

**G.S. 150B-21.3A Report for 25 NCAC 01N, WORKPLACE ENVIRONMENT AND HEALTH**

Agency - Office of State Human Resources

Comment Period - 4/21/16-6/20/16

Date Submitted to APO - September 16, 2016

| Subchapter                                       | Rule Section   | Rule Citation     | Rule Name                                 | Date and Last Agency Action on the Rule                  | Agency Determination [150B-21.3A(c)(1)a]      | Implements or Conforms to Federal Regulation [150B-21.3A(e)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]                   | OAH Next Steps                     |
|--|--|-------------------|---|--|---|--|-----------------------------|--|--|---|--|------------------------------------|
| SUBCHAPTER 1N - WORKPLACE ENVIRONMENT AND HEALTH | SECTION .0100 - STATE EMPLOYEES WORKPLACE REQUIREMENTS PROGRAM FOR SAFETY AND HEALTH | 25 NCAC 01N .0104 | PROGRAM ADMINISTRATION                    | Amended Eff. April 1, 2006                               | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0105 | STATE AGENCY RESPONSIBILITIES             | Amended Eff. April 1, 2006                               | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0106 | COMMITTEE RESPONSIBILITIES                | Amended Eff. April 1, 2006                               | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0107 | STATE EMPLOYEES' RESPONSIBILITIES         | Amended Eff. April 1, 2006                               | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  | SECTION .0200 - PERSONAL PROTECTIVE EQUIPMENT  | 25 NCAC 01N .0202 | APPLICATION                               | Eff. July 1, 1995  | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  |  | 25 NCAC 01N .0204 | HAZARD ASSESSMENT AND EQUIPMENT SELECTION | Eff. July 1, 1995  | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  |  | 25 NCAC 01N .0205 | TRAINING                                  | Eff. July 1, 1995  | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  |  | 25 NCAC 01N .0206 | PERSONAL PROTECTIVE EQUIPMENT             | Amended Eff. April 1, 2006                               | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  | SECTION .0300 - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) IN THE WORKPLACE          | 25 NCAC 01N .0301 | EDUCATION AND TRAINING                    | Recodified from 25 NCAC 01L .0201 Eff. December 29, 2003 | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  |  | 25 NCAC 01N .0302 | BASIC EDUCATION AND TRAINING COMPONENT    | Recodified from 25 NCAC 01L .0202 Eff. December 29, 2003 | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  |  | 25 NCAC 01N .0303 | ADVANCED EDUCATION AND TRAINING COMPONENT | Recodified from 25 NCAC 01L .0203 Eff. December 29, 2003 | Unnecessary                                   | No   |                             | No   | Unnecessary  | No comments with merit                                  | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|  |  | 25 NCAC 01N .0304 | ANTI-DISCRIMINATION                       | Recodified from 25 NCAC 01L .0204 Eff. December 29, 2003 | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0305 | TESTING AND EXAMINATION                   | Recodified from 25 NCAC 01L .0205 Eff. December 29, 2003 | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0306 | CONFIDENTIALITY                           | Recodified from 25 NCAC 01L .0206 Eff. December 29, 2003 | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0307 | COMPLAINTS AND DISCIPLINE                 | Recodified from 25 NCAC 01L .0207 Eff. December 29, 2003 | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  | SECTION .0400 - COMMUNICABLE DISEASE EMERGENCY                                       | 25 NCAC 01N .0401 | PURPOSE                                   | Eff. December 1, 2007                                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0402 | REPORTING COMMUNICABLE DISEASES           | Eff. December 1, 2007                                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|  |  | 25 NCAC 01N .0403 | ACTIONS DURING A PANDEMIC                 | Eff. December 1, 2007                                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

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|------------|--|-------------------|--|---|---|--|-----------------------------|--|--|---|--|------------------------------------|
|            |  | 25 NCAC 01N .0404 | MANDATORY EMPLOYEES                            | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0405 | COMPENSATION OF MANDATORY EMPLOYEES            | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0406 | LEAVE  | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0407 | VERIFICATION                                   | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0408 | REVIEW OF POLICY PROVISIONS                    | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0409 | EMERGENCY LAY-OFF                              | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0410 | WAIVER OF POLICIES                             | Eff. December 1, 2007                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            | <b>SECTION .0500 - WORKSITE WELLNESS</b> | 25 NCAC 01N .0501 | POLICY   | Eff. February 1, 2008                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0502 | ADMINISTRATION                                 | Eff. February 1, 2008                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0503 | WELLNESS LEADER                                | Eff. February 1, 2008                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0504 | WELLNESS COMMITTEES                            | Eff. February 1, 2008                   | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            | <b>SECTION .0600 - LACTATION SUPPORT</b> | 25 NCAC 01N .0601 | PURPOSE  | Eff. January 1, 2011                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0602 | POLICY   | Amended Eff. November 1, 2011           | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0603 | OFFICE OF STATE HUMAN RESOURCES RESPONSIBILITY | Eff. January 1, 2011                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0604 | AGENCY RESPONSIBILITIES                        | Eff. January 1, 2011                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|            |  | 25 NCAC 01N .0605 | EMPLOYEE RESPONSIBILITY                        | Eff. January 1, 2011                    | Necessary without substantive public interest | No   |                             | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |