

State of Oregon

Department of Consumer and Business Services
Oregon OSHA

Enhanced Federal Annual Monitoring and Evaluation Report
of the Oregon Occupational Safety and Health Program

October 1, 2008, through September 30, 2009

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Occupational Safety and Health Administration
Region 10

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Executive Summary

OSHA conducted a baseline special evaluation of Oregon's occupational safety and health agency, commonly known as OR-OSHA. The evaluation covered federal fiscal year 2009 and focused primarily on the effectiveness of the state's enforcement program. A special study of OR-OSHA's assessment of penalties for serious violations was included in the evaluation.

Significant Findings and Recommendations

Overall, OSHA found that the state is operating an enforcement program which directs resources to where they are most needed. OR-OSHA's revised scheduling system is designed to improve the state's ability to inspect workplaces with the most serious hazards and exposures. Nevertheless, OSHA identified a need for the state to further reduce its lapse time for issuing health citations. Also, OSHA's special study of penalty assessments found that OR-OSHA's gravity-based penalties for serious violations are significantly lower than OSHA's.

OSHA's recommendations are as follows:

1. Take remedial actions to reduce the average health lapse time. This is a repeat recommendation.
2. Increase gravity-based penalty amounts significantly in order to encourage employer voluntary compliance and to serve as a strong deterrent. Make policy adjustments to raise penalty averages for serious violations.

OR-OSHA's performance with respect to other activities that are mandated by the Occupational Safety and Health Act and its implementing policies and regulations continued to be very good. For example, Oregon's performance in timely responding to complaints, imminent dangers and appeals was good and there were no denials of entry for which entry was not obtained.

During the fourth year of its five-year strategic plan covering the period of FY 2006 through FY 2010, Oregon-OSHA also made very good progress toward accomplishing its strategic goals.

With respect to its first strategic goal, the state promoted employer self-sufficiency as a means of reducing injuries and illnesses. OR-OSHA's recognition programs, as well as its partnerships with and education of employers and employees, have contributed substantially toward meeting this strategic goal.

The state's second goal is to reduce injuries, illnesses and fatalities by working with employers to reduce occupational hazards and exposures. One of the many ways to accomplish this is to direct enforcement resources to high hazard locations. In the area

of health inspections, OR-OSHA concentrated successfully on specific hazards such as combustible dusts and methylene chloride. Other areas of focus included process safety management, logging, construction and motor vehicle safety.

Oregon OSHA's third strategic goal is to continuously improve its delivery of services in order to maximize the agency's effectiveness. Part of this effort includes specific timeliness goals for activities ranging from discrimination investigations to responses to fatalities. The state also measures customer satisfaction through surveys. OR-OSHA consistently accomplishes the majority of its performance goals from year to year. Those successes have kept OR-OSHA well on track to accomplish this strategic goal.

Introduction

The state of Oregon, under an agreement with OSHA, operates an occupational safety and health program in accordance with Section 18 of the Occupational Safety and Health Act of 1970. The Oregon state plan was submitted on April 28, 1972, and was certified on September 15, 1982, after all developmental steps as specified in the plan had been completed. In May of 2005, after a full opportunity for public review and comment and a comprehensive program evaluation, OSHA granted final approval to the Oregon program, with the exception of its temporary labor camp enforcement. This significant achievement confirmed that Oregon OSHA's program in actual operations is at least as effective as the federal program with respect to issues covered by that decision. For additional information, please refer to Federal Register, volume 70, number 91, pp. 24947-24955, May 12, 2005.

OSHA monitors state plans to ensure that they are at least as effective as the federal program, and reports annually on state performance. Beginning in 1997, OSHA used strategic plans to establish five-year goals and objectives, and required state plan states to do likewise. As part of this process, states were asked to develop performance plans that would ultimately lead to the achievement of their five-year goals, and to include such performance plans in annual 23(g) grant applications.

Evaluation Methodology. This Enhanced Federal Annual Monitoring and Evaluation (FAME) report is a Baseline Special Evaluation of the Oregon State Plan. It evaluates state performance of required (mandated) performance areas and related enforcement activities. It also evaluates state performance at achieving its own performance goals as outlined in its grant application. The report represents the combined efforts of OSHA's Seattle Regional and Portland Area Offices, and covers federal fiscal year 2009, which is the period from October 1, 2008, through September 30, 2009.

The opinions, analyses, and conclusions described herein are based on information obtained from a variety of sources, including:

- State Activity Mandated Measures (SAMM) report data (Appendix B).
- State Information Report (SIR) data (also in Appendix B).
- Other statistical reports comparing state performance to federal performance.
- Quarterly monitoring meetings between OSHA and the state.
- A special study that examined Oregon OSHA's penalty assessments and adjustments during the same period.
- The State OSHA Annual Report (SOAR) prepared by Oregon OSHA.

The SOAR (Appendix A) contains the details of the state's achievements with respect to its annual goals. In addition, the views and opinions of stakeholders were taken into consideration in preparing this report. For example, input was received from employers and their legal representatives who deal with both Oregon OSHA and federal OSHA; from organizations representing labor, such as the Labor Education Resource Council,

the International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers (Ironworkers Union), and Legal Aid Services of Oregon; from the University of Oregon Medical School in Portland; and, from interviews with Oregon OSHA employees.

Background. The Oregon Occupational Safety and Health Division (OR-OSHA) is part of the Oregon Department of Consumer and Business Services (DCBS). The administrator of Oregon OSHA is the designee for the Oregon state plan. The administrator's position is supported by a deputy administrator and a quality control manager. Oregon OSHA has field offices in Portland, Salem, Eugene, Medford, Pendleton and Bend.

Over the years, Oregon has adopted a number of major safety and health standards that, while deemed as effective as comparable federal standards, also have significant differences. Oregon has also adopted a number of state-initiated rules for which there are no federal counterparts, including Forest Activity Standards, Agricultural Standards, Firefighter Standards, and Pesticide Worker Protection Standards. Oregon OSHA's rules, the Oregon Safe Employment Act, letters of interpretation, and recent rule activity can be accessed via the Rules and Compliance section of the Oregon OSHA website.

Appeals specialists review appealed citations and conduct informal conferences in an effort to resolve contested Oregon OSHA enforcement cases. Appealed cases not resolved by informal conferences are referred to the Workers' Compensation Board Hearings Division. Administrative Law Judges (ALJs) in the Hearing Division conduct contested case hearings for Oregon OSHA citations and orders. Orders of the Workers' Compensation Board may be appealed to the Oregon Court of Appeals.

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 discrimination. Rules pertaining to the processing of these complaints are contained in Division 438 of Oregon's Administrative Rules. BOLI is reimbursed by Oregon OSHA for costs associated with conducting discrimination investigations.

For FY 2009, the state plan was staffed as follows: 68 compliance officers (45 safety and 23 health), 31 100% state-funded consultants (19 safety and 12 health), and four consultants (two safety and two health) that were funded under a 21(d) cooperative agreement. In addition, the state supplemented its 23(g) compliance staff with nine safety compliance officers and five health compliance officers that were funded with 100% state monies. The program covers approximately 1.76 million workers employed by 91,551 employers in 141,226 locations around the state.

In addition to the federal share, the Oregon OSHA program was funded by Oregon workers' compensation fund monies. The total level of FY 2009 funding for the program is indicated below and shows both the federal and state share for the 23(g) compliance program:

Program	Federal	State Match	100% State	Total
OR 23(g)	\$5,315,800	\$5,315,000	\$10,489,171	\$21,120,771

Oregon OSHA has jurisdiction over most workplaces in the state. Exceptions include workplaces covered by OSHA, such as private sector establishments on Native American reservations and tribal trust lands, including Native American-owned enterprises. OSHA also covers federal agencies; the U.S. Postal Service; contractors on U.S. military reservations; private employers and federal government employers at Crater Lake; and private sector maritime employment on or adjacent to navigable waters, including shipyard operations and marine terminals.

Status of the Recommendation from FY 2008 FAME Report

There was one recommendation for improvement in the FY 2008 evaluation report.

Recommendation: Continue efforts to reduce the average health citation lapse time.

State's Response: The standard approach used by health enforcement managers for tracking health inspections includes the use of the Cases with Citations Pending Report (Federal IMIS) and the Compliance Officer Activity Log (COAL, State Oracle), to assure timely closure of health inspections, with particular focus on those open longer than 70 days. For FFY 2009, the average health citation lapse time was 66 days, down from 68 days for the prior fiscal year. The health enforcement management team remains committed to continue our improvement with this indicator.

Assessment of Effect of State Response: Oregon OSHA made progress in reducing its health lapse time from 68 calendar days to 66 calendar days. Nonetheless, additional improvement is needed for the state to be at or below the national average of 57 days.

Major New Issues

Furloughs. Oregon OSHA is part of Oregon's Department of Consumer and Business Services (DCBS). For all personnel of DCBS there will be ten Friday closures during the 2010-2011 biennium. Depending on an employee's salary range, employees may need to take additional floating furlough days.

For the period of September 2009 through June 2010, the number of furlough days for the salary range of \$2,450 or below is five. For that same period, the number of furlough days for the salary range of \$2,451 through \$3,100 is six days during September 2009 through June 2010. Also for that same period, the number of furlough days for salaries of \$3,101 and above is seven days. This scheme will be repeated when OR-OSHA is operating from July 2010 through June 2011.

The impact of the furloughs in FY 2009 on the state's program is unclear. Nonetheless, Oregon OSHA does have procedures in place to ensure that at any given time safety and health coverage exists.

Special Study. This year, OSHA conducted a baseline special study to examine OR-OSHA's penalty assessments and adjustments. OSHA conducted case file reviews (CFRs) of inspections conducted by Oregon OSHA's Portland Field Office in FY 2009. The study compared penalties assessed by Oregon OSHA to those assessed by OSHA to determine whether there were significant differences and, if so, to identify contributing factors. The study resulted in a single recommendation as noted in the mandated activities section of this report.

Assessment of OR-OSHA Performance in Fiscal Year 2009

A. ASSESSMENT OF OR-OSHA PERFORMANCE IN MANDATED AND OTHER RELATED ACTIVITIES

This portion of the Enhanced FAME report discusses Oregon OSHA's performance in program areas mandated by OSHA. OR-OSHA has the necessary rules, policies and procedures in place to carry out those mandates in that it has adopted its response to the revised OSHA's Field Operations Manual (FOM), appropriate compliance program directives and administrative rules.

OSHA's assessment is based on information from grant assurances and statistical reports; reviews of case files; discussions between OSHA and OR-OSHA at quarterly meetings; and staff interviews. Recommendations for improvement are made, where appropriate.

1. Enforcement

The following is an assessment of Oregon's performance under the mandated program areas. Monitoring data have come from grant assurances, statistical reports, case file reviews and interviews.

Complaints. Ensure that safety and health complaint processing is timely and effective, including notification of complainants and appropriateness of the State's responses.

OR-OSHA has tiered criteria for measuring complaint responsiveness: imminent danger complaint inspections, initiate within 24 hours; serious complaint inspections, initiate within five working days; other-than-serious complaint inspections, initiate within 30 working days; phone/fax response, initiate within 10 working days. The state's goal is 95% timeliness for initiating responses to complaints. Performance goal 3.1 of the state's SOAR reports on the state's corresponding performance for each. OR-OSHA's timeliness rates are as follows:

- 100% (43/43) for imminent danger complaints.
- 92.4% (378/409) for serious complaints.
- 97% (221/229) for other-than-serious complaints.
- 96.9% (372/384) for phone/fax investigations.

The state exceeded its criteria for acceptable performance in three out of four categories. Performance with regard to serious complaints did not warrant a recommendation for remedial action.

Fatalities and Catastrophes. Ensure fatalities and catastrophes are investigated properly, including responding timely to incidents and making contact with the families of victims.

OR-OSHA investigated 27 fatalities in FY 2009, responding timely (within one day) in 25 out of the 27 cases (92.6%). OR-OSHA's response to fatalities continues to be very good.

Imminent Danger. Ensure imminent-danger situations are responded to promptly and appropriately.

As with OSHA, it is OR-OSHA's policy to inspect imminent danger complaints and referrals within 24 hours of notification. During FY 2009, OR-OSHA met this timeliness requirement in 96 of 97 instances (99%). The state's performance in this area is satisfactory.

Compliance Inspections. Ensure an effective program is in place allowing the conduct of unannounced enforcement inspections (both programmed¹ and unprogrammed²).

OR-OSHA conducted 5,536 inspections during FY 2009, which exceeded its goal of 5,500 inspections and is a five percent increase over the number of inspections conducted in FY 2008. During this period, 4,616 safety inspections were conducted, of which 3,649 were programmed; 920 health inspections were conducted, of which 451 were programmed. OR-OSHA inspection activity remains very good.

Employee and Union Involvement. Ensure employees are allowed to participate in inspection activities.

OR-OSHA's policies and procedures require that employees be offered the opportunity to participate in inspections. OSHA reviewed 88 OR-OSHA case files and found that employees were involved in the interview process 100% in all of the cases reviewed, and employees participated in the walk-around 66% of the time (58/88). Historically, there has never been a problem in this category. Such was the case again this year.

Citations. Ensure timely issuance of citations.

The lapse time from opening conference to citation issuance for safety inspections in Oregon was 33 calendar days in FY 2009. This is better than the corresponding national average of 44 days and is a 7-day (11%) improvement over OR-OSHA's 37-day average in FY 2008.

¹ Programmed inspections are scheduled based upon objective or neutral selection criteria. Examples include national and local emphasis programs which target inspections in high-hazard industries.

² Unprogrammed inspections are conducted in response to imminent dangers, fatalities, catastrophes, complaints and referrals.

For health inspections, OR-OSHA averaged 66 days from opening conference to citation issuance. This is nine days (16%) longer than the corresponding national average of 57 days, but also represents a two-day (3%) decrease in lapse time in comparison to the state's average health lapse time of 68 days in FY 2008. While OSHA commends OR-OSHA for reducing its health lapse time by three-percent, additional reduction is needed.

Recommendation – Take remedial actions to reduce the average health lapse time. This is a repeat recommendation.

Penalties. Ensure appropriate penalties for serious violations.

This year, OSHA conducted a baseline special study to examine OR-OSHA's penalty assessments and adjustments. OSHA conducted case file reviews (CFRs) of inspections conducted by Oregon OSHA's Portland Field Office in FY 2009. The study compared penalties assessed by Oregon OSHA to those assessed by OSHA to determine whether there were significant differences and, if so, to identify contributing factors.

The audit was performed during parts of December 2009 and January 2010. An opening conference was held with Oregon OSHA personnel prior to file reviews. At that time, the OSHA Portland Area Director explained the purpose of the study, the sampling process and the data that would be captured.

A blind, random sample of FY 2009 safety and health inspections was selected. OSHA examined the violations classified as serious for the following:

- gravity-based penalty.
- severity and probability assessment.
- adjusted penalty.
- types of adjustments allowed.

The reviewers then calculated the penalties OSHA would have assessed for each violation, based upon the state's severity and probability assessments. A template was developed and used for capturing information from each case file. OSHA audited 56 safety files and 32 health files for a total of 88 files.

Review Questions and Findings:

1. Are violations assigned the proper severity and probability, based on type of hazard, number of employees exposed, and frequency of exposure?

Overall, Oregon OSHA does a very good job of assessing severity and probability. OSHA found only four violations where OSHA differed in the state's assessment. This is quite an achievement, considering OSHA looked at 152 safety violations and 61 health violations (213 violations total).

2. Are penalty reductions applied appropriately?

Oregon OSHA rules and policies permit the following reductions:

- 10% for size of the employer (those with fewer than 50 employees).
- 35% if the employer's Days Away Restricted Time (DART) rate is below the state-wide average for its industry.
- 30% for violation(s) corrected during inspection.

OSHA offers reductions for size, with a range of company sizes receiving reductions up to 60%. Good faith reductions are up to 25%. If there is no history of serious violations by the employer within the most recent three years, a 10% reduction could be applied.

OSHA observed some inconsistencies in OR-OSHA's reductions. For example, on occasion, penalty reductions given for one violation were not given for another within the same case file. Also, a reduction for size given in one inspection was not given in another case, even though the employers had the same number of employees. There were two instances where the DART rate reduction was allowed for some violations, but not for others in the same file.

3. What is the range of gravity-based penalties for Oregon OSHA and how does this compare to OSHA?

Oregon OSHA's gravity-based penalties range from \$300 (for low probability, serious) to \$5,000 (for high gravity, death). In comparison, OSHA's gravity-based penalties range from \$1,500 (for low severity, lesser probability) to \$5,000 (for high severity, greater probability). Of the 213 violations audited, 113 (or 53%) were assessed at \$300 and 52 (24%) were assessed at \$500. In other words, 77% of the violations fell in the serious but low probability category.

4. What is the average gravity-based penalty, based on total and number of violations?

Oregon OSHA had a grand total of \$143,800 in gravity-based penalties for the serious violations contained in the case files that OSHA examined; the average penalty per violation was \$675. By comparison, OSHA's GBP, when applying federal criteria to the violations cited in the state's files, totaled \$494,900, with an average penalty of \$2,323 per violation. In other words, OSHA's average gravity-based penalty was about 3.4 times higher than Oregon OSHA's.

Differences were noted between safety and health violations. The state's total GBP was \$118,300 for safety and \$25,500 for health. The average penalty per violation for safety was \$778, and \$418 for health. In comparison, OSHA's total GBP was \$377,700 for safety and \$117,200 for health. OSHA's average penalty per violation for safety was \$2,485 and \$1,921 for health.

5. Based on total and number of violations, what is the average adjusted penalty?

After the state applied its penalty adjustments, the total dollar amount for penalties in the cases OSHA examined was \$92,690; the average penalty per violation was \$435. In comparison, OSHA's total penalties were \$130,150; the average penalty per violation was \$1,046, or 2.4 times greater than Oregon OSHA's. These figures illustrate how there is less disparity between the state's and OSHA's penalties, after penalty adjustment factors are applied. Where OR-OSHA's average gravity-based penalty was 3.4 times lower than OSHA's, its average adjusted penalty is 2.4 times lower. Nonetheless, 2.4 times is a rather significant difference.

The state's adjusted penalty amounts for safety and health were as follows: \$78,630 for safety; and \$14,060 for health. This translated into an average penalty per violation for safety of \$517; for health, \$230. OSHA's adjusted penalties were \$178,240 for safety and \$44,600 for health. The average adjusted penalty per violation for safety was \$1,173, and \$731 for health.

Other Observations:

- Oregon OSHA employs a multiplier effect in instances where an employer with multiple locations allows violations to be present in those locations. In such cases, OR-OSHA multiplies the number of instances by the penalty amount. That is a commendable policy.
- The documentation and organization in the case files were excellent.
- Oregon OSHA staff use a well designed form to calculate the DART rate and the statewide average.

Conclusion:

Most of the disparity between OR-OSHA's penalties and those of OSHA can be attributed to the state's low gravity-based penalties for low-probability serious hazards. After penalty adjustment factors were applied, the gap between state and federal penalties narrowed although the disparity remained significant.

Recommendation – Increase gravity-based penalty amounts significantly in order to encourage employer voluntary compliance and to serve as a strong deterrent. Make policy adjustments to raise penalty averages for serious violations.

Abatement. Ensure an effective mechanism exists for assurance of hazard abatement.

OR-OSHA requires that serious hazards be abated, and that adequate verification of correction be included in the case file. OSHA found such verification of hazard abatement in the inspection files that were reviewed. Additionally, OR-OSHA has a statute that requires employers to abate cited hazards during the appeals process.

Recordkeeping and Reporting. Ensure rules are in place requiring employer recordkeeping of workplace injuries and illness, and timely reporting of workplace fatalities and catastrophes.

OR-OSHA's regulations for maintaining records of workplace injuries and illnesses and for reporting workplace fatalities and catastrophes are comparable to OSHA's.

Denials of Entry. Ensure an effective mechanism is in place to obtain inspection warrants when denials of entry occur.

OR-OSHA has always had very fast and effective mechanisms to obtain warrants when compliance officers are denied entry. There were no denials during FY 2009 where entry was not gained.

Review Procedures. Ensure effective mechanisms are in place to provide employers the right of review of alleged violations, abatement periods, and proposed penalties; that employees or their representatives have an opportunity to participate in the review proceedings and contest abatement dates.

Oregon's Administrative Code and OR-OSHA's Compliance Manual afford employers the right to administrative and judicial review of alleged violations, proposed penalties, and abatement periods. These procedures also give employees or their representatives the opportunity to participate in review proceedings and to contest citation abatement dates.

Employers have the right to discuss citations informally with Oregon OSHA (see Oregon Administrative Rules (OAR) 437-001-0255). Oregon's rules at OAR 438-085-0111 provide employers with the right to contest citations and penalties. Those rules also provide employees with the right to object to assigned abatement dates.

In Oregon, most employer citation appeals are resolved by informal settlement. In FY 2009, OR-OSHA held 551 informal settlement conferences which resulted in settlements in 465 (84%) of those cases. Opinions and Orders issued by hearing referees during this period resulted in Oregon OSHA's position being affirmed in 46 out of 49 instances.

Oregon's Court of Appeals dismissed one appeal as untimely in FY 2009. Oral arguments have been made in one other case at the Oregon Court of Appeals and the parties are awaiting a decision. Finally, the Oregon Supreme Court dismissed an employer's appeal of the lower court's decision on four related cases, thus affirming OR-OSHA's citations.

