



June 25, 2021

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Mr. Wood:

OSHA has completed the FY 2020 Follow-up Federal Annual Monitoring and Evaluation (FAME) Report for the Oregon Department of Consumer and Business Services, Occupational Safety and Health Division (Oregon OSHA). Attached you will find the final report which includes the current status of the completed and continued findings from last year's 2019 comprehensive FAME, as well as any new findings identified during the FY 2020 follow-up FAME. The follow-up FAME reports will be posted on OSHA's public website by Thursday, July 15, 2021.

The Corrective Action Plan (CAP) tracks each corrective action item's related activities and progress, and includes the State Plan's concise and detailed response for each OSHA finding and recommendation. Since the Oregon OSHA FY 2020 Follow-up FAME Report has an open finding, please complete and submit your State Plan's draft CAP to me for review by Friday, July 30, 2021.

In addition, Oregon OSHA may submit a formal response to this year's report to be posted on OSHA's public webpage. If you would like your formal response to be posted at the same time as the report, please provide it electronically to me in a Microsoft Word document format by Monday, July 12, 2021 with a courtesy copy to Suzanne Smith, Director of the Office of State Programs (OSP) (Smith.Suzanne@dol.gov). Submitting your formal response in Word ensures that the posting complies with Section 508 of the Rehabilitation Act of 1973 (providing for electronic and information technology to be accessible to individuals with disabilities).

Thank you again for your hard work, support, and cooperation. I am available to answer any questions.

Sincerely,

JACK A. RECTOR
Acting Regional Administrator

Attachment

FY 2020
Follow-up Federal Annual Monitoring Evaluation (FAME) Report

Oregon Department of Consumer and Business Services
Occupational Safety and Health Division
(Oregon OSHA)



Evaluation Period: October 1, 2019 – September 30, 2020

Initial Approval Date: December 28, 1972
Program Certification Date: September 24, 1982
Final Approval Date: May 12, 2005

Prepared by:
U. S. Department of Labor
Occupational Safety and Health Administration
Region X
Seattle, WA



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I. Executive Summary

The purpose of this report is to assess the activities of the Oregon Occupational Safety and Health Division (Oregon OSHA) for Fiscal Year (FY) 2020 with regard to activities mandated by the Occupational Safety and Health Administration (OSHA). In addition, this report gauges the State Plan's progress in resolving any outstanding findings and observations from the previous FY 2019 Comprehensive Federal Annual Monitoring Evaluation (FAME) Report.

Oregon OSHA was challenged with the impact of the COVID-19 pandemic. The State Plan quickly responded and effectively implemented protective protocols for its enforcement personnel, issued emergency temporary rules, began work on a permanent infectious disease rule, and enforced the Governor's COVID-19 mandates. Oregon OSHA accomplished this while responding to a 424% increase in complaint-related activities.

Oregon OSHA maintained a high level of program performance during the review period. The State Plan had an excellent training program for its staff, and maintained high staffing levels while contending with the COVID-19 pandemic. In addition, Oregon OSHA had a comprehensive system for scheduling programmed inspections and responded timely to complaints and referrals. Oregon OSHA maintained six alliances during this review period. Oregon OSHA adopted regulations and responded to federal program changes within the required timeframes. Finally, Oregon OSHA attained approval for its Agricultural Labor Housing rule from both the Wage and Hour Division (WHD) and OSHA, clearing the way to removal of the exception to its final approval status.

The FY 2020 Follow-up FAME Report on Oregon OSHA includes one continued finding with completed corrective action, pending verification, and four continued observations. Two observations require a case file review for continued monitoring, and the other two are discussed and investigated throughout the year.

II. State Plan Background

The State of Oregon, under an agreement with OSHA, operates an occupational safety and health program through the Oregon Consumer and Business Services Department, Occupational Safety and Health Division (Oregon OSHA). Initial approval of the Oregon State Plan occurred on December 28, 1972. Final approval, with the exception of temporary labor camp enforcement, was established on May 12, 2005. Oregon OSHA revised its temporary labor camp standard to address OSHA's concerns with changes, effective January 1, 2018. Oregon OSHA's labor housing rule updates received approval from the Department of Labor, OSHA and WHD on December 18, 2020.

The Administrator of Oregon OSHA was appointed by the director of the Oregon Consumer and Business Services Department and served as the designee for the State Plan. The Administrator in FY 2020 was Mr. Michael Wood.

Oregon OSHA adopted a number of state-initiated rules for which there are no federal equivalent, including safety and health standards for pesticide application exclusion zones for labor housing and a temporary emergency rule addressing COVID-19 hazards. Oregon OSHA's rules, the Oregon Safe Employment Act, letters of interpretation, and recent rule activities can be accessed

via the Rules and Laws section of the Oregon OSHA website at <https://osha.oregon.gov/rules/making/Pages/adopted.aspx>.

In Oregon, the Bureau of Labor and Industries (BOLI) has statutory responsibility for accepting, processing, and making determinations on complaints alleging occupational safety and health workplace retaliation. Rules pertaining to the processing of these complaints, also known as whistleblower protection complaints, are contained in Division 438 of Oregon's Administrative Rules. Oregon OSHA reimburses BOLI for costs associated with conducting retaliation investigations.

Oregon OSHA exercises jurisdiction over state and local government workplaces and private sector employers not covered by federal OSHA. OSHA's inspection authority is limited to federal agencies, the United States (U.S.) Postal Service, contractors on U.S. military reservations, private sector and federal government employers at Crater Lake National Park, and private sector maritime employment on or adjacent to navigable waters, including shipyard operations and marine terminals. OSHA also covers private sector establishments on Native American reservations and tribal trust lands, including Native American-owned enterprises.

In FY 2020, funds were allocated for 85 compliance officers. According to the demographic profile provided in the FY 2020 grant application (run date 5/09/2019), there were an estimated 1,946,900 workers in Oregon covered by workers' compensation insurance, working for about 123,700 employers. In FY 2020, the federally approved state OSHA program was funded under Section 23(g) of the Occupational Safety and Health Act at \$25,683,440. The state matched the initial federal base award of \$5,225,000. The federal base award was increased by \$303,400 in June. A one-time only award of \$251,613 in July and two one-time only awards of \$77,613 and \$22,250 in September contributed to the total federal grant of \$5,879,876. The state matched the total federal grant of \$5,879,876 and added an additional \$13,923,688 in 100% state funds.

Oregon OSHA had 30 consultants that were 100% state-funded in FY 2020. These consultants spent about 84% of their time conducting private sector consultations, where no funds were used under the 23(g) grant. The remaining 16% of their time was spent conducting state and local government consultations, which was funded under the 23(g) grant. In addition, Oregon OSHA had four consultants who provided private sector consultations under a 21(d) Cooperative Agreement. The private sector consultation performance results will be covered in the FY 2020 Regional Annual Consultation Evaluation Report (RACER).

New Issues

Oregon OSHA was significantly impacted by the COVID-19 pandemic and issued a robust response. The State Plan developed protocols for the protection of its field staff, shifted staff in training to conduct spot checks at businesses, enforced the Oregon Governor's Executive Orders in circumstances where the State Plan had authority, developed emergency temporary standards for agriculture and all employers, and initiated rulemaking for a permanent infectious disease rule. Challenges from the pandemic, including a 424% increase in the number of safety and health complaints received compared to the previous year, directly impacted some of the State Plan's performance grant goals and SAMM measures.

Oregon OSHA was featured in no less than 50 news articles during FY 2020. The vast majority were related to the enforcement of the Governor’s COVID-19 mandates. The most notable were the articles which covered the Governor’s plan to increase the enforcement budget, the temporary rules for agricultural labor housing, and the significant increase in complaints that Oregon received due to the COVID-19 pandemic. Lastly, there were articles related to an emergency COVID-19 rule that was in line with Centers for Disease Control and Prevention (CDC) guidelines. These articles are listed in Table 1.

Table 1
COVID-19 News Articles and Press Coverage

COVID-19 Outbreaks	COVID-19 Complaints	COVID-19 Enforcement
<u>State satisfied with safety measures at Bornstein Seafood’s over virus: The Daily Astorian (Astoria, OR), June 3, 2020</u>	<u>Despite seeing unprecedented complaints during the pandemic, Oregon OSHA has issued few penalties: Salem Reporter (Salem, OR), June 16, 2020</u>	<u>Casey’s fined nearly \$14,000 for reopening early: KQEN Radio 1240 AM (Roseburg, OR), May 26, 2020</u>
<u>Records show county, state were warned about coronavirus risk at seafood plants: The Astorian (Astoria, OR), July 1, 2020</u>	<u>State records show Oregon grocery stores are reluctant to enter the culture war over face masks: Willamette Week (Portland, OR), July 7, 2020</u>	<u>Oregon OSHA still taking in far more complaints than normal: KLCC Radio 89.7 FM (Eugene, OR), June 1, 2020</u>
<u>Amazon sees COVID-19 outbreak at Marion County warehouse: Salem Reporter (Salem, OR), June 4, 2020</u>	<u>OLCC inspectors say most bars, restaurants complying; 15 cases referred to OSHA: KTVZ-TV NBC/CW 21 (Bend, OR), July 17, 2020</u>	<u>MultCo businesses defy Brown’s orders, say they can’t afford to wait (Video): KOIN-TV CBS 6 (Portland, OR), June 16, 2020</u>
<u>Coronavirus outbreaks surge among Oregon food processors as state scrambles to react: The Oregonian (Portland, OR), June 14, 2020</u>	<u>OSHA investigating local COVID-19 complaints: The Observer (La Grande, OR), July 18, 2020</u>	<u>OSHA Oregon will enforce mask rules: Willamette Week (Portland, OR), July 1, 2020</u>
COVID-19 Legislation	<u>Working 9 to 5: Filing a complaint with OSHA or BOLI helps hold workplaces accountable: Eugene Weekly (Eugene, OR), July 23, 2020</u>	<u>OSHA to enforce face covering requirement as COVID-19 cases climb across Oregon: Register-Guard (Eugene, OR), July 7, 2020</u>
<u>Gov. Brown outlines how counties can begin reopening (Video): KPIC-TV (Roseburg, OR), May 7, 2020</u>	<u>Merchants deal with customer COVID compliance Wallowa County Chieftain (Enterprise, OR), August 19, 2020</u>	<u>Five Deschutes County businesses under investigation by OSHA: Bend Bulletin (Bend, OR), July 10, 2020</u>
<u>Masks now required indoors statewide in Oregon: Eugene Weekly (Eugene, OR), June 29, 2020</u>		<u>Five Deschutes County businesses under investigation by OSHA: Bend Bulletin (Bend, OR), July 10, 2020</u>
<u>OSHA to consider temporary rule to prevent COVID spread in workplaces: KVAL-TV (Eugene, OR), August 23, 2020</u>		

**Table 2
Non- COVID-19 News Articles and Press Coverage**

2020 OR Wild Fires	AG-Labor Housing (Temp Rule)
<p>Oregon OSHA issues guidance on work in smoky conditions: KOIN-TV (Portland, OR), September 13, 2020</p> <hr/> <p>Mask mandate misinformation Blue Mountain Eagle (John Day, OR), August 4, 2020</p>	<p>OSHA issues temporary farming, housing rules: My Columbia Basin (Pendleton, OR), April 28, 2020</p> <hr/> <p>OSHA will decide on emergency regulations for farmworkers: Sherwood Gazette (Portland, OR), April 29, 2020</p>

Oregon OSHA completed an update to its Agricultural Labor Housing Rule which was reviewed and approved by both OSHA and WHD. This approval was transmitted to OSHA’s national office for inclusion in the Federal Register for removal of the exemption on Oregon OSHA’s final approval. Once completed, Oregon OSHA will have the status of final approval with no exceptions.

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

OSHA established a two-year cycle for the FAME process. This was a follow-up year, and as such, OSHA did not perform an on-site case file review associated with a comprehensive FAME. This strategy allowed the State Plan to focus on correcting deficiencies identified in the most recent comprehensive FAME. The analyses and conclusions described in this report were based on information obtained from a variety of monitoring sources, including:

- State Activity Mandated Measures Report (SAMM, Appendix D, dated 12/04/2020)
- State Information Report (SIR, dated 11/09/2020)
- Mandated Activities Report for Consultation (MARC, dated 11/19/2020)
- Web Integrated Management Information System (WebIMIS)
- State OSHA Annual Report (SOAR, Appendix E)
- Oregon OSHA Annual Performance Plan
- State Plan Grant Application
- Quarterly monitoring meetings between OSHA and the State Plan

B. Findings and Observations

The State Plan made progress to address the previous finding and four observations from the FY 2019 Comprehensive FAME Report. However, OSHA did not conduct a case file review this year to verify correction due to the COVID-19 pandemic. A case file review will be conducted as part of the FY 2021 comprehensive FAME. This follow-up FAME report contains one finding with

completed corrective action that is awaiting verification, and four continued observations. Of the four continued observations, two require a case file review for continued monitoring. Appendix A describes the new and continued findings and recommendations. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan. Appendix C describes the status of each FY 2019 finding and recommendation in detail.

FINDINGS (STATUS OF PREVIOUS AND NEW ITEMS)

Continued Findings

Finding FY 2020-01 (FY 2019-01): In FY 2019, in 100% (4 of 4) of cases withdrawn by the complainant, there was no documentation that BOLI advised the complainant of the consequences of the withdrawal.

Status: Oregon OSHA stated that it has worked with BOLI to ensure that they will issue a letter to complainants to advise them of the consequences of a withdrawal, and Oregon OSHA will audit BOLI to verify. The State Plan's corrective action is considered completed, awaiting verification. A case file review is necessary to gather the facts needed to evaluate progress on this finding. This finding will be a focus of next year's on-site case file review during the FY 2021 comprehensive FAME and remains open.

OBSERVATIONS

One observation below is tied to a SAMM measure. Each SAMM has an agreed upon further review level (FRL), which can be either a single number, or a range of numbers above and below the national average. Appendix D presents Oregon OSHA's FY 2020 SAMM Report and includes the FRLs for each measure.

Continued Observations

Observation FY 2020-OB-01 (FY 2019-OB-01): Oregon OSHA conducted 1,441 of 3,400 safety and 531 of 900 health inspections (SAMM 7), both below the further review level.

Status: The FRL for SAMM 7, planned versus actual inspections, was +/-5% of the grant negotiated safety and health inspection goals. The FRL range for safety inspections was from 3,230 to 3,570 and for health inspections was from 855 to 945 inspections. In the second quarter, the State Plan acknowledged that they were not on track to meet its goal, and had developed a plan that included an update to compliance officer expectations, staggered hiring, training, and mentoring. However, by the third quarter the enforcement landscape was dominated by the COVID-19 pandemic. The pandemic had several indirect impacts that lowered achievement of the projected inspection goal and delayed the completion of training for two new cohorts of about 10 compliance officers to conduct inspections independently. In addition, Oregon OSHA experienced a 424% increase in complaints received compared to the previous year and some resources had to be shifted to respond. Due to these circumstances, Oregon OSHA again fell short of its goal by conducting a total of 46% (1,972 out of 4,300) planned inspections. OSHA has discussed this metric at quarterly meetings, and Oregon OSHA has elected to keep its current goal and work towards achieving it in FY 2021.

Observation FY 2020-OB-02 (FY 2019-OB-02): In FY 2019, OSHA 300 data was not in the case file nor in the database in 14% (23 of 167) of case files reviewed. In addition, OSHA 300 data was not transferring to OIS.

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2021 comprehensive FAME. This observation will be continued.

Observation FY 2020-OB-03 (FY 2019-OB-03): The confidentiality of employees interviewed during inspections was not ensured during the appeal process.

Status: Oregon OSHA must pursue a rule change in public law to adequately address this observation. Due to the COVID-19 pandemic, the State Plan was unable to address this observation as resources for rulemaking were pivoted to the adoption of emergency temporary rules. OSHA will monitor the State Plan to determine Oregon OSHA's ability to protect the identities of employees who participate in enforcement activities. This observation will be continued.

Observation FY 2020-OB-04 (FY 2019-OB-04): In FY 2019, in 51% (26 of 51) of Dismissed/Non-merit cases, there was no evidence that complainants were advised of their right to dually file with OSHA.

Status: Oregon OSHA notified OSHA in the FY 2019 FAME corrective action plan that this item has been corrected by BOLI. A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2021 comprehensive FAME. This observation will be continued.

C. State Activity Mandated Measures (SAMM) Highlights

Each SAMM has an agreed upon FRL which can be either a single number, or a range of numbers above and below the national average. SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents the State Plan's FY 2020 SAMM Report and includes the FRLs for each measure. The State Plan's performance in the following SAMMs were noted to be outside the FRLs:

SAMM 1a – Average number of workdays to initiate complaint inspections (state formula)

Discussion of State Plan data and FRL: The FRL for serious hazards was 5 days and 30 days for other-than-serious hazards. The SAMM report does not differentiate between serious and other-than-serious complaint response times and showed an average of 6.95 days.

Explanation: The Oregon SOAR reported that the State Plan was timely (within five days) for serious complaint inspections in 349 of 350 (99.7%) of cases and was timely (within 30 days) for other than serious complaint inspections in 549 of 560 (98%) of cases. Oregon OSHA's performance on this measure was not a cause for concern and OSHA will continue to discuss this metric with the State Plan during the quarterly meetings.

SAMM 3 – Percent of imminent danger complaints and referrals responded to within one workday

Discussion of State Plan data and FRL: The FRL for response to imminent danger complaints and referrals within one workday was fixed at 100% for all State Plans. Oregon OSHA's response was timely in 22 of 23 cases (95.65%).

Explanation: The SAMM report showed one case from the beginning of the second quarter where an imminent danger complaint was opened within two rather than one working day. The Safety Enforcement manager conducted retraining with field office safety managers and compliance officers about the requirements for timeliness. OSHA will continue to monitor this metric during quarterly meetings.

SAMM 6 – Percent of total inspections in state and local government workplaces

Discussion of State Plan data and FRL: The FRL for inspections in state and local government workplaces was +/- 5% of the grant negotiated goal of 2.12%, for a range of 2.01% to 2.22%. Oregon OSHA conducted 2.79% of its inspections in state and local government facilities, or .57% above the upper end of the FRL range.

Explanation: Oregon OSHA adjusted its goal for state and local government workplaces from 3.09% (133 of 4,300) in FY 2019 to 2.1% (91 of 4,300). In FY 2020, the State Plan exceeded its goal. The goal was adjusted again in the FY 2021 grant application to 2.5% (90 of 3,570). Oregon OSHA exceeded its goal; therefore, the State Plan's performance on this SAMM measure was not a cause for concern.

SAMM 8 – Average current serious penalty in private sector

Discussion of State Plan data and FRL: The FRLs for average penalty are based on +/- 25% of the three-year national average. Oregon OSHA's average current penalty per serious violation in the private sector for all employers (1-250+ workers) was \$599.32, which was \$1,624.33 below the lower end of the FRL range of \$2,223.65. The State Plan was below the FRL level for all employer sizes. Table 3 shows the average current penalty per serious violation based on the number of workers controlled by an establishment and summarizes the State Plan's average penalties compared to the three-year national average and the FRL.

Table 3 – Penalties

Number of Workers	Oregon OSHA FY 2020	Three-Year National Average	FRL
1-250+	\$599.32	\$2,964.86	\$2,223.65 to \$3,706.08
1-25	\$485.00	\$1,967.64	\$1,475.73 to \$2,459.55
26-100	\$727.67	\$3,513.45	\$2,635.09 to \$4,391.81
101-250	\$644.12	\$5,027.02	\$3,770.27 to \$6,283.78
250+	\$1,091.70	\$6,190.91	\$4,643.18 to \$7,738.64

Explanation: The State Plan has been below the lower end of the FRL range for all employer sizes for several years. Even though Oregon OSHA adopted OSHA’s 2016 maximum penalty updates and adjusted its penalty structure, it did not have the effect of raising total penalties. Oregon OSHA was about 80% below the three-year national average for penalties in all size categories and OSHA raised this issue as a cause for concern. Oregon OSHA had planned to hold public hearings in FY 2020 for additional revisions to its penalty rule, but these hearings were delayed due to the COVID-19 pandemic. Rulemaking on this issue is planned in FY 2021. OSHA will continue to monitor this measure during quarterly meetings and as part of the FY 2021 Comprehensive FAME review.

SAMM 9 – Percent in compliance (Safety only)

Discussion of State Plan data and FRL: The FRL for percent in compliance for safety was +/- 20% of the three-year national average of 31.03%, for a range of 24.82% to 37.24%. Oregon OSHA had a percent in compliance rate of 39.41%, which was 2.17% above the upper end of the FRL range.

Explanation: Oregon OSHA was aware of the elevated in-compliance rate and had implemented a plan of staff training and manager involvement that was disrupted by the COVID-19 pandemic. OSHA will continue to monitor this measure during quarterly meetings and as part of the FY 2021 Comprehensive FAME review.

SAMM 10 – Percent of work-related fatalities responded to in one workday

Discussion of State Plan data and FRL: The FRL for one day response to fatalities was fixed at 100% for all State Plans. The SAMM report showed that Oregon OSHA was timely for 82.93% of fatalities, which means that it was not timely in 7 of 41 (17%) of cases.

Explanation: OSHA monitored this measure throughout the year. There were two cases where fatalities were not inspected within one day. The Safety Enforcement manager conducted retraining with field office safety managers and compliance officers about the requirements for timeliness. The additional five outliers were adequately explained by the State Plan, and were caused by delays due to receipt of information about the incident or primary investigations by other entities for motor vehicle accidents.

SAMM 11 – Average lapse time (Health only)

Discussion of State Plan data and FRL: The FRL for average lapse time for health was +/-20% of the three-year national average of 60.39 days, for a range of 48.31 to 72.47 days. Oregon OSHA's health inspection lapse time was 46.86 days, nearly 2 days below the FRL.

Explanation: A lapse time lower than the FRL means that Oregon OSHA closed inspections and issued citations more quickly than the national average. This was a positive result and was not a cause for concern.

SAMM 12 – Percent penalty retained

Discussion of State Plan data and FRL: The FRL for penalty retained was +/-15% of the three-year national average of 67.51%, for a range of 57.38% to 77.64%. Per the SAMM report, Oregon OSHA retained 95.32% of penalties, which was 17.68% above the upper end of the FRL range.

Explanation: Penalty retention higher than the FRL indicated that Oregon OSHA retained a higher percentage of penalties during the informal conference process than the national average. The State Plan's performance on this metric was not a cause for concern.

SAMM 14 – Percent of 11(c) investigations completed within 90 days

Discussion of State Plan data and FRL: The FRL for percent of 11(c) investigations completed within 90 days was fixed at 100% for all State Plans. BOLI completed 65 of 87 (76%) cases within 90 days.

Explanation: The State Plan was outside the FRL; however, this was not a concern because some investigations are more complex and may require more than 90 days to complete. BOLI's performance for this metric was better than the national average of 38%¹ of 11(c) investigations completed within 90 days.

SAMM 15 – Percent of 11(c) complaints that are meritorious

Discussion of State Plan data and FRL: The FRL for percent of meritorious 11(c) complaints was +/-20% the three-year national average of 18% for a range of 14.40% to 21.60%. BOLI had 13% meritorious complaints, or 1.40% below the lower end of the FRL range.

Explanation: Merit is determined based on the information presented in a case and is not inherently under the control of the State Plan. The percent merit increased from 2019, when it was 5%, and was lower than in 2018, when it was 18%. OSHA will continue to monitor this metric during quarterly meetings and as part of the FY2021 Comprehensive FAME review.

1 - Report from Web Integrated Management Information System (WebIMIS) "FY 2020 EOY Activity Measures – Both F&S" run November 9, 2020.

SAMM 16 – Average number of calendar days to complete an 11(c) investigation

Discussion of State Plan data and FRL: The FRL for number of calendar days to complete an 11(c) investigation is fixed at 90 days for all State Plans. BOLI completed 11(c) cases in an average of 110 days.

Explanation: Some cases are more complex and may take longer than 90 days to complete. The State Plan's average days to complete were well below the FY 2020 national average of 262 days¹. Oregon OSHA's performance on this measure was not a cause for concern, but OSHA will continue to monitor this metric during quarterly meetings.

SAMM 17 – Percent of enforcement presence

Discussion of State Plan data and FRL: The FRL for this metric was +/- 25% of the three-year national average of 1.09%, which equaled a range of 0.82% to 1.36%. Oregon OSHA's enforcement presence was at 2.08%.

Explanation: The percent of enforcement presence describes the number of safety and health inspections conducted compared to the number of employer establishments in the state. Oregon OSHA's enforcement presence was above the FRL range, which means that they were able to reach more employers with enforcement activity than the national average.

Appendix A – New and Continued Findings and Recommendations

FY 2020 Oregon OSHA Follow-up FAME Report

FY 2020-#	Finding	Recommendation	FY 2019-# or FY 2019 OB-#
FY 2020-01	In FY 2019, in 100% (4 of 4) of cases withdrawn by the complainant, there was no documentation that BOLI advised the complainant of the consequences of the withdrawal.	Oregon OSHA should ensure BOLI is advising each complainant wishing to withdraw that, by entering a withdrawal, they will be forfeiting all rights to an appeal or objection, and the case will not be reopened. Corrective action complete, awaiting verification.	FY 2019-01

Appendix B – Observations and Federal Monitoring Plans

FY 2020 Oregon OSHA Follow-up FAME Report

Observation # FY 2020-OB-#	Observation# FY 2019-OB-# <i>or</i> FY 2019-#	Observation	Federal Monitoring Plan	Current Status
FY 2020-OB-01	FY 2019-OB-01	Oregon OSHA conducted 1,441 of 3,400 safety and 531 of 900 health inspections (SAMM 7), both below the further review level.	OSHA will continue to monitor Oregon OSHA’s planned versus actual inspections.	Continued
FY 2020-OB-02	FY 2019-OB-02	In FY 2019, OSHA 300 data was not in the case file nor in the database in 14% (23 of 167) of case files reviewed. In addition, OSHA 300 data is not transferring to OIS.	OSHA will monitor this over the next FY and will evaluate collection and retention of OSHA 300 data in a focused case file review.	Continued
FY 2020-OB-03	FY 2019-OB-03	The confidentiality of employees interviewed during inspections was not ensured during the appeal process.	OSHA will monitor the State Plan to determine Oregon OSHA’s ability to protect the identities of employees who participate in enforcement activities.	Continued
FY 2020-OB-04	FY 2019-OB-04	In FY 2019, in 51% (26 of 51) of Dismissed/Non-merit cases, there was no evidence that complainants were advised of their rights to dually file with OSHA.	OSHA will conduct a retaliation case file review as part of the FY 2021 comprehensive FAME.	Continued

Appendix C - Status of FY 2019 Findings and Recommendations

FY 2020 Oregon OSHA Follow-up FAME Report

FY 2019-#	Finding	Recommendation	State Plan Corrective Action	Completion Date	Current Status and Date
FY 2019-01	In FY2019, in 100% (4 of 4) of cases withdrawn by the complainant, there was no documentation that BOLI advised the complainant of the consequences of the withdrawal.	Oregon OSHA should ensure BOLI is advising each complainant wishing to withdraw that, by entering a withdrawal, they will be forfeiting all rights to an appeal or objection, and the case will not be reopened.	When complainant choses to withdraw their case to state or federal court, BOLI will be issuing a letter to complainants stating they will be giving up their rights. Oregon OSHA will audit to ensure BOLI is issuing these letters to complainants. Verbal verification complete, next audit scheduled October 2020.	July 9, 2020	Awaiting verification (8/7/2020)

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report
 FY 2020 Oregon OSHA Follow-up FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: Oregon - OREGON OSHA			FY 2020	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	6.95	5 days for serious hazards; 30 days for other-than-serious hazards	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of work days to initiate complaint inspections (federal formula)	2.11	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of work days to initiate complaint investigations (state formula)	4.22	10	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	4.20	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to within one workday (imminent danger)	95.65%	100%	The further review level is fixed for all State Plans.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report
 FY 2020 Oregon OSHA Follow-up FAME Report

U.S. Department of Labor

Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)

State Plan: Oregon - **OREGON OSHA**

FY 2020

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
5	Average number of violations per inspection with violations by violation type	SWRU: 1.48	+/- 20% of SWRU: 1.79	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.43 to 2.15 for SWRU and from 0.76 to 1.14 for OTS.
		Other: 0.81	+/- 20% of Other: 0.95	
6	Percent of total inspections in state and local government workplaces	2.79%	+/- 5% of 2.12%	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 2.01% to 2.22%.
7	Planned v. actual inspections – safety/health	S: 1,441	+/- 5% of S: 3,400	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 3,230 to 3,570 for safety and from 855 to 945 for health.
		H: 531	+/- 5% of H: 900	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$599.32	+/- 25% of \$2,964.86	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,223.65 to \$3,706.08.
	a. Average current serious penalty in private sector (1-25 workers)	\$485.00	+/- 25% of \$1,967.64	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,475.73 to \$2,459.55.
	b. Average current serious penalty in private sector (26-100 workers)	\$727.67	+/- 25% of \$3,513.45	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,635.09 to \$4,391.81.

