

South Carolina Department of Labor, Licensing and Regulation
Division of Labor
Office of Occupational Safety and Health
Columbia, South Carolina 29211

OSH Program Directive Number 83-1910.1025-1 (REVISED)

- Subject:** Interpretation of Definition of Medical Removal Protection Benefits Under Subarticle 6, Section 1910.1025 (k) (2) (ii).
- Standard:** Subarticle 6, Section 1910.1025 (k) (2) (ii), Rules and Regulations, Commissioner of Labor, State of South Carolina.
- Cross Reference to Federal Standards:** 29 CFR 1910.1025 (k) (2) (ii).
- Background:** This directive replaces previously issued OSH Program Directive Number: 83-1910.1025-1.
- Interpretation:** Under the lead standard, medical removal protection benefits are distinguished from other benefits as follows:
- a. Medical removal protection benefits include normal benefits received by all employees plus those that are formulated specifically as incentives for working in lead areas. Some examples of normal benefits are health and life insurance, sick and vacation leave, seniority and bonuses. Some examples of specific incentives for working in lead areas are hazard pay (which may include working 36 hours and receiving pay for 40 hours) and any type of extra health insurance, extra sick leave or extra bonuses.
 - b. Benefits which are not considered medical removal protection benefits are benefits that may be given to all employees as specific incentives for shifts worked and as specific pay requirements to meet Federal and State Work Laws. In addition, benefits which are available to only a portion of the employees in a lead area and which are tied to other aspects of their duties are not medical removal protection benefits. Examples of these are customary shift differential pay and customary overtime pay (as distinguished from hazard pay).
- Effective Date:** This instruction is effective upon receipt and will remain in effect until cancelled or superseded by amendment to the Rules and Regulations.

William M. Lybrand, Director
April 7, 1983