For informational purposes, OSHA issues a quarterly State Indicator Report (SIR) for each state program. In comparing OR-OSHA's FY 2009 performance to OSHA's in areas such as vacating or reclassifying violations and retention of penalties after appeal, Oregon's performance was better than OSHA's.

Public Employee Program. Ensure a representative share of safety and health enforcement inspections is conducted in the public sector.

In FY 2009, a little over five percent of safety and health inspections (304 inspections out of a total of 5,534 inspections) involved public sector employers. This is consistent with OR-OSHA's past performance and is satisfactory.

Information Management. Use of IMIS reports for program management; accuracy and integrity of data; timeliness of data entry and updates.

Although OSHA, Region X, does not routinely audit OR-OSHA's performance with regard to information management, other methods are used to ensure the integrity of the data. For example, OSHA meets quarterly with representatives of OR-OSHA to review program performance. Prior to such meetings, IMIS reports are run by the Portland Area Office for purposes of gauging the state's performance with respect to mandated activities. Likewise, the state updates its report on performance against the goals in its annual plan. In order for such reports to be accurate, the data need to be properly entered in a timely fashion; if any issues or concerns about data integrity arise, they are discussed at quarterly meetings in order to achieve resolution.

In addition to the above, the Seattle Regional Office monitors the IMIS monthly to ensure that the state plans in Region X enter OSHA-170 information for fatalities they investigate. Also, responses are prepared for ad hoc requests for clarification or correction of state data in the IMIS.

Bureau of Labor Statistics (BLS) Rates. Review state-specific rates to determine trends; compare to targeting and emphasis programs for correlation.

An overview of Oregon's private industry TCIR³ and DART⁴ rates for calendar years 2004 through 2008, as well as for select industries, is provided in the table that follows. At the close of this monitoring period, 2008 was the most recent calendar year for which data were available. [Data source: www.bls.gov]

	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	% Change, 04-08	% Change, 06-08
Private Industry							
TCIR	5.8	5.4	5.3	5.1	4.6	-20.6%	-13.2%
DART	3.1	2.9	2.8	2.8	2.5	-19.4%	-10.7%
Construction, NAICS⁵ 23							
TCIR	7.9	8.0	6.3	6.8	5.4	-31.6%	-14.3%
DART	3.7	4.2	2.9	3.4	3.0	-19%	+3.4%
Manufacturing, NAICS 31-33							
TCIR	7.4	7.5	7.0	6.5	5.7	-23%	-18.6%
DART	4.1	4.2	4.0	3.6	3.2	-22%	-20%
State and local government							
TCIR	5.4	5.7	4.8	5.4	4.8	-11.1%	0%
DART	2.4	2.7	2.8	2.6	2.3	-4.2%	-17.9%

2. Standards, Variances, and Plan Changes

Standards Adoption and Variance Actions. Ensure new and revised standards are adopted within required time frames and variance applications are processed properly and decisions justified.

Standards. OR-OSHA has acceptable procedures for promulgating standards that are at-least-as-effective-as those issued by OSHA. During this evaluation period, OSHA issued four final rules, three of which were required to be adopted by the states. The "Clarification of Employer Duty to Provide Personal Protective Equipment and Train Each Employee," "Revising Standards Referenced in the Acetylene Standard," and the

³ TCIR is the total case incident rate, which represents the number of recordable injuries and illnesses per 100 full-time workers, calculated as: (N/EH) x 200,000 where N = number of injuries and illnesses; EH = total hours worked by all employees during the calendar year; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

⁴ DART is the days away from work, job transfer, or restriction rate, which represents the number of such cases per 100 full-time workers. Calculation of the DART rate is similar to that of TCIR, as described in footnote 4 above.

⁵ NAICS is the North American Industry Classification System.

“Longshoring and Marine Terminals; Vertical Tandem Lifts” rules were required to be adopted by the states. Adoption of the “Updating OSHA Standards Based on National Consensus Standards: PPE” rule was optional. OR-OSHA adopted the “Clarification of Employer Duty to Provide Personal Protective Equipment and Train Each Employee” and “Longshoring and Marine Terminals; Vertical Tandem Lifts” standards within the required time frame. The state has notified OSHA that it intends to adopt the other two rules within the required time frames as well.

Variances. The state reported four variance actions during this evaluation period. Four permanent variances were revoked; three were no longer needed and one was revoked for failure to follow the terms of the variance. During the previous three years of reporting, OR-OSHA granted an average of one permanent variance a year. No temporary variances have been granted in the last three report years.

Federal Program Changes (FPCs) and State-Initiated Changes (SICs). Ensure timely adoption of program changes.

Federal: In FY 2009, OR-OSHA timely acknowledged all seven of the federal program changes that were issued by OSHA. OR-OSHA provided a timely response to one of the two federal program changes for which a final response was due in the fiscal year. The exception was Oregon OSHA’s final response to OSHA’s revised Field Operations Manual. The state requested and was granted an extension of time to incorporate state-initiated changes into the final response. The final response was submitted within the time frame projected in OR-OSHA’s extension request.

State-initiated: OR-OSHA timely submitted all 17 of its state-initiated changes this period. The quality of OR-OSHA’s state-initiated changes as well as its responses to and acknowledgement of federal program changes continues to be excellent.

3. Voluntary Compliance

Ensure the existence and implementation of an appropriate program to encourage voluntary compliance by employers through consultation and intervention.

Consultation.

The majority of Oregon OSHA’s consultative visits are conducted by 100% state-funded consultants. These consultants provide consultation services to both public and private employers. No deficiencies with respect to 100% state funded consultants were identified in FY 2009.

Other Voluntary Compliance. A discussion of OR-OSHA’s performance with respect to outreach, education, the Voluntary Protection Programs (VPP), and the Safety and

Health Achievement Recognition Program (SHARP) appears later in this report. See B. Assessment of OR-OSHA's Progress in Achieving its Annual Performance Goals; OR-OSHA Five-Year Strategic Goal 1.

4. Discrimination Program

Ensure the state provides necessary and appropriate protection against employee discharge or discrimination.

Section 654.062 (5) of the Oregon Safe Employment Act provides for discrimination protection equivalent to that provided by federal OSHA. Oregon OSHA contracts with the Oregon Bureau of Labor and Industries (BOLI) for discrimination complaint investigations.

OSHA did not conduct an on-site audit of BOLI during FY 2009. An on-site audit is planned for FY 2010. In February 2009, OSHA gave a presentation to BOLI investigators, managers and OR-OSHA officials about the previous year's audit. The presentation included the process for auditing a state's safety and health discrimination program, FY 2008 audit results, and OSHA's policy for settling whistleblower complaints.

During FY 2009, the Oregon state legislature passed a law amending Section 2 of the Oregon Safe Employment Act by adding ORS Chapter 659A.885. The amendment relates to employee protections for whistleblowing and went into effect in January 2010. It expands the protections for an employee who "blows the whistle" if the employee "in good faith" reported any "evidence of a violation of a state or federal law, rule or regulation."

As a result of the amendment to the state law, OSHA held a conference call with state officials in July 2009. Participants included the OSHA supervisory investigator, an attorney from the Department of Labor's Regional Solicitor's Office, and managers and staff from both OR-OSHA, and BOLI. The purpose of the call was to consider what impact, if any, the amendment might have on federal whistleblower laws enforced by OSHA. BOLI indicated that there already was an existing state law (ORS 659A.203) which included protections for employees who reported a violation of a federal law. (Employees working for the U.S. Postal Service are exempt from this state law.)

Apparently, there have not been any concerns voiced by the public about BOLI investigating retaliation complaints under ORS 659A.203(b)⁶. Participants in the conference call agreed that if an Oregon employee contacts federal OSHA and asks to file a whistleblower complaint, federal OSHA would accept the complaint (if properly

⁶ORS 659A.203(b) Prohibited conduct by public employer: (b) Prohibit any employee from disclosing, or take or threaten to take disciplinary action against an employee for the disclosure of any information that the employee reasonably believes is evidence of: (A) a violation of any federal or state law, rule or regulation...; 2007.

filed), and inform the employee of the amended Oregon law. Likewise, BOLI agreed to inform complainants of applicable whistleblower laws enforced by OSHA should an employee file a whistleblower complaint with BOLI. OR-OSHA will provide OSHA with a copy of the amended state law for inclusion into the state plan.

In fiscal year 2009, BOLI continued to improve its timely resolution of Section 11(c) complaints. For example, in FY 2008, there were 62 overage cases; in FY 2009, the number of overage cases dropped to 22.

The following table is a summary of discrimination activity during FY 2009:

Disposition	Totals
Total Cases	123
Cases Completed	106
Cases Completed Timely	84
Overage Cases	22
Withdrawn	8
Dismissed	79
Merit	19
Settled	1
Settled Other	5
Litigated	0
Reinstatement	0
Investigators on Staff	15

5. Complaints About State Program Administration (CASPA)

Ensure timely and thorough responses to CASPA allegations, investigative findings and recommendations for program improvement are provided by the state.

No new CASPAs were filed in FY 2009. All CASPAs from prior evaluation periods have been closed.

6. Other Program Elements

Personnel-Benchmark Positions Authorized and Filled. Track the state's authorized field safety and health enforcement positions at or above benchmark levels and actual safety and health enforcement positions filled.

Oregon's safety enforcement benchmark is 47 with 54 positions identified and 49 positions filled. For health enforcement, both the benchmark and positions identified are 28 of which 25 were filled.

Laboratory. Accredited and participates in quality assurance program.

OR-OSHA operates its own laboratory to analyze industrial hygiene samples. The laboratory is accredited by the American Industrial Hygiene Association and is a participant in the Proficiency Analytical Testing (PAT) Program. The laboratory was rated proficient for all contaminant categories of the PAT program for Rounds 175 through 178 covering this past year.

Summary Assessment of OR-OSHA Performance of Mandated and Related Activities

Oregon's performance with respect to activities that are mandated by the Occupational Safety and Health Act or its implementing policies and regulations continues to be very good. Nonetheless, OSHA recommends that the state reduce its average health lapse time and increase its gravity-based penalty amounts.

B. FISCAL YEAR 2009 ASSESSMENT OF OR-OSHA PROGRESS IN ACHIEVING ANNUAL PERFORMANCE GOALS

Introduction. OR-OSHA's five-year strategic plan covers the period of FY 2006 through FY 2010. The plan includes performance goals which were approved by OSHA. OR-OSHA developed and submitted its FY 2009 performance goals in support of its strategic plan as part of its application for federal funds.

The following is OSHA's assessment of the state's performance against each of its FY 2009 performance goals and the extent to which the state is making progress in achieving its FY 2006-2010 strategic goals. Oregon's more detailed report on its accomplishments with respect to its 2009 Annual Performance Plan goals is attached as Appendix A, the State OSHA Annual Report (SOAR).

Five Year Strategic Goal 1: Reduce injuries and illnesses by promoting employer self-sufficiency.

Performance Goal 1-1: Recognition Programs

Increase the number of new SHARP participants by 25 and the number of new VPP participants by four.

FY 2009 Performance Goal – Continue to encourage employers to attain VPP status, and certify five new SHARP employers and one new VPP site.

Results – In FY 2009, nineteen employers received SHARP certification and seven employers attained VPP status. That addition increased the total of SHARP companies in Oregon to 155. As of September 30, 2009, another 52 companies were working toward SHARP. The seven new VPP sites increased the total number of VPP sites to 23.

OSHA's Assessment – The goal was exceeded.

Performance Goal 1-2: Education

Educate employers and employees regarding the value of occupational safety and health by increasing materials available for hard-to-reach audiences, providing workshops and conferences, and by working with safety committees on 85% of consultations with employers who have a safety committee.

FY 2009 Performance Goal 1-2a – Increase outreach opportunities to non-English speaking workers by marketing existing Spanish-language workshops and continuing to review publications for translation where the need is high.

Results – A total of 63 four-hour workshops were presented in Spanish during the fiscal year. A total of 1,027 attendees participated in these workshops. Five publications were translated in FY 2009. These were:

- *Youth Worker Brochure.*
- *What is PESO?*
- *OSHA 300 Injury Log.*
- *Forestry Poster.*
- *How to File a Complaint (online only).*

OSHA's Assessment – The goal was met.

FY 2009 Performance Goal 1-2b – Educate employers and employees regarding the value of occupational safety and health by: (1) providing conferences and workshops, including safety and the small business, and (2) working with safety committees on 85% of consultations with employers who have an active safety committee.

Results – The following conferences were held during FY 2009: Southern Oregon Conference; Western Pulp & Paper Workers Conference; Oregon Governor's Occupational Safety & Health Conference (GOSH); Mid-Oregon Construction Safety Summit; Blue Mountain Conference; and Central Oregon Conference. A total of 37 sessions of Safety for the Small Business (SFSB) workshops were held. During FY 2009, 87.1% of consultations included the consultants working with the establishment safety committees to improve committee effectiveness.

OSHA's Assessment – The goal was met.

Performance Goal 1-3: Partnerships

Promote occupational safety and health by maintaining existing partnerships and establishing five new partnerships, each with specific safety and/or health awareness improvement objectives.

FY 2009 Performance Goal – Enhance effectiveness of partnerships in advising OR-OSHA management on focus areas. Use existing partnerships to provide more specific focus to OR-OSHA activities.

Results – OR-OSHA made extensive use of its relationships with partners during FY 2009. A detailed list of partners and their activities can be found on pages 8-17 of the attached Oregon State OSHA Annual Report (SOAR).

OSHA's Assessment – The goal was met.

OSHA's Assessment of State Progress toward Accomplishing Strategic Goal 1:
Reduce injuries and illnesses by promoting employer self-sufficiency.

Overall, Oregon OSHA is making excellent progress towards accomplishing its first strategic goal to reduce injuries and illnesses by promoting employer self-sufficiency. Oregon OSHA met or exceeded each annual performance goal. In fact, over the first four years of its current five-year plan, Oregon OSHA has either met or exceeded most annual performance goals designed to accomplish this first strategic goal.

Five-Year Strategic Goal 2: Reduce injuries, illnesses and fatalities by working with employers to reduce occupational hazards and exposures.

Performance Goal 2-1: Safety & Health Hazards

Reduce the injury and illness DART rate by 10% by 2010 through focusing on targeted safety and health hazards.

FY 2009 Performance Goal 2-1a – Health enforcement will continue emphasis programs in the pesticide, lead in construction, silica, process safety management, diisocyanate and methylene chloride. A new emphasis program for combustible dusts is being introduced. Emphasis inspection targets are: pesticides, 60; lead in construction, 30; silica, 50; diisocyanate, 30; process safety management, 10; methylene chloride, 10; combustible dusts, 20. The total number of emphasis program inspections was 210.

Results – OR-OSHA's pesticide inspection goal was 60 inspections. By conducting 84 pesticide inspections, Oregon exceeded that goal by 24. OR-OSHA exceeded its inspection goals for lead in construction by 10, for silica by 16, for process safety management by 8, and for diisocyanates by 30. Oregon conducted 20 combustible dust inspections thus meeting that goal. Because OR-OSHA exhausted its list of methylene chloride emphasis targets after 8 inspections, the program was discontinued since there was no opportunity to meet the projected 10 inspections.

OSHA's Assessment – The goal was met. OR-OSHA is commended for its health enforcement activities. In conducting 296 emphasis inspections, OR-OSHA exceeded its goal of 210 such inspections.

FY 2009 Performance Goal 2-1b – High hazard industries with the highest number of claims will be scheduled for inspection. Conduct at least 2,700 inspections in high hazard industries.

Results – OR-OSHA conducted five percent more inspections in FY 2009 than it did in FY 2008 (5,536 in FY 2009 versus 5,248 in FY 2008). In so doing, OR-OSHA exceeded its FY 2009 goal of 5,500 inspections. OR-OSHA fell short of its goal for inspections in high hazard industries (2,285 conducted, which was 415 fewer than planned).

Although OR-OSHA fell short of its goal for scheduling inspections in high hazard industries, that shortfall is not a concern, especially since the state exceeded its overall inspection goal for FY 2009.

OSHA's Assessment – The goal was partially met.

Performance Goal 2-2: Fatalities

Reduce the five year average number of workplace fatalities by eight percent through scheduled inspections and interventions at work sites in targeted industries.

FY 2009 Performance Goal – Conduct 1,800 inspections in logging and construction. Address motor vehicle safety for all inspections and consultations where employees use motor vehicles.

Results – OR-OSHA fell six percent (110 inspections) short of this goal. Motor vehicle safety inspections were addressed 1,545 times in FY 2009. The number of work related fatalities rose from 35 in CY 2007 to 45 in CY 2008. A significant contributor to the increase was a single helicopter crash that killed eight workers.

OSHA's Assessment – The goal was partially met.

Performance Goal 2-3: Ergonomics

Develop and implement a plan, including outreach, education and identification of high-risk industries for educating employers regarding musculo-skeletal disorders, methods for reducing hazards, and the value of addressing ergonomic issues in the workplace.

FY 2009 Performance Goal – This year's focus for ergonomics will be on the health care industry. A particular initiative this year is a model Safe Patient Handling (SPH) program. A model process will be defined based on our experience with several pilot sites selected from Long Term Care (LTC) and rural hospital submissions. The "Facilities of Choice" will be a new certification program certifying LTC facilities meeting SPH requirements.

Results – Dallas Retirement Village and Good Shepherd Healthcare System in Hermiston, Oregon, were chosen to receive grant money to implement a Safe Patient Handling Program. Patient satisfaction and injury data are now being collected at both facilities. A description of the SPH model for the health care industry is available on the Oregon OSHA website.

OSHA's Assessment – The goal was met.

OSHA's Assessment of State Progress toward Accomplishing Strategic Goal 2:
Reduce injuries, illnesses and fatalities by working with employers to reduce occupational hazards and exposures.

Oregon OSHA was successful in exceeding its goal for total number of health emphasis programs inspections. Since the state inspected all the work sites in Oregon where methylene chloride was used, it met its methylene chloride emphasis goal for all intents and purposes.

Oregon OSHA exceeded its FY 2009 safety and health inspection goal by five percent. OR-OSHA did not meet its specific numerical goal for inspections in high hazard industries with the highest number of claims. That is not a concern in light of the successes in other areas of Oregon's enforcement performance.

Overall, Oregon is making satisfactory progress towards accomplishing its second strategic goal of reducing injuries and illnesses by working with employers to reduce occupational hazards and exposures in the workplace.

Five-Year Strategic Goal 3: Maximize OR-OSHA effectiveness by striving for continuous improvement in all areas of service delivery.

Performance Goal 3-1: Timeliness

Respond timely to 95% of all fatalities and hazard complaints, 80% of alleged discrimination complaints, 90% of all complainants, and provide timely information of OR-OSHA actions to family members 100% of the time.

FY 2009 Performance Goal – Investigations and inspections will be initiated timely in 95% of all reported fatalities and hazard complaints; complaint responses will be timely in 90% of all cases; family members will be notified 100% timely, and discrimination cases will be processed 80% timely.

Results – All but one of the above measures were met. The exception was that OR-OSHA responded to 25 out of 27 fatalities (93%) within 24 hours of notification. The two untimely responses were due to a criminal homicide investigation that delayed OR-OSHA's opening conferences. In light of that circumstance, OSHA concludes that the state essentially met its goal of providing timely response to fatalities.

OSHA's Assessment – This goal was met.

Performance Goal 3-2: Customer Service

Achieve and maintain the percent of positive responses to OR-OSHA customer surveys at 90% or above.

FY 2009 Performance Goal – Achieve and maintain customer satisfaction in the delivery of OR-OSHA programs and services as evidenced by a survey rating of 90% or above on each program survey.

Results – OR-OSHA conducted customer surveys in the following areas: conferences; public education; audio-visual library; consultation; enforcement; appeals, and laboratory services. No survey results fell below the 90% satisfaction level.

OSHA's Assessment – The goal was met.

Performance Goal 3-3: Staff Development

Eighty-five percent of safety and health staff will receive professional development annually through a variety of methods.

FY 2009 Performance Goal – Develop and deliver a two day all staff professional development conference and complete basic training for new staff.

Results – Due to budgetary constraints, the FY 2009 all staff conference was cancelled.

OR-OSHA's work to revise its current curriculums for basic training is an ongoing project. For 2009, OR-OSHA completed the following curriculums: Safety Committees, OSH Act and Standards, Recordkeeping, Electrical Safety, Accident Investigation, Interviewing, and Vehicle Safety.

OSHA's Assessment – The goal was partially met.

OSHA's Assessment of State Progress toward Accomplishing Strategic Goal 3:
Maximize OR-OSHA effectiveness by striving for continuous improvement in all areas of service delivery.

Oregon OSHA continues to report excellent results in its customer satisfaction surveys. Overall, Oregon OSHA is making very good progress towards accomplishing its third strategic goal. Budgetary constraints precluded Oregon OSHA from developing a planned two day all staff conference. Despite the impact budgetary constraints had on that particular training projection, it is clear that OR-OSHA is making satisfactory progress toward meeting strategic goal number 3.