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report
 FY 2020 Oregon OSHA Follow-up FAME Report

U.S. Department of Labor

Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)

State Plan: Oregon - **OREGON OSHA**

FY 2020

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
	c. Average current serious penalty in private sector (101-250 workers)	\$644.12	+/- 25% of \$5,027.02	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,770.27 to \$6,283.78.
	d. Average current serious penalty in private sector (greater than 250 workers)	\$1,091.70	+/- 25% of \$6,190.91	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$4,643.18 to \$7,738.64.
9	Percent in compliance	S: 39.41%	+/- 20% of S: 31.03%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 24.82% to 37.24% for safety and from 29.72% to 44.58% for health.
		H: 32.07%	+/- 20% of H: 37.15%	
10	Percent of work-related fatalities responded to in one workday	82.93%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 51.27	+/- 20% of S: 50.58	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 40.46 to 60.70 for safety and from 48.31 to 72.47 for health.
		H: 46.86	+/- 20% of H: 60.39	
12	Percent penalty retained	95.32%	+/- 15% of 67.51%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 57.38% to 77.64%.
13	Percent of initial inspections with worker walk around representation or worker interview	100%	100%	The further review level is fixed for all State Plans.

Appendix D – FY 2020 State Activity Mandated Measures (SAMM) Report
 FY 2020 Oregon OSHA Follow-up FAME Report

U.S. Department of Labor

Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)

State Plan: Oregon - **OREGON OSHA**

FY 2020

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
14	Percent of 11(c) investigations completed within 90 days	76%	100%	The further review level is fixed for all State Plans.
15	Percent of 11(c) complaints that are meritorious	13%	+/- 20% of 18%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 14.40% to 21.60%.
16	Average number of calendar days to complete an 11(c) investigation	110	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	2.08%	+/- 25% of 1.09%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.82% to 1.36%.

NOTE: The national averages in this report are three-year rolling averages. Unless otherwise noted, the data contained in this Appendix D is pulled from the State Activity Mandated Measures (SAMM) Report in OIS and the State Plan WebIMIS report run on November 9, 2020, as part of OSHA’s official end-of-year data run

Appendix E – FY 2020 State OSHA Annual Report (SOAR)
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Oregon Occupational Safety and Health Division
Department of Consumer and Business Services

FY2020 State OSHA Annual Report

October 1, 2019 - September 30, 2020

December 17, 2020



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I. OREGON OSHA Executive Summary:

Mission: To advance and improve workplace safety and health for all workers in Oregon.

In 1973, the Oregon Safe Employment Act (OSEAct) was passed into law by the Oregon Legislature to ensure the occupational safety and health of workers in Oregon. The OSEAct states that “...every employer shall furnish employment and a place of employment which are safe and healthful for employees.” The Oregon Occupational Safety and Health division (Oregon OSHA) administers the OSEAct and enforces Oregon’s occupational safety and health rules. In 1987, the Oregon Legislature passed House Bill 2900, which increased worker protection and defined new areas of responsibility for employers and workers’ compensation insurance carriers. The changes also included the establishment of a coordinated program of worker and employer education, health and safety consultative services and research to assist workers and employers in the prevention of occupational injuries and illnesses. In May 1990, the Oregon Legislature passed Senate Bill 1197. This landmark legislation, which was passed during a special session of the Oregon Legislature, made workplace injury and illness prevention a major component of workers’ compensation reform. This was accomplished, in part, by requiring joint management-labor safety committees in most places of employment and by a significant increase in Oregon OSHA staff.

Oregon OSHA’s primary objective is to improve occupational safety and health in workplaces throughout the state, thus reducing on-the-job injuries, illnesses and fatalities. This is achieved through enforcement of occupational safety and health rules, consultation and training assistance for employers and workers, and by providing adequate resources to effectively address Oregon’s loss prevention issues. Strong partnerships with labor groups, trade associations and other governmental agencies also significantly contribute to Oregon OSHA’s success.

All Oregon OSHA programs work cooperatively toward meeting the division’s mission and strategic objectives. Along with the Public Education and the Conference Section, enforcement officers, technical specialists, and consultants produce technically accurate, high quality training to employers and employees. While the Oregon OSHA professional staff are technically trained in all areas of occupational safety and health, hazard identification, and accident investigation, the division has in-house specialists focusing on specific industry needs. These specialists include staff focusing on construction, logging, and agriculture, as well as trained ergonomists. In addition, we have trained individuals to evaluate facilities that are covered under the Process Safety Management (PSM) standard.

Oregon OSHA is dedicated to assisting employers in achieving self-sufficiency in safety and health program management, including developing and implementing comprehensive safety and health programs. The elements of a successful program include top management commitment, clearly defined labor and management accountability, employee and supervisor training, employee involvement in safety and health concerns, hazard identification and methods of control, accident and incident investigation procedures, and a periodic review of the program itself.

Oregon OSHA will implement progressive occupational safety and health strategies as it strives to achieve its mission and the goals of the Strategic Plan. A comprehensive program will be used by Oregon OSHA to continue the declining trend in the rate of occupational injuries, illnesses and fatalities in Oregon.

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II. Summary of the SOAR:

This SOAR is an overview of the progress towards the Annual Performance Plan, and describes how the Oregon Occupational Safety and Health Division (Oregon OSHA) allocated its resources to conduct the activities tied to the specific goals contained in Oregon’s 5-year (2016-2020) Strategic Plan.

The specific goals are:

Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Oregon OSHA will continue the reduction in injuries and illnesses as measured by the Bureau of Labor Statistics, with the statewide DART rate being reduced to 2.0 per 100 workers (or less) and the statewide total case incidence rate being reduced to 3.7 per 100 workers (or less).

Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Oregon OSHA will establish a baseline measurement of severe chemical hazards identified and will increase such hazards identified (and therefore corrected) to at least 817 by the final year of the planning period.

Goal 3: Reduce workplace deaths and the risks that lead to them.

Oregon OSHA will accelerate the decline in Oregon workers compensation fatality rates, with the final three years of the planning period averaging 1.4 per 100,000 workers (or less), which will be a 10 percent decrease compared to the most recent three-year baseline period.

Oregon OSHA has focused its attention on ten elements to support these three goals, they include:

Recognition Programs or Voluntary Programs for Self-Sufficiency - Oregon OSHA will promote SHARP and VPP through consultation, enforcement, technical services, and education.

Outreach - Educate employers and employees, particularly small employers in high hazard industries and vulnerable or hard-to-reach populations, regarding the value of occupational safety and health by providing workshops, conferences, educational venues, training, marketing, and other outreach activities.

Partnerships - Promote occupational safety and health by maintaining and enhancing the effectiveness of existing partnerships and by establishing new partnerships as opportunities present themselves, each with specific safety and/or health awareness improvement objectives. Use existing partnerships to advise Oregon OSHA management on where more specific focus would be fruitful.

Safety & Health Hazards - Focus on high hazard industries and safety and health hazards at the following levels: Safety Enforcement 75%, Health Enforcement 60%, and Consultation 50%.

Health Hazards - Increase the number of severe chemical hazards identified (and therefore corrected) to at least 817 by the end of 2020.

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Emphasis - Implement all state local emphasis programs and appropriate national emphasis programs.

Fatalities - Reduce the most recent 3-year average rate of workplace fatalities from 1.78 per 100,000 to 1.4 per 100,000 by 2020 through inspections and interventions.

Timely Response - Investigations/inspections will be initiated timely in 95% of all reported fatalities and hazard complaints, complainant responses will be timely in 90% of all cases, family members will be notified 100% timely, and discrimination cases will be processed 80% timely.

Customer Service - Achieve and maintain customer satisfaction in the delivery of Oregon OSHA programs and services as evidenced by a survey rating of 90% or above on each program survey.

Staff Development - Ensure 90% of Safety and Health staff receives at least 48 hours of Safety and Health professional development training over two years.

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III. Summary of Results Related to Annual Performance Plan

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Strategic Goals #(1, 2, 3) Self-Sufficiency, Outreach, Partnerships

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

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Performance Goal (1, 2, 3)-1: Recognition Programs or Voluntary Programs or Self-Sufficiency

Maintain the number of SHARP and VPP participants and continue to promote employer self-sufficiency through consultations and by encouraging employers to attain VPP and SHARP status.

FY2016 Performance Goal (1, 2, 3)-1

Oregon OSHA will promote SHARP and VPP through consultation, enforcement, technical services, and education.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Market VPP & SHARP through a variety of methods, including but not limited to working with the SHARP Alliance, news releases, and articles in the Oregon OSHA Resource newsletter.	VPP & SHARP were marketed at the VPPPA BOD/Conference Planning meeting, Southern Oregon Conference, Western Pulp Paper & Wood Products Conference, several SHARP Alliance Meetings, and the October and December issues of the Oregon OSHA Resource. The February Resource issue featured leadership from an Oregon OSHA VPP star site. Marketing phone calls were made to 5 VPP sites, during a Safety and Health management public education workshop on 8/12, and information was emailed to 3 companies regarding VPP. Due to Covid-19 the marketing efforts for SHARP and VPP has been negatively impacted.	
Intermediate Outcomes	2. Number of companies working toward SHARP recognition.	At the end of FY2020, there were 28 employers working toward SHARP.	
	3. Number of companies indicating an interest in VPP by requesting program information.	Thirteen Oregon companies requested information about the VPP from the VPP/SHARP Program Manager.	

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<p>Primary Outcomes</p>	<p>4. Number of employers who receive SHARP certification.</p>	<p>At the end of FY2020, a total of 211 companies participated in the SHARP program. This total includes 28 employers working toward SHARP. There were 2 new SHARP and 183 certified SHARP employers, 16 active employers, and 167 graduates. One company Pape Kenworth Trucks, in Redmond, OR became inactive/curtailed in the SHARP program in FY2020.</p>	<p>The number of sites working through the SHARP process has always fluctuated as companies move through the process.</p>
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	<p>5. Number of employers who receive VPP certification.</p>	<p>At the end of FY2020, a total of 21 Oregon companies were VPP certified. During the fiscal year, 6 existing VPP sites were recertified: There were no new sites and no sites withdrew from the VPP program.</p> <p>Recertified Sites:</p> <ol style="list-style-type: none"> 1. Packaging Corp of America- Salem 2. Ameri Ties West- The Dalles 3. Georgia Pacific- Philomath (Planer) Georgia Pacific- Philomath (Sawmill) - considered one site 4. Duro-Last Roofing Inc- Grants Pass 5. Georgia Pacific- Toledo <p>Remaining 16 Active VPP Sites:</p> <ol style="list-style-type: none"> 1. Cintas Corporation- Eugene 2. Cintas Corporation- Tualatin 3. Coca-Cola North America- Portland 4. Klamath Energy LLC- Klamath Falls 5. Phillips 66 Co- Portland Terminal- Portland 6. Covanta Marion- Brooks 7. Sherwin-Williams, Purdy Portland- Portland 8. Phillips 66 Co-Portland Lubricants Plant- Portland 9. Thermo Fischer Scientific LLC- Eugene 10. Owens Corning- Portland 11. Oldcastle Infrastructure- Wilsonville 12. Timber Products- White City 13. NuStar Energy, Shore Terminals LLC- Portland 14. Marvin Wood Products- Baker City 15. Linde North America- Medford 16. Owens Corning Foamular Insulation LLC- Portland 	<p>As of September 30, 2019, Oregon had the following 21 VPP sites:</p> <ol style="list-style-type: none"> 1. Duro-Last Roofing, Inc. , Grants Pass 2. NuStar Energy, Shore Terminals LLC, Portland 3. Cintas Corporation, Location #173, Tualatin 4. Sherwin-Williams - Purdy Portland, Portland 5. Packaging Corp. of America, Salem Full-Line Plant, Salem 6. Owens Corning - Linnton Asphalt Plant, Portland 7. Oldcastle Infrastructure, DBA Oldcastle Precast, Wilsonville 8. Marvin Wood Products, Baker City 9. Timber Products - Spectrum Division, White City 10. Georgia-Pacific - Philomath Operations, Philomath 11. Georgia-Pacific - Toledo Operations, Toledo 12. Phillips 66 Co. - Portland Lubricants Plant, Portland 13. Phillips 66 Co. - Portland Terminal, Portland 14. Owen Corning Foamular Insulations LLC-Portland 15. Linde North America - Medford Electronic & Specialty Gases, White City 16. Coca-Cola North America - Portland Syrup Plant, Portland 17. Klamath Energy LLC, Klamath Cogeneration, Klamath Falls 18. Thermo Fisher Scientific, LLC, Eugene 19. AmeriTies West - Tie Plant, The Dalles 20. Covanta Marion, Brooks
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			21. Cintas Corporation, Location #172, Eugene
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Performance Goal (1, 2, 3)-2: Outreach

FY2016 Performance Goal (1, 2, 3)-2
 Educate employers and employees, particularly small employers in high hazard industries and vulnerable or hard-to-reach populations regarding the value of occupational safety and health by providing workshops, conferences, educational venues, training, marketing and other outreach activities.

Performance Indicator Type	Indicator	Results	Comments
Outreach Efforts	Videos: 1. Number of new non-English videos created or acquired.	In FY2020, we added no multilingual DVD-videos.	In FY2019 we added 2 multilingual videos.
	2. Number of non-English videos checked out or viewed.	In FY2020, 89 non-English video programs were checked out.	149 non-English video programs were checked out in FY2019.
	Publications, On-line APPs:	In FY20, There were 24 new or substantially revised publications developed:	In FY19, Total 29: 16 new and 13 substantially revised publications were developed:

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<p>3. Number of new or substantially revised <i>publications</i> or APPs developed that are targeted to small employers, high hazard industries and vulnerable or hard-to-reach worker populations.</p>	<ul style="list-style-type: none"> • Young worker safety in English and <u>Spanish</u> • Fall protection for construction activities- condensed guide in <u>Spanish</u> • Portable ladders in <u>Spanish</u> • Fall protection trigger heights for the construction industry in <u>Spanish</u> • Portable ladder quick facts in English and <u>Spanish</u> • Field sanitation for agricultural hand labor fact sheet • Workplace violence: Can it happen where you work? • Consultation services brochure • Foundation for a safe workplace • Machine safeguarding at the point of operation: A guide for finding solutions to machine hazards. • What employers need to know about hazards associated with homelessness • COVID-19 Temporary rules regarding field sanitation, housing, and transportation related to agriculture • Transporting workers on agricultural vehicles and farm equipment over public roadways English and <u>Spanish</u> • Field Sanitation Notice for COVID-19 English and <u>Spanish</u> • Guidance on Preparing Workplaces for COVID-19 – <u>Spanish</u> • Fall protection in construction: requirements for competent persons - <u>Spanish</u> • It's not just dust! What you should know about silicosis and crystalline silica - <u>Spanish</u> • Blood Pathogens • Lead in Construction • Use of Personal Protective Equipment by Dental Personal in Resource – Constrained Settings 	<ul style="list-style-type: none"> • Steel erection in construction: requirements for competent persons (fact sheet *in English) • Ergonomics in construction and general industry • Application exclusion zone information sheet: steps to take for an AEZ • Application exclusion zone information sheet: an overview of the AEZ requirements • Hoja de información sobre la zona de exclusión de la aplicación de pesticidas: pasos a tomar para una AEZ • Hoja de información sobre la zona de exclusión de la aplicación de pesticidas: una visión general de los requisitos para la AEZ • Application Exclusion Zone: Oregon OSHA’s Worker Protection Standard-In Spanish • Fall protection for setting and bracing wood trusses and rafters-in Spanish • Application Exclusion Zone: Oregon OSHA’s Worker Protection Standard • Safety monitoring for roofing work (fact sheet) • ¡No se trata solo de polvo! Qué debe saber acerca de la sílice cristalina, la silicosis y las normas sobre sílice de Oregon OSHA (It's not just dust! What you should know about silicosis and crystalline silica) • ! Alturas de activación que exigen el uso de protecciones contra caídas para la industria en general (Fall protection trigger heights for general industry) • ! Protección contra caídas en la construcción: requisitos para personas competentes (Fall protection in construction: requirements for competent persons) • Fighting farmland and rangeland wildfires guide • Securing Log Loads hazard alert*new
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			<ul style="list-style-type: none"> • Alturas de activación para la protección contra caídas en actividades de la construcción (Fall protection trigger heights for the construction industry in Spanish) • Storage of agricultural pesticides fact sheet • The control of hazardous energy (Lockout/Tagout) fact sheet • Personal protective equipment: Selecting the right PPE for pesticide use • Lista de verificación para la inspección de vivienda de trabajo agrícola (Agriculture labor housing inspection checklist in Spanish) • Foundations of a safe workplace • Guardrail systems, stair rail systems, and handrails in general industry workplaces • Worker Protection Standard reference guide • PPE Hazard Assessment Guide • Safe Practices When Working Around Hazardous Agricultural Chemicals • Escaleras portátiles: Como usarlas sin sufrir caídas (Portable ladders in Spanish) • Protección contra caídas para actividades de la construcción -guía condensada (Fall protection for construction activities – condensed guide in Spanish) • Young worker safety in Spanish • Young worker safety in English
	<p>4. Number of current publications evaluated for possible translation to other languages, considering cultural barriers to communication that may necessitate an alternative approach.</p>	<p>In FY20, 16 publications were reviewed for possible translation to another language.</p> <ul style="list-style-type: none"> • Young worker safety • Fall protection for construction activities- condensed guide • Portable ladders • Fall protection trigger heights for the construction industry • Portable ladder quick facts • Field sanitation for agricultural hand labor fact sheet 	<p>In FY19, 17 publications were reviewed for possible translation to another language.</p> <ul style="list-style-type: none"> • Steel erection in construction: requirements for competent persons fact sheet *in English • Ergonomics in construction and general industry • Application exclusion zone information sheet: steps to take for an AEZ • Application exclusion zone information sheet: an overview of the AEZ requirements • Application Exclusion Zone: Oregon OSHA’s Worker Protection Standard

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		<ul style="list-style-type: none"> • Workplace violence: Can it happen where you work? • Consultation services brochure • Foundation for a safe workplace • Machine safeguarding at the point of operation: A guide for finding solutions to machine hazards. • What employers need to know about hazards associated with homelessness • COVID-19 Temporary rules regarding field sanitation, housing, and transportation related to agriculture • It's not just dust! What you should know about silicosis and crystalline silica • Blood Pathogens • Lead in Construction • Use of Personal Protective Equipment by Dental Personal in Resource – Constrained Settings 	<ul style="list-style-type: none"> • Safety monitoring for roofing work fact sheet • Fighting farmland and rangeland wildfires guide • Securing Log Loads hazard alert • Storage of agricultural pesticides fact sheet • The control of hazardous energy (Lockout/Tagout) fact sheet • Personal protective equipment: Selecting the right PPE for pesticide use • Foundations of a safe workplace • Guardrail systems, stair rail systems, and handrails in general industry workplaces • Worker Protection Standard reference guide • PPE Hazard Assessment Guide • Safe Practices When Working Around Hazardous Agricultural Chemicals • Young worker safety in English
	<p>On-Line Courses: 5. Continue review and revision of on-line course offerings and expand the number of on-line courses.</p>	<p>In FY2020, 6 online class were deployed and 11 online courses are still under revision / development.</p> <p><u>Deployed:</u></p> <ul style="list-style-type: none"> • Fall Protection for Roofing Course to the public • Spanish Hazard Communications-Aligned with GHS • Updated PPE online course per Oregon OHSA Technical's requested changes • Spanish Fundamentals of Fall Protection. • Spanish Ladder Safety online Course • Fall Protection in Construction online course <p><u>Under revision/development (List of on-line courses):</u> Fall Protection Suite (1 out of 5 Courses left)</p> <ul style="list-style-type: none"> • Walking Working Surfaces <p>PPE Suite (New - 4 courses)</p>	<p>In FY2019, 9 online class were deployed and 11 online courses are still under revision / development.</p> <p><u>Deployed:</u></p> <ul style="list-style-type: none"> • Job Hazard Analysis – Spanish Translation • Hazard Identification – Spanish Translation • Worker Protection Standard Workbook - Classroom • Application Exclusion Zone (AEZ) Video (English) - Classroom • Application Exclusion Zone (AEZ) Video (Spanish) – Classroom • Fundamentals of Fall Protection (1st in the Fall Protection Suite) • Bloodborne Pathogens – English • Ladder Safety (2nd in the Fall Protection Suite) • Hazard Communications-Aligned with GHS (English)

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		<ul style="list-style-type: none"> • Fundamentals of PPE • General PPE • Electrical Protective Equipment and Fall Protection • Respiratory Protection <p>Bloodborne Pathogen Scenarios – Spanish Translation Completed, awaiting Captivate Development</p> <ul style="list-style-type: none"> • Hospitality • Janitorial • Medical <ul style="list-style-type: none"> • Loto online course. Updating to a supported platform by converting to Captivate (Adobe Flash player is expiring) and added new graphics. • Oregon OSHA COVID-19 Temporary Rule Online Course <p><u>Awaiting Spanish Translation Contract (List the on-line courses):</u></p> <ul style="list-style-type: none"> • Recordkeeping and Reporting 	<p><u>Under revision/development (List of on-line courses):</u></p> <p>Fall Protection Suite (3 out of 5 Courses)</p> <ul style="list-style-type: none"> • Fall Protection in Construction • Fall Protection in Roofing • Walking Working Surfaces <p>Bloodborne Pathogen Scenarios – Spanish Translation Completed, awaiting Captivate Development</p> <ul style="list-style-type: none"> • Hospitality • Janitorial • Medical <p>Under revision awaiting input into Spanish Course</p> <ul style="list-style-type: none"> • Hazard Communication Aligned with GHS – Spanish Translation completed. Spanish course version being created. • Bloodborne Pathogens – Spanish Translation completed. Awaiting review before Spanish course version is created. • Roofing Interviews translated from Spanish to English. Awaiting input into Spanish course. • Fundamentals of Fall Protection Spanish Translation completed. Awaiting into Spanish course is created. <p><u>Awaiting Spanish Translation Contract (List the on-line courses):</u></p> <ul style="list-style-type: none"> • Recordkeeping and Reporting
	<p>Conferences:</p> <p>6. Coordinate with stakeholders to co-sponsor safety and health conferences throughout the state.</p>	<p>Oregon OSHA partnered with 5 stakeholders to co-sponsors conferences throughout the state in FY2020.</p> <ul style="list-style-type: none"> • American Society of Safety Professionals (ASSP) – Southern Oregon Chapter, October 15-17, 2019, Ashland, OR • Oregon OSHA was the sole sponsor for the first time Spanish-Language conference, November 19, 2019, Salem, OR 	<p>Oregon OSHA partnered with 7 stakeholders to co-sponsors conferences throughout the state in FY2019.</p> <ul style="list-style-type: none"> • American Society of Safety Engineers (ASSE) – Southern Oregon Chapter, October 16-18, 2018, Ashland, OR • Association of Western Pulp & Paper Workers (AWPPW) – Oregon Safety Council, November 27-30, 2018, Portland, OR

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		<ul style="list-style-type: none"> • Association of Western Pulp & Paper Workers (AWPPW) – Oregon Safety Council, December 3-6, 2019, Portland, OR • Central Oregon Safety & Health Association (COSHA), January 27-28, 2020, Bend, OR • American Society of Safety Professionals (ASSP) – Cascade Chapter, March 2-3, 2020, Eugene, OR 	<ul style="list-style-type: none"> • Central Oregon Safety & Health Association (COSHA), January 28-29, 2019, Bend, OR • American Society of Safety Engineers (ASSE) – Columbia-Willamette Chapter, March 4-7, 2019, Portland, OR • Region X Voluntary Protection Program Participants’ Association (VPPPA), May 14-16, 2019, Portland, OR • Oregon Safety and Health Achievement Recognition Program (SHARP), June 3-4, 2019, Pendleton, OR • Central Oregon Safety & Health Association (COSHA), September 16-17, 2019, Bend, OR
	<p>Other Outreach Activities:</p> <p>7. Number and nature of outreach activities provided by technical, consultation and enforcement that include but are not limited to staffed booth at conferences, direct mail marketing, participation in stakeholder events, social media and focused outreach to high hazard industries and vulnerable and hard-to-reach workers.</p>	<p>There were 310 other outreach activities that were provided to high hazard industries and vulnerable and hard-to-reach workers during FYTD 2020.</p> <p>71 Public Relations: 47 Press Releases 18 Oregon OSHA Facebook Campaigns, Live Video Segments, and posts 6 newsletters</p> <p>199 Consultation: On-Site Trainings 40 Public Education: On-site training request</p>	<p>There were 287 other outreach activities that were provided to high hazard industries and vulnerable and hard-to-reach workers during FYTD 2019.</p> <p>54 Public Relations: 20 Press Releases 10 Oregon OSHA Facebook Campaigns and Live Video Segments 18 posts 6 newsletters</p> <p>196 Consultation: On-Site Trainings 36 Public Education: On-site training request</p> <p>1 Technical: presented information about the SIP IV rulemaking – specific to its effects on the Construction industries at the Construction Advisory Committee meeting</p>
<p>Primary Outcome Measures</p>	<p>Training Sessions:</p> <p>8. Number of Non English language training sessions.</p>	<p>In FY2020 there were 4 Non English language training sessions.</p>	<p>In FY2019 there were 11 Non English language training sessions.</p>

