action:**

In accordance with 13 NCAC 7A.0301(b), the N.C. Commissioner of Labor automatically adopted the federal Recording and Reporting Occupational Injuries and Illnesses Standard and the subsequent amendment with an effective date of January 1, 2002. Reference the *Federal Register* (Volume 66, No. 13 and Vol. 66, No. 198) for the details related to these requirements.

The amendment to the final rule (Volume 66, No. 198) requires employers to continue recording the STS at 25 dBA. However, the amendment allows state programs to maintain more restrictive policies in the interim. For consistency, OSHNC will continue to use the guidance in SN 57 until such time that federal OSHA determines the recording criteria for occupational hearing loss. This SN requires employers to record occupational hearing loss at 10 dBA. For an STS of 10 dBA, the employer will check either "injury" or "all other illnesses", as appropriate. For soft tissue disorders meeting the recording criteria in the standard, the employer will check either "injury" or "all other illnesses", as appropriate.

Signed on Original

John H. Johnson

Deputy Commissioner

9/18/01

Date of Signature

NC Effective Date: January 1, 2002

NCAC Number: 13 NCAC 7A.0301(b)