APPENDIX A

FY 2009 Findings and Recommendations

**FY 2009 Oregon State Plan (OR-OSHA) Enhanced FAME Report
Prepared by Region X**

Findings and Recommendations

[] = added text

	Findings	Recommendations
1	For health inspections, OR-OSHA averaged 66 days from opening conference to citation issuance. This is nine days (16%) longer than the corresponding national average of 57 days, but also represents a two-day (3%) decrease in lapse time in comparison to the state's average health lapse time of 68 days in FY 2008. While OSHA commends OR-OSHA for reducing its health lapse time by three percent, additional reduction is needed.	OR-OSHA should take actions to reduce the average health lapse time. This is a repeat recommendation. (p.10)
2	OSHA's average gravity-based penalty [GBP] was about 3.4 times higher than Oregon OSHA's [\$2,323 vs. \$675]. Most of the disparity between OR-OSHA's penalties and those of OSHA can be attributed to the state's low gravity-based penalties for low-probability serious hazards. After penalty adjustment factors were applied, the gap between state and federal penalties narrowed though the disparity remained significant [\$1,046 vs. \$435, 2.4 times greater].	OR-OSHA should increase gravity-based penalty amounts significantly in order to encourage employer voluntary compliance and to serve as a strong deterrent to allowing hazards to exist in the workplace. (p.12)
Other Penalties Study Findings		
3	OSHA observed some inconsistencies in OR-OSHA's [penalty] reductions. For example, on occasion, penalty reductions given for one violation were not given for another within the same case file. Also, a reduction for size given in one inspection was not given in another case, even though the employers had the same number of employees. There were two instances where the DART rate reduction was allowed for some violations, but not for others in the same file. (p.11)	
4	Differences [in penalties] were noted between safety and health violations. The state's total GBP was \$118,300 for safety and \$25,500 for health. The average penalty per violation for safety \$778, and \$418 for health [1.9 times greater]. In comparison, OSHA's total GBP was \$377,700 for safety and \$117,200 for health. OSHA's average penalty per violation for safety was \$2,485 and \$1,921 for health [1.3 times greater]. (p.11)	

APPENDIX B

FY 2009 Enforcement Activity

**Oregon State Plan (OR-OSHA)
FY 2009 Enforcement Activity**

	Oregon	State Plan Total	Federal OSHA
Total Inspections	5,539	61,016	39,004
Safety	4,617	48,002	33,221
<i>% Safety</i>	<i>83%</i>	<i>79%</i>	<i>85%</i>
Health	922	13,014	5,783
<i>% Health</i>	<i>17%</i>	<i>21%</i>	<i>15%</i>
Construction	1,704	26,103	23,935
<i>% Construction</i>	<i>31%</i>	<i>43%</i>	<i>61%</i>
Public Sector	304	7,749	N/A
<i>% Public Sector</i>	<i>5%</i>	<i>13%</i>	<i>N/A</i>
Programmed	4,102	39,538	24,316
<i>% Programmed</i>	<i>74%</i>	<i>65%</i>	<i>62%</i>
Complaint	698	8,573	6,661
<i>% Complaint</i>	<i>13%</i>	<i>14%</i>	<i>17%</i>
Accident	181	3,098	836
Insp w/ Viols Cited	4,101	37,978	27,165
<i>% Insp w/ Viols Cited (NIC)</i>	<i>74%</i>	<i>62%</i>	<i>70%</i>
<i>% NIC w/ Serious Violations</i>	<i>63%</i>	<i>62%</i>	<i>87%</i>
Total Violations	11,421	129,363	87,663
Serious	4,919	55,309	67,668
<i>% Serious</i>	<i>43%</i>	<i>43%</i>	<i>77%</i>
Willful	-	171	401
Repeat	165	2,040	2,762
Serious/Willful/Repeat	5,084	57,520	70,831
<i>% S/W/R</i>	<i>46%</i>	<i>44%</i>	<i>81%</i>
Failure to Abate	37	494	207
Other than Serious	6,300	71,336	16,615
<i>% Other</i>	<i>55%</i>	<i>55%</i>	<i>19%</i>
Avg # Violations/ Initial Inspection	2.7	3.3	3.1
Total Penalties	\$ 2,155,187	\$ 60,556,670	\$ 96,254,766
Avg Current Penalty / Serious Violation	\$ 330.60	\$ 800.40	\$ 970.20
Avg Current Penalty / Serious Viol- Private Sector Only	\$ 330.00	\$ 934.70	\$ 977.50
% Penalty Reduced	90.0%	51.9%	43.7%
% Insp w/ Contested Viols	13.2%	13.0%	7.0%
Avg Case Hrs/Insp- Safety	12.6	15.7	17.7
Avg Case Hrs/Insp- Health	29	26.6	33.1
Lapse Days Insp to Citation Issued- Safety	23.9	31.6	34.3
Lapse Days Insp to Citation Issued- Health	48.6	40.3	46.7
Open, Non-Contested Cases w/ Incomplete Abatement >60 days	58	2,010	2,234

Source:

*DOL-OSHA. State Plan INSP & ENFC Reports, 11-19-2009. Federal INSP & ENFC Reports, 11-9-2009.
Private Sector ENFC- State Plans 12.4.09 & Federal 12.14.09*

APPENDIX C

Oregon-OSHA's FY 2009 State OSHA Annual Report (SOAR)

**Oregon Occupational Safety and Health Division
Department of Consumer and Business Services**

FY 2009 State OSHA Annual Report

October 1, 2008 - September 30, 2009

November 30, 2009

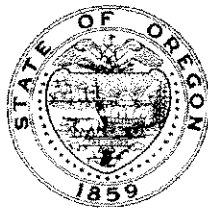


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I. Summary of Results Related to Annual Performance Plan

**Strategic Goal #1
Self-Sufficiency**

Reduce injuries, illnesses and fatalities by promoting employer self-sufficiency.

Performance Goal 1-1: Recognition Programs

Increase the number of new SHARP participants by 25 and the number of new VPP participants by 4.

FY 2009 Performance Goal

Continue to encourage employers to attain VPP status, and certify five new SHARP employers and one new VPP site.

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 OR-OSHA Resource newsletter.	Marketing during the year included: - Additional information on both programs was uploaded to the Oregon OSHA website during the year. - SHARP and VPP companies continue to be featured in Oregon OSHA's Resource newsletter - Both programs were promoted at the quarterly meetings of the SHARP Alliance - The Oregon SHARP Alliance hosted Networking Receptions at two conferences - The VPP program was marketed at both the Regional and National VPPPA Conferences during the year	
Intermediate Outcomes	2. Number of companies working toward SHARP recognition.	There were 52 companies working toward SHARP recognition as of September 30, 2009.	
	3. Number of companies indicating an interest in VPP by requesting program information.	Oregon participated in the VPP Application Workshop attended by 11 Oregonians representing 7 Oregon companies. The VPP/SHARP Program Manager met with representatives from eleven different companies and 3 employer organizations during the year requesting VPP information.	Interest and participation in the VPP program continued to grow during 2009 and is expected to remain high in 2010.
Primary Outcomes	4. Number of employers who receive SHARP certification.	At the end of FY 2009, a total of 155 companies were SHARP certified. This total includes 69 current employers and 87 graduates. Note that 1 graduate company went out of business in FY 2009. 19 new sites received SHARP certification during FY 2009, exceeding the annual target. (Four sites withdrew from the program.)	Previously reported year-end totals (current and graduated SHARP companies): FY 2008: 142 FY 2007: 122 FY 2006: 108 FY 2005: 100 FY 2004: 86 FY 2003: 77 FY 2002: 74

	<p>5. Number of employers who receive VPP certification.</p>	<p>Seven new VPP employers were certified in FY 2009, Oregon received 4 new VPP applications during the same time frame and conducted 9 onsite evaluations or reviews.</p>	<p>As of September 30, 2009, Oregon had the following 23 VPP sites: (up from 16 a year ago)</p> <ul style="list-style-type: none"> -1 AmeriTies West, LLC (Star) -2 Georgia-Pacific West, Inc., Toledo (Star) -3 Georgia-Pacific West, Inc., Philomath (Star) -4 Georgia-Pacific West, Inc., Coos Bay (Star) -5 Timber Products (Star) -6 Marvin Wood Products (Star) -7 Linde, Inc. (Star) -8 GE Security (Star) -9 Stanley Works/Hydraulic Tools (Merit) -10 Utility Vault/Oldcastle Precast (Star) -11 iLevel by Weyerhaeuser (Star) -12 Kiewit Billfinger-Berger AJV, ESCO (Merit) -13 Weyerhaeuser TOPS (Merit) -14 Owens Corning Linnto Asphalt Facility (Star) -15 Weyerhaeuser Coos Bay Timberlands (Merit) -16 Invitrogen (Merit) <i>new in 2009</i> -17 ConocoPhillips, Portland Lubricants Plant (Star) -18 Boise Packaging & Newsprint (Star) -19 Sherwin-Williams Purdy (Star) -20 Georgia-Pacific Consumer Products LLC NWSC Front Ave. (Star) -21 Georgia-Pacific Consumer Products LLC NWSC Kelly Point. (Star) -22 Georgia-Pacific Consumer Products LLC NWSC Rivergate (Star) -23 Covanta Marion, Inc. (Star)
	<p>6. Number of SHARP teams in which 21(d) consultants participated (goal = 4).</p>	<p>At the end of FY 2009, 21(d) consultants were participating on 17 SHARP teams. For 12 of these teams, the 21(d) consultant served as lead.</p>	

Performance Goal 1-2: Education

Educate employers and employees regarding the value of occupational safety and health by increasing materials available for hard-to-reach audiences, providing workshops and conferences, and by working with safety committees on 85% of consultations with employers who have a safety committee.

FY 2009 Performance Goal 1-2a

Increase outreach opportunities to non-English speaking workers by marketing Spanish-language workshops and continuing to review publications for translation where the need is high.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Activities taken to market Spanish language workshops.	Public Education is currently developing a safety committee course and a safety leadership course in English for multi-cultural employers.	The 4 hour courses have been integrated into the regular workshop schedule.
	2. Review current publications for possible translation to other languages, considering cultural barriers to communication that may necessitate an alternative approach.	In FY 2008, 79 publications were reviewed for possible translation to another language.	
Intermediate Outcomes	3. Number of new non-English videos acquired.	Our current video collection contains 170 titles in languages other than English. In FY 2009 we added 13 new non-English videos to our collection.	
	4. Number of videos checked out.	731 non-English videos were checked out in FY 2009.	
	5. Number of 4-hour Spanish language workshops presented.	A total of 63 4-hour workshops were presented in Spanish during the fiscal year. 1 Spanish 1-hour PESO module was held.	We will be continuing our additional outreach to increase awareness of Spanish language workshops.
Primary Outcomes	6. Number of Attendees at 4-hour Spanish Language Workshops.	A total of 1027 attendees participated in the Spanish-language workshops. A total of 37 attendees participated in the 1-hour PESO module that was held.	
	7. Number of new publications developed in languages other than English.	Five publications were translated in FY 2009: <ul style="list-style-type: none"> • Youth Worker Brochure • What is PESO? • OSHA 300 Injury Log • Forestry Poster • How to File a Complaint (online only) 	

Performance Goal 1-2: Education

Educate employers and employees regarding the value of occupational safety and health by increasing materials available for hard-to-reach audiences, providing workshops and conferences, and by working with safety committees on 85% of consultations with employers who have a safety committee.

FY 2009 Performance Goal 1-2b

Educate employers and employees regarding the value of occupational safety and health by: 1) providing conferences and workshops, including Safety and the Small Business, and 2) working with safety committees* on 85% of consultations with employers who have an active safety committee.

* Working with the safety committee to enhance their skills and effectiveness includes, but is not limited to, evaluating meeting processes, providing guidance on trend analysis, discussing the committee's interaction with management and how recommendations are made, reviewing hazard abatement, and providing training.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Coordinate with stakeholders to co-sponsor a variety of safety and health conferences throughout the state.	Six conferences were held in FY 2009: <ul style="list-style-type: none"> • Southern Oregon Conference • Western Pulp & Paper Workers Conference • Oregon Governor's Occupational Safety & Health Conference (GOSH) • Mid-Oregon Construction Safety Summit • Region X VPPPA Conference • Blue Mountain Conference • Central Oregon Conference 	Attendance at the conferences was as follows: <ul style="list-style-type: none"> • Southern Oregon Conference: 385 • Western Pulp & Paper Conference: 331 • Oregon Governor's Occupational Safety & Health Conference (GOSH): 1350 • Mid-Oregon Construction Safety Summit: 158 • Region X VPPPA Conference: 279 • Blue Mountain Conference: 119 • Central Oregon Conference: 156
	2. Begin review and revision of on-line course offerings.	Public Education has begun exploring the use of direct mail flyers to these rural areas of the state.	We continue to strongly encourage requestors in the rural areas of the state to coordinate training events with other businesses in their area to maximize the use of our instructors and increase attendance.
Intermediate Outcomes	3. Number of attendees at OR-OSHA training sessions.	Total attendance was 16,793. In addition, 811 participants attended the 40 online courses.	917 training sessions were offered in 2009, which includes public education workshops and on-site training sessions.
	4. Number of attendees at OR-OSHA conferences.	A total of 2,778 participants attended conferences in FY 2009.	

<p>Primary Outcomes</p>	<p>5. Percent of consultations with employers who had an active safety committee where consultant worked with the committee to improve their effectiveness.*</p>	<p>For FY 2009, 87.1% of consultations included the consultant working with the safety committee to improve effectiveness.</p>	<p>This is a reduction from FY 2008 (89.7% consultation included working with the safety committee to improve effectiveness.)</p>
<p>6. Number of Safety for the Small Business workshops offered (Course number 700).</p>	<p>In FY 2009 a total of 37 sessions of Safety for the Small Business (SFSB) workshops were held.</p>	<p>Total attendance for SFSB sessions in FY 2009 was 208.</p>	<p>This represents attendance in 17 different cities throughout the state. In FFY 2009 the Safety for Small Business class was phased out in order to encourage these businesses to attend the current, more attended workshop offerings. The last offering was on 8/20/09, the class had 0 registered.</p>
<p>7. Attendance at Safety for Small Business workshops.</p>	<p>Total attendance for SFSB sessions in FY 2009 was 208.</p>	<p>Total attendance for SFSB sessions in FY 2009 was 208.</p>	<p>Total attendance for SFSB sessions in FY 2009 was 208.</p>
<p>* Working with the safety committee to enhance their skills and effectiveness includes, but is not limited to, evaluating meeting processes, providing guidance on trend analysis, discussing the committee's interaction with management and how recommendations are made, reviewing hazard abatement, and providing training.</p>	<p>* Working with the safety committee to enhance their skills and effectiveness includes, but is not limited to, evaluating meeting processes, providing guidance on trend analysis, discussing the committee's interaction with management and how recommendations are made, reviewing hazard abatement, and providing training.</p>	<p>* Working with the safety committee to enhance their skills and effectiveness includes, but is not limited to, evaluating meeting processes, providing guidance on trend analysis, discussing the committee's interaction with management and how recommendations are made, reviewing hazard abatement, and providing training.</p>	<p>* Working with the safety committee to enhance their skills and effectiveness includes, but is not limited to, evaluating meeting processes, providing guidance on trend analysis, discussing the committee's interaction with management and how recommendations are made, reviewing hazard abatement, and providing training.</p>

Performance Goal 1-3: Partnerships

Promote occupational safety and health by maintaining existing partnerships and establishing five new partnerships, each with specific safety and/or health awareness improvement objectives.

FY 2009 Performance Goal

Enhance effectiveness of partnerships in advising OR-OSHA management on focus areas. Use existing partnerships to provide more specific focus to OR-OSHA activities.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Activities undertaken in collaboration with stakeholder groups and partnerships to increase occupational safety and health awareness.	<p>DEQ: OSHA has a joint publication regarding asbestos rules for the construction industry, and whenever the publication comes up for review, we include the DEQ point person to ensure that it is still accurate. There continues to be coordination on inspections of companies of mutual interest. There have been discussions with the staff that regulate hazardous waste around the issue of E-waste recycling. They have provided their list of locations for our use.</p> <p><u>Water Works Association:</u> Have continued to meet and discuss the issues around asbestos representative sampling. No signed agreement in place yet; waiting for the City of Portland.</p> <p><u>Health Division - Office of Environmental Public Health:</u> The partnership and referral activities continue to work well. Radiation rulemaking notices continue to be sent to us. Oregon OSHA collaborated with the Office of Public Health to develop H1N1 guidance documents and to staff the operations center.</p> <p><u>Agriculture Labor Housing Advisory Committee:</u> The committee reviewed, by e-mail, proposed new rules on balers and compactors. We also renewed the membership list to add a few new folks. Members of the Agriculture Labor Housing Advisory Committee and the Small Agricultural Employer Advisory Committee met with representative from the Technical Section at the Salem Field Office during the 3rd Quarter, to provide feedback on proposed changes to the Division 4 Rules.</p> <p><u>Agriculture Advisory Committee(s):</u> The committee(s) were provided information electronically and also met to</p>	<p>This partnership has proven particularly useful as we respond to pandemic concerns.</p>

<p>review suggested changes to the open portions of the Division 4/ Agriculture Rules including the Hazard Communication and Safety Committee/ Safety Meeting rules. They discussed problems encountered by employers required to provide information and training about agricultural workplace hazards to a working population that may not speak or read either English or Spanish. Technical Section staff met with an interest group to work on changes to the Oregon OSHA publication "Safe Practices When Working Around Agricultural Chemicals" to address the needs of non English speaking workers.</p> <p>Ergonomics Advisory Committee: This coalition was formed in the summer of 2008 with a mission to create stakeholder awareness and provide education in the prevention of Musculoskeletal Disorders through research, outreach, networking and collaboration. Coalition members were invited to present a session on Construction Ergonomics at the 2009 GOSH conference. This training was well received, earning an overall evaluation of 4.6 out of 5 from the twenty seven audience members and even received coverage in the Bureau of National Affairs Occupational Safety & Health newsletter. In addition, we have completed work on the second pamphlet in a four pamphlet series which addresses the most common soft tissue injuries in Construction and best practices solutions. Our first pamphlet 'protect your back and your future' is already in it's second printing and our second pamphlet 'protect your neck & shoulders and your future' will be out this quarter. Finally, a representative of the Construction Ergonomics Coalition has given the 'Construction Ergonomics' presentation to a group of Subcontractors and a group of Superintendents for Hoffman Construction.</p> <p>Oregon Coalition for Healthcare Ergonomics (OCHHE): Our Facility of Choice project is progressing on target. A safe patient handling curriculum was developed and is available on the Oregon OSHA website. This is a step by step guide that will facilitate the program development process for facilities that are new to Safe Patient Handling. The two facilities that received Oregon OSHA grant funding to develop a Safe Patient Handling</p>	<p>Division 4/ Agriculture Rules including the Hazard Communication and Safety Committee/ Safety Meeting rules. They discussed problems encountered by employers required to provide information and training about agricultural workplace hazards to a working population that may not speak or read either English or Spanish. Technical Section staff met with an interest group to work on changes to the Oregon OSHA publication "Safe Practices When Working Around Agricultural Chemicals" to address the needs of non English speaking workers.</p> <p>Ergonomics Advisory Committee: This coalition was formed in the summer of 2008 with a mission to create stakeholder awareness and provide education in the prevention of Musculoskeletal Disorders through research, outreach, networking and collaboration. Coalition members were invited to present a session on Construction Ergonomics at the 2009 GOSH conference. This training was well received, earning an overall evaluation of 4.6 out of 5 from the twenty seven audience members and even received coverage in the Bureau of National Affairs Occupational Safety & Health newsletter. In addition, we have completed work on the second pamphlet in a four pamphlet series which addresses the most common soft tissue injuries in Construction and best practices solutions. Our first pamphlet 'protect your back and your future' is already in it's second printing and our second pamphlet 'protect your neck & shoulders and your future' will be out this quarter. Finally, a representative of the Construction Ergonomics Coalition has given the 'Construction Ergonomics' presentation to a group of Subcontractors and a group of Superintendents for Hoffman Construction.</p> <p>Oregon Coalition for Healthcare Ergonomics (OCHHE): Our Facility of Choice project is progressing on target. A safe patient handling curriculum was developed and is available on the Oregon OSHA website. This is a step by step guide that will facilitate the program development process for facilities that are new to Safe Patient Handling. The two facilities that received Oregon OSHA grant funding to develop a Safe Patient Handling</p>	<p>Another extremely active partnership with members throughout the state who are also active in the healthcare ergonomics debate at the national level.</p>	
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One of our more active partnerships with members highly engaged in moving ergonomic improvements in Oregon.

program have both trained staff, developed written safe patient handling policies and procedures, and are now using equipment to move patients. In addition, Good Shepherd Healthcare System in Hermiston has incorporated the local Emergency Medical Service into their program and has now begun to implementation into their Home Health Services department. Outreach efforts in 2008/09 have been successful. In an effort to reach the most healthcare professionals possible, OCHE organized a four day Healthcare Ergonomics conference in conjunction with the 2009 GOSH conference. Training covered a range of topics including caring for the bariatric population, ergonomics in ancillary departments, and the Facility of Choice certification program. The healthcare industry continues to be a focus for Oregon OSHA and the OCHE partnership has been instrumental in our continued success preventing injury. OCHE had the opportunity to give informational testimony to the Oregon Legislature in May. Speakers introduced the Coalition and outlined the work we've done in the past five years to protect healthcare workers from musculoskeletal disorders associated with moving patients manually and the mounting evidence indicating that using equipment to move patients can significantly reduce the risk of injury to the caregiver. The coalition also held an information day in the capitol.