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	9. Number of attendees at Non English language training sessions.	In FY2020 there were 203 attendees at Spanish language training sessions.	In FY2019 there were 125 attendees at Spanish language training sessions.
	10. Number and percent of participants from small businesses and high hazard industries participating in Oregon OSHA on-line training sessions.	In FY2020, there were 36,531 participants from small businesses and high hazard industries attending on-line training sessions. There were 15,403 (42%) participants from small businesses (defined as 20 or fewer employees) and 32,298 of 36,531 (88%) participants from high hazard industries.	In FY2019, there were 25,955 participants from small businesses and high hazard industries attending on-line training sessions. There were 4,087 (16%) participants from small businesses (defined as 20 or fewer employees) and 7,903 (30%) participants from high hazard industries.
	11. Number of participants at Oregon OSHA workshop training sessions.	There were 364 attendees at Oregon OSHA workshop training sessions in FY2020.	There were 499 attendees at Oregon OSHA workshop training sessions in FY2019
	<p>Educational Activities:</p> <p>12. Number of new or substantially revised <i>educational resources</i> developed that are directed to small employers, high hazard industries and vulnerable or hard-to-reach worker populations.</p>	<p>In FY2020, 16 educational resources or Online courses have been developed or substantially revised that are directed towards small employers, high hazard industries, and vulnerable or hard-to-reach worker populations.</p> <p>Safety Training Materials and On-line Classes Created and Deployed to the Public Education Web Site:</p> <ul style="list-style-type: none"> • 11 Powerpoints created and deployed for Fall Protection: Fall Protection for Roofing, Ladder Safety, Worker Protection Standard, Safety Meetings and Committees, LOTO, Forklift and Workplace 101, for Confined Space: JHA, Excavation Safety, Hazard Communication and Hazard Identification, Fall Protection in Construction and, Spanish Ladder Safety online • 1 Published N-95 Donning and Doffing Video <p>Substantially Revised Educational Resources:</p> <ul style="list-style-type: none"> • 2 Safe Work Practices for Bloodborne Pathogens and Infectious Materials" video in response to COVID-19 and, Carbon Monoxide Poisoning (remastered the old educational video) <p>Under Development:</p> <ul style="list-style-type: none"> • 1 PESO Residential Construction safety training materials 	<p>In FY2019, 1 set of safety training materials in Spanish and 2 new online courses were created and deployed to the Oregon OSHA public education web site, as an educational resource that was directed to small employers, high hazard industries, and vulnerable or hard-to-reach worker populations.</p> <p>Safety Training Materials and On-line Classes Created and Deployed to the Public Education Web Site:</p> <ul style="list-style-type: none"> • PESO Residential Construction safety training materials in Spanish. • PowerPoint for Fundamentals of Fall Protection course • PowerPoint for Ladder Safety course

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	13. Other educational activities directed to small employers and to high-hazard industries.	The public education section assisted, coordinated, provided translation services, created two presentations, and attended the FY20 Oregon OSHA sponsored Spanish conference.	There were no other educational activities directed to small employers and to high-hazard industries in FY2019.
	14. Number of participants at Oregon OSHA conference sessions.	<p>A total of 1502 participants attended conferences in FY2020. Attendees at all sessions were 6283.</p> <p>Attendance at the conferences was as follows:</p> <ul style="list-style-type: none"> • There were 371 attendees at the Southern Oregon Occupational Safety & Health Conference in Ashland, OR. Total attendance in all sessions was 1,855. • There were 180 attendees at the first ever, Spanish-Language conference in Salem, OR. (Session attendance was not tracked.) • There were 443 attendees at the Western Pulp, Paper, & Forest Products Safety & Health Conference in Portland, OR. Total attendance in all sessions was 2,571. • There were 256 attendees at the Mid-Oregon Construction Safety Summit in Bend, OR. Total attendance in all sessions was 860. • There were 252 attendees at the Cascade Occupational Safety & Health Conference in Eugene, OR. Total attendance in all sessions was 997. <p>The following conferences were canceled due to the pandemic.</p> <ul style="list-style-type: none"> • CANCELLED - Northwest Safety & Health Summit (VPPPA), May 12-14, 2020, Portland, OR • CANCELLED - Blue Mountain Occupational Safety & Health Conference (SHARP), June 1-2, 2020, Pendleton, OR • CANCELLED - Central Oregon Occupational Safety & Health Conference (COSHA), September 9-10, 2020, Bend, OR 	<p>A total of 3382 participants attended conferences in FY2019. Attendees at all sessions were 16,741.</p> <p>Attendance at the conferences was as follows:</p> <ul style="list-style-type: none"> • Southern Oregon Occupational Safety & Health Conference: 375 attendees, 1999 attendees in all sessions • Western Pulp, Paper, & Forest Products Safety & Health Conference: 446 attendees, 2521 attendees in all sessions • Mid-Oregon Construction Safety Summit: 301 attendees, 957 attendees in all sessions • Oregon Governor’s Occupational Safety & Health Conference: 1455 attendees, 7,890 attendees in all sessions • Northwest Safety & Health Summit (by Region X VPPPA), Conference: 264 attendees, 1241 attendees in all sessions • Blue Mountain Occupational Safety & Health Conference: 300 attendees, 944 attendees in all sessions • Central Oregon Occupational Safety & Health Conference: 241 attendees, 1189 attendees in all sessions
	Consultations:	In FY2020, 972 out of 1893 (51.4%) consultations were provided to small employers.	In FY2019, 1431 out of 2467 (58%) consultations were provided to small employers.

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	15. Number and percentage of consultations provided to small employers.		
	16. Number and percentage of consultations provided to employers who have not used Oregon OSHA’s consultation services during the previous five years.	In FY2020, 933 out of 1893 (49.3%) consultations were provided to employers who had not used Oregon OSHA’s consultation services during the previous five years.	In FY2019, 1034 out of 2467 (41.4%) consultations were provided to employers who had not used Oregon OSHA’s consultation services during the previous five years. ⁴²

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Performance Goal (1, 2, 3)-3: Partnerships

FY2016 Performance Goal (1, 2, 3)-3

Promote occupational safety and health by maintaining and enhancing the effectiveness of existing partnerships and establishing new partnerships as opportunities present themselves, each with specific safety and/or health awareness improvement objectives. Use existing partnerships to advise Oregon OSHA management on where more specific focus would be fruitful.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Activities undertaken in collaboration with stakeholder groups and partnerships to increase occupational safety and health awareness.	<p>Forty one stakeholder groups and partnership activities during the 4th quarter, FY2020:</p> <p>With the exception of the Oregon Emergency Preparedness, most Oregon OSHA partnerships and Alliances cancelled meetings in Q2 due to COVID-19, but started meeting again virtually in Q3 and Q4.</p> <p>Also some new task forces and collaborations were developed due to COVID 19, but will sunset after the pandemic:</p> <p>Oregon OSHA has been collaboratively working with ODA, OHA, and Local Public Health in relationship to COVID-19 as part of an agreement called the “playbook” to provide technical assistance with the food processing and agriculture employers when an outbreak is identified in the workplace. This effort has been carried out by our consultation section.</p> <p>Additionally, we have been working extensively with OHA, ODE, OLCC, Oregon Lottery on complaints related to COVID-19.</p> <p>The COVID-19 Joint Construction Safety Task Force is a partnership of union and non-union industry professionals, with support from Oregon OSHA. The group meets twice a week to monitor health information</p>	Information regarding Oregon OSHA partnerships, alliances and collaborations can be found at this link .

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and government guidelines, to collect data and information, and will continue to coordinate job site visits.

The new relationships developed and skills, knowledge, and experience learned from the task forces and collaborations will continue at Oregon OSHA.

Agriculture:

Department of Housing and Community Services (OHCS), Department of Revenue, and Oregon OSHA Small Agricultural Employer Advisory Committee and the Agriculture Labor Housing Advisory Committee

The Pesticide Analytical Response Center (PARC): In the latest quarter there were 8 PARC cases involving 9 different employers with Oregon OSHA involvement. Three of the cases involved disinfectants, one a biocide at a paper mill. Two cases, one which included the paper mill, involved incompatibles reacting. Inspections were conducted with 6 of the employers, 3 by letter. Citations were issued in 4 of the inspections with 1 still pending.

Pacific Northwest Agriculture Safety and Health (PNASH): Continued our partnership with PNASH but in more informal basis during the pandemic. The last meeting was May 2020.

Deschutes County Farm Bureau: Collaborated with the OFB on training opportunities for their members. Worked extensively with OFB during the Temporary COVID19 Rules in agriculture.

Construction:

Construction Advisory Committee: Is meeting again virtually. The committee meets monthly and is attended by safety leaders in the construction industry (primarily commercial construction). Accidents and incidents and near misses are reviewed and technical issues are discussed. The committee members participate regularly as stakeholders in various rulemaking activities related to construction.

Landscape Contractors Board: Nothing new to report.

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Construction Safety Summit: Is meeting again virtually. The meetings include trainings on a variety of residential and commercial construction safety and health related topics. Oregon OSHA Enforcement, Consultation, and Technical and Management personnel attend the meetings and regularly provide support such as conducting presentations.

SafeBuild Alliance: Is meeting again virtually. SafeBuild Alliance and LatinoBuilt have developed training and education grant to produce training materials for culturally appropriate training materials for the construction industry and to develop lunch and learn activities.

Oregon Home Builders Association (OHBA): Oregon OSHA has collaborated throughout the pandemic and provided valuable tools to the regulated community.

West Coast Chapter – International Association of Foundation Drilling: Nothing new to report.

Health, Healthcare, and Ergo:

Oregon Coalition for Healthcare Ergonomics (OCHE)

Oregon OSHA Emergency Preparedness: Q2, Q3, and Q4 Emergency Preparedness has been up and running since the Coronavirus was identified in Oregon.

Center for Health Protection (OHA): *

Center for Public Health Practice (OHA): *

Center for Health Promotion and Prevention (OHA): *
OHA continues to work with Oregon OSHA along with other partners as we continue through the pandemic.

Oregon OSHA Partnership Committee: The Oregon OSHA Partnership meeting was held during Q2, Q3 and Q4. The committee went over rulemaking, legislation, and currently Oregon OSHA topics.

Oregon OSHA and the Oregon Institute of Occupational Health Sciences work together on many projects. During the pandemic, the interactions have been less formal but we often rely on one another to promote occupations safety and health in the workplace.

Oregon Home Care Commission: Nothing new to report.

SAIF (State Accident Insurance Fund): Nothing new to report.

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Total Worker Health Alliance (TWH®): Scheduled to meet in December.

Forestry and Firefighters:

Forest Activities Advisory Committee: The last forest advisory committee meeting was held virtually. The meeting was an opportunity to discuss hazard identification and near misses, along with ongoing Covid-19 mitigation strategies. The committee also discussed the Quarterly Overnight Hospitalizations & Fatalities Report.

Fire Service Advisory Committee: Although the committee has not met, we have worked with several members of the committee on the Temporary, COVID Rules for all Workplaces.

Oregon OSHA and Washington Department of Occupational Safety and Health: This ongoing effort reaches a multitude of areas in Occupational Safety and Health. We have worked closely with them regarding the pandemic response and other rules that have similar industries in the state.

Other:

Oregon Utility Safety Commission: Oregon OSHA is a partner in the Oregon Utility Safety Commission with the intent of promoting cooperative efforts between OPUC and Oregon OSHA, and effective regulation of the safety, security and reliability of utilities.

Oregon Public Utility Commission: The Oregon Public Utilities District and Oregon OSHA have developed an interagency agreement for referrals of safety and health complaints, sharing of information, and training and education.

Oregon Restaurant & Lodging Association (ORLA): The Oregon OSHA Alliance with ORLA has been instrumental as we work together during the pandemic.

Oregon Young Employee Safety, O[yes]: Is meeting again virtually.

Mt. Hood Community College: Nothing new to report.

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		<p><u>Wind Energy</u>: Nothing new to report.</p> <p><u>Oregon Occupational Fatality Assessment and Control Evaluation (FACE)</u>: Oregon OSHA and FACE staff members continue to reintegrate the importance of the interagency agreement and the important work that FACE has been able to conduct over the past year in partnership with Oregon OSHA. https://osha.oregon.gov/collaborations/Pages/loa/FACE.aspx.</p> <p><u>Oregon Wine Board</u>: Nothing to report.</p> <p><u>Oregon Wine Association</u>: Oregon OSHA continues outreach and education to the wine industry.</p> <p><u>Oregon Brewers Guild</u>:</p> <p><u>Oregon Funeral Directors Association</u>:</p> <p><u>EMPLEO</u>: Nothing to report.</p> <p><u>Oregon Employment Department</u>: The H2A Interagency Committee met during Q2 for the annual meeting and to review the interagency agreement.</p>	
	<p>2. Identify partnerships and stakeholder groups in high hazard, emerging and existing industry sectors.</p>	<p>Potential partnership in target industries in FY2020:</p> <ul style="list-style-type: none"> • There is 1 potential partnership opportunity in target industries at this time. Elevator Industry Safety Partners (EISP) 	
<p>Intermediate Outcome Measure</p>	<p>3. Number of Oregon OSHA stakeholder collaborations and partnerships.</p>	<p>There were a total of 41 Oregon OSHA stakeholder collaborations and partnerships in FY2020.</p>	<p>FY14 Baseline 32</p>

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<p>Primary Outcome Measures</p>	<p>4. Number of alliances developed and status of goals.</p>	<p>There are a total of six current alliances developed, (the status of their goals is included in section 1.)</p> <ul style="list-style-type: none"> • Oregon Coalition for Healthcare Ergonomics (OCHE) • Oregon Restaurant & Lodging Association (ORLA) • Oregon Home Builders Association (OHBA) • Employment, Education and Outreach (EMPLEO) • Total Worker Health® • West Coast Chapter-International Association of Foundation Drilling <p>These alliances are on our website: http://osha.oregon.gov/collaborations/Pages/alliances.aspx and on the federal OSHA website: https://www.osha.gov/dcsp/alliances/regional/reg10_portland.html</p>	<p>See the narrative in Partnership section (1, 2, 3)-3 for more information on the activities of these alliances.</p> <p>FY14 Baseline 3</p>
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	<p>5. Number of partnerships in targeted industry sectors and achievements.</p>	<p>At the end of FY2020, there were 24 partnerships in target industries:</p> <p><u>Agriculture:</u></p> <ul style="list-style-type: none"> • Department of Housing and Community Services, Department of Revenue, and Oregon OSHA • Small Agriculture Advisory Committee • Agriculture Labor Housing Advisory • Farm Worker Housing Committee • Pesticides Analytical and Response Center • Pacific Northwest Safety and Health (PNASH) • Deschutes County Farm Bureau <p><u>Construction:</u></p> <ul style="list-style-type: none"> • Construction Advisory Committee • Landscape Contractors Board • SafeBuild Alliance • Oregon Home Builders Association (OHBA) • Construction Safety Summit • West Coast Chapter-International Association of Foundation Drilling • COVID 19 Construction Task Force (new) <p><u>Logging:</u></p> <ul style="list-style-type: none"> • Forest Activities Advisory Committee (FAAC) <p><u>Health Care:</u></p> <ul style="list-style-type: none"> • Oregon Coalition for Health Care Ergonomics (OCHE) • Oregon Home Care Commission • Oregon OSHA Health Authority (OHA) <ul style="list-style-type: none"> ○ Center for Health Protection ○ Center for Public Health Practice ○ Center for Health Promotion and Prevention • Oregon Institute of Occupational Health Sciences • SAIF • Total Worker Health® 	<p>Please see Partnerships, Activity Measure #1 for individual partnership activities.</p>
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Strategic Goals #(1, 2)
Workplace Safety and Health, Health Hazards

Strategic Goals #(1, 2, 3)
Emphasis

Strategic Goal #(3)
Fatalities

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.
Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.
Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

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Performance Goal (1, 2)-1: Safety & Health Hazards

Reduce injuries and illnesses by reducing the DART rate from 2.2 to 2.0 (or less) per 100 workers and total case incidence rate TCIR from 4.1 to 3.7 (or less) per 100 workers by the end of year 2020 by focusing on targeted high hazard industries and safety and health hazards.

FY2016 Performance Goal (1, 2)-1

Health enforcement will focus on targeting high hazard industries and safety and health hazards at the following levels: Safety Enforcement 75%, Health Enforcement 60%, and Consultation 50%.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Inspections – Health: 1. Total number of <i>health</i> inspections.	Total <i>health</i> inspections: 534 in FY2020. This is 366 inspections less than the FY2020 goal of 900. Onsite inspection activity was significantly curtailed due to COVID-19.	Total <i>health</i> inspections: 809 in FY2019. This is 91 inspections less than the FY2019 goal of 900.
	2. Total number of <i>health</i> inspections in high hazard industries.	Total <i>health</i> inspections in high hazard industries: 301 in FY2020.	Total <i>health</i> inspections in high hazard industries: 545 in FY2019.
	3. Percentage of <i>health</i> inspections in high hazard industries compared to target of 60%.	In FY2020, the target was not met with 56.3% (301/534) of health inspections conducted in high hazard industries. (Target = 60%)	In FY2019, the target was met with 67% (545/809) of health inspections conducted in high hazard industries. (Target = 60%)
	4. Total number of serious <i>health</i> hazards identified in enforcement.	There were 503 serious <i>health</i> hazards identified in enforcement in FY2020.	There were 741 serious <i>health</i> hazards identified in enforcement in FY2019.
	Inspections - Safety: 5. Total number of <u>safety</u> inspections.	There were 1476 <u>safety</u> inspections. This is 1924 inspections below the goal of 3400 in FY2020. Onsite inspection activity was significantly curtailed due to COVID-19.	There were 2570 <u>safety</u> inspections. This is 830 inspections below the goal of 3400 in FY2019.
	6. Total number of <u>safety</u> inspections in high hazard industries.	There were 1187 <u>safety</u> inspections in high hazard industries in FY2020.	There were 2201 <u>safety</u> inspections in high hazard industries in FY2019.

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7. Percentage of <u>safety</u> inspections in high hazard industries compared to target of 75%.	In FY2020 the target was exceeded with 80.4% (1187/1476) of <u>safety</u> inspections in high hazard industries. (Target = 75%)	In FY2019 the target was exceeded with 86% (2201/2570) of <u>safety</u> inspections in high hazard industries. (Target = 75%)
8. Total number of serious <u>safety</u> hazards identified in enforcement.	In FY2020 there were 1120 serious <u>safety</u> hazards identified in enforcement.	In FY2019 there were 1726 serious <u>safety</u> hazards identified in enforcement.
<p>Programmed and Non-Programmed Visits:</p> <p>9. The number and percentage of programmed and non-programmed enforcement visits in high-hazard industries.</p>	<p>In FY2020:</p> <p>Safety – 40.4 % (597/1476) programmed 40.0% (590/1476) non-programmed</p> <p>Health – 24.0% (128/534) programmed 32.4% (173/534) non-programmed</p> <p>Total – 36.1% (725/2010) programmed <u>38.0% (763/2010) non-programmed</u></p> <p><u>Grand Total - 74.03%(1488/2010) programmed and non-programmed</u></p> <p>Safety – 16 programmed related Health – 1 programmed related Total – 17 programed related</p> <p>Note: the sum of programmed and non-programmed inspections per discipline in high hazard industries.</p>	<p>In FY2019:</p> <p>Safety – 52.7 % (1355/2570) programmed 32.9% (846/2570) non-programmed</p> <p>Health – 23.4% (190/809) programmed 43.8% (355/809) non-programmed</p> <p>Total – 45.7% (1545/3379) programed 35.5% (1201/3379) non-programmed</p> <p>Safety – 36 programmed related Health – 0 programmed related Total – 36 programed related</p> <p>Note: the sum of programmed and non-programmed inspections per discipline in high hazard industries.</p>
<p>Consultation – Health:</p> <p>10. Total number of <u>health consultations</u>.</p>	817 health consultations that include Process Safety Management and Ergonomics were conducted in FY2020.	840 health consultations that include Process Safety Management and Ergonomics were conducted in FY2019.
11. Total number of <u>health consultations</u> in high hazard industries.	262 Health Consultations in High Hazard industries were conducted by consultants in FY2020.	368 Health Consultations in High Hazard industries were conducted by consultants in FY2019.
12. Percent of <u>health consultations</u> in high hazard industries.	32.1%, 262 of 817 health consultations in high hazard industries in FY2020.	43.8%, 368 of 840 health consultations in high hazard industries in FY2019.
13. The number of serious <u>health</u> hazards identified during on-site <u>consultation</u> activities.	3151 serious health hazards were identified during on-site consultation activities in FY2020.	4328 serious health hazards were identified during on-site consultation activities in FY2019.

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	Consultation – Safety: 14. Total number of <u>safety consultations</u> .	1076 Safety consultations were conducted in FY2020.	1627 Safety consultations were conducted in FY2019.
	15. Total number of <u>safety consultations</u> in high hazard industries.	713 Safety Consultations in high hazard industries were conducted by consultation in FY2020.	1083 Safety Consultations in high hazard industries were conducted by consultation in FY2019.
	16. Percent of <u>safety consultations</u> in high hazard industries.	66.3%, 713 of 1076 Safety consultations were in high hazard industries in FY2020.	66.56%, 1083 of 1627 Safety consultations were in high hazard industries in FY2019.
	17. The number of <u>serious safety</u> hazards identified during on-site <u>consultation</u> activities.	6090 <u>serious</u> safety hazards were identified during on-site consultation activities in FY2020.	9214 <u>serious</u> safety hazards were identified during on-site consultation activities in FY2019.
	High Hazard Consultations: 18. The number and percentage of <u>consultation</u> visits in high-hazard industries compared to target of 50%.	51.5%, 975 of 1893 of all consultation activities were in high hazard industries in FY2020 and met the target goal. The target is 50%.	58.81%, 1451 of 2467 of all consultation activities were in high hazard industries in FY2019. The target is 50%.The target is 50%.
	Ergonomics Consultations 19. Total number of safety and health ergonomics consultations.	In FY2020 there were 67 safety and health ergonomics consultations.	
	20. Total number of safety and health ergonomics consultations in industries with high MSD rates.	There were 60 safety and health ergonomics consultations in industries with high MSD rates in FY2020.	<i>Please see the Performance Goal: Safety and Health Hazards, Ergonomics narrative for more details.</i>
	Workplace Violence 21. Number of inspections where workplace violence was addressed.	In FY2020 there were 8 inspections where workplace violence was addressed.	In FY2019 there were 28 inspections where workplace violence was addressed.
	22. Number and type of workplace violence focused outreach efforts.	FY2020 there were 1141 workplace violence focused outreach efforts. <ul style="list-style-type: none"> • 142 Consultations • 1 Conference presentation: Preventing Violence in Health Care: What Do We Know So Far? • 8 Enforcement inspections • 2 Public Relations: cover stories, steps to reduce workplace violence and links • Public Education: 988 students completed the Violence Prevention Program on-line course 	FY2019 there were 1286 workplace violence focused outreach efforts these types, Consultations, Public Education on-line courses and Inspections. <ul style="list-style-type: none"> • 361 Consultations • 897 Public Education • 28 Enforcement inspections
	23. Number of consultations where workplace violence was addressed.	There were 142 consultations where workplace violence was addressed in FY2020.	
NOTE: High hazard industries for safety is defined by list A-G, construction, logging, and all other emphasis programs not already counted. High hazard industries for health is defined by list A, construction, logging, and all other emphasis programs not already counted. NOTE: The total number of consultations include: safety, health, ergonomics and process safety management consultations.			

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Primary Outcomes Measures	24. Percent change in DART rate (reported annually).	<p>DART rate history</p> <p>(private/private & public) percent change</p> <p>CY2019: 2.3/2.3.....(4.5%)</p> <p>CY2018: 2.2/2.2.....(0.0%)</p> <p>CY2017: 2.2/2.2 (-4.3%)</p> <p>CY2016: 2.4/2.3 (9.5%)</p> <p>CY2015: 2.1/2.1 (-8.7%)</p> <p>CY2014: 2.2/2.3 (4.5%)</p> <p>CY2013: 2.2/2.2 (0.0%)</p> <p>CY2012: 2.2/2.2 (4.8%)</p> <p>CY2011: 2.1/2.1 (-4.5%)</p> <p>CY2010: 2.2/2.2 (-4.3%)</p> <p>CY2009: 2.3/2.3 (-8.0%)</p> <p>CY2008: 2.5/2.5 (-10.7%)</p> <p>CY2007: 2.8/2.8 (0.0%)</p> <p>CY2006: 2.8/2.8 (-3.4%)</p> <p>CY2005: 2.9/2.9 (-3.3%)</p> <p>CY2004: 3.1/3.0 (3.4%)</p> <p>CY2003: 3.1/2.9 (-6.5%)</p>	CY2019: This reflects a 20.69% reduction in the public/private rate since CY2003.
	25. Percent change in the statewide total case incidence rate, TCIR (reported annually.)	<p>TCIR rate history</p> <p>(private/private & public) percent change</p> <p>CY2019: 3.9/3.9 (5.4)</p> <p>CY2018: 3.6/3.7 (-2.6)</p> <p>CY2017: 3.8/3.8.....(-5.0)</p> <p>CY2016: 4.0/4.0 (5.3)</p> <p>CY2015: 3.7/3.8 (-5.0)</p> <p>CY2014: 3.9/4.0 (-2.4)</p> <p>CY2013: 4.1/4.1 (2.5%)</p> <p>CY2012: 3.9/4.0 (2.6%)</p> <p>CY2011: 3.8/3.9 (-2.5%)</p> <p>CY2010: 3.9/4.0 (-11.1%)</p> <p>CY2009: 4.43/4.5 (-4.3%)</p> <p>CY2008: 4.6/4.7 (-9.6%)</p> <p>CY2007: 5.1/5.2 (0.0%)</p> <p>CY2006: 5.3/5.2 (-3.7%)</p> <p>CY2005: 5.4/5.4 (-6.9%)</p> <p>CY2004: 5.8/5.8 (3.6%)</p> <p>CY2003: 5.6/5.69 (n/a%)</p>	CY2019: This reflects a 30.36% reduction in the private & public rate since CY2003.

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	Comments:	Enforcement Statistics are from IMD reports, effective FY11. Reporting before FY11 used NCR local reports.	CY2019 DART and TCIR rates were updated in November 2020 by the Bureau of Labor and Statistics.
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Performance Goal (2)-1: Health Hazards

FY2016 Performance Goal (2)-1

Increase the number of severe chemical hazards identified (and therefore corrected) to at least 817 by the end of 2020.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Severe chemical hazard is defined to mean any chemical that produces a chronic disease outcome.	The count of serious violations, totaled annually, will be averaged over a 5-year period (federal fiscal year) to establish the base indicator. The indicator will be a 5-year rolling average moving forward. The 5-year rolling average will be reported annually.	The base indicator is the FY2014, 5-year rolling average of 743.
Primary Outcomes Measures	2. An increase in the identification and correction of serious hazards, for a 5-year total of at least 817.	The FY2020 5-year rolling average is 771, which is 3.8%% (771/743) above the base indicator.	The FY2019, 5-year rolling average is 828, which is 11.4% (828/743) above the base indicator. COVID-19 pandemic severely impacted field inspection activities from mid-March 2020 through the remainder of the year.

