

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

Field Information System

CFR Revision 127D

Recording and Reporting Occupational Injuries and Illnesses

29 CFR 1904.10 and 29 CFR 1904.12

Discussion:

On January 19, 2001 (66 FR 5916), 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.

On October 12, 2001 (66 FR 52031), federal OSHA issued an amendment to the final rule. The amendment delayed 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.

On July 1, 2002 ([67 FR 44037](#)), federal OSHA issued an amendment to the final rule clarifying how Standard Threshold Shifts will be recorded in 29 CFR 1904.10. Also on July 1, 2002 ([67 FR 44214](#)), Federal OSHA proposed to extend the delay for 29 CFR 1904.12, "Recording criteria for cases involving work-related musculoskeletal disorders" until January 1, 2004. Additionally, federal OSHA has proposed to delay paragraph 29 CFR 1904.10 (b)(7) which requires the employer to check the hearing loss column on the log. (The proposal delays the addition of both the hearing loss and the musculoskeletal disorder columns until January 1, 2004, but not the general requirement to record work related hearing loss or musculoskeletal disorders.)

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, 2003. Reference the *Federal Register* (Volume 67, No. 126) for the details related to these requirements.

Signed on Original

John H. Johnson

Deputy Commissioner

7/15/02

Date of Signature

NC Effective Date: January 1, 2003

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