



Oregon

Kate Brown, Governor

Department of Consumer and Business Services
Oregon Occupational Safety & Health Division (Oregon OSHA)
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June 29, 2022

Exhibit A Page 1

[Text of changes](#)

Adjustments to COVID-19 Workplace Requirements for Employer-Provided Labor Housing

Virtual Public Hearings Scheduled for:

<u>Date</u>	<u>Time</u>
July 26, 2022	3:00 pm

Please register for Adjustments to COVID-19 Workplace Requirements for Employer-Provided Labor Housing on July 26, 2022 3:00 PM PST at:

<https://www.zoomgov.com/j/1612743600>

July 26, 2022	6:00 pm
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Please register for Adjustments to COVID-19 Workplace Requirements for Employer-Provided Labor Housing (Spanish interpretation available) on July 26, 2022 6:00 PM PST at:

<https://www.zoomgov.com/j/1608021272>

After registering for a webinar, you will receive a confirmation email containing information about joining the webinar. In order to ensure as many people as possible are able to testify, Oregon OSHA reserves the right to restrict testimony to no more than 5 minutes.

Rule Summary:

Due to reduced COVID-19 cases and hospitalizations, Oregon OSHA is proposing to make substantive changes to OAR 437-004-1115: COVID-19 Workplace Requirements for Employer-Provided Labor Housing to remove provisions no longer appropriate to this stage of the pandemic. These changes are in response to Governor Brown's announcement of updated health guidance on February 28, 2022 and direction from the Oregon Health Authority.

These proposed changes have been in effect as temporary amendments since April 13, 2022 and are set to expire on October 9, 2022. If these rulemaking adjustments are not

made, the rule will revert to the stricter requirements in Administrative Order 15-2021 adopted on December 21, 2021.

Major proposed changes include the removal of several sections of the rule, including (3) Ventilation, (5) Physical distancing monitor, (7) Cleaning and sanitation, and (9) Non-employer-provided transportation for labor housing. In addition, the (2) Definitions section is greatly simplified.

The proposed amendments will remove the requirement for the use of the Air Purification Method or the Capacity Reduction Method to calculate the square footage of spaces where people sleep. However, if air purifiers were provided by the operator as part of this provision, occupants must be allowed to continue to use the air purifier at no cost including the maintenance of the equipment. If occupants choose to use their own air purifier, they must be allowed to do so but they are responsible for the maintenance of it.

As was the case before these adjustments, the proposed rule maintains language that an employee who chooses to wear a mask, face shield, or face covering, even when it is not required, must be allowed to do so.

These proposed adjustments represent a significant removal of COVID-19 requirements, and are a major step forward towards the full repeal of the rule. As stated in the rule, Oregon OSHA will repeal the rule when it is no longer necessary to address the COVID-19 pandemic. Because it is not possible to assign a specific time for that decision, Oregon OSHA will consult with the Oregon OSHA Partnership Committee, the Oregon Health Authority, and other stakeholders as circumstances change to determine when all or parts of the rule can be appropriately repealed.

Please visit our website osha.oregon.gov/rules to view our proposed rules, or select other rule activity from this page.

When does this happen: Adoption tentatively will be in September 2022.

To get a copy: Our web site – osha.oregon.gov Rules and laws, then,
Proposed rules
Or call 503-947-7449

To comment: Department of Consumer and Business Services/
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Comment period closes: August 12, 2022

Oregon OSHA contact: Sarah Rew, Salem Central Office @ 503-378-3272, or email at Sarah.C.REW@dcbs.oregon.gov.

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