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Performance Goal (1, 2, 3)-4: Emphasis

FY2016 Performance Goal (1, 2, 3)-4

Implement all state local emphasis programs and appropriate national emphasis programs.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of Trenching inspections and consultations in emphasis programs.	There were 86 Trenching inspections and consultations. 28 inspections, 58 consultations	
	2. Total number of Falls In Construction inspections and consultations in emphasis programs.	There were 662 Falls In Construction inspections and consultations. 301 inspections, 361 consultations	
	3. Total number of Struck-By in Logging inspections and consultations in emphasis programs.	There were 44 Struck-By In Logging inspections and consultations. 33 inspections, 11 consultations	
	4. Total number of Agricultural Labor Housing inspections and consultations in emphasis programs.	There were 52 Agricultural Labor Housing inspections and consultations. 7 inspections, 45 consultations	Consultation comment: Agricultural Labor consultation activities based on site visits as it is not listed as an emphasis program.
	5. Total number of Field Sanitation inspections and consultations in emphasis programs.	There were 68 Field Sanitation inspections and consultations. 26 inspections, 42 consultations	
	6. Total number of Pesticide inspections and consultations in emphasis programs.	There were 83 Pesticide inspections and consultations. 22 inspections, 61 consultations	
	7. Total number of Lead inspections and consultations in emphasis programs.	There were 91 Lead inspections and consultations. 43 inspections, 48 consultations	

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8. Total number of Silica inspections and consultations in emphasis programs.	There were 149 Silica inspections and. 20 inspections, 129 consultations	In March 2016 Federal OSHA canceled OSHA Instruction CPL 03-00-007, National Emphasis Program – Crystalline Silica (Silica NEP), dated January 24, 2008. See II Progress Toward Strategic Plan Accomplishment: Emphasis Performance Goal for additional details.
9. Total number of Diisocyanate inspections and consultations in emphasis programs.	There were 45 Diisocyanate inspections and consultations. 28 inspections, 17 consultations	10/1/16 Federal OSHA canceled their NEP-Isocyanate Program. Oregon OSHA revised the program directive A-256 from a NEP to a LEP on Occupational Exposures to Isocyanates
10. Total number of Process Safety Management	There were 5 Process Safety Management inspections and consultations. 1 inspections, 4 consultations	Consultation activities include a count of all employers where PSM was addressed regardless of reportable quantities.
11. Total number of Combustible Dust inspections and consultations in emphasis programs.	There were 47 Combustible Dust inspections and consultations. 5 inspections, 42 consultations	
12. Total number of Hexavalent Chromium inspections and consultations in emphasis programs.	There were 36 Hexavalent Chromium inspections and consultations. 9 inspections, 27 consultations	
13. Total number of Amputation inspections and consultations in emphasis programs.	There were 239 Amputation inspections and consultations. 23 inspections, 216 consultations	
14. Total number of Nursing and Residential Care Facilities inspections and consultations in emphasis programs.	There were 70 Nursing and Residential Care Facilities inspections and consultations. 43 inspections, 27 consultations	
15. Total number of Diacetyl inspections and consultations in emphasis programs.	There were 0 Diacetyl inspections and consultations. 0 inspections, 0 consultations	
16. Total number of Severe Violator Enforcement Program inspections and consultations in emphasis programs.	There were 2 Severe Violator Enforcement Program inspections and consultations. 2 inspections, 0 consultations	

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	17. Total number of Tethered Logging inspections and consultations in emphasis programs.	There were 0 Tethered Logging inspections and consultations. 0 inspections, 0 consultations	
	18. Preventing Heat Related Illness inspections and consultations in emphasis programs.	There were 451 Preventing Heat Related Illness inspections and consultations. 205 inspections, 246 consultations	
	19. COVID inspections and consultations in emphasis programs.	There were 98 COVID emphasis program inspections and consultations. 4 inspections and 94 consultations (LEP for COVID in Food Processing, FPCOVID)	On 6/26/20, Oregon OSHA adopted the new program directive A-301 LEP: Guidelines for Scheduling and Conducting COVID-19 Related Inspections of Food Processing. <i>#See the narrative for details.</i>
Primary Outcome	20. Percent of all safety and health inspections conducted in local and national emphasis programs.	In FY2020, 40% (800/2010) of all safety and health inspections and conducted in local and national emphasis programs. 45% (666/1476) of all <u>safety</u> inspections were conducted in local and national emphasis programs. 25% (134/534) of all <i>health</i> inspections were conducted in local and national emphasis programs.	In FY2019, 51% (1728/3379) of all safety and health inspections conducted in local and national emphasis programs. 48% (1240/2570) of all <u>safety</u> inspections were conducted in local and national emphasis programs. 60% (488/809) of all <i>health</i> inspections were conducted in local and national emphasis programs. •
	21. Percent of all consultation conducted in local and national emphasis programs.	In FY2020, 75.4% (1428/1893) of all consultations were conducted in local and national emphasis programs.	• One or more emphasis program or optional code may apply to an individual consultation.
	Comments:	Enforcement Statistics are from IMD reports, effective FY11. Reporting before FY11 used NCR local reports. These totals may exceed total emphasis inspections /consultations due to multiple emphasis areas being addressed in an inspection / consultation.	• Consultation activities include a count of all employers where an emphasis program issue was addressed regardless of whether the employer was subject to the emphasis program or not.

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Performance Goal 3-1 : Fatalities			
FY2016 Performance Goal 3-1			
Reduce the most recent 3-year average rate of workplace fatalities from 1.78 per 100,000 to 1.4 per 100,000 by 2020 through inspections and interventions.			
Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of inspections.	There were 2010 enforcement inspections in FY2020 and this fell short of the FY2020 goal of 4300 by 53.2%.	There were 3379 enforcement inspections in FY2019 and this fell short of the FY2019 goal of 4300 by 21.4%. There were 3294 enforcement inspections in FY2018 and this fell short of the FY2018 goal of 4300 by 23.3%. There were 3789 enforcement inspections in FY2017 and this fell short of the FY2017 goal of 4300 by 11.9%. There were 3948 enforcement inspections in FY2016 and this fell short of the FY2016 goal of 4300 by 8.2%. There were 4186 enforcement inspections in FY2015 and this fell short of the FY2015 goal of 4300 by 2.7%. There were 4243 enforcement inspections in FY2014 and this fell short of the FY2014 goal of 4300 by 1.3%. In FY2013 there were 4190 enforcement inspections. There were 4050 enforcement inspections in FY2012. There were 4588 enforcement inspections in FY2011. There were 5261 enforcement inspections in FY2010.
	2. Total number of <u>consultations</u> .	There were 1893 consultations in FY2020.	The total number of consultations include: safety, ergonomics and process safety management consultations.

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	<p>Comprehensive Consultations-Safety and Health-with identified and corrected hazards-Pilot Project</p> <p>3. Oregon OSHA will develop, implement and evaluate a pilot project that will allow for voluntary abatement of serious hazards identified by state funded consultative staff in exchange for one year deferral from scheduled enforcement inspection activities.</p>	In FY2020, Oregon OSHA Consultation continued to market the Pilot Project to Oregon Employers.	Details are in the Fatalities narrative section.
	<p>4. The number of Safety and Health comprehensive consultations with identified and corrected hazards in the Pilot Project.</p>	In FY2020, there were 2 employers with Safety and Health comprehensive consultations with identified and corrected hazards in the Pilot Project.	Details are in the Fatalities narrative section.
Intermediate Outcome Measure	<p>5. The combined average penalty of violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and where the standard was rated and cited as a “death” violation.</p>	In FY2020, there was a combined average penalty of \$1752 for 913 violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and 442 where the standard was rated and cited as a “death” violation. Of these, 232 violations were in both categories.	In FY2019, there was a combined average penalty of \$2515 for 1395 violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and 701 where the standard was rated and cited as a “death” violation. Of these, 324 violations were in both categories.
Primary Outcome Measures	<p>6. Number of compensable fatalities (reported quarterly fiscal year and annual calendar year)</p>	There were 41 accepted compensable fatalities in CY2019.	There were 35 accepted compensable fatalities in CY2018.
	<p>7. Compensable fatality rate (reported annually – calendar year)</p>	The compensable fatality rate report in CY2019 is 2.08.	The compensable fatality rate report in CY2018 is 1.80.

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	<p>7. Compensable fatality rate (reported annually-calendar year).</p>	<p>Breakout of the CY2019, 41 fatalities:</p> <ul style="list-style-type: none"> 12 – Roadway accidents 9 – Fall from height accidents 5 – Struck by object accidents 4 – Caught in or compressed by accidents 4 – Pedestrian accidents 2 – Aircraft accidents 2 – Exposure to harmful substance or environment accidents 1 – Fall on same level accident 1 – Homicide 1 – Non-roadway accident <p>History:</p> <ul style="list-style-type: none"> CY2019 rate: 2.08 (41 fatalities) CY2018 rate: 1.80 (35 fatalities) CY2017 rate: 1.84 (35 fatalities) CY2016 rate: 1.56 (29 fatalities) CY2015 rate: 1.50 (27 fatalities) CY2014 rate: 1.78 (31 fatalities) CY2013 rate: 1.77 (30 fatalities) CY2012 rate: 1.80 (30 fatalities) CY2011 rate: 1.71 (28 fatalities) CY2010 rate: 1.05 (17 fatalities) CY2009 rate: 1.89 (31 fatalities) CY2008 rate: 2.63 (46 fatalities) CY2007 rate: 1.99 (35 fatalities) CY2006 rate: 2.13 (37 fatalities) CY2005 rate: 1.85 (31 fatalities) CY2004 rate: 2.76 (45 fatalities) CY2003 rate: 2.59 (41 fatalities) CY2002 rate: 3.26 (52 fatalities) CY2001 rate: 2.10 (34 fatalities) 	<p>For summary of fatalities reported to Oregon OSHA and their compensability status, please refer to the Charts section.</p> <p>Baseline is 1.78 (CY2012-14)</p> <p>Note that all fatality rates are calculated on a calendar year basis. Rates for earlier years may get updated due to new reported information (either count or employment numbers).</p> <ul style="list-style-type: none"> • The CY2015 rate: 1.50 is the rate for the 1st year of the 5-yr strategic plan FY16-FY20. <p>See FY2014 SOAR, (3-1) 5- Year Performance Goal: Fatality narrative notes.</p> <p>Note: On 6/17/15 the following portion of the Fatalities Performance goal was updated from “8% by CY2012” to “16% by CY2013”</p>
	<p>Comments:</p>	<p>Fatality statistics in #6 and #7 are from IMD/RA reports.</p>	

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Strategic Goal #1, 2, 3

Excellence: Timely Response, Customer Service, Staff Development

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

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Performance Goal (1, 2, 3)-5: Timely Response

FY2016 Performance Goal (1, 2, 3)-5

Investigations/inspections will be initiated timely in 95% of all reported fatalities and hazard complaints; complainant responses will be timely in 90% of all cases; family members will be notified 100% timely, and; discrimination cases will be processed 80% timely.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Document and follow-up on untimely openings of fatality and imminent danger complaint inspections.	<ul style="list-style-type: none"> • There were no untimely openings of fatality inspections and one untimely opening of an imminent danger complaint inspection in FY2020. 	<ul style="list-style-type: none"> • There were no untimely openings of fatality inspections and 1 untimely opening of an imminent danger complaint inspection in FY2019
Primary Outcomes	2. Percent of timely responses. <u>Fatalities:</u> Attempt within 24 hours of notification. (Data reflects Oregon OSHA attempt from time of notification. Note this may not be consistent with OIS data).	<p>FY2020 Oregon OSHA reports: Timely Response to Fatalities: 100% (44 of 44)</p> <p>OSHA official FY20 MAMM reports (34 of 41), 82.9%) inspection/investigations as timely in their FY20 MAMM report, Measure 10. The 34 count results in 7 inspection/investigations that are reported in the SAMM Measure 10 <u>outlier</u> report as untimely and those counted on the SAMM Measure 10 main report. Oregon OSHA has reviewed the following inspection/investigations and consider them timely as explained.</p> <ul style="list-style-type: none"> ➤ 317727721, 202617133: not job-related, Oregon OSHA non-jurisdiction ➤ 317726977, 202617072: Victim passed in hospital 1/25/20, Medical Examiner reported this to Oregon OSHA 1/25. Oregon OSHA delayed opening inspection due to no Employer name or contact information. ➤ 317727408, 202617103: Delay in opening due to initial reporting from media flash alert about on the job death, but did not know name of employer. Local Police conducting homicide investigation. 	<p>FY2019 Response Times: Timely Response to Fatalities: 97.5% (39 of 40) Oregon OSHA has reviewed the following inspection/investigations and consider them timely as explained.</p> <ul style="list-style-type: none"> ➤ 317722596: Oregon law enforcement controlled site and initiated the initial investigation that preceded Oregon OSHA’s inspection. ➤ 317724667 Oregon law enforcement conducting investigation. WCD conducting non-complying employer investigation prior to Oregon OSHA investigation. ➤ 317724736: Originally an accident opened 4 working days after reported. Victim passed away same day as opened. Accident switched to fatality. <p>OSHA reports 34 of 37 Oregon OSHA inspection/investigations as timely on their FY19 MAM report, Measure 10. OSHA’s 37 count excludes the 3 inspection/investigations above from Oregon OSHA’s count of 40.</p>

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	<p><u>Imminent Danger Complaint Inspections:</u> Attempt within 24 hours of notification. (Data reflects Oregon OSHA attempt from time of notification. Note report separately Imminent Danger Referral count, as needed by Fed OSHA.).</p>	<ul style="list-style-type: none"> ➤ 317727681, 202617125: Initially reported as accident, changed to fatality when Employee passed away 2 days after the accident. ➤ 317727798, 202617144: Delay in opening due to investigating employer name and if accident was work related. ➤ 317727858, 202617151: OERS report received after hours Friday, attempted opening Monday, made contact and opened Tuesday. ➤ 317727888, 202617155: Event 8/5/20, victim passed away 9/11/20, and inspection was changed to an investigation. <p>The difference between the Oregon OSHA 44 total fatality inspections/investigations and OSHA 41 count is 317726327/202617042 catastrophic fatality record, and 2 fatality inspection/investigation records not transferred to OSHA before OSHA ran the FY20 EOY SAMM report on 11/9/20.</p> <p>OSHA: OSHA reports a total of 34 Oregon OSHA inspection/investigations on their FY20 MAMM report, SAMM, Measure 10. OSHA’s 34 count excludes 7 subcontractor employer inspection/investigations from Oregon OSHA’s count of 44.</p> <ul style="list-style-type: none"> ➤ 317727744/202617313 ➤ 317727839/202617150 and ➤ 317727841/202617150 ➤ 317727367/202617097 ➤ 317726908/202617062 ➤ 317726725/202617060 ➤ 317726175/202617037 	<p>OSHA’s 34 count results in 3 secondary employer fatality inspection/investigations that are excluded from the Federal OSHA, SAMM report, Measure 10, 37 count. The employer related secondary investigations are 317723967, 317723869, and 317725232</p> <p>FY2019 Timely Response to Complaints: Oregon OSHA Imminent Danger Complaints: 97.9% (47 of 48) 317722528: mis-understanding of required open inspection date.</p> <p>OSHA reports 39 of 45 Oregon OSHA imminent danger complaint inspections as timely on their FY19 MAM report, Measure 3. Oregon OSHA has reviewed the following imminent danger complaint inspections and considers them timely, since inspections were attempted but there was no activity at the site for 317724359, 317725115, 317723154, 317723741, and 317725557. Oregon OSHA agrees that imminent danger complaint inspection 317722528 is untimely.</p> <p>Imminent Danger Referral inspections attempted within 24 hours of notification were: (5 of 5) 100%.</p> <p>Imminent Danger Complaint Inspections: Serious: 97.6% (742 of 760) Other-Than-Serious: 99.5% (405 of 407) Complainants: 94.1% (1052 of 1119)</p> <p>Investigation: Investigations: 96.4% (836 of 867)</p> <p>Family Letter: Investigated: 98.5% (69 of 70) see explanation below. All Family letters sent: 70</p>
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	<p><u>Serious Complaint Inspections</u>: Attempt within 5 working days</p> <p><u>Other-than-Serious Complaint Inspections</u>: Attempt within 30 working days</p> <p><u>Complainant Response</u>: Send letter within 10 working days</p> <p><u>Investigations</u> (phone/fax, letter): Respond within 10 working days</p> <p><u>Family Letter</u>: Send within 10 days of fatality notification</p> <p><u>Alleged Discrimination Complaints</u>: Process through determination level within 90 calendar days</p>	<p>In FY20, Oregon OSHA reported 23 of 24 (96%) Imminent Danger complaints/referrals inspections.</p> <p>Oregon OSHA Timely Response to Complaint Inspections with in 24 hours is (20 of 21)</p> <ul style="list-style-type: none"> ➤ 317726844/209431977: Safety Manager assigned inspection to C.O. late. <p>OSHA reports 22 of 23 Oregon OSHA imminent danger complaint/ referral inspections as timely on their FY20 MAMM report, Measure 3. The Measure 3 outlier reports 1 the untimely 317726844/209431977.</p> <p>Oregon OSHA is unable to identify 1 OTIS complaint/referral inspection record not counted in the FY20 MAMM report, Measure 3, total record count of 23. OTIS count is 24.</p> <p>Imminent Danger <u>Referral</u> inspections attempted within 24 hours of notification were: (3 of 3) 100%.</p> <p>Imminent Danger Complaint Inspections: Serious: 99.7% (349 of 350) Other-Than-Serious: 98.0% (549 of 560) Complainants: 98.3% (4160 of 4234)</p> <p>Investigation: Investigations: 87.0% (10,018 of 11,513)</p> <p>Family Letter: Investigated: 100% (79 of 79) see explanation below. All Family letters sent: 79 Investigations with Untimely letters sent: ➤ 317727644: Many attempts to contact family. No response. ➤ 317727767: Employee passed away 20 days after incident.</p>	<p>Investigations with Untimely letters sent: ➤ 317725398: Media referral, employer did not report the fatality.</p> <p>Discrimination Complaints – In FY2019, 88 out of 108 (81%) of the alleged discrimination complaints were processed within the statutorily required 90 calendar days.</p> <p>FY2019 cumulative: 1st Quarter – 86% 2nd Quarter – 83% 3rd Quarter – 84% 4th Quarter – 81%</p> <p><u>Discrimination Complaints:</u> Oregon OSHA exceeded the FY2019 annual goal of 80% in processing discrimination cases timely.</p> <p>*ORS 654.062(6)(b) Within 90 days after receipt of complaint filed under this subsection, the commission shall notify the complainant of the commissioner’s determination.</p> <p>Reported and investigated natural cause fatalities were previously omitted from quarterly reports. These fatalities are now included in the totals.</p>
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		<p>Discrimination Complaints – In FY2020, 65 out of 86 (76%) of the alleged discrimination complaints were processed within the statutorily required 90 calendar days.</p> <p>FY2020 cumulative: 1st Quarter – 86% 2nd Quarter – 73% 3rd Quarter – 62% 4th Quarter – 76%</p>	
	<p>Comments:</p>	<p><u>Discrimination Complaints:</u> Oregon OSHA fell below the FY2020 annual goal of 80% in processing discrimination cases timely.</p> <p>*ORS 654.062(6)(b) Within 90 days after receipt of complaint filed under this subsection, the commission shall notify the complainant of the commissioner’s determination.</p> <p>Reported and investigated natural cause fatalities were previously omitted from quarterly reports. These fatalities are now included in the totals.</p>	

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Performance Goal (1, 2, 3)-6: Customer Service

FY2016 Performance Goal (1, 2, 3)-6

Achieve and maintain customer satisfaction in the delivery of Oregon OSHA programs and services as evidenced by a survey rating of 90% or above on each program survey.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Analyze stakeholder survey results and take corrective actions as necessary to address results falling below 90%.	In FY2020, all but 1 of the survey results met the 90% minimum benchmark. Please refer to the comment section for additional information.	
Primary Outcome	2. Percent of positive responses on customer surveys in the following areas: <ul style="list-style-type: none"> - Conferences - Public Education - Audio-visual library - Consultation - Enforcement - Appeals - Lab 	FY2020 survey results – percent satisfaction: Conferences: 96% Public Education: 98% AV Library: 96% Consultation: 99% Enforcement: FYTD 2019: 93% Appeals: 80% Lab: Annual FYTD 2020: 94%	FY2019 survey results – percent satisfaction: Conferences: 93% Public Education: 98% AV Library: 92% Consultation: 98% Enforcement: FYTD 2018: 96% Appeals: 88% Lab: Annual FYTD 2019: 89%
Comments:		<p><u>AV Library:</u> Customer service is very important to our division and we will continue to look for ways to better our processes.</p> <p><u>Public Education:</u> Reporting of industry type and size of business are voluntary and will not equal total attendance. Public Education is using the number of small business and high hazard industry participation in <u>online & workshop</u> training sessions as an indicator of <u>all</u> these employees training participation, since this is the only data that is available at this time</p>	<i>Please see the Performance Goal: Customer Service narrative for more details.</i>

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		<u>Appeals</u> : Response rate is approximately 25%. The informal conference responses can be biased based on the outcome of the employer's appeal.	
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Performance Goal (1, 2, 3)-7: Staff Development

FY2016 Performance Goal (1, 2, 3)-7

Ensure 90% of Safety and Health staff receives 48 hours of Safety and Health professional development training over two years.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Classes offered to Safety and Health staff.	<p>During FY2020, the following 352 classes were developed and implemented:</p> <p>Developed and Presented by Oregon OSHA Required Initial Training ALL CANCELLED DUE TO COVID-19</p> <p>Preventing Transmission of Infectious Diseases (6/19) Food Processing (LEP) Guidelines for Scheduling & Conducting COVID-19 Inspections (7/20) Field Activity Safety During COVID-19 (8/6, 7, 18) =3</p> <p>FFY2020 = 57</p> <p>Other Training Offered to Oregon OSHA Staff OH&S – Hearing Conservation: What you should know to be safe and compliant (7/1) OHSU – Building a Culture of Health, Safety, and Well-Being (7/14 - 16) AIChE – Process Safety Boot Camp (7/6) OTI – #2220 Respiratory Protection (8/17 - 21) Virtual UofW DEOHS – Developing Organizational Resilience for a Thriving Workforce (7/7) UofW DEOHS – Boosting Personal Resilience in the Workplace (7/8)</p>	

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		<p>OH&S/Hugh Hoagland – COVID-19 Cloth Face Coverings, Respirators and Worker Protection Related to Arc Flash and Flash Fire (7/16)</p> <p>BLR – Guns at Work: 'Red Flag' Laws, Right to Carry, & Gun Violence Restraining Orders (7/15)</p> <p>CPWR/NIOSH/OSHA (COVID-19 Webinar Series) - Safety in Action: An Example from the Job Site (7/2)</p> <p>OH&S/Camfil APC – Using Surrogate Testing to Evaluate Hazardous Material Containment Systems (7/23)</p> <p>OH&S/Truce Software – Eliminating Mobile Device Distractions In the Workplace (7/8)</p> <p>ACS – Interviewing in a COVID World (7/1)</p> <p>UofW OSHA Ed Center – #521 OSHA Guide to Industrial Hygiene (7/27 – 30)</p> <p>UofW OSHA Ed Center – #3095 Electrical Standards (8/3 – 6)</p> <p>UofW OSHA Ed Center – #2264 Permit Required Confined Space Entry (8/10 – 12)</p> <p>UofW OSHA Ed Center – #2045 Machinery & Machine Guarding Standards (8/24 – 27)</p> <p>UofW OSHA Ed Center – #2015 Hazardous Materials (7/6 – 10)</p> <p>UofW OSHA Ed Center – #2225 Respiratory Protection (7/20-24)</p> <p>UofW OSHA Ed Center – #3015 Excavation, Trenching, & Soil Mechanics (7/27 – 30)</p> <p>UofW OSHA Ed Center – #3115 Fall Protection (7/13 – 16)</p> <p>UofW OSHA Ed Center – #7225 Transitioning to Safer Chemicals (8/20-021)</p> <p>UofW OSHA Ed Center – #7845 Recordkeeping Rule Seminar (7/1)</p> <p>UofW OSHA Ed Center – Developing Organization Resilience for a Thriving Workforce (7/7)</p> <p>UofW OSHA Ed Center – Developing & Boosting Personal Resilience in the Workplace (7/8)</p> <p>UofW OSHA Ed Center – Workplace Hearing Loss Prevention (8/26 – 27)</p>
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		<p>UofW OSHA Ed Center – Silica Protection Training for Roadway Construction (7/13, 28, 9/29)</p> <p>UofW OSHA Ed Center – Workplace Violence Against Healthcare Workers (9/17)</p> <p>AgriSafe – Mental Health in Farm and Ranch Country: How communities can help (7/30)</p> <p>SAIF – Claims Basics (7/28)</p> <p>OTI – 2020 AIHce Interesting OSHA Cases Part I and Part II (recorded)</p> <p>ACS – 2020 Recorded Webinars (Recorded)</p> <p>ACGIH – SARS CoV-2 - Ventilation, Cleaning, Disinfection, & Environmental Testing (7/23)</p> <p>NSC – Charting a New Course: How Shifting Our Approach to Safety Culture Can Help Us Tackle Serious Injuries and Fatalities (7/22)</p> <p>OH&S – The ANSI Z359 Fall Protection Code – The Last 5 Years and More to Come (8/6)</p> <p>AgriSafe – Tractor Safety & Rural Roadway Safety (9/21)</p> <p>AgriSafe – Overall Farmer Health (9/22)</p> <p>AgriSafe – Safety & Health for Youth in Agriculture (9/23)</p> <p>AgriSafe – Emergency Preparedness (9/24)</p> <p>AgriSafe – Safety & Health for Women in Agriculture (9/25)</p> <p>AgriSafe – Ergonomic Safety for Farm Women (8/19)</p> <p>ARTBA & UofW OSHA Ed Center – Silica Protection Training for Construction (July, Aug, Sept)</p> <p>FCW CyberSecurity – FBI Talks Cyber Crime Strategies (8/11)</p> <p>ACGIH – Latest Developments, Emerging Issues, & Impacts in Beryllium Regulations (7/29)</p> <p>Code4 – De-escalation Skills for Covid-19 Challenges from Customers (Open until 7/29)</p> <p>OTI – Electrical Hazards in General Industry (CourseMill anytime!)</p> <p>OTI – Confined Spaces in General Industry (CourseMill anytime!)</p>
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		<p>AgriSafe – Veteran Farmers: Reducing Noise Exposure & Protection Your Health (9/10)</p> <p>OH&S – Effective Safety Leadership: Five Steps to Helping People Change (8/27)</p> <p>OTI – #0158 COVID-19 Interim Enforcement Response Plan (CourseMill anytime!)</p> <p>OTI – #0159 Healthcare Inspections (CourseMill anytime!)</p> <p>ACOEM Virtual Symposium – Working Safely in the COVID-19 Era: Case Studies & Lessons Learned (9/11-13)</p> <p>ACS – How to be a More Inclusive Leader (8/12)</p> <p>AgriSafe & ASSP – The Fight Against COVID-19: Understanding & Addressing Cultural Challenges Among Hispanic Populations (8/12 English 8/20 Spanish)</p> <p>AgriSafe – Planting the Seeds of Tractor & Machinery Safety (9/21)</p> <p>AgriSafe – Lessons Learned in COVID-19 Prevention Efforts Among Ag Workers & Employers (9/22)</p> <p>AgriSafe – Mental Health Innovations in Ag Communities(9/22)</p> <p>AgriSafe – Building a Toolkit for Child Ag Safety & Health (9/23)</p> <p>AgriSafe – Teach Your Way Open Source Ag Health & Safety Curriculum (9/23)</p> <p>AgriSafe – Emergency Planning for Farm Operations (9/24)</p> <p>AgriSafe – Respiratory Protection Issues in Ag (9/24)</p> <p>AgriSafe – Safety in the Field: Addressing Workplace Sexual Harassment for Farm Workers (9/25)</p> <p>AgriSafe – Discovering the Root of Your Back Story: Prevention & Understanding Back Injuries (9/25)</p> <p>OTI – FY 2021 Quarter 1 Open Enrollment for Virtual Classes</p> <p>AgriSafe – The Impact of Climate-Related Hazards on Mental Health (9/17)</p>
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		<p>OH&S/Moldex – Respiratory Protection Program in the Time of COVID-19 (9/10)</p> <p>OH&S/SafetySkills – Effective Safety Leadership: Five Steps to Helping People Change (8/27)</p> <p>UofW DEOHS – Climate Change & Worker Health (9/21)</p> <p>OTI – #1251 Introduction to Health Standards for Industrial Hygienists (Blended Course 9/14-25 - Virtual)</p> <p>OSHA Region VI – Respiratory Protection Program & COVID-19 (video)</p> <p>SAIF – Delivering a Culturally Competent Customer Experience (9/8)</p> <p>ACS – Startups 101: From Lab Scientist to Entrepreneur (recording)</p> <p>ACS – mRNA Technology for Infectious Diseases (recording)</p> <p>ACS – Painting a Brighter Future with Chemistry (recording)</p> <p>e-Hazard – Upcoming Electrical Safety Courses</p> <p>UofW OSHA Ed Center – Workplace Hearing Loss Prevention (8/26 - 27) Virtual</p> <p>OH&S/Nilfisk – Managing Combustible Dust Compliance in Manufacturing (9/16)</p> <p>EHS – Indoor Air Quality & Filtration Options for Manufacturing & Processing (9/15)</p> <p>ACS – How This Coronavirus Is (and Is Not) Different Than Other Coronaviruses (recording)</p> <p>ACS – Understanding the Scientific and Medical Aspects of the Pandemic (recording)</p> <p>ACS – Face Masks: Materials, Disinfection, and Reuse During COVID-19 (recording)</p> <p>ACS – Restarting Academic Research with COVID-19 (recording)</p> <p>OTI – Demolition Overview (Part I & II)</p> <p>ACGIH – COVID-19 Aerosol Exposures in the Workplace Series (9/8 - 10/6)</p> <p>OH&S – Fire Science & Flame-Resistant Fabric Technologies (9/23)</p> <p>NSC – An Awakening: How COVID-19 is Shifting Our Views of Safety Culture & Leadership (9/15)</p>	
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		<p>ACS – The Chemistry of Garlic (9/18) UofW DOEHS – Fire Marshal webinar series: Boot Camp Topic: Chemical Tanks & Pipes (9/17 9am) UofW DOEHS – Fire Marshal webinar series: Special Topic: Dental Gas & Dry Cleaners (9/17 10:10am) OH&S – COVID-19: Practical Information for Utility (Critical Infrastructure) EHS Professionals (9/24) SICK – Updated ANSI B11.19 Standard (9/24) = 90 FFY2020 = 290</p> <p>Out of State Training (Sent to Managers for distribution as appropriate) ALL CANCELLED DUE TO COVID-19 = 0 FFY2020 = 5</p> <p>TOTAL = 93 FFY2020 TOTALS = 352</p>	
Primary Outcome Measure	2. Number of Safety and Health staff members receiving 48 hours of Safety and Health professional development training over two years.	45 out of 122 Safety and Health staff members received 48 hours training during the first year of the two year period FY2020-FY2021.	
	3. Percentage of Safety and Health staff members receiving 48 hours of Safety and Health professional development training over two years.	37% of Safety and Health staff received 48 hours of professional training during the first year of the two year period FY2020-FY2021.	See addition information in the Staff Development narrative section.
	Comments:	The Safety and Health staff’s professional development training data is cumulative. * <i>The number of Active Employees and number of Trained</i> are fluid numbers as they may not include employees that are new hires, promoted, or have resigned, etc.	