Association of Roofing Contractors: These meetings have been successful in opening dialog with the association. Interest had been steady however the economic climate has caused a decline in interest at this time. We will continue to reach out to the association to schedule more seminars.

Mt. Hood Community College (MHCC): This partnership has been successful in allowing students to apply for college credits based on our safety and health workshops. Classes have been held monthly at the Gresham campus and will continue with no changes. Firefighter Standards Advisory Committee: The full committee met 10/21/2008 and 4/23/2009. Confirmed space rules for fire fighters were adopted with an effective date of 10/01/09. The committee formed a sub-committee to review the entire Division 2 Sub-division L fire fighter rules for potential changes throughout. The

sub-committee met and reviewed the first portions of the 2L Oregon Fire Fighter rule. The sub-committee will report to the FFA on proposed text changes.

Fire Chiefs Association: Working with OFCA representatives on significant Oregon OSHA fire service related cases to spread the message to the fire service while maintaining a good working relationship.

Forest Activities Advisory Committee: The full group met twice this year with the major areas of focus being discussions with the Associated Equipment Manufacturers (AEM) representatives around old and new technology and potential revisions to operator manuals. The Wild Land Fire Fighting subcommittee completed and distributed the basic wild land fire training DVD in May 2009. Continued to work closely with AEM and AOL (Forest Activities Advisory committee) to develop and improve positive relationships.

Oregon OSHA Emergency Preparedness:

Safety and Technical Assistance Resource Team (START): START has continued to participate throughout the year in a variety of emergency preparedness activities. These include exercises, development of emergency preparedness policy/procedures/documents, and development and implementation of training.

Exercises:

START took part of a statewide Pandemic Flu Table Top Exercise which took part at the conclusion of the State's Pan Flu Planning/Survey work.

START worked as Safety Officer and in developing an OR-OSHA player role for the Cascade Perif Exercise, a multi-state, multi-jurisdiction, earthquake scenario. START members, along with DCBS executive staff participated in the exercise in July 2009.

The START team conducted a joint exercise with Oregon Public Health and the Public Health Mobile Lab. The exercise took place at the Portland Motor Pool, and simulated an explosion in a building housing a radiological lab and dry cleaning establishment. Oregon

Public Health partnered with START members to identify and clear radiological material (Cesium 137). START members then took solvent samples and delivered them to the Mobile for analysis. The drill was extremely successful and both OR-OSHA and Oregon Public Health intend to exercise together again. OR-OSHA acted as Safety Officer for FEMA, for the Community Readiness Exercise at the Weapons Depot. Duties included evaluating PPE, work practices, communication, and planning. OR-OSHA continues to meet regularly with CSEPP staff and the community, as part of the Community Readiness Coordination Committee.

START participated in an Oregon Department of Energy exercise involving major earthquakes in the Portland Metro area, and their impact on oil/gas/electricity. START member participated with DOL/OSHA, military, and private industry on a round table at the AIHA Conference in Toronto Canada. Topic for the round table was the importance of occupational safety and health in emergency preparedness.

Pandemic H1N1 activities:

OR-OSHA, worked with the Oregon Department of Human Services (ODHS) regarding Pandemic H1N1 planning and preparation. OR-OSHA and ODHS developed and released a joint document for employers on pandemic planning and best practices. START members staffed the ODHS Area Operations Center (AOC) when it was opened in the Spring of 2009 for pandemic flu (swine flu – H1N1). OR-OSHA has been working with Oregon Public Health on drafting guidance documents for H1N1 planning and preparedness. Documents include those for Healthcare, Responders, Schools, and General Workplaces. DHS is re-organizing their Area Operations Center (AOC) to include an OR-OSHA position in case the need to stand up the AOC arises, should H1N1 cases increase or become more

<p>This group has provided significant support to our efforts for improving safety and health in the construction industry.</p>	<p>lethal. Chemical Stockpile Emergency Preparedness Program (CSEPP): START continued to be involved in the OERS council for state agencies involved in emergency preparedness, and the OEM Domestic Preparedness Workgroup. START member attended HAN (Health Alert Network) training so that OR-OSHA/START could participate with other agencies in alert notifications. OR-OSHA Partnership Committee: Met twice during the year discussing changes to the scheduling system, reviewed and discussed the proposed federal Protecting America's Workers Act, and revived an earlier conversation about Oregon's use of existing penalty authority and whether we're using it as effectively as we could be. Feed back was sought from them on our education workshops. Construction Advisory Committee: The committee continued to meet monthly to discuss outreach and consistency issues. A subcommittee continues to work on draft language for permanent fall protection anchors to present to the Building Codes Division for the next update of the Commercial Structures Board. The advisory committee recommended changes to the steel erection directive which we adopted prior to federal changes. The group continues to play an active role in facilitating the two-way flow of information between Oregon OSHA and the construction industry. Greater Portland Construction Partnership: The Greater Portland Construction Partnership (GPCCP) was incorporated in June, 2006 in Portland, Oregon. The GPCCP is a Non-Profit Public Benefit Corporation registered in the State of Oregon and organized for the purpose of making the Greater Portland metropolitan area the safest place to conduct construction in the world. Membership is comprised of companies and organizations from all sectors that have a common interest in the success of the construction industry in the Portland area: Owners, Construction Managers/General Contractors (CM/GC), Trade Contractors (Subcontractors), Trade Associations.</p>	
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Architects/Engineers, Building Trade Unions, and Insurers. The purpose of the Partnership is to enhance the construction industry's performance in the Greater Portland area by sharing successes and best-known practices. The focus of this common safety effort is the proliferation of the Injury Free Environment (IFE) philosophy to all individuals associated with a project, regardless of their role or organizational affiliation. The GPCP is committed to a mind-set intolerant of any level, frequency, or severity of any incident or injury. In an effort to achieve this goal the GPCP meets quarterly offering speakers on topics from Safety Management systems, to Oregon OSHA rules, and Fall Protection. Membership levels have surged in recent years and the group has already had to find a larger location to meet and has hired a half time assistant to help with logistics.

Landscape Contractors Board: Continued to distribute our publications through their office. Met with them to get their support for permanent anchor rules given the current "eco roof" focus that exposes not only construction workers but also landscapers and maintenance. They have agreed to accept our workshops as CEUs for licensing recertification. They are also advertising our services in their newsletter.

Manufactured Home Association Safety & Health Team:

Safety directors of manufactured home companies and company safety committee representatives changed their meeting structure, moving to an every other month meeting. They continue to discuss industry hazards, using OSHA staff and other safety and health professionals to present topics of concern. They continue to conduct facility safety tours. OSHA continues to participate in their routine meetings, keeping them abreast of rulemaking activity or changes in policy that could affect their industry.

Oregon Coalition for Healthy Nail Salons: A coalition of agencies is working to increase awareness among nail salon owners and workers regarding hazards of materials they use and ways to better protect workers. Oregon OSHA created a fact sheet and pamphlet in both

technical style and mostly pictorial style, which are now available in English and Vietnamese. The group will continue work on strategies to raise awareness. During the past year the group has developed distribution and outreach plans including having booths at Asian festivals.

Oregon Home Builders Association (OHBA): Signed a formal alliance agreement. The agreement was modified to merge former group innovative safety committee agreement activities into the alliance activities. We are collaborating on developing joint safety program training sessions during the OHBA statewide meetings. Oregon OSHA staff continues to participate in the OHBA statewide safety meetings.

Oregon Sustainable Agriculture Resource Center (OSARC): The administrative council developed questions and authorized focus groups to determine long term needs. The report was published in November and will be used to determine future direction.

Oregon Utility Safety Committees: OR-OSHA continues to work with the western and eastern Oregon committees, utilities, and the Oregon PUC. A sub group is working to develop a mechanism to ensure that local building officials address overhead lines that may put workers within 10 ft of the lines.

Oregon Restaurant Association: Signed an agreement September 9, 2008 on with this association to establish a formal alliance to address outreach to their members particularly in the area of safety awareness for young workers. They will put articles in their magazine about safety and health to promote the new restaurant safety PESO modules, and work with us to develop online safety and health programs. The Oregon Restaurant Association is working with us to adapt our publications for their membership. They distributed the new Safety Committee publication to their 9000 members at their expense and worked with us to develop a publication on the common hazards in restaurants.

Young Worker Health and Safety Coalition: This group began meeting in 2007 with a mission to prevent workplace injuries and death of young workers through collaboration, outreach, education, and advocacy. In February we held the first annual Young Worker

This highly engaged partnership with members from government, academia & private sector has been very successful in raising funds for the video contest and in outreach to a traditionally unreached

Intermediate Outcome	3. Number of OR-OSHA stakeholder collaborations and partnerships.	
2. Identify partnership opportunities with groups in target industry sectors.	<p>Agriculture: Agriculture Labor Housing Committee Oregon Sustainable Agriculture Resource Center Construction: Construction Advisory Committee Association of Roofing Contractors Greater Portland Construction Partnership Oregon Home Builders Association (OHBA) Vehicle Safety Logging: Forest Activities Advisory Committee Health Care: Oregon Coalition for Health Care (OCHC)</p>	<p>At the end of FY 2009, there were 25 active partnerships.</p>
	<p>2. Identify partnership opportunities with groups in target industry sectors.</p>	<p>Video PSA Contest. This contest required a 30 second video with a theme of "Save a friend, Work Safe" and was open to all Oregon high school students. First, second, and third place winners received cash prizes of \$500, \$400, and \$300 and had their video's shown during previews for major motion pictures throughout the month of June.</p> <p>Our Coalition also organized a youth track at the Oregon Governor's Occupational Safety & Health (GOSH) conference. The day included an agenda filled with activities and information including the Dangerous Decibels program and the viewing of all PSA entries. In mid 2009 our Coalition changed leadership and formed several sub-committees in an effort to reach more stakeholders. Subcommittees include the PSA video contest group, an outreach group, a speaker's bureau, and a steering committee among others. These committees have already made great progress toward our mission. One example is our participation in the Oregon Museum of Science & Industry's (OMSI) Public Health Week. Our Coalition's booth had a component of the Dangerous Decibels program and Oregon's Dezi Bell, a life size manikin whose iPod reflects the decibel level the volume is at. In addition, our PSA subcommittee has already begun the roll out of the 2010 Video contest</p>

population.

<p>Primary Outcome</p>	<p>4. Number of alliances developed and status of goals</p>	<p>See section 2-3 for more information on the activities of these alliances.</p>
<ul style="list-style-type: none"> ▪ The Oregon Coalition for Health Care Employees (OCHE) alliance continued to focus on reducing MSDs in health care by encouraging safe patient handling programs. ▪ The Oregon Home Builders Association (OHBA) alliance was signed on April 18, 2008 ▪ The Oregon Restaurant Association (OEA) alliance was signed on September 9, 2008. <p>These alliances are on our website: www.orsosha.org/admin/alliance/alliances.html and on the federal OSHA website: www.osha.gov/desp/alliances/regional/state_plans_oregon.html</p>		

	<p>5. Number of partnerships in targeted industry sectors and achievements.</p>	<p>At the end of FY 2009, there were 9 partnerships in target industries:</p> <p><u>Agriculture:</u></p> <p><u>Agriculture Labor Housing Committee</u> continues to address issues affecting labor housing in the agriculture industry</p> <p><u>Oregon Sustainable Agriculture Resource Center</u> We continue our leadership role on the safe and fair working conditions technical group.</p> <p><u>Construction:</u></p> <p><u>Construction Advisory Committee</u> The group's mission is to address safety and health issues affecting the construction industry and increase outreach.</p> <p><u>Association of Roofing Contractors</u> Continued to collaborate in developing training sessions addressing the hazards of roofing.</p> <p><u>Greater Portland Construction Partnership</u> The group continues to meet to achieve their goals. OR-OSHA Sponsored a webinar on "designing for safety".</p> <p><u>Oregon Home Builders Association (OHBA)</u> OHBA and Oregon OSHA signed a formal alliance agreement that seeks to increase outreach efforts to employers and employees.</p> <p><u>Vehicle Safety:</u> The Construction Advisory Committee has been active in distributing motor vehicle publications.</p> <p><u>Logging:</u></p> <p><u>Forest Activities Advisory Committee:</u> The committee continues to identify industry needs and develop standards to address industry hazards.</p> <p><u>Health Care:</u></p> <p><u>Oregon Coalition for Health Care OCHE:</u> Along with Oregon OSHA, OCHE is developing the Facility of Choice certification criteria so the program can be rolled out statewide.</p>	
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**Strategic Goal #2
Workplace Safety and Health**

Reduce injuries, illnesses and fatalities by working with employers to reduce occupational hazards and exposures.

Performance Goal 2-1: Safety & Health Hazards

Reduce the injury and illness DART rate by 10% by 2010 through focusing on targeted safety and health hazards.

FY 2009 Performance Goal 2-1a

Health enforcement will continue emphasis programs in the pesticide, lead in construction, silica, process safety management, diisocyanates and methylene chloride. A new emphasis program for combustible dusts is being introduced. Emphasis inspection targets are: pesticides, 60; lead in construction, 30; silica, 50; diisocyanate, 30; process safety management, 10; methylene chloride, 10; combustible dusts, 20. Total number of emphasis program inspections is 210.

Consider strategic initiative approach for emphasis programs.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of health inspections.	There were 920 health inspections	
	2. Total number of pesticide emphasis program inspections.	There were 84 pesticide emphasis inspections.	
	3. Total number of lead in construction emphasis program inspections.	There were 40 lead in construction emphasis inspections.	
	4. Total number of silica emphasis program inspections.	There were 66 silica emphasis inspections.	
	5. Total number of diisocyanate program inspections.	There were 60 diisocyanate emphasis inspections	
	6. Total number of Process Safety Management emphasis program inspections.	There were 18 PSM emphasis inspections conducted.	

Primary Outcomes			
7. Total number of methylene chloride emphasis program inspections	There were 8 methylene chloride emphasis inspections conducted.	The methylene chloride local emphasis program (MC LEP), initiated in May 2008, and was discontinued effective September 30, 2009. Employers were inspected based on reporting the use of methylene chloride to the Oregon State Fire Marshal under the Community Right-to-Know Program. This list was exhausted within this time frame. Identifying places of employment where methylene chloride is reasonably believed or known to be used has been beyond this resource has been quite difficult; therefore, the MC LEP was terminated. Where methylene chloride use is encountered through routine inspections, it will be addressed through existing rules and procedures.	
8. Total number of combustible dust emphasis program inspections	There were 20 combustible dust emphasis inspections conducted.		
9. Total number of health consultations in high hazard industries	There were 254 Health Hazard Consultations conducted by consultants in FY 2009:	Agriculture: 61 Construction: 62 Health Care: 89 Lumber & Wood Products 42 *includes logging Logging: 3	
10. Identification and possible development of new health emphasis programs.	The methylene chloride local emphasis program (MC LEP), initiated in May 2008, and was discontinued effective September 30, 2009. Employers were inspected based on reporting the use of methylene chloride to the Oregon State Fire Marshal under the Community Right-to-Know Program. This list was exhausted within this time frame. Identifying places of employment where methylene chloride is reasonably believed or known to be used beyond this resource has been quite difficult; therefore, the MC LEP was terminated. Where methylene chloride use is encountered through routine inspections, it will be addressed through existing rules and procedures.	140% of the yearly target number of pesticide emphasis inspections were conducted (84/60)	
11. Number of pesticide emphasis program inspections compared to target.			

12. Number of lead in construction emphasis program inspections compared to target.	133% of the yearly target number of lead in construction inspections were conducted (40/30)	
13. Number of silica emphasis program inspections compared to target.	132.0% of the yearly target number of silica inspections were conducted (66/50).	
14. Number of diisocyanate emphasis program inspections compared to target.	200% of the yearly target number of diisocyanate inspections were conducted (60/30).	
15. Number of Process Safety Management emphasis program inspections compared to target.	180% of the yearly target number of diisocyanate inspections were conducted (18/10).	
16. Number of methylene chloride emphasis program inspections compared to target	80% of the yearly target number of methylene chloride inspections were conducted (8/10).	
17. Number of combustible dust emphasis program inspections compared to target	100% of the yearly target number of combustible dust inspections were conducted (20/20).	
18. Number of health consultations in high hazard industries compared to target.	There were 254 health consultations in high hazard industries compared to the target of 150.	The annual number of health consultation in high hazard industries exceeded the 150 annual target by 69%.
19. Deploy new emphasis program and strategic initiatives with a comprehensive approach (e.g., publications, rule review, seminars, conference sessions)	For FFY2010, the new safety and health fixed site scheduling system will be implemented. The need for new emphasis program(s) will be evaluated as resources permit.	
Comments:	Enforcement Statistics are from NCR local reports.	

Performance Goal 2-1: Safety & Health Hazards

Reduce the injury and illness DART rate by 10% by 2010 through focusing on targeted safety and health hazards.

FY 2009 Performance Goal 2-1b

High hazard industries with the highest number of claims will be scheduled for inspection. Conduct at least 2700 inspections in high hazard industries.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of safety inspections.	There were 4616 safety inspections during FY 2009.	
	2. Total number of safety emphasis inspections	There were 870 safety emphasis inspections (trench, struck by in logging, fall in construction, reforestation)	
	3. Number of inspections in high hazard industries	Total safety inspections in high hazard industries = 2285 Agriculture: 398 Construction: 1540 Health Care: 94 Lumber & Wood Products: 253 *includes logging Logging: 150	
	4. Percent of high hazard inspections.	49.5% of safety inspections were in high hazard areas (2285/4616).	
	5. Number of logging inspections.	A total of 150 logging safety inspections were conducted.	
	6. Number of construction inspections.	A total of 1540 construction safety inspections were conducted.	
	7. Total number of safety consultations in high hazard industries	There were 812 target industry safety consultations conducted by consultants in FY 2009: Agriculture: 195 Construction: 500 Health Care: 29 Lumber & Wood Products 88 *includes logging Logging: 18	

	8. Percent change in DART rate for high hazard industries.	<p>2008 DART rates CY 2008/CY 2007:</p> <p>Agriculture (NAICS 11): 3.0/3.9 (-23.07%) Logging (NAICS 1133): 5.0/4.0 (+25%) Construction (NAICS 23): 3.0/3.4 (-11.76%) Lumber & Wood Product Manufacturing (NAICS 321): 3.8/4.8 (-20.83%) Transportation & Warehousing (NAICS 48-49): 4.9/5.6 (-12.5%) Health Care Services (NAICS 62): 3.1/3.2 (-3.12%)</p> <p>DART rate history (private/private & public)</p> <p>CY 2008: 2.5/2.5 CY 2007: 2.8/2.8 CY 2006: 2.8/2.8 CY 2005: 2.9/2.9 CY 2004: 3.1/3.0 CY 2003: 3.1/2.9 CY 2002: 3.2/3.1</p>	See Charts for target sector DART history.
Intermediate Outcomes	9. Percent change in the DART rate.	<p>DART rate history (private/private & public)</p> <p>CY 2008: 2.5/2.5 CY 2007: 2.8/2.8 CY 2006: 2.8/2.8 CY 2005: 2.9/2.9 CY 2004: 3.1/3.0 CY 2003: 3.1/2.9 CY 2002: 3.2/3.1</p>	<p>This reflects 19.35% reduction in the public/private rate since CY 2002.</p> <p>The 2002 data was the most current data available at the time our 2005-2011 strategic plan was established.</p>
Primary Outcome	10. Percent change in Total Case Incidence Rate (TCIR).	<p>TRC rate history (private/private & public)</p> <p>CY 2008: 4.6/4.7 CY 2007: 5.1/5.2 (-3.8 reduction in private sector) CY 2006: 5.3/5.2 CY 2005: 5.4/5.4 CY 2004: 5.8/5.8 CY 2003: 5.6/5.6 CY 2002: 6.0/6.1</p> <p>Enforcement statistics are from NCR local reports.</p>	<p>This reflects 22.95 percent reduction in the public/private rate since CY 2002.</p> <p>The 2002 data was the most current data available at the time our 2005-2011 strategic plan was established.</p>
	Comments:		

Performance Goal 2-2: Fatalities

Reduce the 5-year average rate of workplace fatalities by 8% through scheduled inspections and interventions at worksites in targeted industries.

FY 2009 Performance Goal

Conduct 1800 inspections in logging and construction. Address motor vehicle safety for all inspections and consultations where employees use motor vehicles.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of enforcement inspections.	There were 5536 enforcement inspections in FY 2009.	
	2. Total number of consultations.	There were 2873 consultations in FY 2009.	This reflects a 17.1% increase over FY 2008. Outreach efforts will continue in the coming year with a focus on reaching employers who have not previously used the service.
	3. Total number of construction and logging inspections.	There were a total of 1690 construction and logging inspections: 1540 construction, 150 logging.	
	4. Total number of construction and logging consultations.	There were 571 construction and 21 logging consultations in FY 2009.	
	5. Number of inspections and consultations where motor vehicle safety was addressed.	There were 1269 inspections where motor vehicle safety was addressed. There were 276 consultations where motor vehicle safety was addressed.	
	6. Total number of trenching NEP inspections	There were 94 trenching NEP safety inspections	
	7. Total number of falls in construction LEP inspections.	There were 638 falls in construction LEP safety inspections	
	8. Total number of struck-by in logging LEP inspections	There were 121 struck-by in logging LEP safety inspections.	

