

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

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 125A

Subject: Documenting OSHA-1Bs for Nonserious Violations in Case Files

A. Purpose.

This OPN transmits different methods of documenting OSHA-1Bs for violations classified as nonserious. The information contained in this OPN will help provide consistency among districts regarding documentation expectations for OSHA-1Bs.

B. Discussion.

An ongoing difficulty exists in determining how much information is necessary to adequately document a nonserious hazard. The information ranges from entering just enough information on the NCR to get the citation issued to fully completing all of the fields on the OSHA-1Bs. In an effort to provide consistent expectations for the Compliance Safety and Health Officers (CSHOs), this OPN delineates the policy to be followed by the CSHOs and District Supervisors in documenting nonserious OSHA-1Bs.

C. Action.

OSHA-1Bs that have violations classified as nonserious are not required to be documented to the same extent as other violation classifications (e.g. serious, willful serious, repeat). At a minimum, the following fields (field number) on the NCR nonserious OSHA-1Bs will be completed:

- Citation Number (2)
- Item Number (3)
- Type of Violation (5B - this must always be 'N')
- Employee Exposure (8)
- Number Exposed (9)
- AVD (10)
- Standard (11)
- Number of Instances (12)
- Abatement Period (18)
- Employer Knowledge (23)

Some other fields may be applicable on some OSHA-1Bs [e.g. Group Number (4), Related Event Code (13), Penalty (15), Photo.]

In addition, a brief explanation on why employee exposure to the hazardous condition noted in the cited item would most likely result in a non-serious rather than serious injury/illness (20d). This explanation is not required for all nonserious 1B's, only those that would normally be classified as a "high," "medium," or "low" severity serious

violations (in accordance with the definitions in the Field Operations Manual). An explanation is not required for regulatory requirements [poster, injury/illness logs, etc.]

Examples of acceptable explanations:

1 - Electrical violation, 120 volts, 15 amps - equipment GFCI protected.

2 - Violation of 1910.95(b)(1) [noise levels exceed table G-16 and administrative or engineering controls were not utilized by employer] - Effective hearing protection is provided and being utilized; the hearing conservation program is effective; and the employer has an effective training program.

The following are exceptions to this documentation requirement:

- CSHOs who have been released for independent inspection less than six (6) months are required to fully document all OSHA-1Bs.
- CSHOs who have a written development plan that specifies that they fully document all OSHA-1Bs. Every six (6) months, the District Supervisor will review the part of the development plan requiring full documentation of all OSHA-1Bs. The District Supervisor may revise the development plan at any time during each six-month period. The development plan will identify specific steps, and time periods, to be taken by the CSHO and District Supervisor to complete the plan.

D. **Expiration.**

This OPN is effective on the date of signature. It will remain in effect until revised or canceled by the Director.

Signed on Original
John H. Johnson
Director

Signed on Original
Kevin Beauregard
Assistant Director

11/01/01
Date of Signature