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IV. Progress Toward Strategic Plan Accomplishment

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Strategic Goal # (1, 2, 3)-1, -2, -3 Self-Sufficiency, Outreach, Partnerships

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

Goal (1, 2, 3)-1: Recognition Programs or Voluntary Programs or Self-Sufficiency

(1, 2, 3)-1 5-Year Performance Goal: Maintain the number of SHARP and VPP participants and continue to promote employer self-sufficiency through consultations and by encouraging employers to attain VPP and SHARP status. Oregon OSHA will promote SHARP and VPP through consultation, enforcement, technical services, and education.

In FY2020, 2 additional employers received initial SHARP certification, bringing the total number of employers in the program to 211, including 16 active employers, 28 working towards SHARP, and 167 graduates. One employer became inactive/curtailed from the SHARP program. COVID-19 has severely limited our ability to conduct voluntary onsite activities since April, 2020. As a result no new SHARP or VPP onsite activates have occurred since then.

The VPP program added no new employers and recertified 6 existing VPP sites in FY2020. At the end of FY2020, Oregon OSHA had 21 VPP active certified sites. No employer sites left the VPP program during this fiscal year.

The continued success of these programs is somewhat dependent on the economy. We do not anticipate large increases of SHARP and VPP participants during the next 5 years.

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Goal (1, 2, 3)-2: Outreach

(1, 2, 3)-2 5-Year Performance Goal: Educate employers and employees, particularly small employers in high hazard industries and vulnerable or hard-to-reach populations regarding the value of occupational safety and health by providing workshops, conferences, educational venues, training, marketing and other outreach activities.

The public education section launched a new online video training course, “Fall Protection for Roofing,” as the third of five planned online educational offerings created by the division to help address fall hazards across specific industries and different on-the-job situations. The roofing course includes the opportunity to receive a certificate of completion. The fourth course launched was “Fall Protection for Construction,” that was designed to help employers and workers meet the requirements of Oregon OSHA’s. A free Spanish-language online training course, “Fundamentals of Fall Protection,” was launched to help employers and workers fulfill the agency’s requirements to eliminate fall hazards, prevent falls, and ensure that workers who do fall do not die. A Spanish-language online training course was launched to help employers and workers understand and practice ladder safety.

Oregon OSHA launched a training resource as part of PESO, a bilingual program that helps English-speaking employers train and talk about workplace safety and health with Spanish-speaking workers. The “Residential Construction Building Safety” course covers six phases of the residential construction process: site preparation; framing; roofing; exterior finishing; interior finishing; and specialty work. An educational video available in English and Spanish was launched to help employers and workers understand the requirements of a COVID temporary rule that strengthens protections against the spread of the coronavirus in employer-provided housing and labor-intensive farm operations.

Oregon OSHA presented its first Spanish-language conference in Salem, addressing workers and their needs. The public education section created two presentations for the conference and assisted, coordinated, provided translation services at the conference. There were approximately 180 attendees at the conference.

Oregon OSHA has had a long history of partnering with labor, business, and associations to coordinate occupational safety and health conferences throughout the state. These one day and multi-day conferences offer concurrent educational sessions and workshops designed for a region’s industries and some focus on specific industries, such as the Mid-Oregon Construction Safety Summit and the Western Pulp, Paper, and Forest Products Safety & Health Conference that were held this year along with the Southern Oregon Occupational Safety Health, and Cascade Occupational Safety and Health conferences. The Northwest Safety & Health Summit, Blue Mountain Occupational Safety & Health conference, and Central Oregon Occupational Safety and Health conference were canceled due to the pandemic.

The Resource Center lends programs both in English and Spanish on DVD and in streaming video to accommodate small employers using various levels of technology. There are now just under 400 programs available in DVD and 24 streaming video formats, 12 English and 12 Spanish. We will continue to provide the best resources to Oregon employers and employees in 2021.

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Oregon OSHA initiated 310 focused outreach activities with high hazard industries and vulnerable and hard-to-reach workers. We issued 47 news releases to the public, published 6 newsletters, 18 Oregon OSHA Facebook campaigns, live video segments, and posts that reached thousands of workers and employers.

Goal (1, 2, 3)-3: Partnerships

(1, 2, 3)-3 5-Year Performance Goal: Promote occupational safety and health by maintaining and enhancing the effectiveness of existing partnerships and establishing new partnerships as opportunities present themselves, each with specific safety and/or health awareness improvement objectives. Use existing partnerships to advise Oregon OSHA management on where more specific focus would be fruitful.

Oregon OSHA continued to form collaborative relationships with industry groups in targeted industry sectors as well as making full use of advisory stakeholder groups to assist in rulemaking. Many of the partnerships have produced tangible and well-received products and developed strong working relationships with employers.

At the end of FY2020, Oregon OSHA had 41 active stakeholder collaborations and partnerships and 6 current Alliances. Twenty four partnerships were in targeted industry sectors, agriculture, construction, logging or health care. Oregon OSHA continues to have large participation from stakeholders and community participants in the areas of construction and agriculture. Oregon OSHA has a long history of working collaboratively with stakeholders and developing partnerships for all of our work.

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Strategic Goal # (1, 2)

Workplace Safety and Health, Health Hazards

Strategic Goals #(1, 2, 3)

Emphasis

Strategic Goal #(3)

Fatalities

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

(1, 2)-1 5-Year Performance Goal: Safety and Health Hazards

Reduce injuries and illnesses by reducing the DART rate from 2.2 to 2.0 (or less) per 100 workers and total case incidence rate TCIR from 4.1 to 3.7 (or less) per 100 workers by the end of year 2020 by focusing on targeted high hazard industries and safety and health hazards.

The DART rate for CY2019, the most recent year available, was 2.3 for the private sector and all industries, a slight up tick from CY2018 of 2.2. The TCIR rate for CY2019, the most recent year available was 3.9 for the private sector and all industries, a slight up tick from CY2018 of 3.6 for the private sector and 3.7 for all industries. The data shows that the TCIR rate has been slowly decreasing each year from 5.6 in CY2003, to 3.9 in CY2011, 3.8 in CY2015, and decreased again to 3.7 in CY2018, in all industries.

In FY2020, Oregon OSHA continued its focus on inspections in high hazard industries. Oregon OSHA exceeded the goal of 75% of safety inspections in high hazard industries. Safety enforcement completed 1,476 inspections. There were 1,187 (80%) safety inspections in high hazard industries.

In FY2020, health enforcement completed 534 inspections. Oregon OSHA was slightly below the goal of 60% of health inspections in high hazard industries. There were 301 (53%) health inspections conducted in high hazard industries.

In FY2020, consultation completed 975 high hazard consultation (51.5%) out of 1,893 consultations to exceed the goal of 50%.

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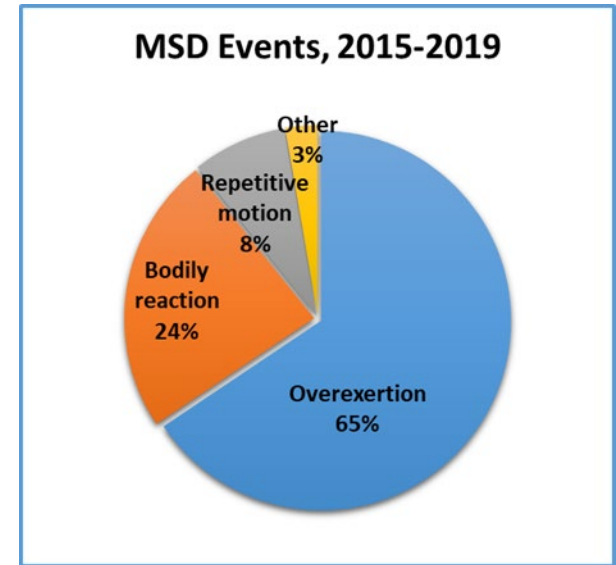
Ergonomics:

Workers' Compensation Claims data and Accepted Disabling Claims data between 2015 and 2019 have remained relatively stable. Events involving overexertion comprised over half of all ADC's from 2015-2019 (65%). These are events involving exertion against an outside object, such as lifting a box, pushing a cart, or pulling on a rope. Bodily reaction came in second, accounting for nearly a fourth (24%).

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Oregon accepted disabling workers' compensation MSD claims by industry and event, for calendar years 2015-2019										
Industry (NAICS)	All Events	Event								
		Overexertion		Bodily reaction		Repetitive motion		Other		
		Total	%	Total	%	Total	%	Total	%	
Total	41,040	26,922	100	9,709	100	3,288	100	1,121	100	
11 Agriculture, forestry, fishing	1,413	900	3.3	370	3.8	98	3.0	45	4.0	
21 Mining	35	21	0.1	9	0.1	3	0.1	2	0.2	
22 Utilities	296	168	0.6	90	0.9	30	0.9	8	0.7	
23 Construction	3,088	1,914	7.1	884	9.1	207	6.3	83	7.4	
31-33 Manufacturing	5,509	3,368	12.5	1,131	11.6	849	25.8	161	14.4	
42 Wholesale trade	2,254	1,575	5.9	471	4.9	156	4.7	52	4.6	
44-45 Retail trade	5,874	3,886	14.4	1,302	13.4	516	15.7	170	15.2	
48-49 Transportation and warehousing	4,410	2,932	10.9	1,116	11.5	201	6.1	161	14.4	
51 Information	420	195	0.7	165	1.7	48	1.5	12	1.1	
52 Finance and insurance	132	54	0.2	35	0.4	41	1.2	2	0.2	
53 Real estate, rental, leasing	519	348	1.3	130	1.3	25	0.8	16	1.4	
54 Professional and technical services	449	245	0.9	120	1.2	68	2.1	16	1.4	
55 Management of companies	68	39	0.1	16	0.2	13	0.4	-	-	
56 Administrative and waste services	2,714	1,849	6.9	584	6.0	192	5.8	89	7.9	
61 Educational services	1,303	772	2.9	422	4.3	84	2.6	25	2.2	
62 Health care and social assistance	7,474	5,708	21.2	1,283	13.2	347	10.6	136	12.1	
71 Arts, entertainment, recreation	342	162	0.6	156	1.6	17	0.5	7	0.6	
72 Accommodation and food services	2,004	1,249	4.6	519	5.3	185	5.6	51	4.5	
81 Other services	965	585	2.2	254	2.6	105	3.2	21	1.9	
92-93 Public admin	1,684	893	3.3	638	6.6	94	2.9	59	5.3	
99 Industry unknown	87	59	0.2	14	0.1	9	0.3	5	0.4	



* Accepted disabling claims are occupational injuries or illness claims, accepted by insurers, that entitle workers to compensation for disability or death.

* Industry is classified according to the North American Classification System (NAICS).

* Data are based on the date the department received notification that the disabling claim was accepted, which may be different than the date of injury or illness.

* Source data are continually updated to be as accurate as possible.

* Musculoskeletal disorders (MSDs) are cases resulting from overexertion, bodily motion, or vibration that result in at least one of the following conditions: pinched nerve; herniated disc; meniscus tear; sprains, strains, tears; hernias; pain, swelling, and numbness; carpal or tarsal tunnel syndrome; Raynaud's syndrome or musculoskeletal system and connective tissue disorders.

* Oregon Department of Consumer and Business Services, Central Services Division, Information Technology and Research, 10/17/20.

There were 8,823 accepted disabling claims (ADC's) for musculoskeletal disorders (MSD's) in 2019. Four different industries accounted for over half of those claims. Health Care and Social Assistance (18%), Manufacturing and Transportation & Warehousing (both 13%), and Retail Trade (15%).

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Accepted disabling claims for Musculoskeletal disorders (MSD) and workers' compensation (WC) covered employment by industry (NAICS), Oregon CY 2015-2019

Industry (NAICS)	Acceptance year																			
	2015				2016				2017				2018				2019			
	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²
All MSD Claims	8,169.0	100.0	1,796.4	0.5	8,312.0	100.0	1,855.6	0.4	7,720.0	100.0	1,899.4	0.4	8,006.0	100.0	1,936.6	0.4	8,823.0	100.0	1,972.5	0.4
11 Agriculture, forestry, fishing	339.0	4.1	62.1	0.5	295.0	3.5	68.3	0.4	278.0	3.6	70.1	0.4	238.0	3.0	71.0	0.3	256.0	2.9	77.8	0.3
21 Mining	6.0	0.1	1.7	0.4	11.0	0.1	1.7	0.6	8.0	0.1	1.8	0.4	6.0	0.1	1.9	0.3	4.0	0.0	1.8	0.2
22 Utilities	67.0	0.8	4.5	1.5	68.0	0.8	4.6	1.5	52.0	0.7	4.7	1.1	61.0	0.8	4.8	1.3	48.0	0.5	4.9	1.0
23 Construction	632.0	7.7	83.3	0.8	645.0	7.8	90.4	0.7	589.0	7.6	97.9	0.6	570.0	7.1	105.2	0.5	652.0	7.4	108.9	0.6
31-33 Manufacturing	1,081.0	13.2	186.2	0.6	1,140.0	13.7	188.1	0.6	1,022.0	13.2	190.0	0.5	1,082.0	13.5	195.0	0.6	1,185.0	13.4	197.7	0.6
42 Wholesale trade	453.0	5.5	74.0	0.6	461.0	5.5	75.5	0.6	442.0	5.7	75.0	0.6	410.0	5.1	75.5	0.5	484.0	5.5	76.5	0.6
44-45 Retail trade	1,068.0	13.1	202.4	0.5	1,176.0	14.1	206.9	0.6	1,182.0	15.3	210.9	0.6	1,138.0	14.2	211.6	0.5	1,317.0	14.9	209.8	0.6
48-49 Transportation and warehousing	771.0	9.4	51.3	1.5	843.0	10.1	53.5	1.6	772.0	10.0	55.5	1.4	913.0	11.4	57.8	1.6	1,110.0	12.6	62.4	1.8
51 Information	88.0	1.1	32.9	0.3	82.0	1.0	33.6	0.2	93.0	1.2	34.2	0.3	74.0	0.9	34.2	0.2	83.0	0.9	35.1	0.2
52 Finance and insurance	29.0	0.4	56.2	0.1	26.0	0.3	56.5	0.0	27.0	0.3	57.7	0.0	21.0	0.3	57.5	0.0	29.0	0.3	56.8	0.1
53 Real estate, rental, leasing	89.0	1.1	38.6	0.2	99.0	1.2	40.3	0.2	104.0	1.3	42.3	0.2	110.0	1.4	44.6	0.2	119.0	1.3	46.5	0.3
54 Professional and technical services	94.0	1.2	87.9	0.1	92.0	1.1	92.3	0.1	91.0	1.2	95.7	0.1	85.0	1.1	97.6	0.1	88.0	1.0	100.3	0.1
55 Management of companies	22.0	0.3	43.1	0.1	12.0	0.1	45.5	0.0	9.0	0.1	47.3	0.0	12.0	0.1	48.5	0.0	8.0	0.1	50.5	0.0
56 Administrative and waste services	564.0	6.9	98.3	0.6	517.0	6.2	100.6	0.5	493.0	6.4	101.7	0.5	570.0	7.1	103.3	0.6	569.0	6.4	102.8	0.6
61 Educational services	284.0	3.5	35.3	0.8	303.0	3.6	35.7	0.8	213.0	2.8	36.0	0.6	244.0	3.0	36.4	0.7	258.0	2.9	36.3	0.7
62 Health care and social assistance	1,554.0	19.0	222.5	0.7	1,541.0	18.5	229.5	0.7	1,321.0	17.1	236.8	0.6	1,473.0	18.4	258.9	0.6	1,582.0	17.9	264.6	0.6
71 Arts, entertainment, recreation	59.0	0.7	23.9	0.2	77.0	0.9	25.7	0.3	64.0	0.8	26.8	0.2	60.0	0.7	27.5	0.2	81.0	0.9	27.9	0.3
72 Accommodation and food services	396.0	4.8	167.7	0.2	393.0	4.7	174.2	0.2	423.0	5.5	179.6	0.2	401.0	5.0	183.6	0.2	388.0	4.4	186.0	0.2
81 Other services	209.0	2.6	60.9	0.3	179.0	2.2	63.9	0.3	189.0	2.4	63.5	0.3	179.0	2.2	64.4	0.3	209.0	2.4	65.0	0.3
92-93 Public administration	356.0	4.4	263.6	0.1	350.0	4.2	268.8	0.1	329.0	4.3	272.0	0.1	322.0	4.0	257.3	0.1	328.0	3.7	260.8	0.1
99 Industry unknown	8.0	0.1	0.0	0.0	2.0	0.0	0.0	0.0	19.0	0.2	0.0	0.0	37.0	0.5	0.0	0.0	25.0	0.3	0.0	0.0

¹ Employment counts are in thousands

² MSD rates are per 100 workers.

- ❖ Accepted disabling claims are occupational injuries or illness claims, accepted by insurers, that entitle workers to compensation for disability or death.
- ❖ Industry is classified according to the North American Classification System (NAICS).
- ❖ Data are based on the date the department received notification that the disabling claim was accepted, which may be different than the date of injury or illness.
- ❖ Source data are continually updated to be as accurate as possible and may vary slightly from other report counts.
- ❖ Musculoskeletal disorders (MSDs) are cases resulting from overexertion, bodily motion, or vibration that result in at least one of the following conditions: pinched nerve; herniated disc; meniscus tear; sprains, strains, tears; hernias; pain, swelling, and numbness; carpal or tarsal tunnel syndrome; Raynaud's syndrome or musculoskeletal system and connective tissue disorders. (Oregon Department of Consumer and Business Services, Central Services Division, Information Technology and Research, 10/15/20.)

Oregon OSHA performs ergonomic consultations for employers to help them evaluate the work environment and develop ways to reduce common musculoskeletal type disorders such as overexertion injuries resulting in carpal tunnel syndrome and strains. In FY2020, the total number of safety

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and health ergonomics consultations in industries with high MSD rates Health Care and Social Assistance, Manufacturing, Retail Trade, and Transportation and Warehousing were 63 percent, 38 out of 60. MSD ergonomics consultations in FY2020 were significantly reduced due to the pandemic.

In CY2019, 43 percent, 978 of 2277 of all consultations were conducted in industries with high MSD claims, Health Care and Social Assistance, Manufacturing, Retail Trade, and Transportation and Warehousing.

In FY2020, 40 percent, 800 of 2010 inspections were conducted in local and national emphasis programs.

In CY2019, 37 percent, 1253 of 3359 inspections were conducted in industries with high MSD claims, Health Care and Social Assistance, Manufacturing, Retail Trade, and Transportation and Warehousing.

Ergonomic consultations, opened FFY 2017-2020 by NAICS and intake date, Oregon OSHA					
NAICS	Federal fiscal year				4 year total
	2017	2018	2019	2020	
Manufacturing (31-33)	37	29	37	17	120
Retail trade (44-45)	7	5	6	4	22
Transportation (48-49)	5	1	2	2	10
Health care and social assistance (62)	24	24	40	15	103
All other industries	45	49	32	22	148
Total consultations	118	108	117	60	403
Includes all consultations where the discipline is ergonomic Source: Ed Vawter Information Technology and Research, Central Services Division, October 2020					

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Consultations opened CY 2016-2019 by NAICS and intake date, Oregon OSHA					
PPB NAICS	Calendar year				4 year total
	2016	2017	2018	2019	
Manufacturing (31-33)	610	513	471	564	1,714
Retail trade (44-45)	132	84	118	157	460
Transportation (48-49)	66	46	64	49	176
Health care and social assistance (62)	255	176	213	208	680
All other industries	1,453	1,514	1,477	1,299	4,862
Total consultations	2,516	2,333	2,343	2,277	7,892
Source: Ed Vawter, Information Technology and Research, Central Services Division, October 2020					

Inspections opened CY 2016-2020 by NAICS and open date, Oregon OSHA					
Inspected NAICS	Calendar year				4 year total
	2016	2017	2018	2019	
Manufacturing (31-33)	662	550	544	548	1,810
Retail trade (44-45)	306	267	224	220	817
Transportation (48-49)	146	142	163	135	488
Health care and social assistance (62)	402	352	294	350	1,072
All other industries	2,515	2,180	2,223	2,106	7,343
Total inspections	4,031	3,491	3,448	3,359	11,530
Source: Ed Vawter, Information Technology and Research, Central Services Division, October 2020					

The two charts above include open Consultation and Inspections that are now closed. _____

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(2)-1 5-Year Performance Goal: Health Hazards

Increase the number of severe chemical hazards identified (and therefore corrected) to at least 817 by the end of 2020.

For FY2013, a new measure focusing on severe chemical hazards was developed. This measure is intended to describe meaningful progress in reducing occupational illnesses and diseases by identifying and correcting chemical hazards, rated as serious violations, which contribute to chronic disease outcomes. The count of serious violations, totaled annually, will be averaged over a 5-year period (federal fiscal year) to establish the base indicator. The indicator will be a 5-year rolling average moving forward. This will be reported annually:

- The 5-year rolling average for FY2020 is 771, 3.8% above base indicator
- The 5-year rolling average for FY2019 is 828, 11.4% above base indicator
- The 5-year rolling average for FY2018 is 801. 7.8% above base indicator.
- The 5-year rolling average for FY2017 is 799. 7.5% above base indicator
- The 5-year rolling average for FY2016 is 793. 6.7% above base indicator.
- The base indicator for FY 2015, 5-year rolling average is 743.

*NOTE: COVID-19 pandemic severely impacted field inspection activities from mid-March 2020 through the remainder of the year.

(1, 2, 3)-4 5-Year Performance Goal: Emphasis

Implement all state local emphasis programs and appropriate national emphasis programs.

In this fiscal year, 662 falls in construction, 451 preventing heat related illness, and 239 amputations accounted for 61% (1352 of 2228) of the total emphasis consultations and enforcement inspections and 37% (1352 of 3903) of all consultations and enforcement inspections.

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(3-1) 5-Year Performance Goal: Fatalities

Reduce the most recent 3-year average rate of workplace fatalities from 1.78 per 100,000 to 1.4 per 100,000 by 2020 through inspections and interventions.

In FY 2020 there were 2010 enforcement inspections and 1893 consultations.

The compensable fatality count for CY2019 is 41. The lowest accepted compensable fatalities was 17 in CY2010.

The CY2019 compensable fatality rate of 2.08 compared to the baseline rate of 1.78 (CY2012-2014, 3 year average rate). The fatality rates for the past years are CY2018 (1.80), CY2017 (1.84), CY2016 (1.56), CY2015 (1.50), CY2014 (1.78), CY2013 (1.77), CY2012 (1.80), CY2011 (1.71), CY2010 (1.05), CY2009 (1.89), CY2008 (2.63), CY2007 (1.99), and CY2006 (2.13). The 3 year average fatality rate reduction from CY2017 - CY2019 of 1.91 compared to the baseline rate of 1.78 is 7%.

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Strategic Goal #1, 2, 3

Excellence: Timely Response, Customer Service, Staff Development

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

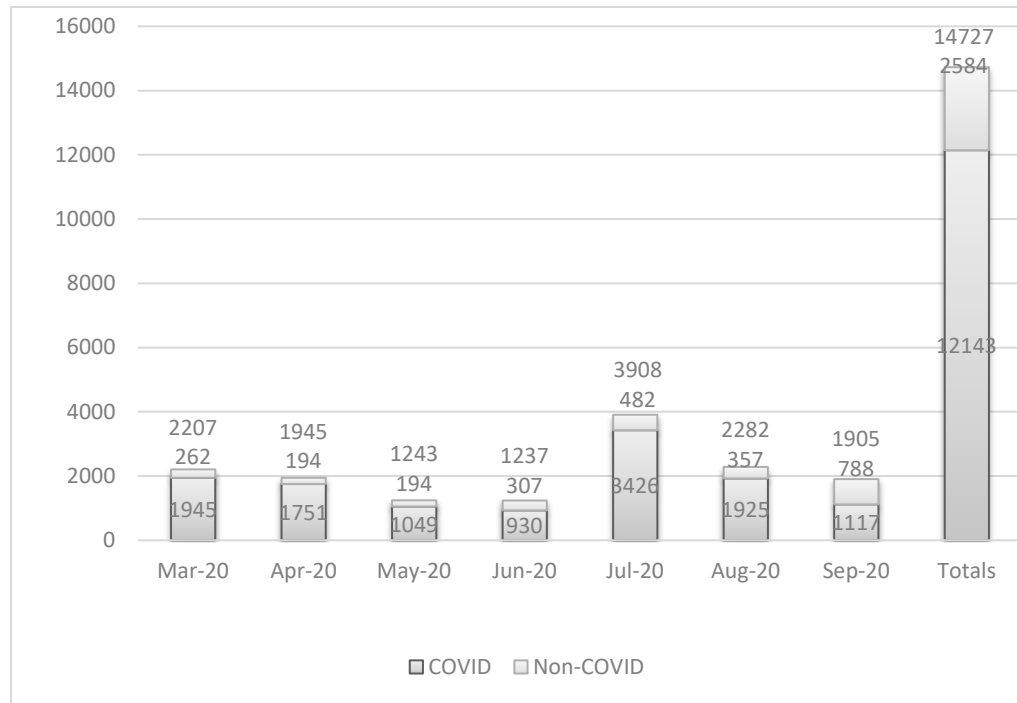
(1, 2, 3)-5 5-Year Performance Goal: Timely Response

Investigations/inspections will be initiated timely in 95% of all reported fatalities and hazard complaints; complainant responses will be timely in 90% of all cases; family members will be notified 100% timely, and discrimination cases will be processed 80% timely.