Intermediate Outcomes	9. Number of reported MVA fatalities.	A total of 11 fatalities* were reported as highway motor vehicle accidents.	We are continuing to track and monitor this data based on the January 1, 2007: administrative rules require reporting motor vehicle fatalities to Oregon OSHA within 8 hours. *Highway motor vehicle accidents in performance goal 9 is for reported year: highway motor vehicle accidents in performance goal 15 is for accepted year.
	10. Number of motor vehicle evaluations completed	There were 2,185 motor vehicle evaluations completed.	
	11. Number of MVA fatalities investigated.	A total of 9 MVA fatalities were investigated.	
	12. Track motor vehicle employer profiles and accident factors via database.	<p>Summary:</p> <p>59.3% of employers surveyed have a vehicle safety program</p> <p>86.2% of these have a written program</p> <p>94.5% verify valid driver's license for new hires</p> <p>72.8% of employers surveyed run periodic checks on driver's license</p> <p>45% have a driver-training program.</p> <p>53.5% of these provide training updates periodically.</p> <p>12.7% offer training after an accident</p> <p>36.2% report having incidents in the past 3 years</p> <p>49% of these report 2 or more incidents</p> <p>19.5% (over all incidents) resulted in injuries</p> <p>34.6% report occupation as transportation material moving.</p>	
Primary Outcome Measures	13. Percent of all inspections conducted in local emphasis programs for trenching, falls in construction and struck-by in logging.	Emphasis program safety inspections for trenching, falls in construction, and struck-by in logging represent 18.3% of all inspections (853/4616).	
	14. Number of compensable fatalities.	There were 45 accepted compensable fatalities in CY 2008.	This is an increase over the 35 accepted compensable fatality claims in CY 2007. This is largely due to a single event involving a helicopter crash that accounted for eight of the 45 fatalities.

<p>15. Compensable fatality rate (reported annually).</p>	<p>Breakout of CY 2008 fatalities:</p> <ul style="list-style-type: none"> • 2 falls • 12 highway motor vehicle accidents* • 7 struck-by • 1 pedestrian accidents • 5 industrial vehicle accidents • 6 caught-in, under, between • 10 aircraft accidents <p>Some history: CY 2008 rate: 2.57 (45 fatalities) CY 2007 rate: 1.99 (35 fatalities) CY 2006 rate: 2.13 (37 fatalities) CY 2005 rate: 1.84 (31 fatalities) CY 2004 rate: 2.76 (45 fatalities) CY 2003 rate: 2.59 (41 fatalities) CY 2002 rate: 3.26 (52 fatalities)</p>	<p>For summary of fatalities reported to OR-OSHA and their compensability status, please refer to the Charts section.</p> <p>*Highway motor vehicle accidents in performance goal 9 is for reported year; highway motor vehicle accidents in performance goal 15 is for accepted year.</p> <p>Baseline is 2.70 (CY 2000-04)</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>
<p>16. Percent of compensable fatalities that are Motor Vehicle Accidents.</p>	<p>27% (12/45) of the compensable fatalities in CY 2008 were the result of highway motor vehicle accidents.</p>	<p>If you add in fatalities involving aircraft vehicles (10), industrial vehicles (5) and pedestrian accidents (1), a total of 62% (28/45) of the compensable fatalities for the year involved a vehicle.</p>
<p>17. MVA fatal rate per 100,000 workers.</p>	<p>For CY 2008 there were 12 highway MVA fatalities resulting in a fatality rate of 0.69 MVA fatalities per 100,000 workers (or 6.9 MVA fatalities per 1,000,000 workers).</p>	<p>The baseline for CY 2004 was 0.80 fatalities per 100,000 workers. CY2008: 0.69 fatalities per 100K workers CY2007: 0.39 fatalities per 100K workers CY 2006: 0.69 fatalities per 100K workers CY 2005: 0.47 fatalities per 100K workers CY 2004: 0.80 fatalities per 100K workers CY 2003: 0.82 fatalities per 100K workers CY 2002: 0.88 fatalities per 100K workers CY 2001: 0.31 fatalities per 100K workers</p>

Performance Goal 2-3: Ergonomics

Develop and implement a plan, including outreach, education and identification of high-risk industries for educating employers regarding musculo-skeletal disorders, methods for reducing hazards, and the value of addressing ergonomic issues in the workplace.

FY 2009 Performance Goal

This year's focus for ergonomics will be on the health care industry. A particular initiative this year is a model Safe Patient Handling (SPH) program. A model process will be defined based on our experience with several pilot sites selected from Long-Term Care (LTC) and rural hospital submissions. The "Facilities of Choice" will be a new certification program certifying LTC facilities meeting SPH requirements.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Market and provide education program focused on SPH and hazard identification for safety committees in health care organizations.	The program has been marketed through speaking engagements, consultations, and direct marketing with long term care organizations. A brochure on the program is available on the website. The brochure has been used to market the program at conferences	There are plans to include a training program aimed at home health care organizations.
	2. Number of safe patient handling trainings piloted.	All pilot testing of the program was completed at the end of last fiscal year.	
	3. Evaluate the effectiveness of "Facilities of Choice" pilot program in a Long-Term Care facility and a rural hospital. Market the "Facilities of Choice" designation.	Dallas Retirement Village and Good Shepherd Healthcare System in Hermiston have both implemented a Safe Patient Handling program that includes management support, employee buy-in, and patient handling equipment. Both facilities are now collecting data that will be used to market the Facility of Choice project throughout the State	
	4. Number of safe patient handling training sessions conducted.	6 classroom and 5 walk-through sessions were conducted during the year.	Feedback from participants has been extremely positive and we hope to increase the number of presentations in the future.
Intermediate Outcome	5. Implementation of the "Facilities of Choice" program	Dallas Retirement Village and Good Shepherd Healthcare System in Hermiston, Oregon were chosen to receive grant money to implement a Safe Patient Handling Program. Patient satisfaction and injury data is now being collected at both facilities.	
Primary Outcome	6. Implementation of the SPH model for the health care industry.	Completed and available on our website at: http://www.orosha.org/grants/resident_handling/index.html	

**Strategic Goal #3
Excellence**

Maximize OR-OSHA effectiveness by striving for continuous improvement in all areas of service delivery.

Performance Goal 3-1: Timeliness

Respond timely to 95% of all fatalities and hazard complaints, 80% of alleged discrimination complaints, 90% of all complainants and provide timely information of OR-OSHA actions to family members 100% of the time.

FY 2009 Performance Goal

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 70% timely.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Document and follow up on untimely openings of fatality and imminent danger complaint inspections.	There were two untimely fatality inspections. The openings were delayed because the decision to not inspect was reversed.	Oregon OSHA considers all other fatalities reported as untimely were opened within 24 hours of the data available needed to conduct the investigations.
Primary Outcomes	2. Percent of timely responses. Fatalities: Attempt within 24 hours of notification. Data reflects OR-OSHA attempt from time of notification (note this may not be consistent with IMIS data). Imminent Danger Complaint Inspections: Attempt within 24 hours of notification. Data reflects OR-OSHA attempt from time of notification (note this may not be consistent with IMIS data). Serious Complaint Inspections: Attempt within 5 working days Other-than-Serious Complaint Inspections: Attempt within 30 working days Complainant Response: Send letter within 10 working days Investigations (phone/fax, letter): Respond within 10 working days Family Letter: Send within 10 days of fatality notification Alleged Discrimination Complaints: Process through determination level within 90 calendar days	<u>FY 2009 Response Times</u> Timely Response to Fatalities: 77.8% (25 of 27) Timely Response to Complaints: Imminent Danger: 100% (43 of 43) Serious: 92.4% (378 of 409) Other-Than-Serious: 96.5% (221 of 229) Timely Response to Complainants: 85.7% (885 of 998) Investigations: 96.9% (372 of 384) Timely Sending of Family Letter: 100% (32 of 32) Timely Response to Discrimination Complaints: (83 of 103) 80.58% Comment: Reported and investigated natural cause fatalities were previously omitted from quarterly reports. These fatalities are now included in the totals.	<u>FY 2008 Response Times</u> Timely Response to Fatalities: 96.7% (29 of 30) Timely Response to Complaints: Imminent Danger: 100.0% (37 of 37) Serious: 93.1% (376 of 404) Other-Than-Serious: 97.4% (265 of 272) Timely Response to Complainants: 88.3% (950 of 1076) Investigations: 97.8% (441 of 451) Timely Sending of Family Letter: 100% (31 of 31) Timely Response to Discrimination Complaints: (120 of 191) 62.8% Comment: Reported and investigated natural cause fatalities were previously omitted from quarterly reports. These fatalities are now included in the totals.

		<p>Discrimination – Completion of discrimination within the statutorily required 90 days <u>Comment:</u> For FFY 2009, the Oregon Bureau of Labor and Industries (BOLI) have demonstrated improvement for each of the 4 quarters and a significant overall improvement over FFY 2008. 1st Quarter – 79.3 % 2nd Quarter – 77.7 % 3rd Quarter – 80.2 % 4th Quarter – 83.8 %</p>	<p>Discrimination – Completion of discrimination within the statutorily required 90 days <u>Comment:</u> For FFY 2008, the Oregon Bureau of Labor and Industries (BOLI) have demonstrated continuous improvement for each of the 4 quarters. 1st Quarter – 56.7 % 2nd Quarter – 65.7 % 3rd Quarter – 70.2 % 4th Quarter – 87.2 %*</p> <p>*This is the first time the BOLI has exceeded Oregon OSHA's strategic goal of 85%</p>
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Performance Goal 3-2: Customer Service

Achieve and maintain the percent of positive responses to OR-OSHA customer surveys at 90% or above.

FY 2009 Performance Goal

Achieve and maintain customer satisfaction in the delivery of OR-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%.	No survey results fell below the minimum benchmark, no corrective action necessary.	
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 	FY 2009 survey results – percent satisfaction: <ul style="list-style-type: none"> Conferences: 100% Public Education: 98.62% AV Library: 98.1% Consultation: 100% Enforcement: 94.78% Appeals: 91.0% Lab: 93% 	

Performance Goal 3-3: Staff Development

Eighty-five percent of safety and health staff will receive professional development annually through a variety of methods.

FY 2009 Performance Goal

- 1) Develop 2-day all staff professional development conference for FY 2010
- 2) Complete basic training for new staff.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Snapshot of OR-OSHA employees' training needs.	<p>During FY 2008, the following classes were developed and implemented:</p> <p>In house: Safety committee rules, electrical hazards, PLM identification process for lab technicians, IH training (confined space, ventilation, combustible dust review), Agriculture Labor housing, record keeping.</p> <p>We also participated in several webinars through ASSE, ACGIH, AIHA, Federal OSHA and other safety and Health groups</p>	<p>Classes in planning stage for FY 2010:</p> <ul style="list-style-type: none"> • Mobile cranes • Agriculture training • Combustible and flammables/ liquids • Forklift training • Silica training <p>We will actively continue to provide updates and in-house training on rules and processes to our staff.</p>
Intermediate Outcome Measure	2. Number of safety and health staff members receiving professional development training.	88% of staff received professional training this fiscal year	In addition to what was said in # 1 above: In 2010 we will be researching and developing e-learning opportunities We will be utilizing webinars as well to ensure our staff receive quality training. We will continue to provide our staff with information on classes outside OR OSHA to address individual training needs.
Intermediate Outcome Measure	3. Status of basic training curriculum.	Record keeping, safety committees, accident investigation, electrical and OSEAct and Standards have been revised	We will continue to revise new employee curriculums throughout FY 2010 and train our technical experts to deliver these classes. Silica, hearing conservation, ergonomics, mobile cranes, agriculture and forklifts are curriculums that will be revised. We are also working on curriculums for new administrative staff.
NOTE: The 2009 all staff meeting was cancelled due to budgetary constraints. A decision will be made on whether to hold an all staff meeting in 2010			

II. Progress Toward Strategic Plan Accomplishment

**Strategic Goal #1
Self-Sufficiency**

Reduce injuries, illnesses and fatalities by promoting employer self-sufficiency.

Goal 1-1: Recognition Programs

5-Year Performance Goal: Increase the number of new SHARP participants by 25 and the number of new VPP participants by 4.

Oregon OSHA has achieved the 5-year goals for employer recognition programs.

In FY 2009, an additional 19 employers received initial SHARP certification, bringing the total number of employers in the program to 155, which include 69 current employers and 86 graduates. During the last three years a total of 56 sites were added to the program (17 in FY 2007, and 20 in 2008, and 19 in FY 2009).

The VPP program has grown this year, with an additional 7 employers receiving certification in FY 2009. At the end of FY 2009, Oregon OSHA had 23 VPP sites. This exceeds the 5-year target of an additional 12 employers over the 5 years of the Strategic Plan (2006-10). Given the continued strong attendance at application workshops and frequent program inquiries, we anticipate this growth to continue in FY 2010.

The SHARP program has achieved the 5-year target of 25 new participants. The VPP program has exceeded the 5-year target.

Goal 1-2: Education

1-2) 5-Year Performance Goal: Educate employers and employees regarding the value of occupational safety and health by increasing materials available for hard-to-reach audiences, providing workshops and conferences, and by working with safety committees on 85% of consultations with employers who have a safety committee.

Under the PESO umbrella is a growing family of compliance assistance tools to help employers with Spanish speaking workers in Oregon: the ever popular bilingual glossary, 14, 30-60 minute bilingual training modules with printed presentation materials, and 6 4-hour Spanish-language workshops including a new workshop for safety committee members. The Spanish-language workshops have written material in the same English/Spanish format that is very popular with the existing PESO modules.

The annual performance goal of working with safety committees on 85% of consultations was exceeded at 87.1%. For 21(d) consultants, the rate was even higher at 97.9%, for FY 2009.

Six conferences were held in FY 2009 as a result of OR-OSHA's collaborative efforts. In addition to general health and safety topics, conferences which focused on the logging, construction, and health care industries helped us reach more employers and workers.

The annual education goal was met; we are doing well towards the 5-year goal of continuing our education delivery to Oregon employees and employers.

OR-OSHA has continued its outreach to non-English speaking workers by making training and outreach materials available to the multicultural workforce. 5 Spanish language publications were developed in FY 2009.

Goal 1-3: Partnerships

1-3) 5-Year Performance Goal: Promote occupational safety and health by maintaining existing partnerships and establishing five new partnerships, each with specific safety and/or health awareness improvement objectives.

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 resulting from legislative activity. Many of the partnerships have produced tangible and well-received products and developed strong working relationships with employers.

At the end of FY 2009, Oregon OSHA had 24 active partnerships. This is a reduction from what was reported FY 2008 by 10; the SHARP partnerships were removed from goal 1-3 and included in goal 1-1. While the number of partnerships remains at 24 from FY 2008, Oregon OSHA has several partnerships that were not active in FY 2009 and developed new partnerships that are new in FY 2009. We anticipate activities to convene with those dormant partnerships in the future.

**Strategic Goal #2
Workplace Safety and Health**

Reduce injuries, illnesses and fatalities by working with employers to reduce occupational hazards and exposures.

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

Reduce the injury and illness DART rate by 10% by 2010 through focusing on targeted safety and health hazards.

The DART rate for CY 2008, the most recent year available, was 2.5 over all sectors.

Oregon OSHA continued its focus on conducting the majority of its inspections in high hazard sectors. There were 2285 safety inspections in high hazard industries.

Total health inspections in FY 2009 reduced by 2.4% over FY 2008. We met or exceeded the annual performance targets in the pesticides, lead in construction, silica, diisocyanates, process safety management, combustible dust emphasis programs. We fell short of our projected target in the methylene chloride emphasis program.

The organization has met the 5-year target of 2.61. The most recent rate reported of 2.5 indicates that our approach has been successful in achieving the 2011 target DART rate of 2.61.

2-2) 5-Year Performance Goal: Fatalities

Reduce the 5-year average rate of workplace fatalities by 8% through scheduled inspections and interventions at worksites in targeted industries.

Inspections in trenching, falls in construction, and struck-by hazards in logging accounts for 15.4% (853 of 5536) of our total enforcement inspections.

The compensable fatality count for CY 2008 was 45. This is an increase over the 35 accepted fatality claims in CY 2007. However this increase is largely due to a single helicopter crash involving eight fatalities.

The CY 2008 compensable fatality rate was 2.57, a clear reduction over the baseline rate of 2.70 (2000-2004 average rate), CY 2007 (1.99), CY 2006 (1.84) and CY 2006 rates show we have tentatively attained the 5-year target of 2.48. We will continue this track record.

2-3) 5-Year Performance Goal: Ergonomics

Develop and implement a plan, including outreach, education and identification of high-risk industries, for educating employers regarding musculo-skeletal disorders, methods for reducing hazards, and the value of addressing ergonomic issues in the workplace.

Health care will continue to be a focus area for Oregon OSHA over the next several years, as we continue the Safe Patient Handling initiative with the Oregon Coalition for Healthcare Ergonomics. We have hired the ergonomic outreach coordinator and are using existing resources as well as continuing to leverage our partnerships in the health care field.

Toward our yearly goal of developing a plan to reduce ergonomic hazards, we have targeted the health care sector, which has one of the highest claims rates for MSD injuries. Claims data, demographic trends, and the increase in service sector employment in the state point to this being an increasing problem if nothing is done. One of our first initiatives is the alliance with OCHE. Two pilot sites (one critical access rural care hospital, and one long-term care facility) were selected to participate, and have received grant funding to obtain SPH equipment. Both facilities have formed staff leadership teams to lead the initiative, established policies, trained staff, and have begun using equipment to move patients. Data is now being collected to reflect patient and staff satisfaction and as well as injuries.

The MSD claims rate over all sectors is slightly down in CY 2008 (to 0.38 per 100 workers - see Charts.) The MSD claims rate for health care has decreased to 0.52 per 100 workers. With our safe patient handling initiative, we feel we are addressing one of the most common sources of these injuries.

Design of a two-part educational program to train safety committee members in long-term care facilities on ergonomic hazard awareness and identification was completed in FY2008. The program, presented in two parts, combines classroom education with "hands-on" learning in the form of a facility walk-around with the consultant to identify ergonomic hazards. In FY2008, the program was pilot tested by consultants and final edits were completed. A brochure discussing the program was also produced to aid in future marketing.

In Oregon from 2005-2007 the two top industries with claims rates of accepted disabling Musculoskeletal Injuries per 10,000 employed persons were Transportation, warehousing, and utilities at 115.9 and Construction at 63.1

In an effort to reduce the numbers of Oregonians in these trades that are injured each year the Construction Ergonomics Coalition was formed in mid 2008. This is a group of stakeholders whose mission is to create awareness and provide education in the prevention of Musculoskeletal Disorders through research, outreach, networking and collaboration. In addition to presenting at area conferences, our first major project is a series of pamphlets that focuses on body parts at risk for soft tissue injury and will be used in Tool box talks and safety meetings.

During 2005- 2007, the Transportation industry in Oregon accounted for 23% of all Musculoskeletal Claims by occupation. Drivers are often injured while loading and unloading product and entering and exiting the vehicle. In an attempt to address this issue, Oregon OSHA has begun work with the Oregon Trucking Association in an effort to identify areas of risk and establish and disseminate best practice solutions to reduce soft tissue injuries in this industry.

**Strategic Goal #3
Excellence**

Maximize OR-OSHA effectiveness by striving for continuous improvement in all areas of service delivery.

3-1) 5-Year Performance Goal: Timeliness

Respond timely to 95% of all fatalities and complaints, 80% of alleged discrimination complaints, 90% of all complainants and provide timely information of OR-OSHA actions to family members 100% of the time.

Timely response to imminent danger complaints, complainant response, and family letter goals were met.

Timely response to fatalities goal of 95% for the year was not met at 92.26% (25 of 27). Due to the circumstances of these two fatalities (homicides), there were internal discussions to determine jurisdiction.

The yearly goal for timely discrimination processing of 80% of cases was met for FFY 2009. The Oregon Bureau of Labor and Industries (BOLD) have demonstrated improvement for each of the 4 quarters and a significant overall improvement over FFY 2008.

3-2) 5-Year Performance Goal: Customer Service

Achieve and maintain the percent of positive responses to OR-OSHA customer surveys at 90% or above.

The yearly goal of attaining a 90% or better customer satisfaction rating in all measured areas of service delivery was met.

The yearly complaint response goal of 90% to send letter within 10 working days was not met, but was very close at 85.7%.

3-3) 5-Year Performance Goal: Staff Development

Eighty-five percent of safety and health staff will receive professional development annually through a variety of methods.

The yearly goal for staff development was met. 88% of safety and health staff received professional development training during FY 2009. The five year performance goal for staff development of 85% of safety and health

III. Special Accomplishments

Alliance activity

Oregon OSHA continues activities with the first alliance, signed July 25, 2007 with the Oregon Coalition for Health Care Ergonomics (OCHE). Oregon OSHA and OCHE will continue to focus on reducing MSDs in health care by encouraging safe patient handling programs.

The Oregon Home Builders Association (OHBA) alliance was signed on April 18, 2008. The alliance seeks to increase outreach efforts to affected employers and employees in the residential home construction industry with the goal of increasing awareness surrounding fall and motor vehicle safety hazards, and ultimately reducing illness and injury rates among employers in the residential construction industry in Oregon.

The Oregon Restaurant Association (OEA) alliance was signed on September 9, 2008. The goal of this alliance is to share ergonomics best practices and injury prevention strategies throughout the Oregon healthcare community.

