

**SECTION .0400 – DISABILITY, COMPENSATION, FEES**

**11 NCAC 23A .0401 CALCULATING THE SEVEN-DAY WAITING PERIOD**

(a) When the injured employee is not paid wages for the entire day on which the injury occurred, the seven-day waiting period prescribed by the Workers' Compensation Act shall include the day of injury regardless of the hour of the injury.

(b) When the injured employee is paid wages for the entire day on which the injury occurred and fails to return to work on his next regular workday because of the injury, the seven-day waiting period shall begin with the first calendar day following the injury, even though this may or may not be a regularly scheduled workday.

(c) All days, or parts of days, when the injured employee is unable to earn a full day's wages, or is not paid a full day's wages due to injury, shall be counted in computing the waiting period even though the days may not be consecutive, or regularly scheduled workdays.

(d) There is no seven-day waiting period when the permanent partial disability period added to the temporary disability period, exceeds 21 days.

*History Note: Authority G.S. 97-28; 97-80(a);  
Eff. January 1, 1990;  
Amended Eff. November 1, 2014;  
Recodified from 04 NCAC 10A .0401 Eff. June 1, 2018.*