


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of Labor	
2. Rule citation & name (name not required for repeal): 13 NCAC 07F .0201 - Construction	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input checked="" type="checkbox"/> Yes. Cite authority: SL 2025-28/150B-21.5(c1) <input type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: Link to Agency notice: Hearing on: <input type="checkbox"/> The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: <input checked="" type="checkbox"/> Notice not required under G.S.: 150B-21.5(c1) Adoption by Agency on: August 11, 2025	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input checked="" type="checkbox"/> Federal regulation / cite: 29 CFR 1926 </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>The Department of Labor is amending 13 NCAC 07 .0201 to incorporate by reference a federal OSHA Personal Protective Equipment amendment to the existing Construction PPE standard found at 29 CFR 1926.95(c). This amendment will make the NC Occupational Safety and Health Division's State Plan as effective as the federal program.</p>	
10. Rulemaking Coordinator: Ashley Snyder Phone: 919-707-7715 E-Mail: ashley.snyder@labor.nc.gov Additional agency contact, if any: Carla Rose Phone: E-Mail: carla.rose@labor.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-bottom: 10px;">  </div> By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ashley Snyder Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Julie B. Eddins

Sept Mtg
Agenda

From: Snyder, Ashley B
Sent: Monday, August 11, 2025 3:11 PM
To: Rules, Oah
Cc: Liebman, Brian R; Rose, Carla
Subject: Dept. of Labor 21.5 Filing - 13 NCAC 07F .0201
Attachments: 21.5 Filing - Form 0400 Submission for Permanent Rule 13 NCAC 07F .0201.pdf; 21.5 Filing 13 NCAC 07F .0201.docx

Brian,

See attached filing submitted pursuant to G.S. 150B-21.5(c1) as recently amended by S.L. 2025-28. For the form, note that I checked multiple boxes regarding the fiscal note. Due to the statute change, we are no longer required to obtain a fiscal note, but we already had one for this rule. Please let me know if you need anything further from me.

Thanks,

Ashley Snyder
General Counsel
NC Department of Labor

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Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

1 13 NCAC 07F .0201 is amended pursuant to G.S. 150B-21.5(c1) as follows:

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3 **13 NCAC 07F .0201 CONSTRUCTION**

4 The provisions for the Occupational Safety and Health Standards for Construction, Title 29 of the Code of Federal
5 Regulations Part 1926 promulgated as of June 30, 2022, January 1, 2025, and exclusive of subsequent amendments,
6 are incorporated by reference except as modified or amended in 13 NCAC 07F .0202 through .0207.

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8 *History Note: Authority G.S. 95-131; ~~150B-21.6~~;*
9 *Eff. August 2, 1993;*
10 *Amended Eff. April 14, 2005; March 14, 2005; September 17, 2004; July 1, 2003; December 11,*
11 *2002; August 1, 2002; January 18, 2002; September 1, 2000; February 22, 1999; October 8,*
12 *1998; July 1, 1998; April 8, 1998; March 7, 1997; February 11, 1997; September 1, 1996;*
13 *February 1, 1996; January 1, 1996; October 1, 1995; September 6, 1995;*
14 *Item (5): Subpart U-Blasting and Use of Explosives, was recodified to Rules - .0701-.0716 Eff.*
15 *August 3, 2005;*
16 *Amended Eff. November 22, 2006; August 24, 2006; May 30, 2006;*
17 *Recodified Items (1) - (6) to Rules .0202 - .0207 Eff. December 17, 2007;*
18 *Amended Eff. October 2, 2015; November 20, 2014; October 8, 2014; November 18, 2013;*
19 *November 8, 2013; June 18, 2013; February 5, 2013; June 11, 2012; October 31, 2011; November*
20 *8, 2010; August 19, 2010; July 1, 2010; April 23, 2009; February 13, 2008;*
21 *Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1,*
22 *2016;*
23 *Amended Eff. October 1, 2025; September 1, 2022; March 8, 2021; February 1, 2021; September*
24 *23, 2020; February 14, 2020; October 7, 2019; May 3, 2019; May 1, 2018; July 1, 2017;*
25 *September 2, 2016*
26