Publications

Grassroots 2009 was prepared by Oregon OSHA for the third consecutive year for OSHSPA (OSHA State Plan Association), which details the activities of State Plan states, including photos, case studies, and statistics from state and federal enforcement and consultation activities. The 2009 edition has been reorganized so that it is user friendly with a strong focus on the usage as an interactive web based document. This publication is used by states as public relations, and with their state legislatures to highlight accomplishments and needs for additional resources.

Oregon OSHA's Resource Newsletter was honored with a Merit Award by the Public Relations Society of America.

Grant activity

For FFY 2009, the Safe Employment Education and Training Advisory Committee (SEETAC) recommended approval of two grants. These grants were approved by the director of DCBS and include:

1. Fall Protection for Electricians & other Construction Workers – NECA-IBEW Electrical Training Center 11/19/08
2. Construction Safety Curriculum Adaption and Delivery for Young Audiences – Oregon Building Congress 4/7/09

Fall Protection for Electricians & other Construction Workers is an interactive on-line training program that is available on the NECA/IBEW and OR-OSHA websites.

The Construction Safety Curriculum Adaption and Delivery for Young Audiences was started April 2009 and will be completed by April 2010

IV. Adjustments and Other Issues

Occupational Injury and Workers' Compensation Premium

The pure premium rate for workers compensation insurance will decrease in 2010.

The workers' compensation "pure" premium rate will decrease 1.3 percent in 2010, saving employers \$18.1 million. Workers' compensation rates have decreased each year since 2006 and have not increased since 1990.

FY 2008 FAME Recommendations

Oregon Report Recommendations for Fiscal Year 2008.

Recommendation:

There was one recommendation for improvement in the 2008 Federal Annual Monitoring and Evaluation report.

Recommendation:

Continue efforts to reduce the average health citation lapse time.

Response: The standard approach used by health enforcement managers for tracking health inspections includes the use of the Cases with Citations Pending Report (Federal IMIS) and the Compliance Officer Activity Log (COAL, State Oracle), to assure timely closure of health inspections, with particular focus on those open longer than 70 days. For FFY2009, the average health citation lapse time was 66 days, down from 68 days for the prior fiscal year. The health enforcement management team remains committed to continue our improvement with this indicator.

V. 21(d) Consultation Activities

Executive Summary

The Oregon OSHA consultation program is a large, highly successful program consisting of 40 state-funded consultation positions (31 consultants, 4 managers, 4 consultation support, and 1 consultation analyst) and 4 21(d)-funded positions. This section of the FY 2009 annual report highlights consultation activities with emphasis on activities conducted by the 21(d) funded positions.

The vision of the agency's safety and health program assistance goal is to increase self-sufficiency among Oregon employers. The FY 2009 goal for Oregon OSHA's entire consultation program was to work with safety committee members on improving their effectiveness in 85% or more of all consultations.

During FY 2009, 21(d) consultants conducted a total of 306 consultations. Health consultants conducted 108 initial visits and 4 follow-ups, for a total of 112, exceeding projections of 94 initial visits, by 15%. Conducted follow-up visits were slightly below the projected 6. Safety consultants conducted 178 initial visits and 16 follow-ups, for a total of 194, exceeding projections of initial visits, by 29%. Safety consultations were projected to be 138 initial visits and 2 follow-ups. 21(d) consultants also conducted six training/assistants sessions.

Training

Oregon OSHA is committed to providing field staff with the most up-to-date training on occupational safety and health. We had hoped to provide consultants with a development opportunity on advanced interviewing techniques. Although that did not happen, staff did receive a significant amount of training. Outlined below are the specific courses taken by 21(d) staff.

Randy Nice 33.8 hours

OSHA 300
Safety Accountability
Risk Control
Electrical Safety
Change Impact on Safety
Safety Committee Operations
Fall Protection
Supervisory Committee Review
Field Safety
Preventing Harassment & Violence
Word New Features
Excel New Features
Construction Sites
Emergency Response
MSDS Procedures
Healthcare assault Recordkeeping
Switching from GroupWise to Outlook

Fran Clark, 33.65 hours

Combustible Dust
Preventing Harassment & Violence
PSM of Chlorine Hazards
Excel 1
Word 5
Word 2
Confined Space
Occupational Medicine
Policy and Technical Overview
Ventilation Work Group
Lab Update

Emphasis Program Review
Case Studies
Industrial Toxicology
PSM of Ammonia Refrigeration
Combustible Dust
Switching from GroupWise to Outlook

Nancy Graf, 27.65 hours

Preventing Harassment & Violence
PSM of Chlorine Hazards
PowerPoint 2007 Beginning
Excel 2
Confined Space
Policy and Technical Overview
Case Studies
Emphasis Program Review
Lab Update
Ventilation Work Group Update
Word 3
Word 2
Excel 1
Industrial Toxicology

Brian Annis, 28.0 hours

Preventing Harassment & Violence
PSM of Chlorine Hazards
PowerPoint 2007 Beginning
Word 2
Switching from GroupWise to Outlook
Preventing Harassment & Violence

Other Issues or Adjustments

State-Specific Initiatives

There are no initiatives specific to the 21(d) consultants at this time.

Quality Assurance Program

Quality Assurance is achieved through effective guidelines and policies, 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 tracking progress toward strategic goals.

Customer satisfaction surveys on every consultation gather feedback from customers 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.

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

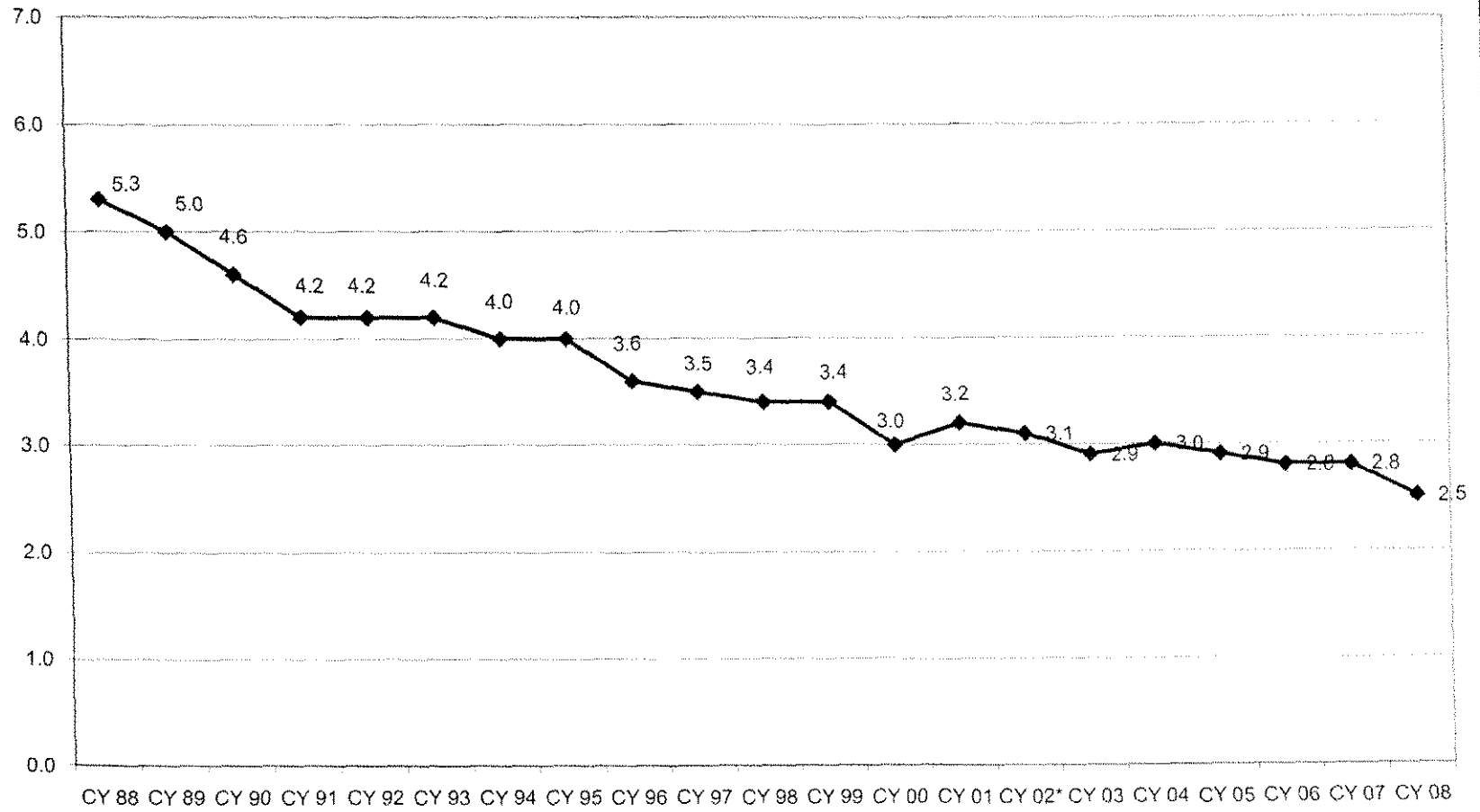
Appendix

Charts

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

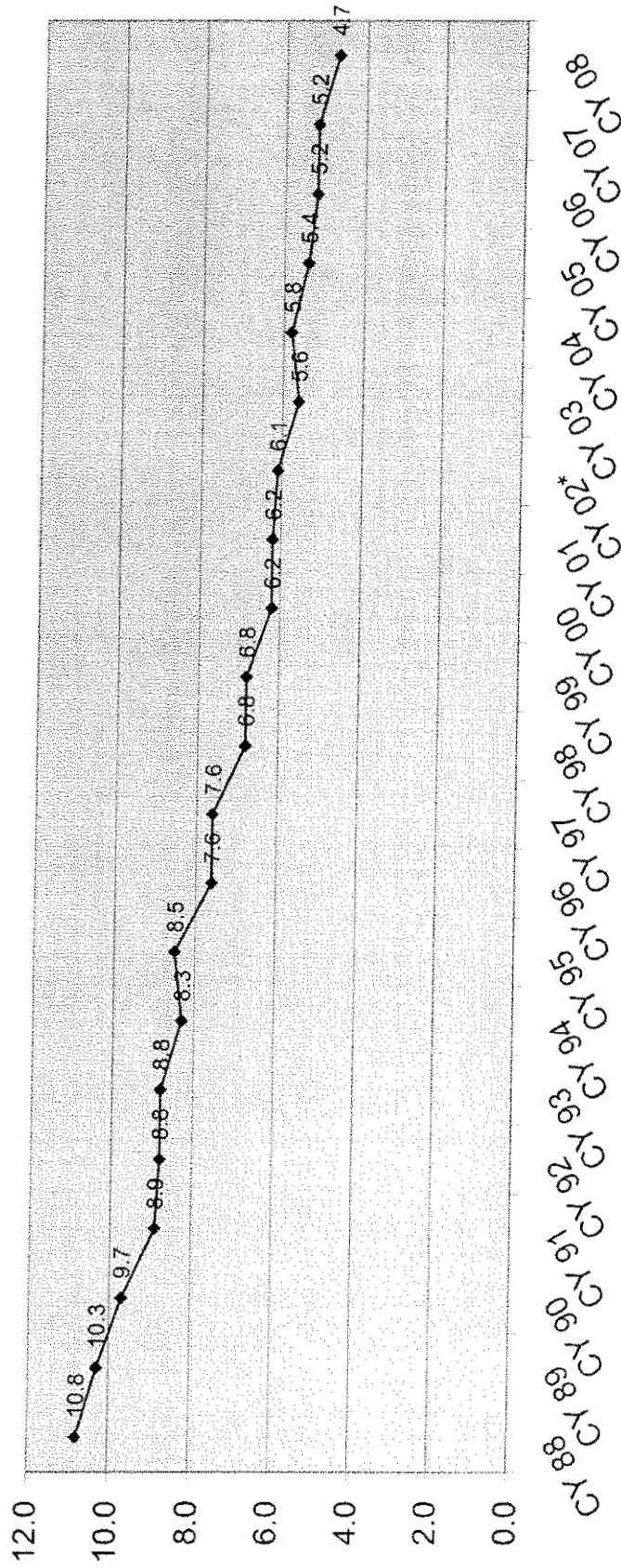
Notice of Change: Beginning with the year 2003, industry data is classified according to a North American Industry Classification System (NAICS) instead of the Standard Industrial Classification (SIC) System. The final year using the Standard Industrial Classification (SIC) System was 2002. Any industry-based data from these earlier years (2002 and prior) is not comparable to data from 2003 and beyond.

Oregon Lost Workday Cases Incidence Rate/DART rate (all sectors)
 Calendar Years 1988 - 2007

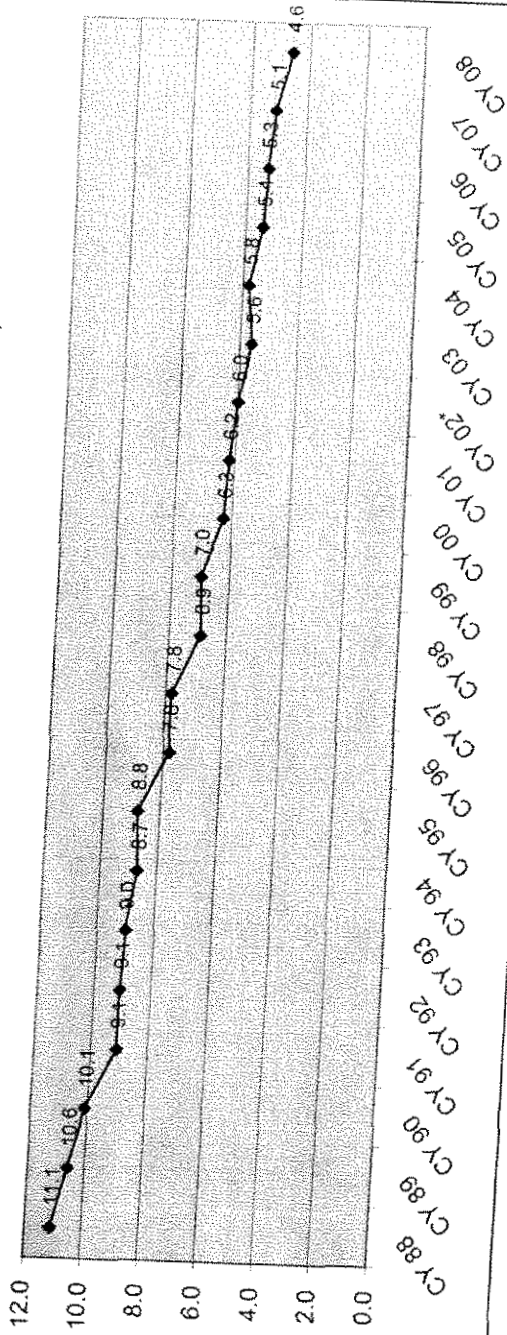


*Data from 2002 on is based on revised recordkeeping requirements and is not comparable with rates from earlier years.

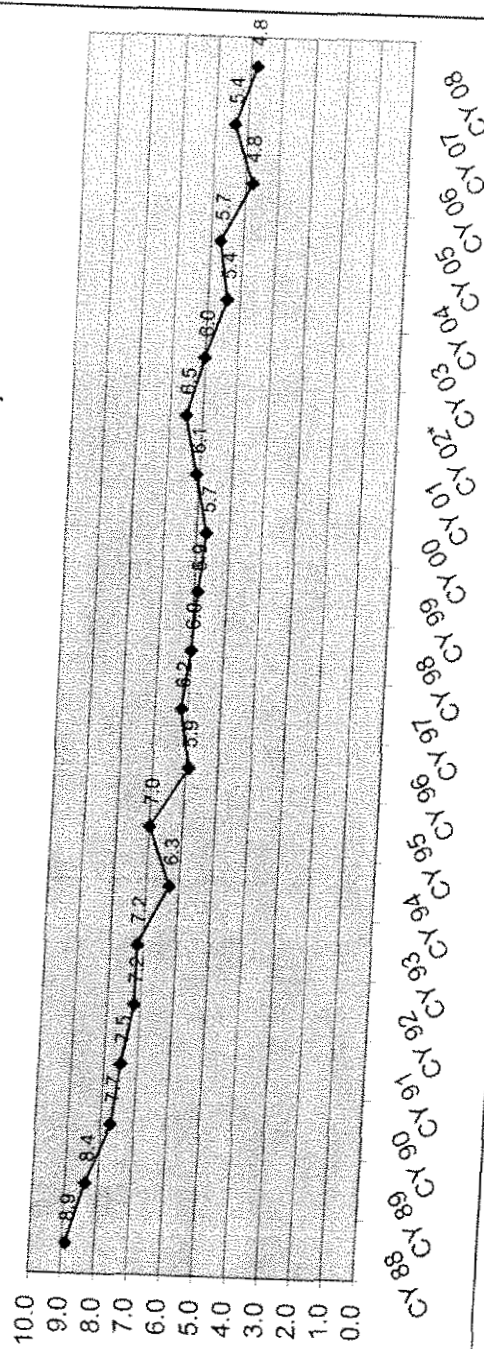
Total Case Incidence Rate (all sectors)



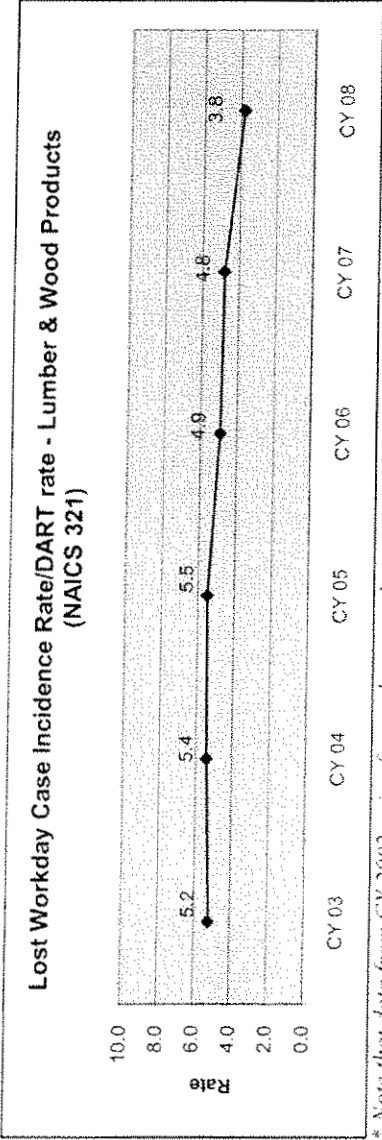
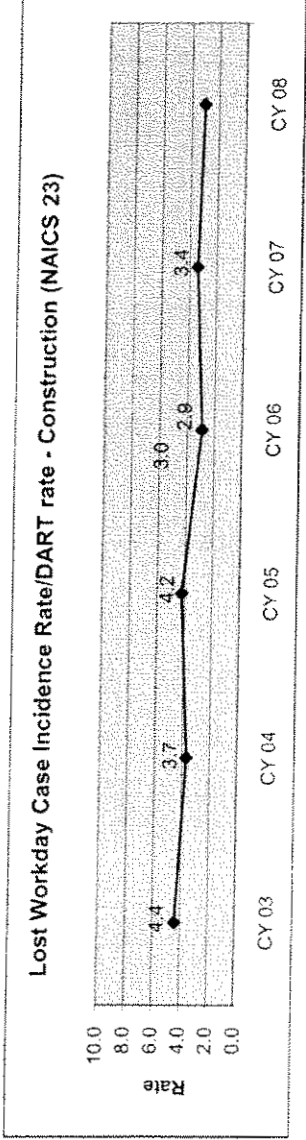
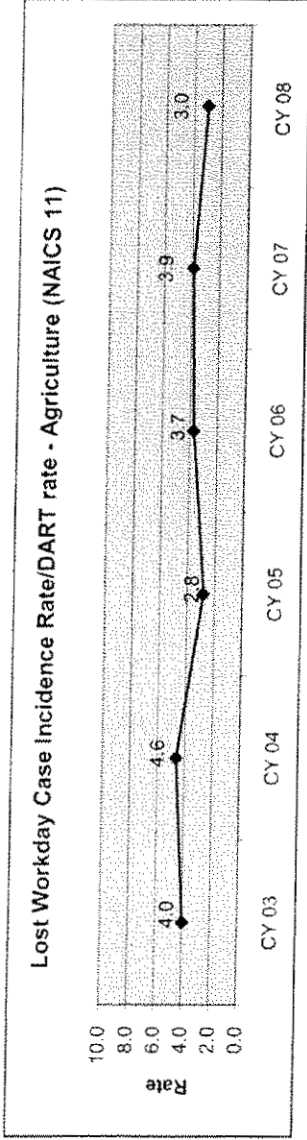
Oregon Total Case Incidence Rate (private sector)



Total Case Incidence Rate (public sector)

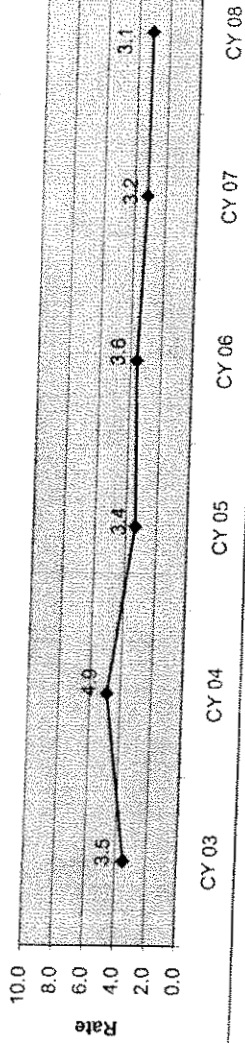


Lost Workday Case Incidence Rate/DART Rate by Target Industry Calendar Years 1998 – 2007

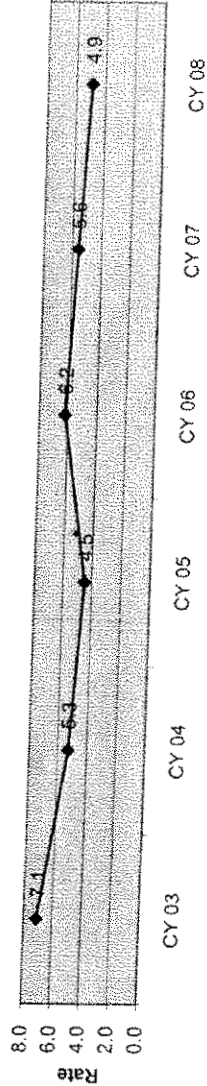


* Note that data from CY 2002 going forward may not be comparable to prior year's data, due to differences in recordkeeping requirements.

