

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1208

Short Title: OSHA/Repetitive Motion Injury.

(Public)

Sponsors: Representatives S. Thompson; and Hardaway.

Referred to: Commerce.

April 12, 1989

A BILL TO BE ENTITLED

1 AN ACT TO RECOGNIZE REPETITIVE MOTION INJURY, INCLUDING CARPAL
2 TUNNEL SYNDROME AND TENDONITIS, AS A SERIOUS INJURY WITHIN
3 THE MEANING OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF
4 NORTH CAROLINA.
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6 The General Assembly of North Carolina enacts:

7 Section 1. Repetitive motion injury, also known as cumulative trauma
8 disorder, including carpal tunnel syndrome and tendonitis, which is caused, precipitated,
9 or aggravated by repeated exertions or movements of the body in stressful or awkward
10 postures performed in the course of employment shall be recognized as a serious injury
11 or serious physical harm within the meaning of G.S. 95-129(1).

12 Sec. 2. The Department of Labor of North Carolina shall:

13 (1) Develop and implement a plan to ensure employer compliance with
14 G.S. 95-129(1) regarding repetitive motion injuries. This plan shall
15 include provisions that require:

- 16 a. Engaging the services of a qualified ergonomist;
- 17 b. Obtaining the assistance of federal Occupational Safety and
18 Health Act personnel or the National Institute of Safety and
19 Health, where necessary, to assess employer compliance;
- 20 c. Training and educating current compliance personnel; and
- 21 d. Developing a training and education program for employers and
22 employees.

23 (2) Develop a profile of repetitive motion injuries in North Carolina that
24 will include a list of industries in which these injuries have been

1 previously reported, the incidence of these injuries, and the cost of
2 these injuries to employees, employers, and the State. The profile
3 shall be developed using, among other resources:

- 4 a. Recognized national and international occupational health
5 studies;
- 6 b. North Carolina Workers' Compensation statistics; and
- 7 c. Employee, employer, compliance officer, and health care
8 provider reports made to the Department of Labor under
9 existing recordkeeping systems.

10 Additional reports shall be collected from health care providers and
11 insurance companies regarding the incidence of repetitive motion
12 injury in North Carolina.

13 (3) Report to the 1991 General Assembly and make an interim report to
14 the 1989 General Assembly (1990 Regular Session). These reports
15 shall include:

- 16 a. The progress made in developing and implementing the plan
17 required in Section 2 of this act;
- 18 b. The profile of repetitive motion injuries in North Carolina; and
- 19 c. Education and training activities for staff, employers, and
20 employees in North Carolina.

21 Sec. 3. This act is effective upon ratification.