

**North Carolina Department of Labor  
Occupational Safety & Health Division**

**Raleigh, NC**

Chapter 7  
Subchapter 7A

CFR Revision 127E

Field Information System  
*Occupational Injury and Illness Recording and Reporting*  
29 CFR 1904

**Final Rule**

**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.

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"; 29 CFR 1904.12, "Recording criteria for cases involving work-related musculoskeletal disorders"; and 29 CFR 1904.29 (b)(7)(vi), only the sentence stating "Musculoskeletal disorders are not considered privacy cases" until January 1, 2003. The amendment discussed the employer's requirements for recording these types of injuries/illnesses for calendar year 2002.

On December 17, 2002 (67 FR 77165), federal OSHA extended the delay of three provisions of the final rule published January 19, 2001 until January 1, 2004. The delayed provisions are 29 CFR 1904.10 (b)(7), the requirement to check the hearing loss column on the 300 log; 29 CFR 1904.12, the definition of "musculoskeletal disorder (MSD)" and the requirement to check the MSD column on the 300 log; and 29 CFR 1904.29 (b)(7)(vi), only the sentence stating "Musculoskeletal disorders are not considered privacy concern cases." (The hearing loss and the musculoskeletal disorder columns will not be added back to the 300 log until January 1, 2004, at the earliest. However, this does not eliminate the general requirement to record work related hearing loss as defined in the July 2, 2002, *Federal Register* amendment or musculoskeletal disorders that are determined to be work related.)

**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 with an effective date of January 1, 2003. Reference the *Federal Register* (Volume 67, No. 242) for the details related to these requirements.

Signed on Original  
John H. Johnson  
Director

01/06/03  
Date of Signature

N.C. Effective Date: January 1, 2003

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