

February 2, 2009

## **Oregon OSHA - Adopted Changes To Agriculture Labor Housing Rules in Division 4/J**

These changes are necessary to resolve issues expressed by Federal OSHA toward making our rules at least as effective as theirs. In addition, the removal of the heater language is to recognize new safety technology.

437-004-1120(16) Living Areas.

We will delete paragraph (c)(B) to reflect changes in heater technology. Paragraph (C) will become (B) and (D) will become (C). Paragraph (B) is adequate to address any hazards related to ribbon-type heaters as they now come with safety devices to shut them off if they overheat.

437-004-1120(16) Living Areas.

Wording added to paragraph (n) will close a gap in coverage pointed out by Federal OSHA. The result is that existing housing will be good until the 2018 change date unless it is remodeled. New construction and existing housing remodeled between this adoption and 2018 will have to meet the new requirements in paragraph (n).

437-004-1120(18) Common use cooking and eating facilities and equipment.

Federal OSHA requires adding this language to be as effective as their rule. It requires enclosed, screened shelters for common use cooking and eating facilities.

437-004-1120(19) Dining Halls and equipment.

Federal OSHA requires adding this language to be as effective as their rule. It requires enclosed, screened shelters for dining halls.

This is Oregon OSHA Administrative Order 1-2009, **adopted and effective January 26, 2009.**

Please visit Oregon OSHA's web site [www.orosha.org](http://www.orosha.org) for proposed, adopted, and final rules, as well as current publications, training opportunities, and much more.

**OR-OSHA contact**

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Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on January 26, 2009 by the  
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437  
Agency and Division Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE, Salem OR 97301-3882 503-947-7449  
Rules Coordinator Address Telephone

to become effective January 26, 2009 as OR-OSHA Administrative Order 1-2009.  
Date upon filing or later

Rulemaking Notice was published in the December 2008 *Oregon Bulletin*.\*\*  
Month and Year

**RULE CAPTION**

Adopt changes to Agricultural Labor Housing (ALH).  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

**AMEND:** OAR 437-004-1120

**ORS** 654.025(2), 656.726(4)  
Stat. Auth.

**ORS** 654.001 through 654.295  
Stats. Implemented

**RULE SUMMARY**

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/s/Michael D. Wood  
Authorized Signer

Michael D. Wood  
Printed name

1/22/09  
Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

\*\*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

ARC 930-2005