Timely response to imminent danger complaints, referrals, and complainant response goals were met. Significant COVID-19 complaint volume has been a challenge for field staff and offices.

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Timely response to fatalities were 100% (44 of 44).

The yearly family member notification was 100 percent timely. Seventy nine family letters out of 79 were sent out timely.

Oregon OSHA, through an interagency agreement with the Bureau of Labor and Industry (BOLI) processed 86 discrimination cases during FFY 2020. Of the 86 cases, 65 cases were timely or 76%, which fell below the annual goal of 80%. Twelve of the cases were merit cases and 8 cases were withdrawn.

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(1, 2, 3)-6 5-Year Performance Goal: Customer Service

Achieve and maintain customer satisfaction in the delivery of Oregon OSHA programs and services as evidenced by a survey rating of 90% or above on each program survey.

Six of the seven different program areas in Oregon OSHA administered individual customer satisfaction surveys resulted in ratings of 90% or better.

The Appeal customer service satisfaction survey was 80%. The survey response was approximately 25%.

This year's lab survey was 93.8%, up from 88.9% in FY2019. The survey assesses industrial hygiene staff satisfaction with the internal lab website, timely provision of sample media, chemists' technical support and expertise, sampling and analytics, sample results, and field equipment.

Based on concerns brought forth from the Oregon OSHA Laboratory's annual customer service survey, the manager/staff plans to:

- (a) continue to focus to improve turn around time of equipment submitted for calibration check and/or service,
- (b) conduct regular review of inventory in each field office to assess equipment deficiencies, and
- (c) visit each field office to address field equipment needs.
- (d) have the chemist lab technician spend one day a week assisting with field equipment service.

(1, 2, 3)-7 5-Year Performance Goal: Staff Development

Ensure ninety percent of safety and health staff receives 48 hours of Safety and Health professional development training over a two years.

During FY2020, 37 percent of the Oregon OSHA "safety and health" staff completed their professional development training during the first year of the two year cycle FY2020 through FY2021.

It should be noted that Oregon OSHA has adopted a two-year cycle to include an all-staff training symposium that occurs in each even fiscal year. The first two-year cycle included fiscal years 2014 and 2015.

In addition, webinars and outside classes continue to be offered. In this fiscal year staff were able to choose training that was offered to them from a list of 352 options.

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V. Special Accomplishments

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Alliance activity:

Oregon OSHA renewed its alliance with the **Oregon Home Builders Association (OHBA)** on June 7, 2018. Their primary goal is to increase awareness of fall and motor vehicle safety hazards and, ultimately, to reduce accidents and fatalities in residential construction. In order to continue to keep these Alliances up to date, Oregon OSHA staff meets with OHBA Safety Consultants quarterly to go over the Alliance, share information and work together to achieve outreach communications goals. OHBA continues to provide best practices to their members in the field of construction, especially to the small business owners. OHBA is incorporating health and wellness into their newsletters and working with local insurers to promote wellness.

Oregon OSHA renewed its alliance with the **Oregon Coalition for Healthcare Ergonomics (OCHE)** on August 13, 2013. In order to continue to keep these Alliances up to date, Oregon OSHA staff meets with OCHE Co-Chairs quarterly to go over the Alliance and share information. OCHE continues to provide best practices for the field of Safe Patient Handling and Mobility. OCHE is providing a comprehensive tool box titled: Workplace Violence Prevention: Implementing Strategies for Safer Healthcare Organizations. It shows health care organizations how to access risks, review best practices, collect baseline incident/injury and cost data related to workplace violence and identify hazards and risks that need to be addressed. The focus is on violence perpetrated by patients against workers. The Joint Commission, one of the national accrediting bodies for hospitals, highlighted the toolkit on its website as a recommended source.

Oregon OSHA and the **Oregon Restaurant and Lodging Association (ORLA)** established a collaborative relationship to foster safe workplaces in Oregon by signing an alliance on January 15, 2016. This alliance seeks to increase outreach efforts to affected employers and employees in this industry. Their primary goal is to reduce illness and injury rates among employees in the restaurant industry. In order to achieve this goal, this alliance increases awareness surrounding hazard communications, electrical contacts, ergonomic issues, personal protective equipment (PPE), and slips and falls. In addition, this alliance contributes to the statewide dialogue on workplace safety and health with a focus on the young and mobile work force indigenous to the industry. Staff from the ORLA shares safety and health information from Oregon OSHA in their monthly publications. ORLA and Oregon OSHA continue to meet quarterly.

Oregon OSHA joined the **Employment, Education and Outreach (EMPLEO)** federal, state and local advocacy Alliance on September 24, 2015. The Alliance is instrumental in the outreach, education and advocacy of Hispanic workers in Oregon and also promotes the coordination and cooperation of the Alliance members to better serve the population. The EMPLEO continues to meet and share information relating to vulnerable migrant workers in Oregon and the tri-state area.

Oregon OSHA, Oregon Institute of Occupational Health Sciences at Oregon Health & Sciences University, and SAIF formed an Alliance on February 23, 2017, to expand the knowledge and application of **Total Worker Health®** principles by leveraging the strengths of each organization. The Alliance collaboration provides expertise and guidance, along with training and education that helps protect the occupational health, safety and well-being of workers, particularly by reducing and preventing exposure to hazards and addressing issues. In addition, the collaboration provides knowledge and skills for workers to help in understanding their rights and the responsibilities of employers. Oregon OSHA, Oregon Institute of

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Occupational Health Sciences, and SAIF continue to meet with Total Worker Health alliance partners. The TWH alliance is currently working on a curriculum designed for safety and health professionals. The alliance partners presented a TWH 101 workshop for a national audience at the NIOSH 2nd TWH international conference in Washington DC in May 2018. More presentations on the TWH 101 curriculum are scheduled for the ASSP/Oregon OSHA conferences for 2018-2019.

Oregon OSHA and the **West Coast Chapter - International Association of Foundation Drilling** signed a new alliance on October 17, 2018. The alliance seeks to increase outreach efforts to affected employers and employees in this industry. The primary goals are to increase awareness surrounding drilled shaft and foundation drilling operations, and the installation of micropiles and earth retention systems, and ultimately, to reduce illness and injury rates among employers and employees in construction and demolition industries. In addition, this alliance contributes to the statewide dialogue on workplace safety and health. Oregon OSHA continues to meet with this alliance quarterly and is arranging with the alliance to provide Oregon OSHA conference presenters at their upcoming 2019 convention.

Interagency Agreement:

On May 15, 2020, Oregon Health Authority (OHA), the Oregon Department of Agriculture (ODA), and the Oregon Department of Consumer and Business Services, Oregon OSHA entered into an interagency agreement coordinating response to complaints of noncompliance with the Governor's Executive Orders 20-07 and 20-12 and enforcement as appropriate for establishments offering food or drink licensed by OHA or ODA.

Publications:

Oregon OSHA developed twenty four new or revised publications ten of which were in Spanish. Sixteen publications were reviewed for translation into another language. These publications provide information about how to protect workers from work-related injury or illness. Additional information can be found at <http://www.osha.oregon.gov/>.

Newsletters:

Oregon OSHA publishes two newsletters: The "Resource" (a general interest publication which includes construction) is published every two months, and the "Forest Activities News" (for the logging and forest industry) is an occasional newsletter from Oregon OSHA covering topics of interest to the logging and forest activities employers. Additional details regarding these publications can be found at <http://www.osha.oregon.gov/>.

Special Accomplishments:

Workers' Memorial Scholarship Program:

Eight Oregon high school graduates were recipients of the Worker Memorial Scholarship in FY2020. Oregon OSHA presents the awards annually to help in the postsecondary education of spouses or children of permanently and totally disabled or fatally injured workers. A total of \$25,000 was awarded in varying amounts to the eight recipients. Award recommendations are made by Oregon OSHA's Safe Employment Education and Training Advisory Committee, an advisory group with members from business, organized labor, and government. The 1991 Legislature established the Workers' Memorial Scholarship at the request of the Oregon AFL-CIO, with support from Associated Oregon Industries.

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Workers Memorial Day:

Oregon workers who died on the job in 2019 were honored with an online video ceremony on the official observance of Workers Memorial Day – Tuesday, April 28, 2020. The state’s Occupational Safety and Health Division (Oregon OSHA) and the Oregon AFL-CIO invited Oregonians to view the 2020 ceremony in an online video, which was created in light of the public health crises triggered by the coronavirus pandemic. The video of the memorial service, coordinated by the Oregon AFL-CIO, is available by clicking on: [Open in YouTube](#). State Sen. Shemia Fagan read the names of Oregon workers who died on the job in 2019. Oregon OSHA Administrator Michael Wood, Oregon AFL-CIO President Graham Trainor, and Rev. Richard Davis of the Unitarian Universalist Congregation of Salem also made remarks.

Oregon OSHA Safety Break:

Oregon OSHA Safety Break was held on Wednesday, May 13, 2019. Now in its 17th year, the one-day event focused on raising awareness and promoting the value of keeping people safe and healthy while on the job. Participating employers determined what activities to do. Examples include gathering their team for a clear-eyed examination of potential new hazards and how to tackle them or celebrating past successes and recognizing emerging safety leaders. Participating companies were entered to win one of three \$100 checks, to be used for a luncheon of their choice. The Oregon SHARP Alliance sponsored the contest.

Training Grant activity:

In FY2020, Oregon Occupational Safety and Health Division (Oregon OSHA) awarded four grants totaling nearly \$150,000 to help develop workplace safety and health education and training programs. Grants were awarded to the following groups.

- **Northwest Forest Worker Center: *Smoke Safety for Forest Workers***
The nonprofit group will produce a training program to help Latino forest workers in Jackson and Josephine counties eliminate or reduce their exposure to smoke from wildland fires.
- **University of Oregon: *Safety Voice for Ergonomics Masonry Craft Expansion***
The university will expand an existing training program – Safety Voice for Ergonomics (SAVE) – to help masonry craft workers prevent musculoskeletal injuries.
- **UA Local 290 Apprentice Labor Management Cooperative Committee: *Apprentice Peer Support Program***
This project will train and empower a group of apprentice peer support leaders to recognize and respond to mental health distress and suicidal behaviors among their peers and colleagues. The goals are to raise awareness of mental health and to prevent suicides.
- **SafeBuild Alliance: *Enhancing Construction Safety for the Latino Population***
SafeBuild Alliance will work with LatinoBuilt, a trade association for Latino contractors in Oregon, to improve safety training for Spanish-speaking workers.

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Oregon Young Worker Health and Safety Coalition: - Oregon Young Employee Safety, O[yes] 2020 video contest winners were: First-place was awarded to the contestants featuring a video titled “Canteen Catastrophe” that garnered them \$500, with a matching amount for their school. The winning video, which is in a one-shot-style format, follows a worker as they walk through a workplace kitchen noticing hazards, but not speaking up. The video rewinds to the beginning and the worker informs someone about each of the hazards so they can be fixed. A second-place prize of \$400 was awarded to the contestants featuring a video titled “Undercover Ross” and the third place award of \$300 went to the contestants submitting the video titled “Iceolated”. All of the winning videos, as well as the other finalists, are available for viewing. [Open in YouTube](#)

Consultation activity

Oregon OSHA Consultation has led the education, abatement assistance, and outreach efforts throughout the state during the COVID-19 Pandemic. Consultation has been involved in multiple workgroups with other state agencies (Oregon Health Authority, Oregon Department of Agriculture, Office of the Governor) and local public health authorities; these efforts have led to consultation providing rapid-response assistance to employers who have employees that have tested positive for COVID-19.

Due to the record-breaking volume of complaints received by Oregon OSHA Enforcement during the pandemic, Oregon OSHA Consultation also offered unprecedented outreach to employers seeking assistance on how to appropriately abate the hazard(s) alleged in these complaints.

Consultants were also able to maintain their productivity despite the mandated cessation of all on-site activities for a period of approximately one month; using virtual methods, consultation as a whole was able to assist employers throughout this pandemic, leading to only a marginal decline in total number of consultations conducted in the FFY as compared to previous years (given that the pandemic comprised more than 75% of this FFY).

Consultation has continued to reach out to the Cannabis and hemp industry and have conducted 50 consultations for this industry. Oregon OSHA has also conducted 2 trainings during conference activities, all related to helping attendees understand the hazards associated with this industry.

The Oregon OSHA Consultation section has further developed its relationship with the Construction Contractors Board by offering contractors a year long safety and health program to assist them in further developing a safety and health management system. A total of 5 contractors participated in this program, as well as 2 for our Challenge Program. In addition, consultation coordinated CEU credits for those that completed online courses and in-person workshops that Oregon OSHA offers.

The consultation section has addressed heat illness 246 times and workplace violence 142 times during this fiscal year. The programs total emphasis programs addressed was 1,334 during this fiscal year. In addition, the section has been very active in COVID-19 activities and have been using our data system to track these with optional codes requested by OSHA. They include 553 consultations marked with N-16-COVID-19, 220 marked with N-30-Virtual, and 22 marked with N-30-Abatement Supervision/Virus. These optional codes were requested for the 21d program but were adopted for the entire consultation section. Each consultation record can have many emphasis or optional codes assigned to it therefore these numbers are not additional consultations but are included in the total for all consultations conducted.

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Oregon OSHA’s consultation program continued with our involved with two work groups, one in revising the Form 33 Evaluation, and the other in the revision of the Basic 1500 Course.

Public Education Outreach Activities

As part of the marketing efforts for our online courses and services, the use of social media has proven to be an outstanding tool to expeditiously share our educational material with Oregonians (and people around the world). For our Facebook and YouTube platforms, between 10/1/2019 and 9/30/2020, our results are outlined below.

YouTube	Facebook
<ul style="list-style-type: none">• Videos Released: 98• Total Videos Available: 200• Video Views: 427,492• Video Hours Watched: 31,597	<ul style="list-style-type: none">• Posts: 122• Videos Released: 93• Video Views: 205,000• Video Hours Watched: 1,616• Likes, Comments, Shares: 9,200

Coronavirus activities:

Oregon OSHA continued to serve Oregonians by phone and email even though their offices were closed to the public. Oregon OSHA provided links on their website to keep Oregonians up-to-date with workplace guidance and resources for COVID-19 in both English and in Spanish, (en español). A temporary COVID-19 rule was developed and Infectious disease rule making updates were made available to the public. Oregon OSHA relayed Coronavirus updates to the public through the Oregon Health Authority for up-to-date general information about COVID-19.

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VI. Adjustments and Other Issues

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Occupational Injury and Workers' Compensation Premium

Oregon's long-running success in managing the workers' compensation system continues as businesses will see yet another drop in costs in 2020 as the key factor behind annual cost changes dips yet again. The numbers are indicative of a long-term trend:

- Employers, next year, on average, will pay \$1.02 per \$100 of payroll for workers' compensation insurance, down from \$1.11 in 2019, under a proposal by the Oregon Department of Consumer and Business Services (DCBS). That figure covers workers' compensation claims costs, assessments, and insurer profit and expenses.
- The pure premium rate – the base rate insurers use to determine how much employers must pay for medical claims and lost wages – will drop by an average 8.4 percent, under the proposal. In fact, the pure premium – filed by a national rate-setting organization and approved by DCBS – will have declined by 45 percent during the 2013 to 2020 period.

This will mark the seventh year in a row that businesses will experience an average decrease in their workers' compensation costs. Those costs have steadily declined over the years, even as workers continue to receive good benefits. The ongoing decline in costs reflects Oregon's comprehensive approach to managing the system, including efforts by the Workers' Compensation Division (WCD) and Oregon OSHA. For example, WCD enforces requirements that employers carry insurance for their workers, keeps medical costs under control, and helps injured workers return to work sooner and earn their pre-injury wages. At the same time, Oregon OSHA enforces on-the-job safety and health rules, identifies hazards so they can be corrected, and advises employers about how to boost worker safety and health.

“The steady decline in workers' compensation costs is about more than just the numbers,” said Cameron Smith, DCBS director. “It demonstrates the hard work of employers, workers, insurers, and government to maintain essential worker protection programs and robust benefits for injured workers while keeping business costs low.”

Although average workers' compensation costs have experienced upticks from one year to the next, the overall trend line is one of continuing cost decreases. Average wage replacement and medical costs for injured workers “are showing a long-term downward trend,” according to the National Council on Compensation Insurance (NCCI), the U.S. rate-setting organization whose recommendation DCBS reviews. Meanwhile, “Oregon's lost-time claim frequency has generally been decreasing moderately over the past few policy years,” according to NCCI.

Employers' cost for workers' compensation insurance covers the pure premium and insurer profit and expenses, plus the premium assessment. Employers also pay the Workers' Benefit Fund assessment, which is a cents-per-hour-worked rate.

The decrease in the pure premium of 8.4 percent is an average, so an individual employer may see a larger or smaller decrease, no change, or even an increase depending on the employer's own industry, claims experience, and payroll. Also, pure premium does not take into account the varying expenses and profit of insurers.

The average decrease in the pure premium reflects a long-term trend of lower medical care costs and less severe claims. Helping sustain the trend is the stability of Oregon's workers' compensation system. The system includes the Workers' Compensation Division, Oregon OSHA, the Workers'

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Compensation Board, which resolves disputes over the state’s workers’ compensation and workplace safety laws, and injured worker and small business advocacy services. Those successful programs are funded by the premium assessment.

The premium assessment is a percentage of the workers’ compensation insurance premium employers pay. It is added to the premium. It would increase from 7.8 percent this year to 8.4 percent in 2020. The increase is needed to partially offset the decline in pure premium and to keep pace with a growing economy. This modest increase maintains stable funding for state workers’ compensation regulation and worker protection programs that preserve historically low costs.

The Workers’ Benefit Fund assessment provides benefit increases to permanently disabled workers and to families of workers who died from a workplace injury or disease. It also supports Oregon’s efforts to help injured workers return to work sooner – through incentive programs to employers – and earn their pre-injury wages.

The fund’s revenue comes from a cents-per-hour-worked assessment. It would decrease from 2.4 cents per hour worked in 2019 to 2.2 cents per hour worked in 2020. The fund is healthy, made so by a growing economy, which allows the rate to be reduced.

The decrease in the pure premium is effective Jan. 1, 2020, but employers will see the changes when they renew their policies in 2020. The assessment changes are effective Jan. 1, 2020.

Oregon’s workers’ compensation premium rates have ranked low nationally for many years. Oregon had the sixth least expensive rates in 2018, according to a nationally recognized biennial study conducted by DCBS. That was an improvement from Oregon’s ranking as the seventh least expensive state the last time the study was done in 2016. Oregon’s experience of declines in workers’ compensation costs is part of a national trend. The following chart summarizes all of the changes and includes the date, time, and place of the assessment public hearings:

<https://www.oregon.gov/DCBS/cost/Documents/wc-summary.pdf>

These rates apply to all premium earned on or after Jan. 1, 2020. Insurers should refer to Bulletin 144 for payment instructions. Self-insured employers and self-insured employer groups should refer to Bulletin 381. These bulletins are available on our website:

<http://wcd.oregon.gov/forms/Pages/bulletins.aspx> .

Assessment rates for 2020 and rates for Prior four years are:

Year	Insurers	Self-insured employers	Self-insured employer groups
2020	8.4 percent	8.5 percent	8.5 percent – public groups 8.9 percent – private groups
2019	7.8 percent	8.0 percent	8.0 percent – public groups 8.8 percent – private groups
2018	7.4 percent	7.6 percent	7.6 percent – public groups 8.4 percent – private groups

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2017	6.8 percent	7.0 percent	7.0 percent – public groups 7.8 percent – private groups
2016	6.2 percent	6.4 percent	6.4 percent – public groups 7.2 percent – private groups

FY2019 FAME Recommendations

Oregon Report Recommendations for Fiscal Year 2019.

There was one FY2019 finding and recommendation that is completed and is awaiting Federal OSHA verification, one continuing observation, and three new observations. There were two FY2018 findings and recommendations completed and three observations closed in the FY2019 Federal Annual Monitoring and Evaluation report made by OSHA.

Finding FY 2019-01: In 100% (4 of 4) of cases withdrawn by the complainant, there was no documentation that BOLI advised the complainant of the consequences of the withdrawal.

Recommendation: Oregon OSHA should ensure BOLI is advising each complainant wishing to withdraw that, by entering a withdrawal, they will be forfeiting all rights to an appeal or objection, and the case will not be reopened.

State Plan Corrective Action: When complainant chooses to withdraw their case to state or federal court, BOLI will be issuing a letter to complainants stating they will be giving up their rights. Oregon OSHA will audit to ensure BOLI is issuing these letters to complainants. Verbal verification complete, next audit scheduled October 2020.

Completion Date: July 9, 2020

Status: Awaiting Verification (8/7/2020)

Observation FY2019-OB-01 continued from Observation FY2018-OB-04: Oregon OSHA conducted 2,524 of 3,400 safety and 783 of 900 health inspections (SAMM7), both below the further review level.

Status: OSHA will continue to monitor Oregon OSHA’s planned versus actual inspections.

Observation FY 2019-OB-02 Status New: OSHA 300 data was not in the case file nor in the database in 14% (23 of 167) of case files reviewed. In addition, OSHA 300 data is not transferring to OIS.

Federal Monitoring Plan: OSHA will monitor this over the next FY and will evaluate collection and retention of OSHA 300 data in a focused case file review.

Observation FY 2019-OB-03 Status New: The confidentiality of employees interviewed during inspections was not ensured during the appeal process.

Federal Monitoring Plan: OSHA will monitor the State Plan to determine Oregon OSHA’s ability to protect the identities of employees who participate in enforcement activities.

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Observation FY 2019-OB-04 Status New: In 51% (26 of 51) of Dismissed/Non-merit cases, there was no evidence that complainants were advised of their rights to dually file with OSHA.

Federal Monitoring Plan: OSHA will monitor quarterly that Oregon OSHA and BOLI are providing information regarding complainant's right to file at the federal level and ensure the notification is documented in the retaliation case file.

FY2018 Observations:

Observation FY 2018-OB-01 Status Closed: Oregon OSHA did not ensure that BOLI adequately addressed cases where workers reported injuries. In 12% of the cases reviewed (five of 42), complainants reported an injury. Reporting an injury is considered a protected activity under Section 11(c) of the OSH Act. However, in those five cases, BOLI did not identify the injury report as a protected activity and BOLI did not inform the complainant of their right to dually file with OSHA.

Observation FY 2018-OB-02 Status Closed: Case documentation; In 33% (14 of 42) of cases, the case file did not include a telephone/activity log; in 5% (two of 42) of cases, medical records were not sequestered; in 21% (nine of 42) of cases, the report of investigation did not properly assess prima facie elements; in, at least, 24% (10 of 42) of cases, the report of investigation lacked citation to relevant evidence; in 5% (two of 42) of cases, the case files failed to include documentation of the settlement agreements.

Observation FY 2018-OB-03 Status Closed: Per the SAMM report, 4 of 29 (14%) of fatality inspections (SAMM 10) were not initiated timely. Analysis of the SAMM outlier data, OIS one-liner report, Oregon OSHA SOAR, and Oregon OSHA fatality reports revealed that in two cases, fatality investigations were not opened timely and there was not an adequate explanation.

FY18 Findings:

Finding and Recommendations:

Finding FY 2018-01 Status Completed: Oregon OSHA is not ensuring that BOLI adequately tests all evidence prior to closing a retaliation case and documents justification for case closure. This was found in 14% (six of 42) of retaliation cases during the FY2017 audit.

Recommendation: Oregon OSHA should ensure that BOLI whistleblower protection investigators have adequate training and that sufficient oversight is given to the program to ensure that retaliation cases are handled appropriately.

State Plan Correction Action Completed 12/12/19: During ongoing audits of BOLI activity, Oregon OSHA will focus on ensuring that the rationales for determinations made are adequately reflected in the case files.

State-Specific Employer Variance

During FY2020, Oregon OSHA granted nine variances to employers.

Seven companies were granted new research variances from 437-007-0935(1)(c) to support the use of new technology that could replace dangerous tree falling and timber transporting operations by workers on the ground with operators in machines with protective cabs meeting the requirements

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of 437-007-0775. The approved research variances will also provide a means of collecting relevant safety data until Division 7 (Forest Activities) rules that can address these newly introduced technologies.

One company was granted a variance from Oregon OSHA's Temporary Emergency Rules Oregon OSHA's Temporary Emergency Rules OAR 437-001-0749(6), (12)(p), (12)(aa)(K), (13)(a)(A) to mitigate the potential hazard of COVID-19 transmission during applicant-provided agricultural housing, transportation and meals, allows employers to use alternative means by designating employees into groups of up to eight (8) individuals for the duration of the harvest period. Each group will be separated from other groups in accordance with applicable requirements of OAR 437-001-0749. In addition to the alternatives administrative controls listed, the applicant will provide up to ten (10) days of paid time off for any employee who tests positive for COVID-19 during such employee's period of employment with the applicant. (Note: providing paid leave is not a requirement of the Oregon OSHA temporary rules for the COVID-19 emergency.)

One company was granted a variance from Oregon OSHA's Temporary Emergency Rules Oregon OSHA's Temporary Emergency Rules OAR 437-001-0749 (12)(aa)(K) to mitigate the potential hazard of COVID-19 transmission allows employers to use other effective engineering and/or administrative controls to modify this requirement with prior approval by Oregon OSHA.

There were no variances revoked in FY2020.

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Timely Response to Federal OSHA with Oregon OSHA State Initiated Changes:

In FY2020, Oregon OSHA sent three State Initiated changes to Federal OSHA in a timely fashion. Additional information regarding the changes listed below can be found in the Federal OSHA SPA data base and [Oregon OSHA website](#) .

Record number, Program Directive or Rule, Description

2020-3	A-301	6/26/2020 new	Local Emphasis Program: Guidelines for Scheduling and Conducting COVID-19 Related Inspections of Food Processors
2020-2	AO 2-2020	4/28/20 Adopted 10/24/20 Sunsets	Temporary Rule Addressing COVID-19 Emergency ER AG Housing
2020-1	A-288	4/3/30 revised	Whistleblower Manual [OSHA Approved 6/23/20]

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VII. 21(d) Consultation Activities

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Executive Summary

The Oregon OSHA consultation program is a large, highly successful program consisting of 43 consultation positions (30 state-funded consultants, 1 SHARP VPP coordinator, 4 managers, 4 consultation support staff, and 4 - 21(d) funded consultation positions). The staffing levels for the 21(d) program (4) were maintained throughout the year with one safety consultant retiring and their replacement training delayed by COVID-19 .

The agency's safety and health program assistance goal is to increase self sufficiency among Oregon employers. The FFY2020 goal for Oregon OSHA's entire consultation program was to work with all employers to improve their understanding of a comprehensive safety and health management system during consultations.

