W.C. M.G

General Headquarters
September 5, 1952

M. F. Naylor - Manville

NOTE H.M.J.

Reporting of Occupational Diseases

The problem of reporting occupational disease cases to the State Commission has arisen in several states. The policy cannot be applied on an overall basis since the details of reporting requirements vary from state to state. Accordingly the following definition of a reportable occupational disease case is based upon a review of the New Jersey Workmen's Compensation Law and Mr. F. W. Hall's opinion in his letter of July 7th to B. F. Stanton.

Occupational disease cases become reportable cases when—

A. The employee is absent from work for more than one week because of a disability which resulted from the occupational disease itself.

1. Absences due to grippe, pneumonia, etc. would not make the case reportable.

B. The employee must be given lighter and/or different work because he is incapacitated from performing the work required due to disability resulting from the occupational disease itself.

1. Transfer based on X-Ray changes only, without accompanying incapacity, would not make the cases reportable.

2. A person who is transferred solely because continued exposure might result in disability would not be a reportable case.

3. The individual who was transferred because his incapacity prevented him from continuing in his work would be a reportable case.

In cases involving factors as suggested by Dr. DuBow's hypothetical case, that is the relationship of occupational factors to nonoccupational diseases, the matter should be reviewed fully by both plant medical departments and headquarter's safety section before any state report is made. Since Mr. Hall has stated the filing of reports by the plant constitutes prima facie case for compensation for the employee, it is essential that complete agreement be had before the matter is considered reportable.

Using the above definition as a yard stick, each case to be considered reportable should be processed as outlined in Standard Practice S-54 prior to the submission of reports to the state.

H. M. Jackson

cc: H. M. Ball
H. J. O'Brien - Manville
W. F. Fisher - Manville
B. F. Stanton - Manville
Dr. DuBow - Manville

00145091