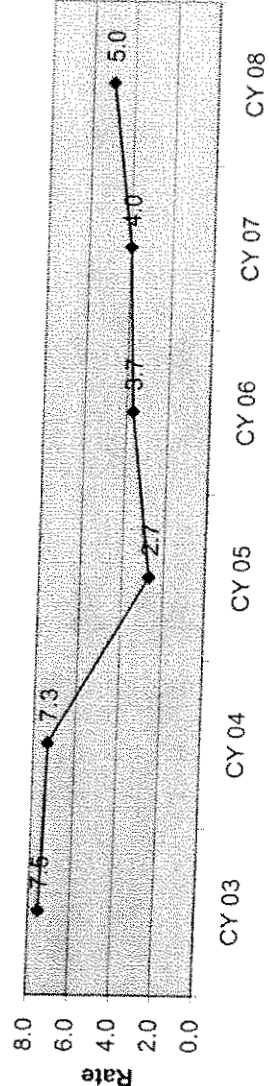
Lost Workday Case Incidence Rate/DART rate - Health Services (NAICS 62)



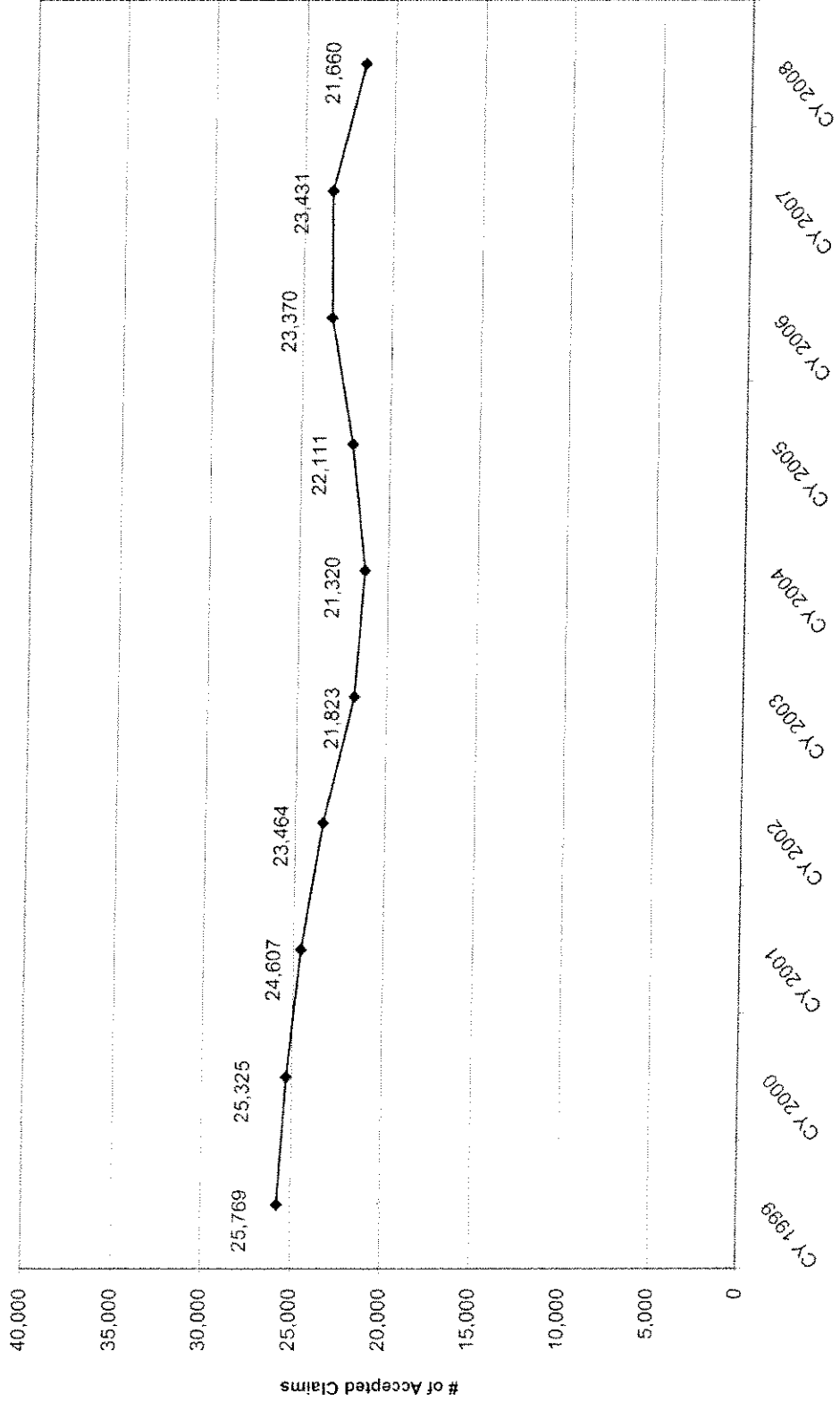
Lost Workday Case Incidence Rate/DART rate - Trucking & Warehousing (NAICS 48-49)



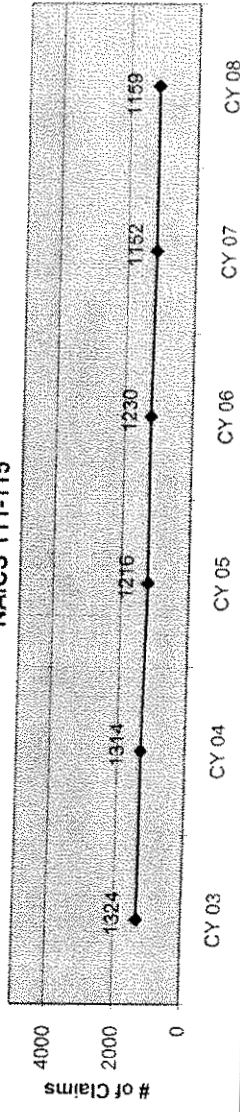
Lost Workday Case Incidence Rate/DART rate - Logging (NAICS 1133)



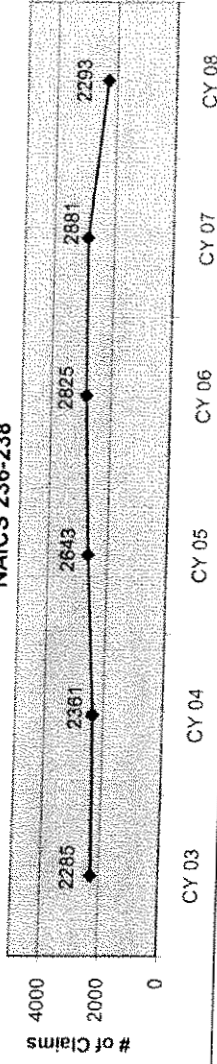
Oregon Accepted Disabling Claims Calendar Years 1999 - 2008



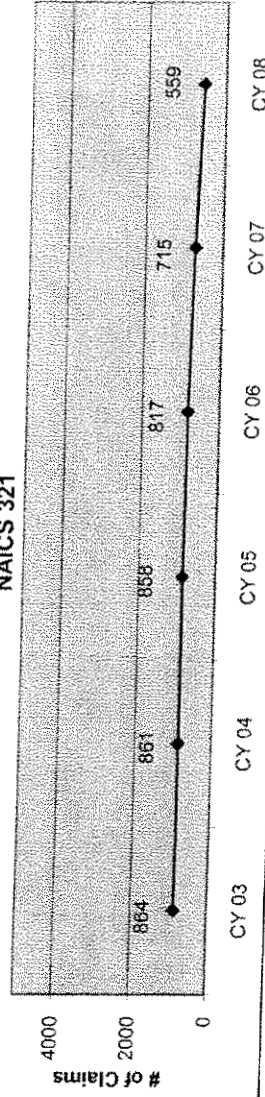
**Accepted Disabling Claims - Agriculture
NAICS 111-115**

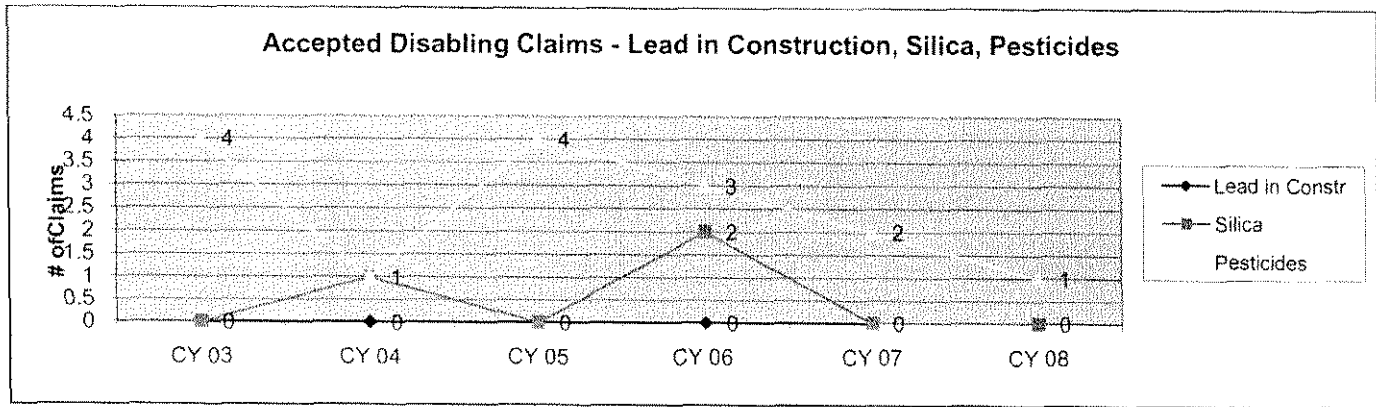
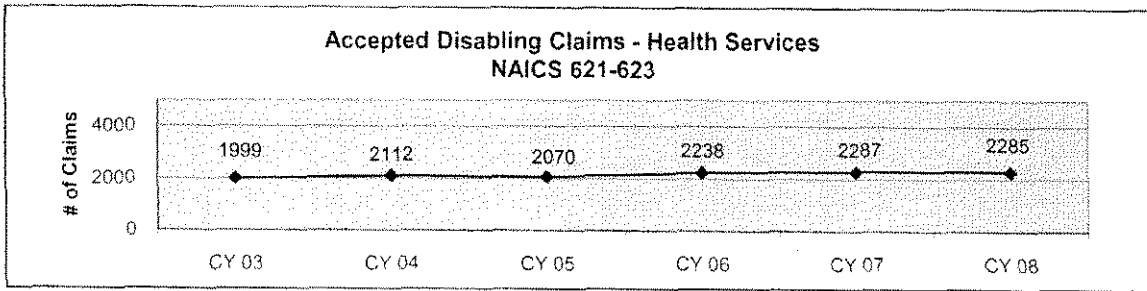


**Accepted Disabling Claims - Construction
NAICS 236-238**



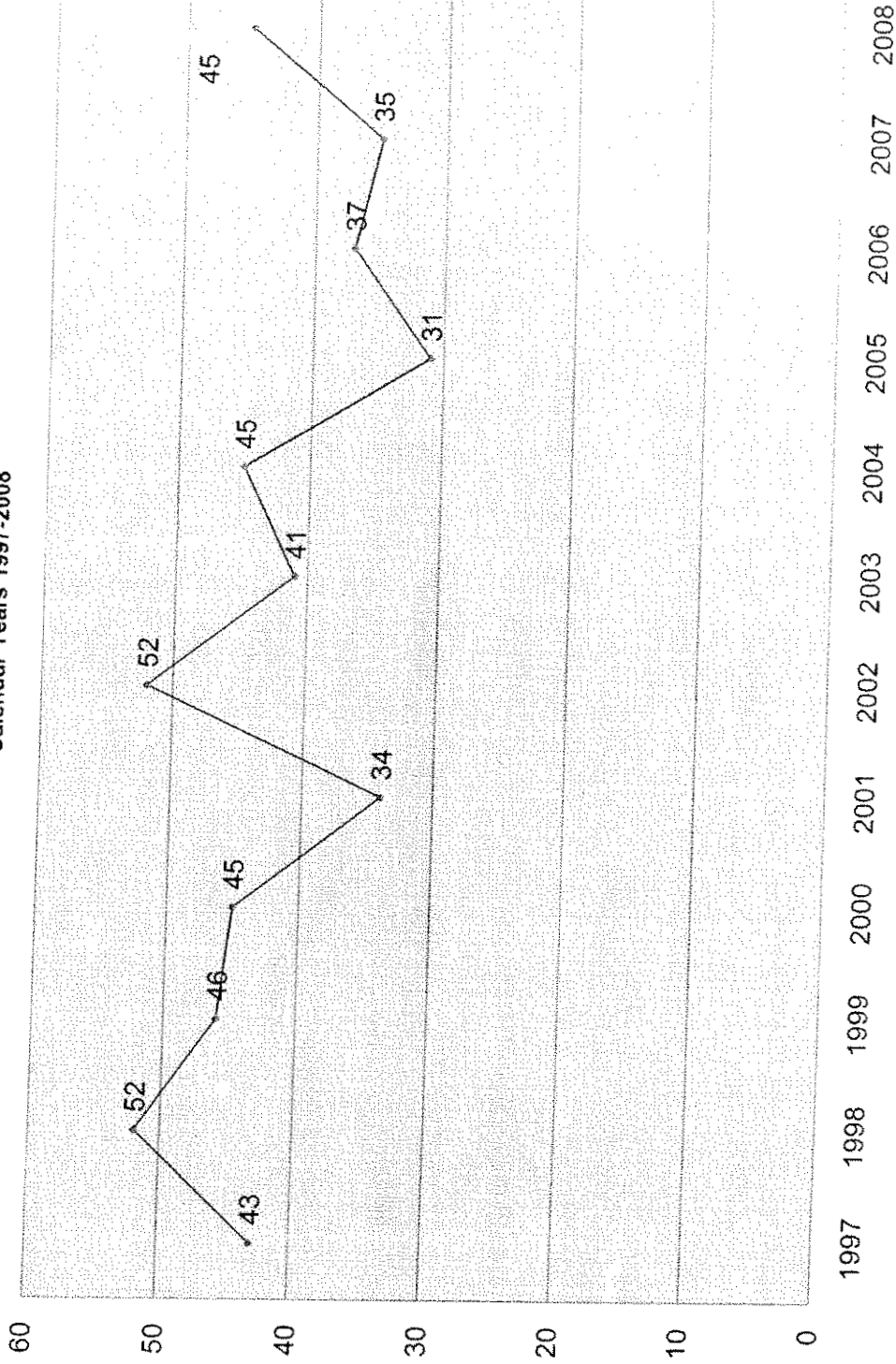
**Accepted Disabling Claims - Lumber & Wood Products
NAICS 321**





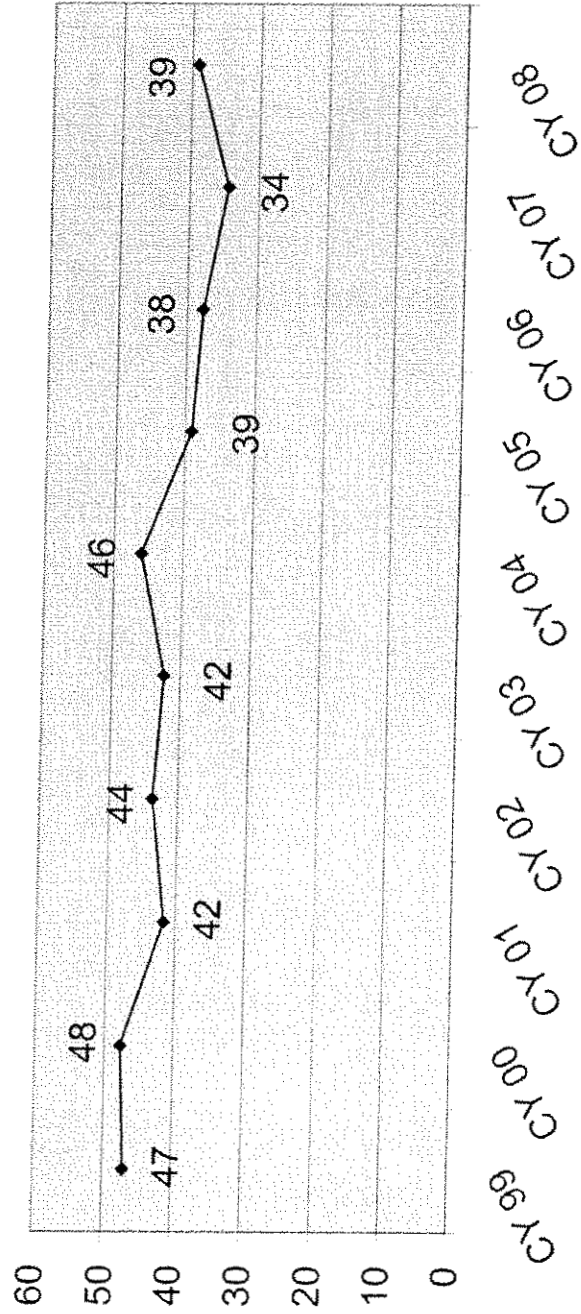
Oregon Compensable Fatalities

Calendar Years 1997-2008

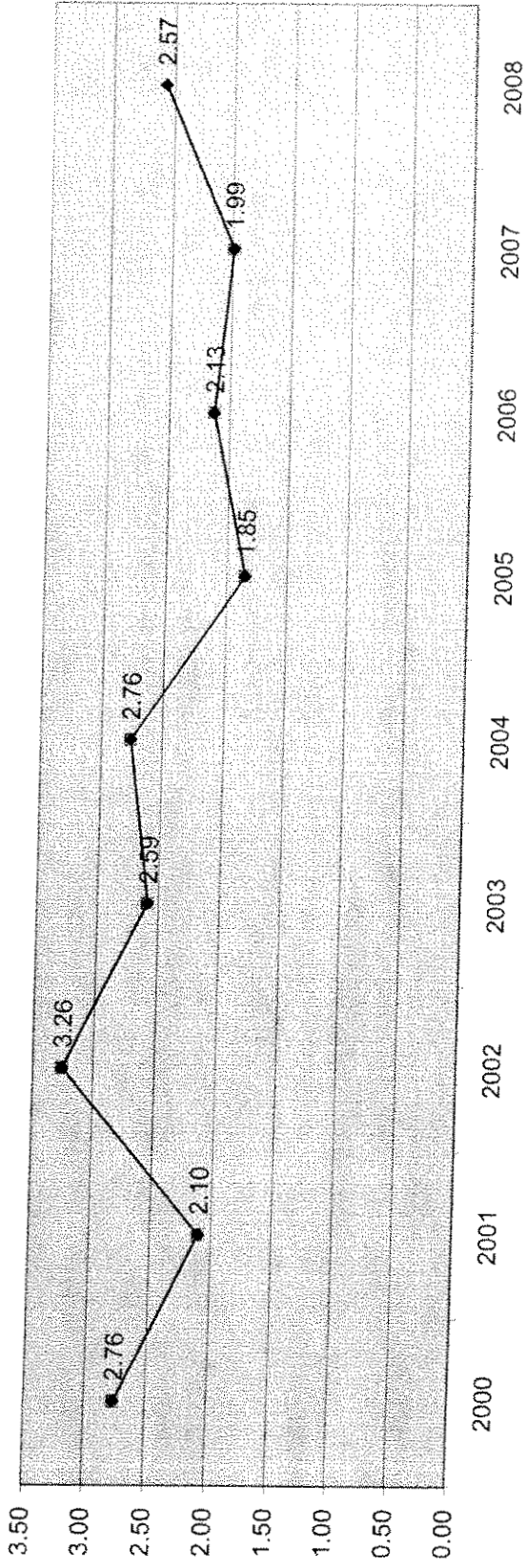


Oregon Compensable Fatalities

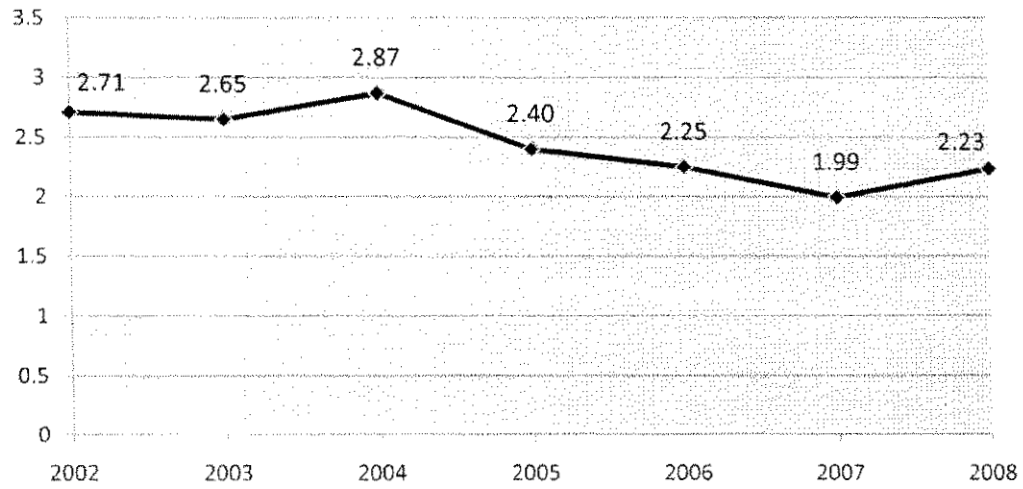
Calendar Years 1999 - 2007
3-year rolling average