Oregon OSHA's Consultative program conducted a total of 1,893 consultative activities identifying a total of 9,241 serious hazards in FFY2020. Many of our consultations (51.35%) were provided to small employers, and 49.29% of our consultations were provided to employers who had not used our services during the previous five years. Oregon OSHA's SHARP program included 211 companies involved in various stages of our SHARP program. Our Public Education section provided training to over 36,911 participants either online or in person workshops, and is continuing to develop our online training presence.

During FFY2020, 21(d) consultants opened a total of 167 consultations. Health consultants conducted 72 initial visits, 4 follow-ups, and 13 training and assistance visits, for a total of 89 consultations. Safety consultants conducted 68 initial visits, 1 follow-ups, 9 training and assistance visits, for a total of 78 consultations. Overall, the 21(d) consultative staff conducted 66.26% below the projected 252 visits. COVID-19 has severely limited our ability to conduct onsite activities since April, 2020.

The 21(d) staff have been very active in COVID-19 activities and have been using our data system to track these with optional codes requested by OSHA. They include 78 consultations marked with N-16-COVID-19, 60 marked with N-30-Virtual, and 5 marked with N-30-Abatement Supervision/Virus. Each consultation record can have many emphasis or optional codes assigned to it therefore these numbers are not additional consultations but are included in the total for all consultations conducted by 21(d) staff.

Training

Oregon OSHA is committed to providing field staff with the most up-to-date training on occupational safety and health. Training hours for the 21(d) staff are Dianna Gray- 36, Chris James – 76.50, Philip Grunke – 62. Sterling Cobb -202.5

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Other Issues or Adjustments

Consultation OIS Data Base Initiative

This process is still ongoing as we are currently working to ensure the data is being transferred accurately as we are finding that there are small discrepancies in the data that is being transferred.

Oregon OSHA Consultation Process Improvement Project Continuation

Our process improvement project has continued and is being monitored to help continue to determine how best to reduce the time required for the assigning and scheduling of on-site consultations. The redesign project included the time period from the employer's request for consultation services until the initial visit took place.

Oregon OSHA maintains that the below mentioned is still our expectations for the program:

- q Call the employer within 7 days from the time the employer places the request for the consultation. We currently make contact with the employer on average within 6 days.
- q Schedule the initial visit by the consultant within a few weeks. We started tracking this date July 11, 2016, and do not have a report process at this time.
- q Provide the report 10 days within the opening of the conference. The current average is now 13.1 days.

Oregon OSHA Consultation customer satisfaction survey

A web based survey that is linked directly to the electronic delivery of the consultation report continues to be refined. Currently the parameters used are as follows. Seven days after the electronic report is emailed to the employer an email with a link to the survey is sent to the employer. If the employer completes the survey at that time or within seven days, notification is sent to the consultant who conducted the consultation and their manager that a survey has been completed. If the employer does not respond, two more reminder emails are sent until the survey is completed or there is no response. The survey response rate is now at 39% with this survey system. We have begun tracking employers who we never replied to our survey with the intent of reaching out to those employers to see where we can further improve. Oregon OSHA consultation managers and staff have direct access to survey data, and the data will directly feed DCBS key measures.

Quality Assurance Program

Quality Assurance is achieved through effective guidelines and policies that include a set of core competencies for all consultants, linkage of those core competencies to annual performance evaluations, a consultation evaluation process, mandated activity reports, and data reports that track progress toward strategic goals.

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Ø Customer satisfaction surveys offered after every consultation gather feedback from employers regarding the quality and usefulness of the consultation service. Consultation Managers meetings are held on a regular basis throughout the year, as are field office staff meetings. In addition, every report is reviewed by the manager for technical accuracy, consistency, and quality assurance.

Quarterly file reviews were conducted during 2020 for additional quality control. These reviews resulted in timely identification and, if needed, correction of any issues. No major issues were identified during the file reviews.

All Consultants were accompanied on consultation visits by their supervisor during the fiscal year. No negative or unusual situations were noted during these reviews.

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Appendix

Charts

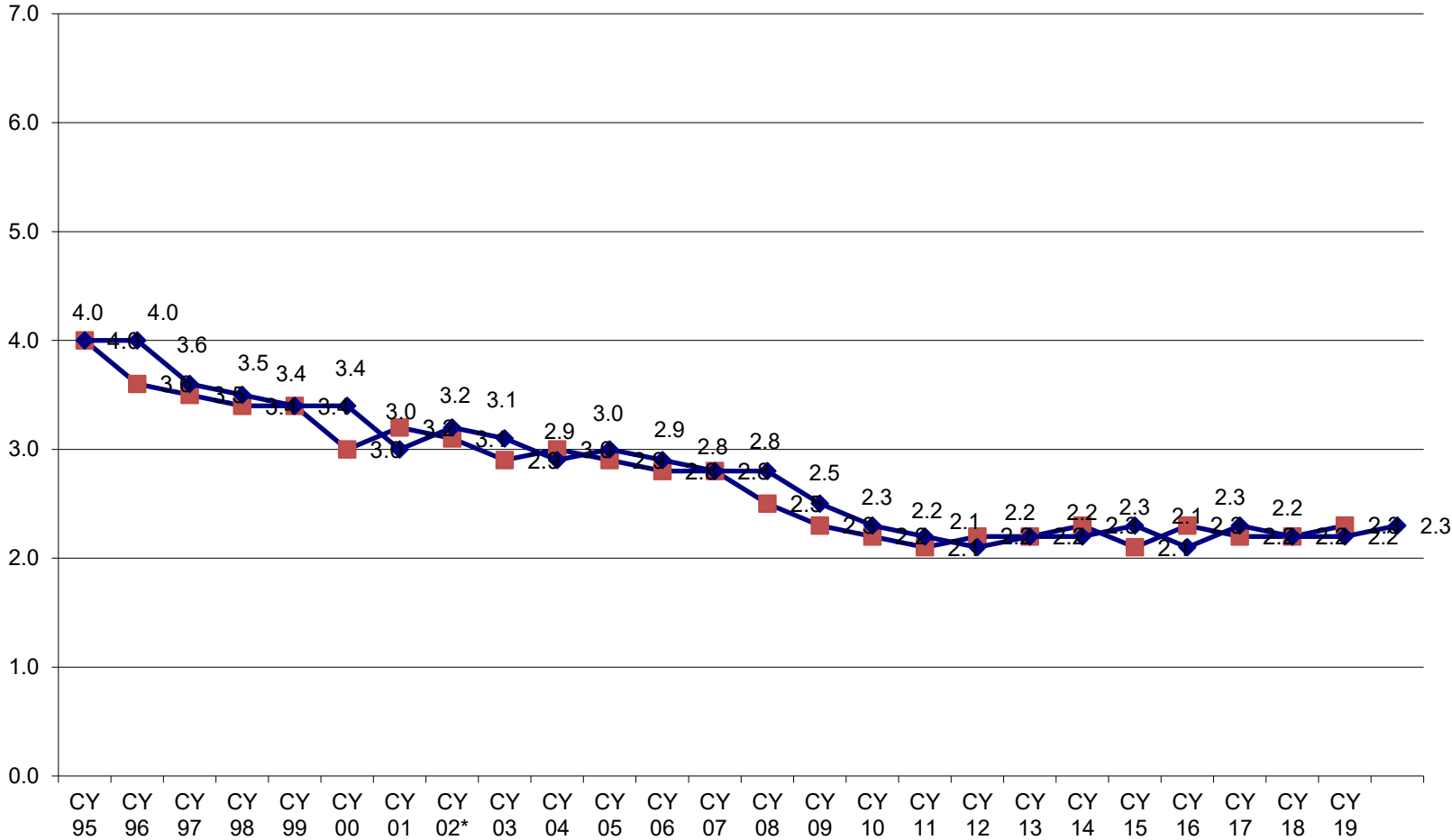
Note to chart readers: data now reflects corrections (if any) to prior year's data.

Notice of Change: Beginning with calendar year 2003, industry data is classified according to a North American Industry Classification System (NAICS) instead of the Standard Industrial Classification (SIC) System. The final year using the Standard Industrial Classification (SIC) System was CY2002.

Rolled up data between 2001 and 2002 is not *strictly* comparable because of changes in the recordkeeping rules.

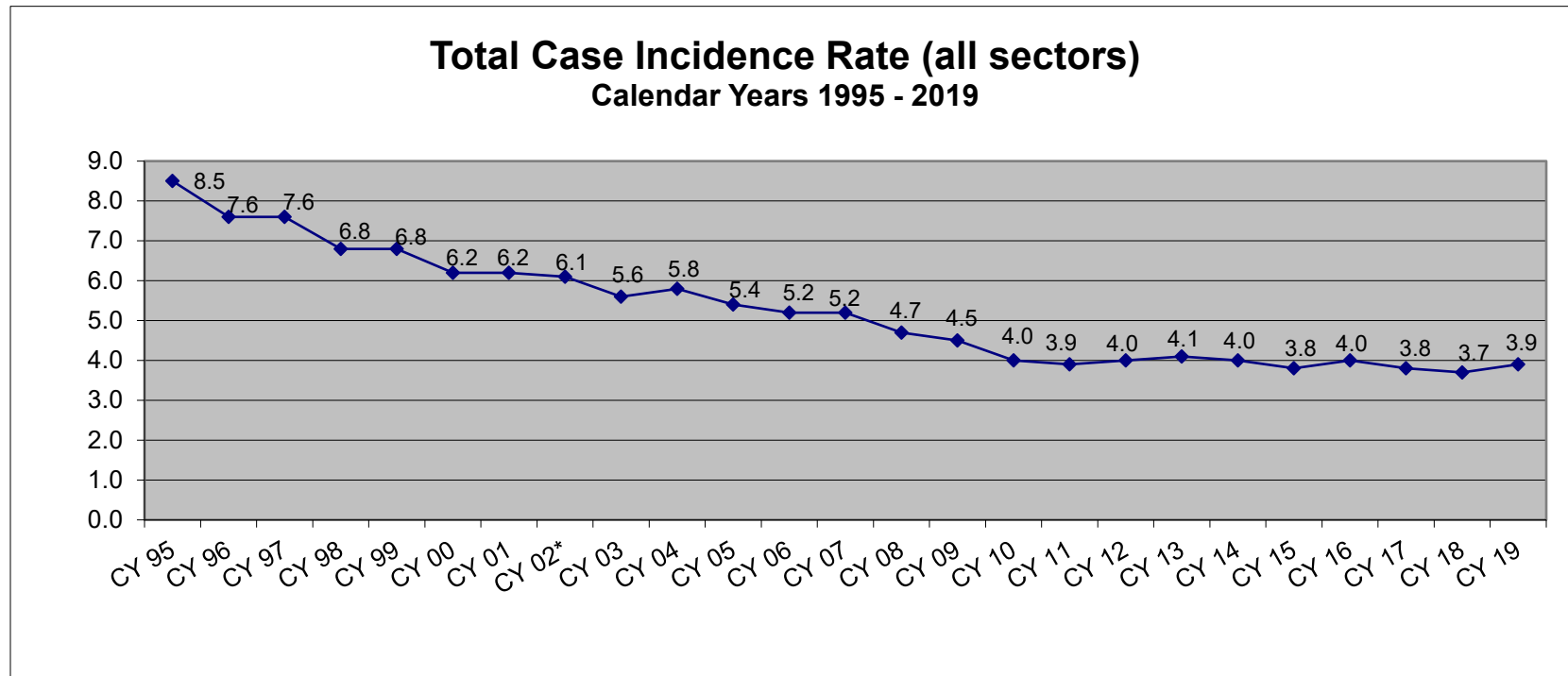
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Oregon Lost Workday Cases Incidence Rate/DART rate (all sectors)
 Calendar Years 1995 - 2019



*Data from 2002 on is based on revised recordkeeping requirements and is not comparable with rates from earlier years.

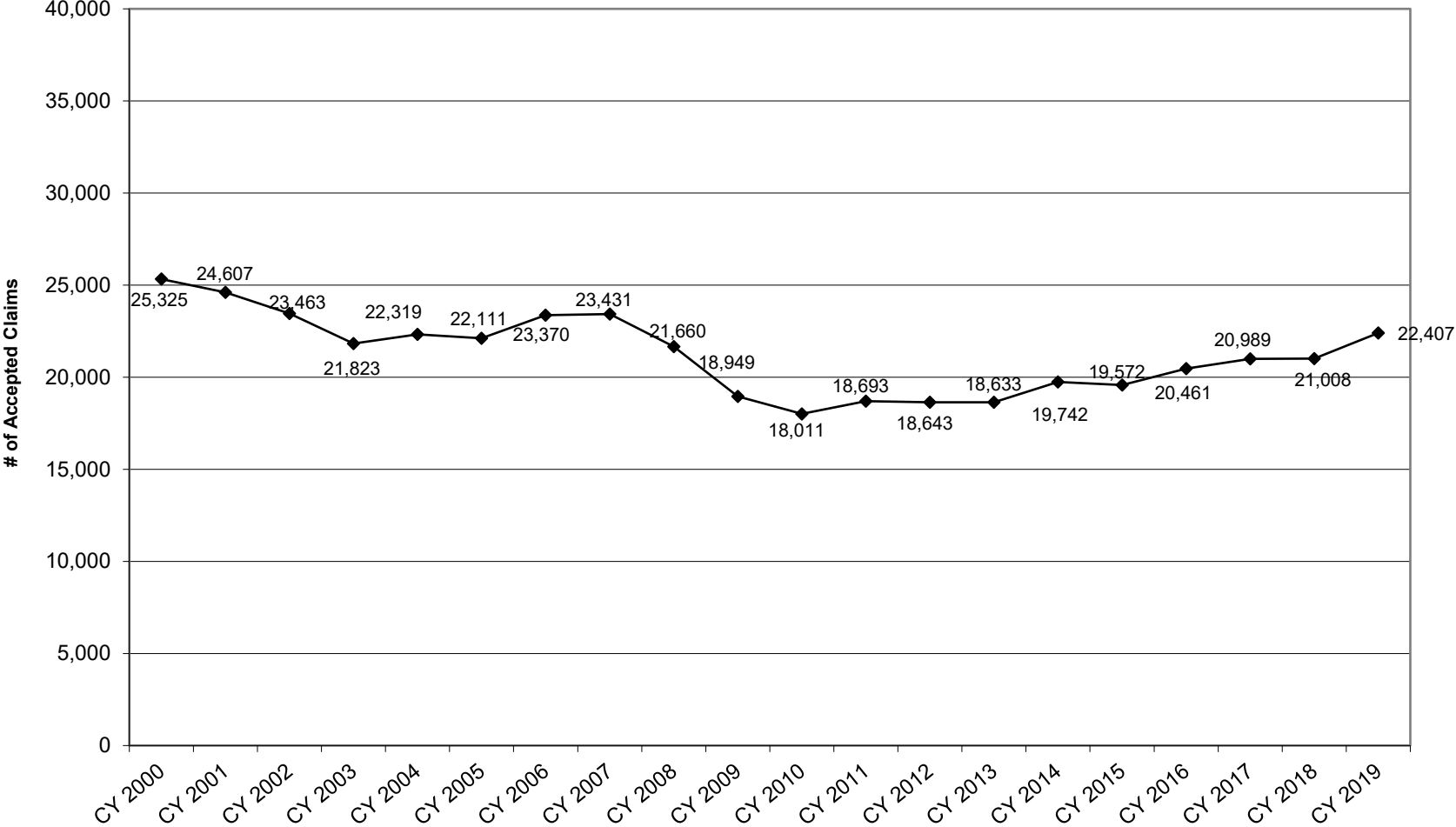
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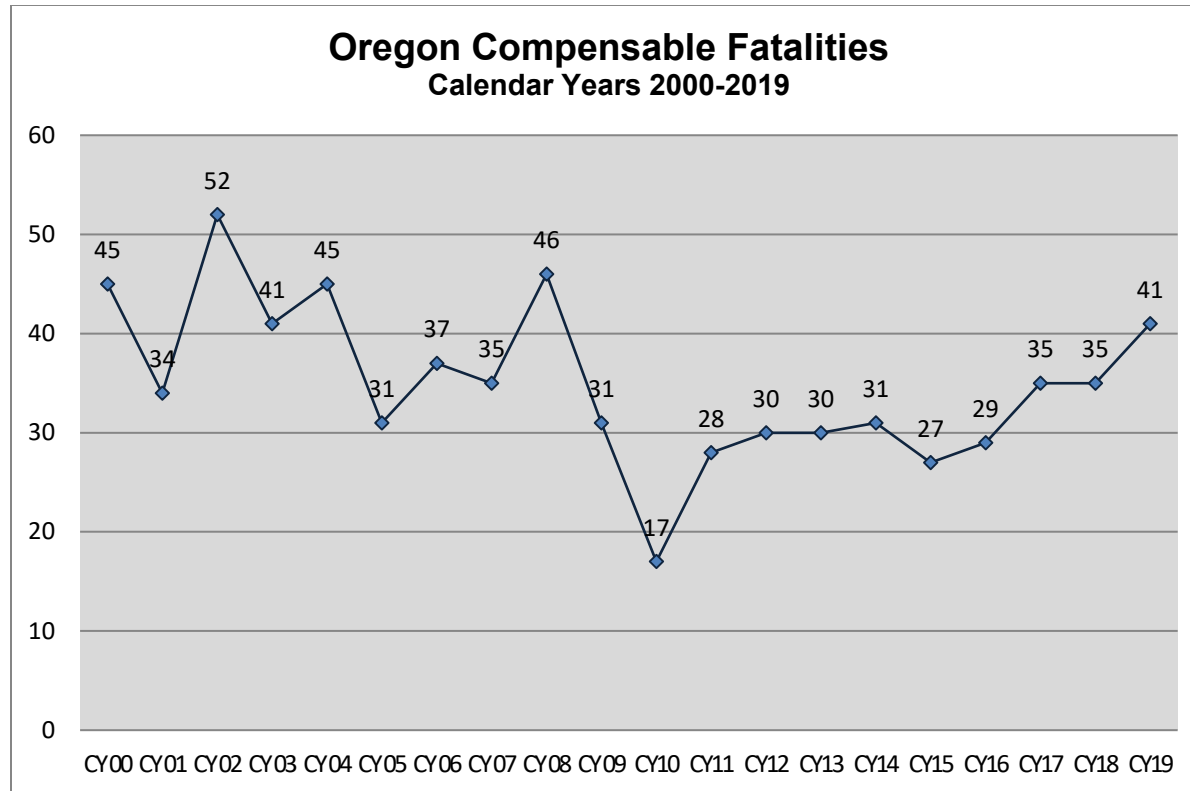
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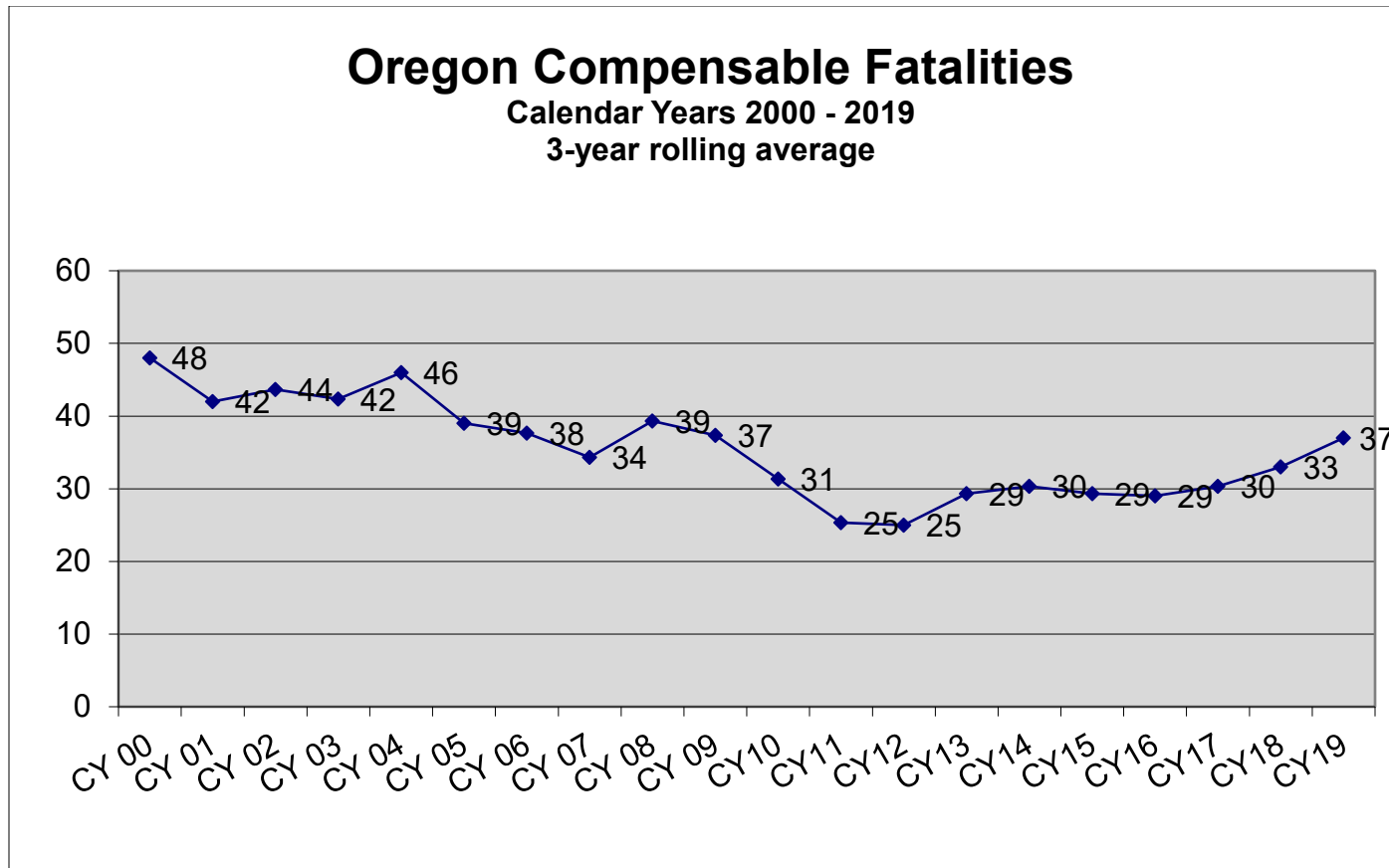
Oregon Accepted Disabling Claims Calendar Years 2000 - 2019



