

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

Field Information System

Operational Procedure Notice 106A
Part II

Subject: Exempt SIC Codes for 29 CFR 1904 citations

- A. **Purpose.** This OPN communicates guidelines to be followed for all inspections.
- B. **Scope.** This notice applies to all safety and health districts.
- C. **Discussion.** Under the current 29 CFR 1904, *Recording and Reporting Occupational Injuries and Illnesses*, certain SIC codes are exempt from recordkeeping requirements. However, according to the federal OSHA Recordkeeping Guidelines of Occupational Injuries and Illnesses (the "Blue Book"), if an industry/SIC code is designated for general schedule inspections, then the exemption no longer applies.

This has caused some confusion as inspections are being scheduled for some of these exempt SIC codes. Employers have no way of knowing which SIC codes are scheduled for inspections, so they do not know that they should be keeping logs. Therefore, when an SIC code is exempt from maintaining OSHA 200 logs, but an employer in that industry classification appears on any general schedule inspection list, **do not site** that employer for a violation of 29 CFR 1904.2 [i.e., automobile dealerships (SIC 5511, Hazard Classification 4) are currently appearing on the general schedule inspections; they are exempt from keeping OSHA 200 logs]. The SIC codes in question are ## 55-67, 72, 73, 78, 81-84, 86, 88, and 89 which are generally establishments in retail and service industries. The industries traditionally targeted for enforcement (SICs 01-51) are not exempted.

Please note that all employers, including the exempt employers, **must** still comply with the current provisions of 1904.8 *Reporting of fatality or multiple hospitalization incidents*.

Also, be advised that a proposed revision to part 1904 has been issued by federal OSHA and will be the subject of a federal rule making hearing later this year.

D. **Action.** Do not site employers having SIC Codes ## 55-67, 72, 73, 78, 81-84, 86, 88, and 89 for any recordkeeping violations except 29 CFR 1904.8.

This information was previously stated in a March 6, 1996, *Memorandum* issued by Charles Jeffress. This OPN replaces that *Memorandum* and OPN 106.

July 24, 1996
Date of Signature

(Signed on Original)
Charles N. Jeffress
Director