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**Document Title:** **Creation of State-Specific Rules**

**Approval Authority:** **Bureau Chief**

#### **A. PURPOSE AND SCOPE**

This Bureau Operating Procedure (BOP) defines the process for the creation of state-specific rules or standard. This procedure applies to the Education, Training and Technical Assistance (ETTA) Standards section.

#### **B. ACTION STEPS**

1. Need for new standard identified by one or more of the following:
  - a. Standards Officer.
  - b. Compliance Bureau.
  - c. Occupational Safety and Health (OSH) Division Management.
  - d. North Carolina Department of Labor (NCDOL) Leadership Team.
2. Standards Supervisor:
  - a. Assigns development and oversight of state-specific rule to Standards Officer.
  - b. Works with Standards Officer through the entirety of the rulemaking activity, reviewing the work throughout.
  - c. Keeps ETTA Bureau Chief informed throughout the process.
3. ETTA Bureau Chief:
  - a. Stays apprised of deadlines through communications with the Standards Supervisor and reviews work product as needed throughout the process.
4. Standards Officer:
  - a. Develops or coordinates the technical content of the rule.
  - b. Works with appropriate stakeholders as necessary for input to rule.
  - c. Resolves changes and recommendations made during reviews.
  - d. Provides assistance throughout the process to the Rulemaking Coordinator (Legal Affairs) who leads the rulemaking activities.

**Note:** The NCDOL Rulemaking Coordinator and the Standards Section are to meet all the requirements under North Carolina General Statute (NCGS) 150B – Administrative Procedure Act.

4. Field Information System (FIS) Coordinator:
  - a. Creates coversheet after rule posted on Office of Administrative Hearings website and forwards to the OSH Director for signature via the Standards Supervisor.
  - b. Load to FIS and coordinate posting on NCDOL website.
  - c. Notify OSH Division.
  - d. File in FIS cabinet with white tab.

**C. REFERENCES**

NCGS 150B – Administrative Procedure Act  
26 NCAC 02 – Rules Division

**D. ATTACHMENTS**

none

**E. REVISIONS**

Reviewed February, 2009. No changes.

Reviewed March, 2011. No changes.

1. June 22, 2018 minor content updates.
2. June 27, 2019 minor updates.

Reviewed June 17, 2021. No changes.