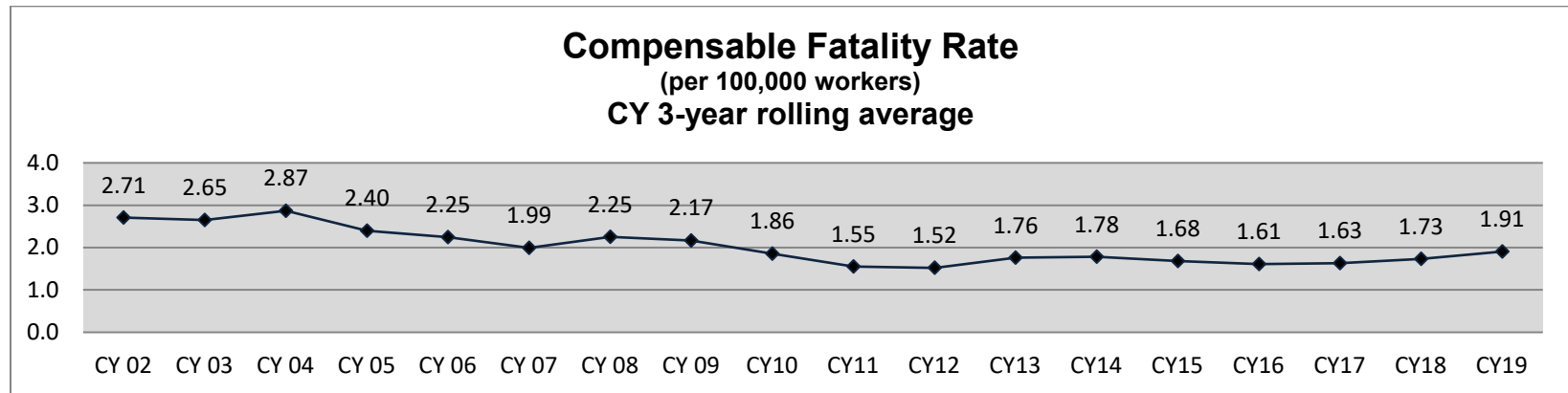
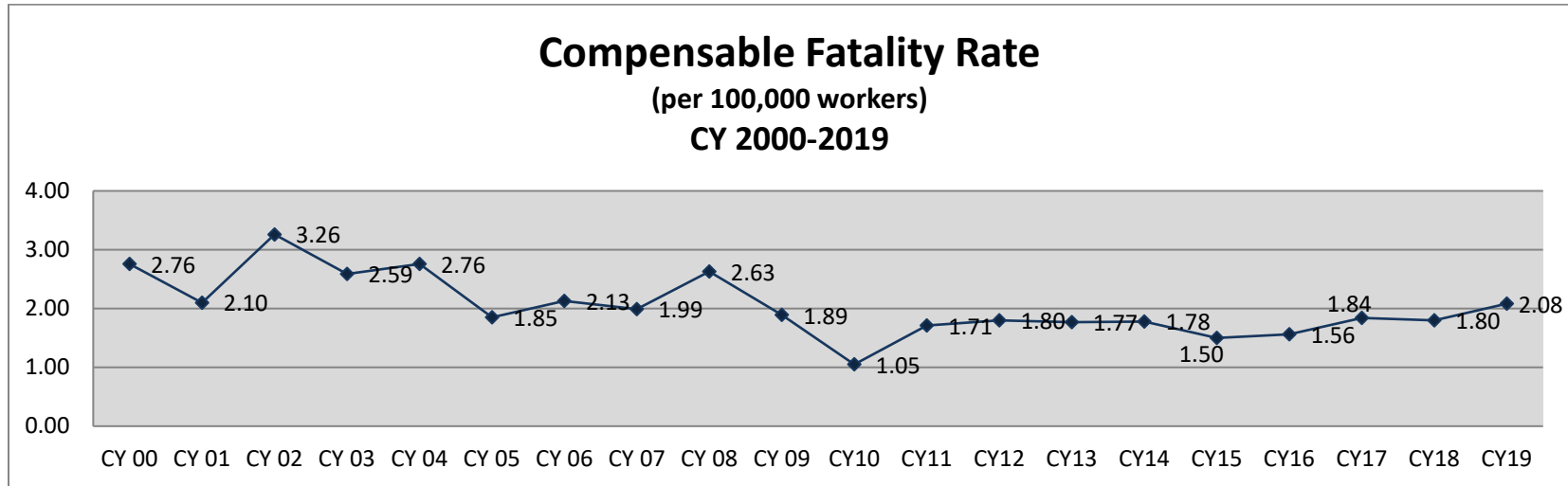
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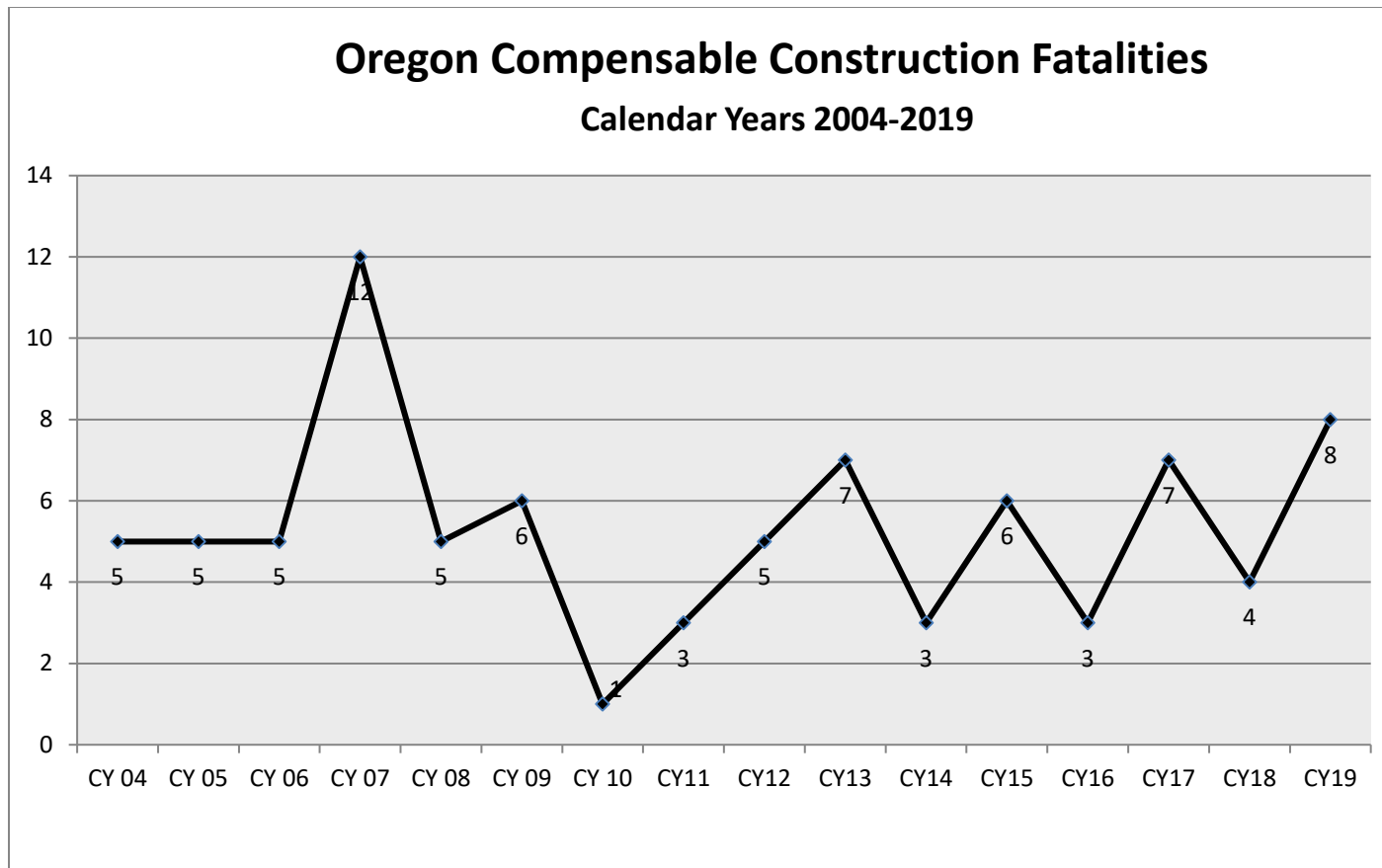
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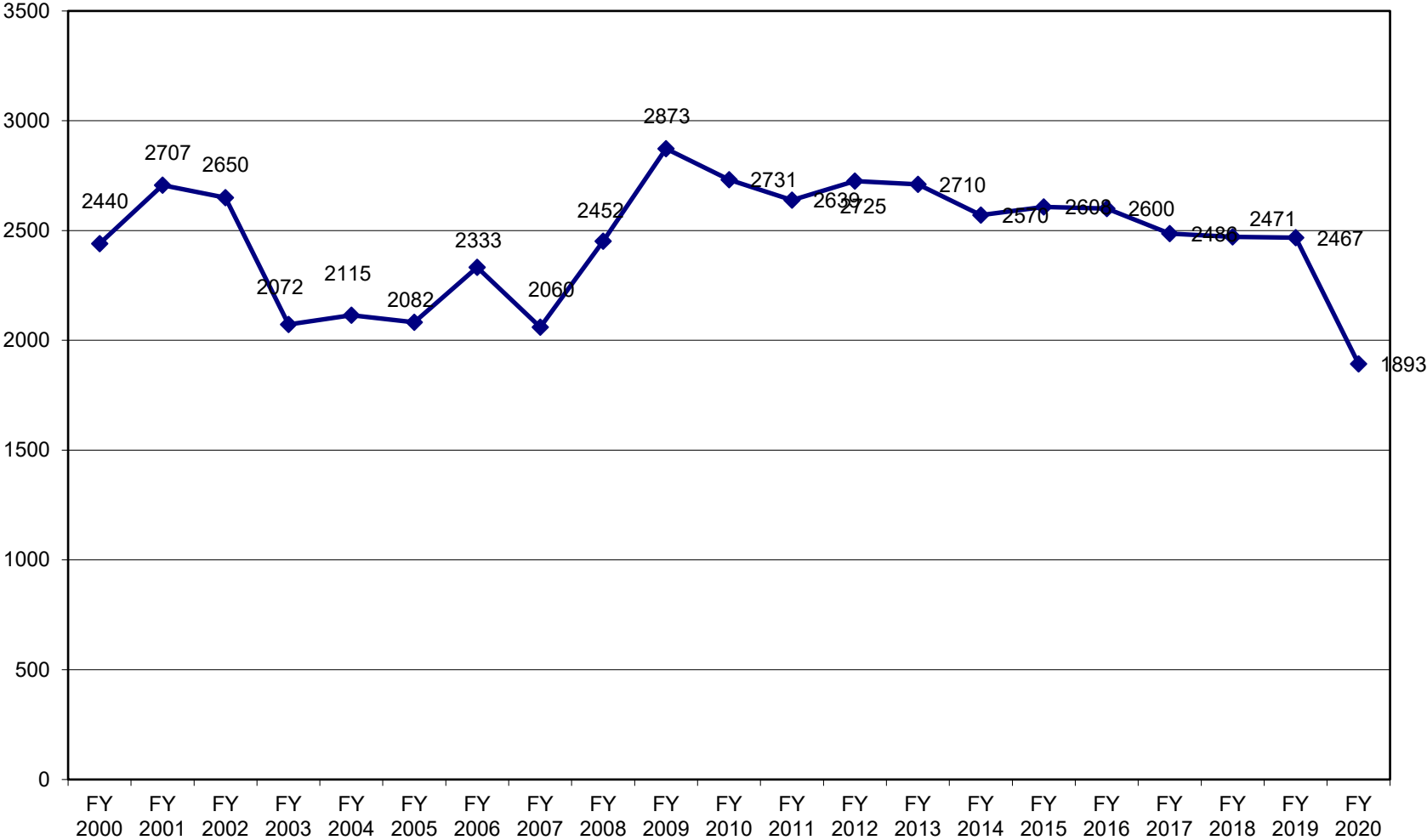
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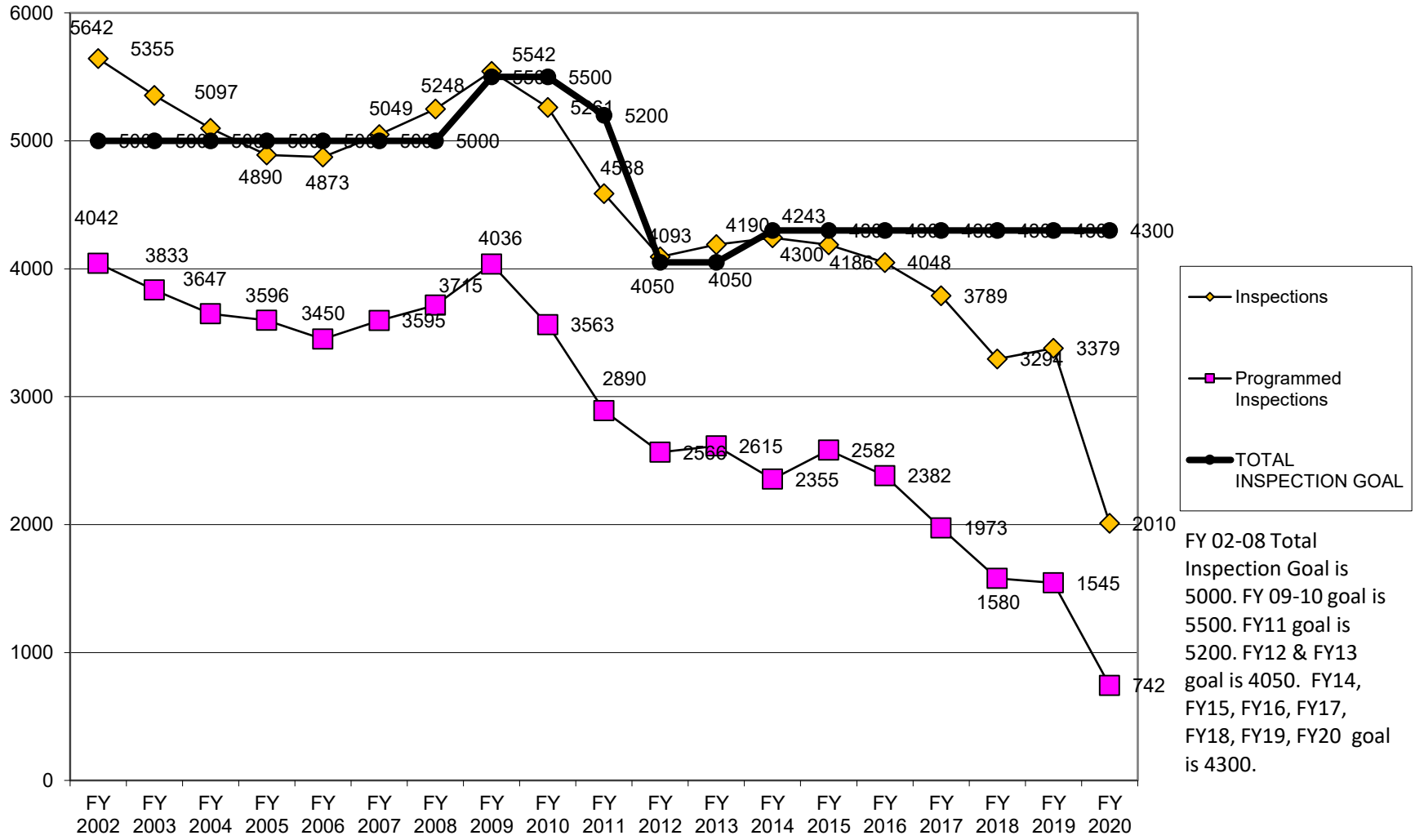
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**Total OR-OSHA Consultations
Federal Fiscal Years 2000 - 2020**

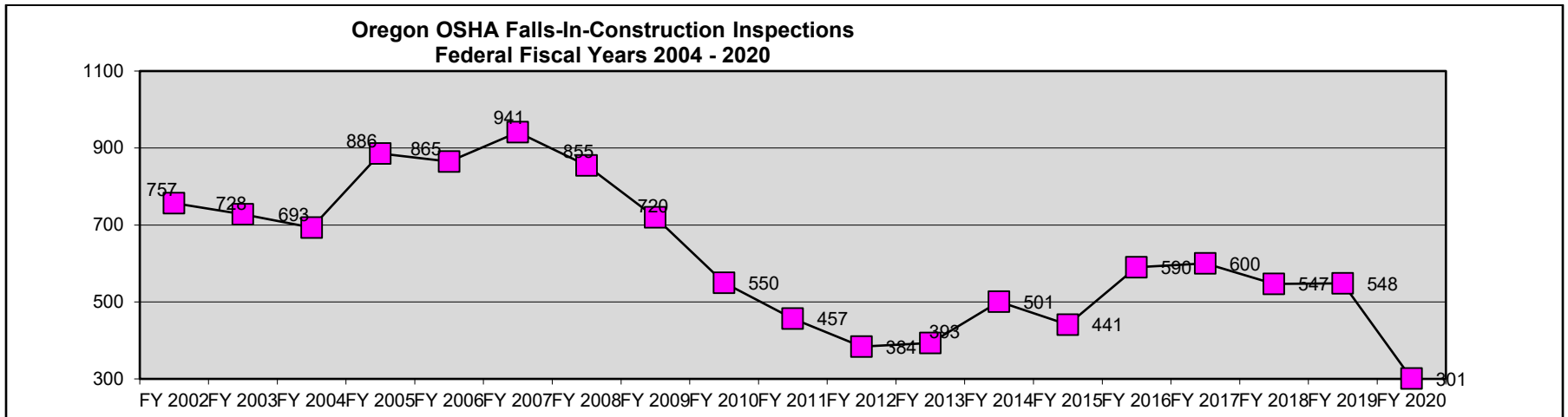
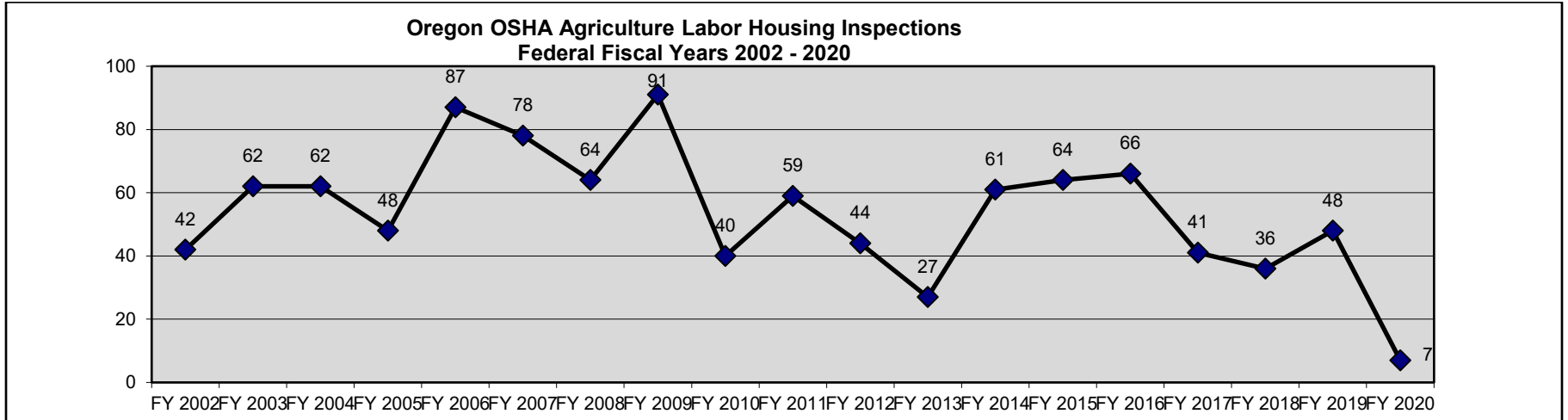


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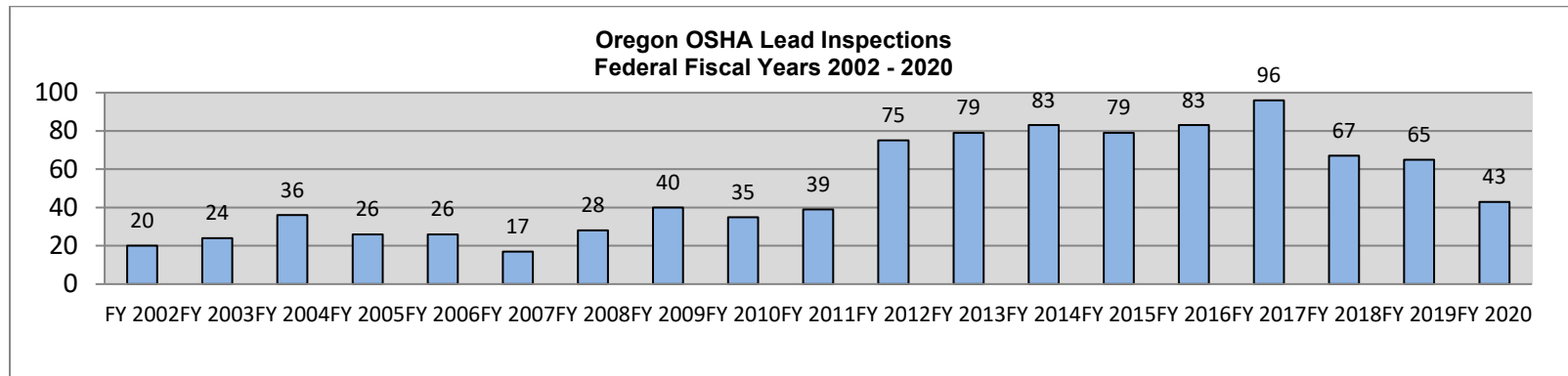
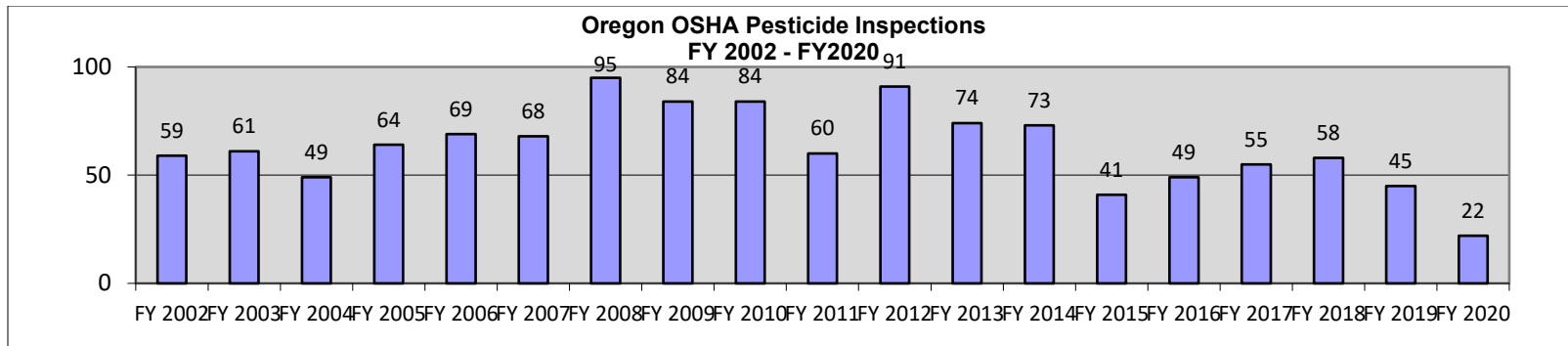
Total Oregon OSHA Inspections
 Federal Fiscal Years 2002 - 2020



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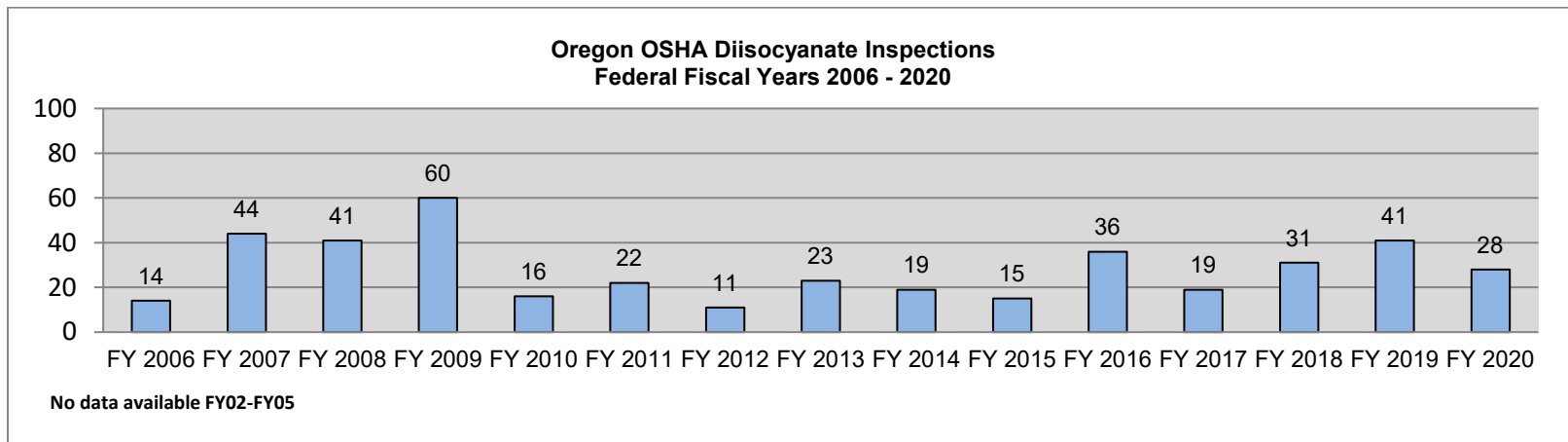
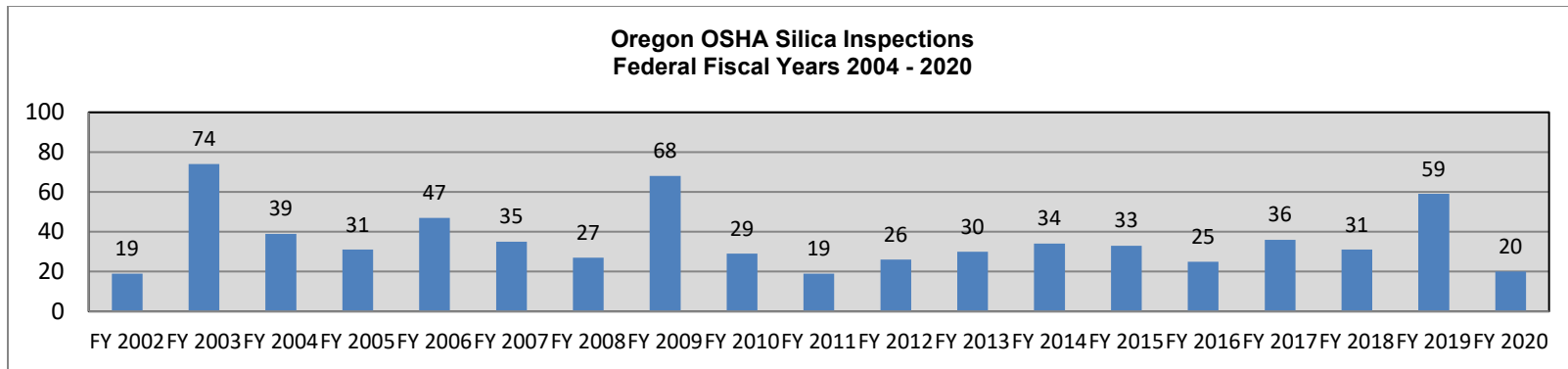


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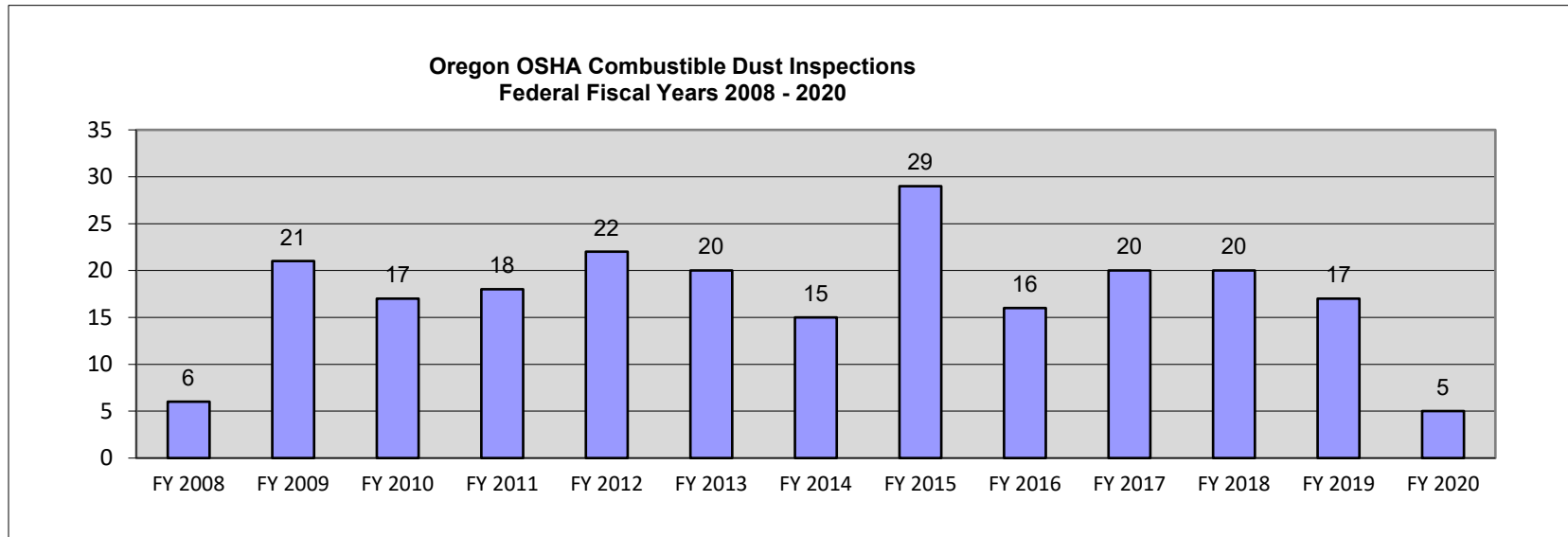
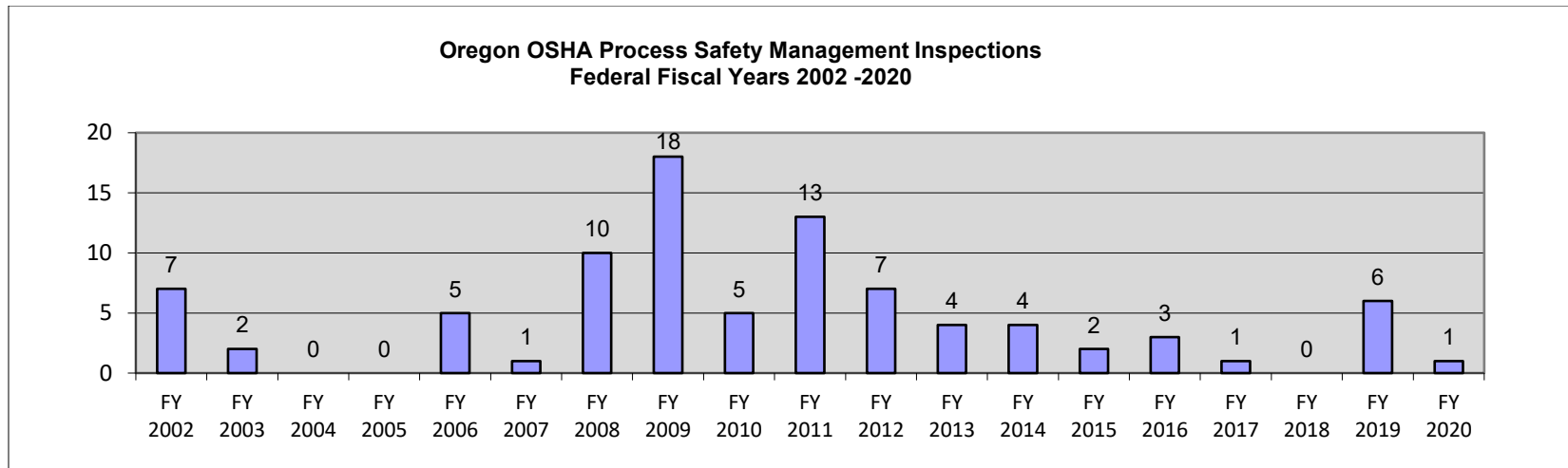


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