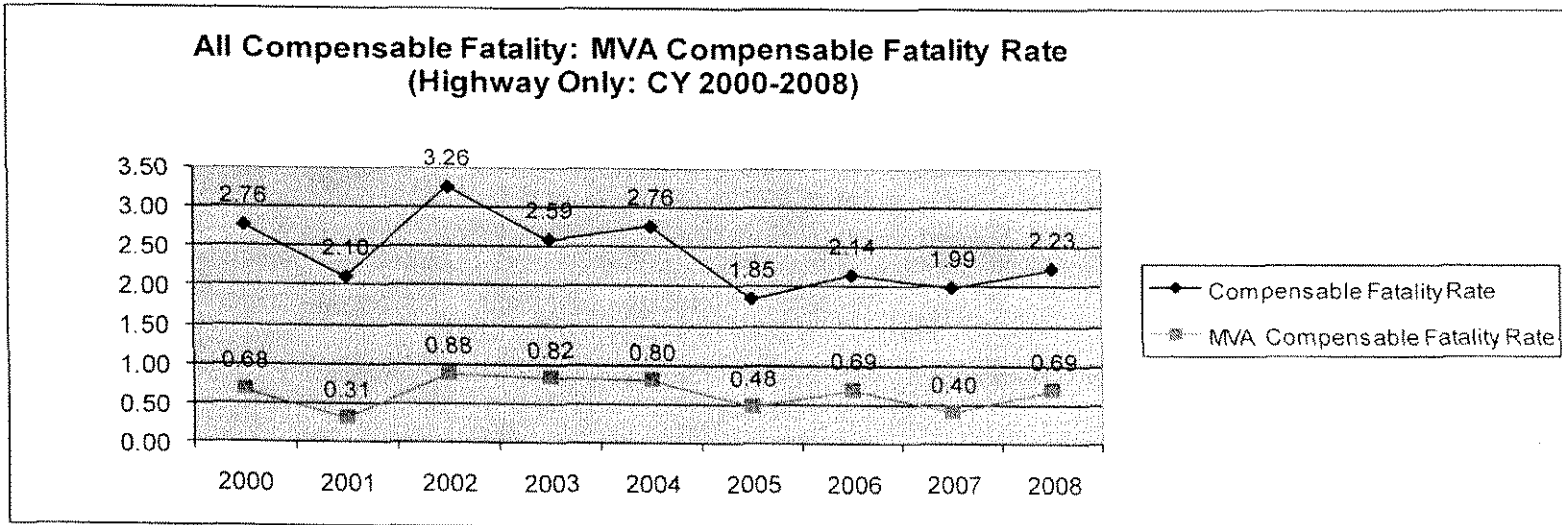
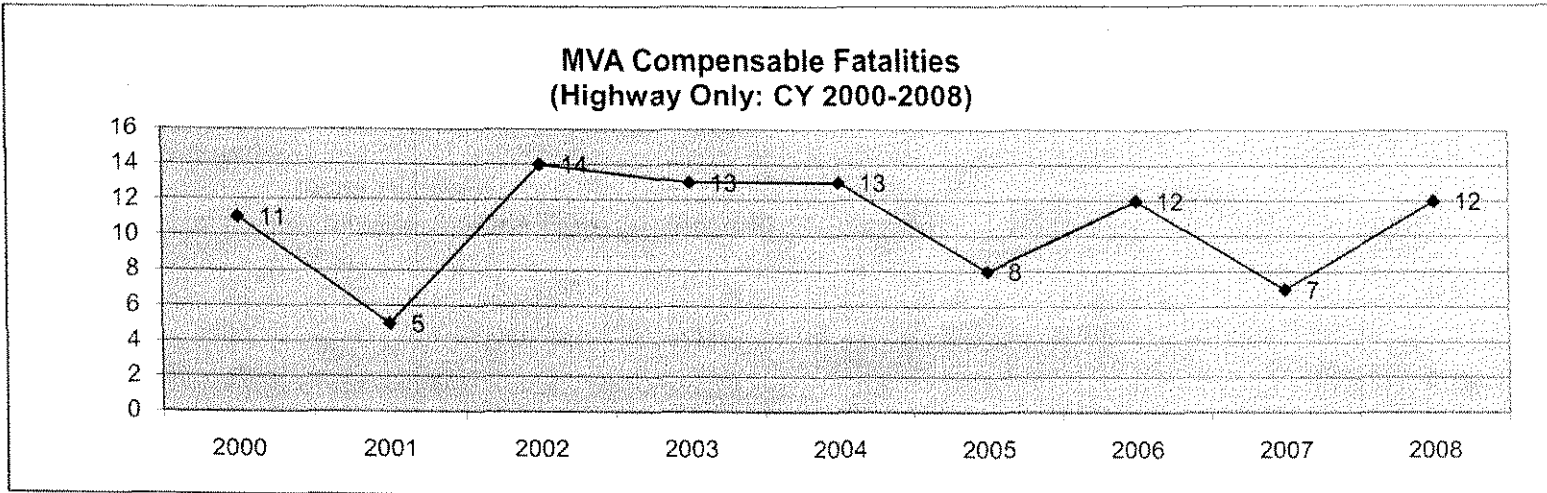


Compensable Fatality Rate
CY 2000-2008



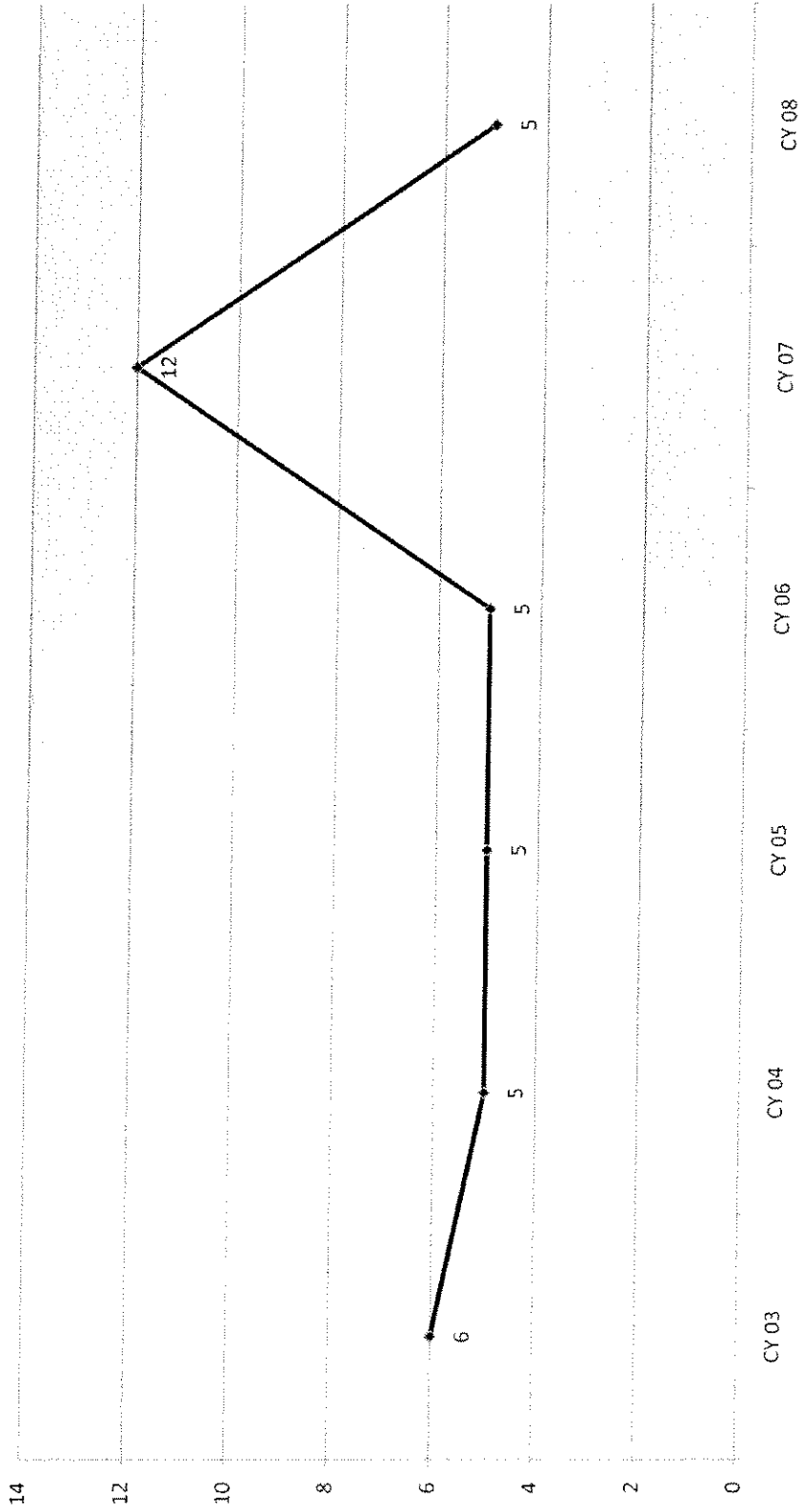
Compensable Fatality Rate 3-year rolling average



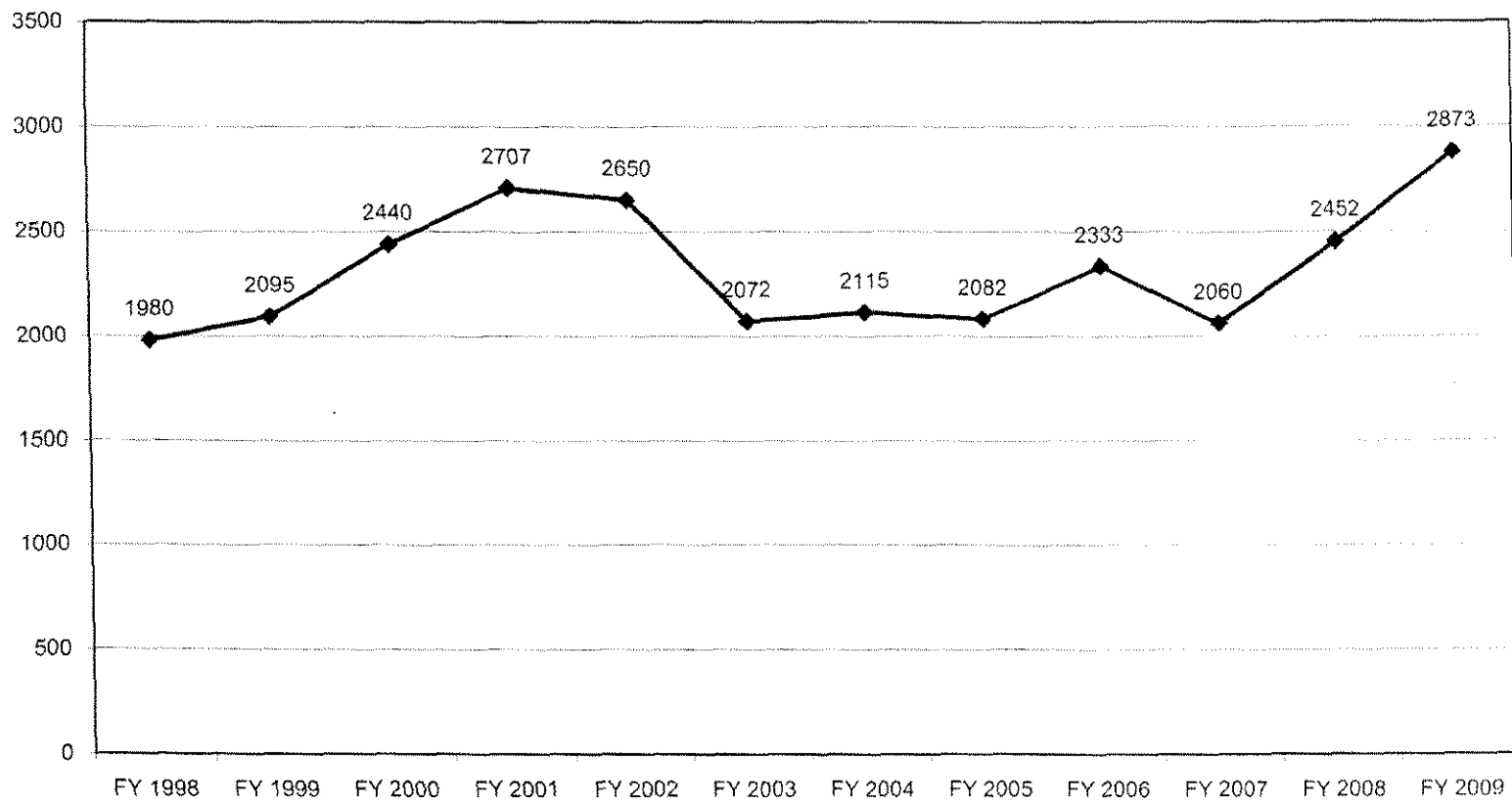


Oregon Compensable Construction Fatalities

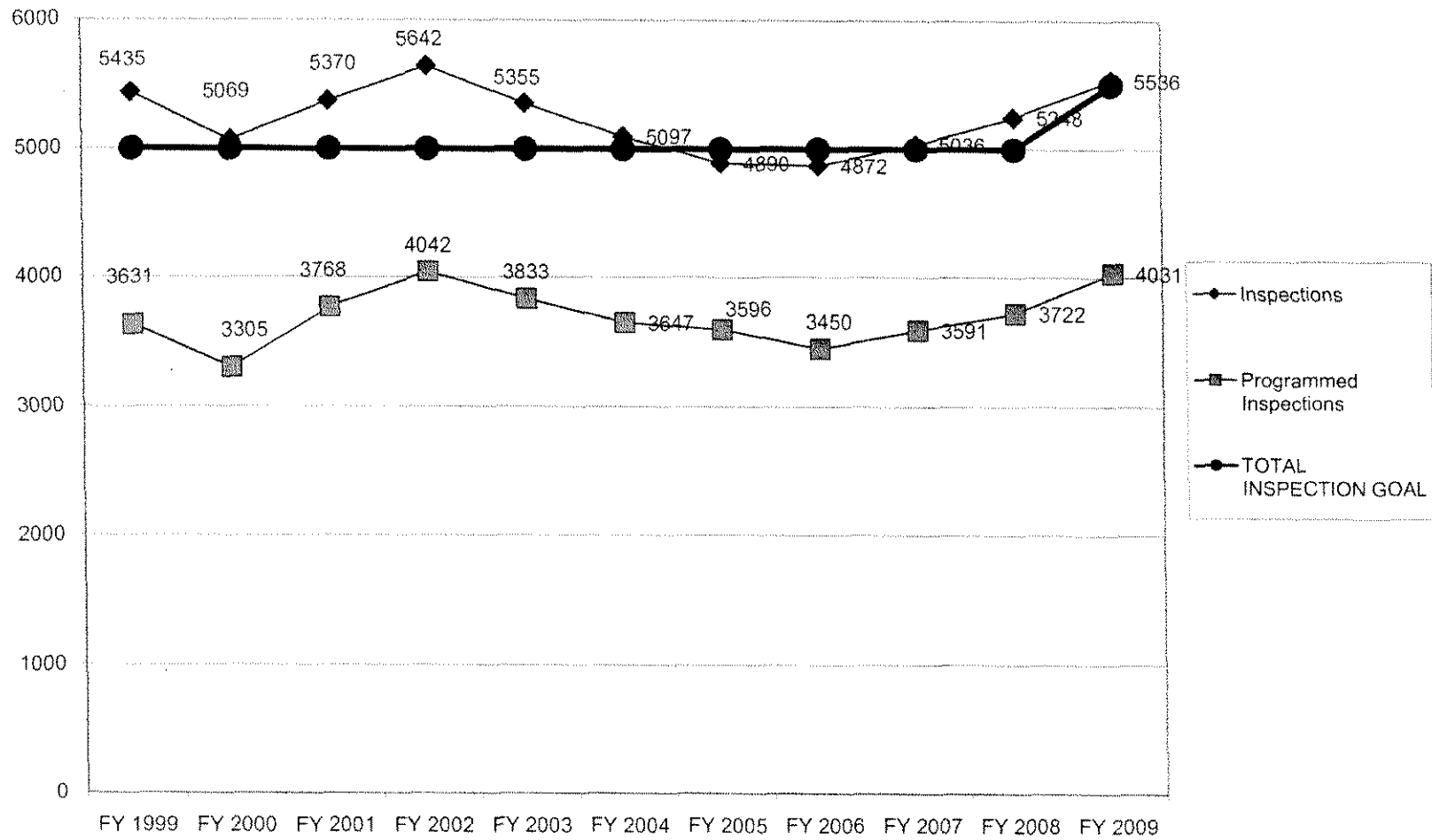
Calendar Years 2003-2008



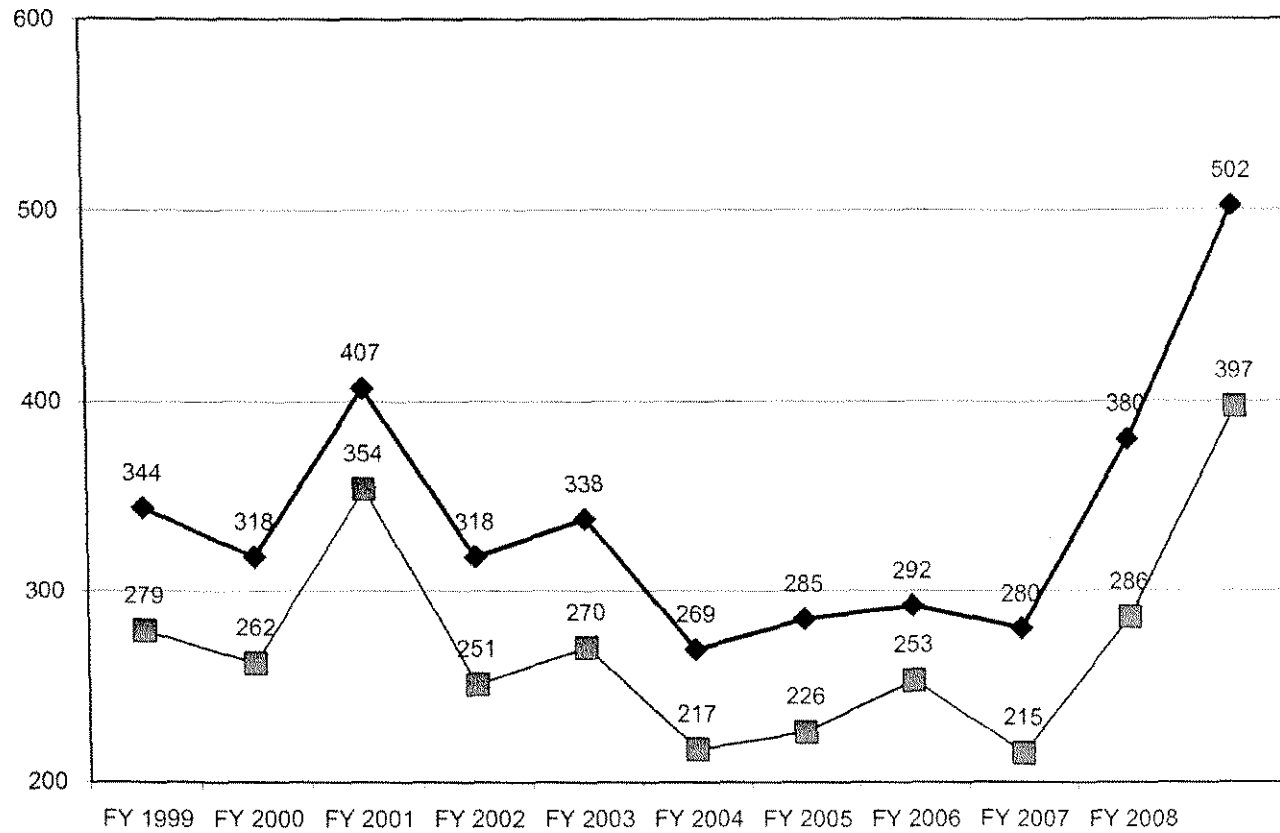
Total OR-OSHA Consultations Federal Fiscal Years 1996 - 2009



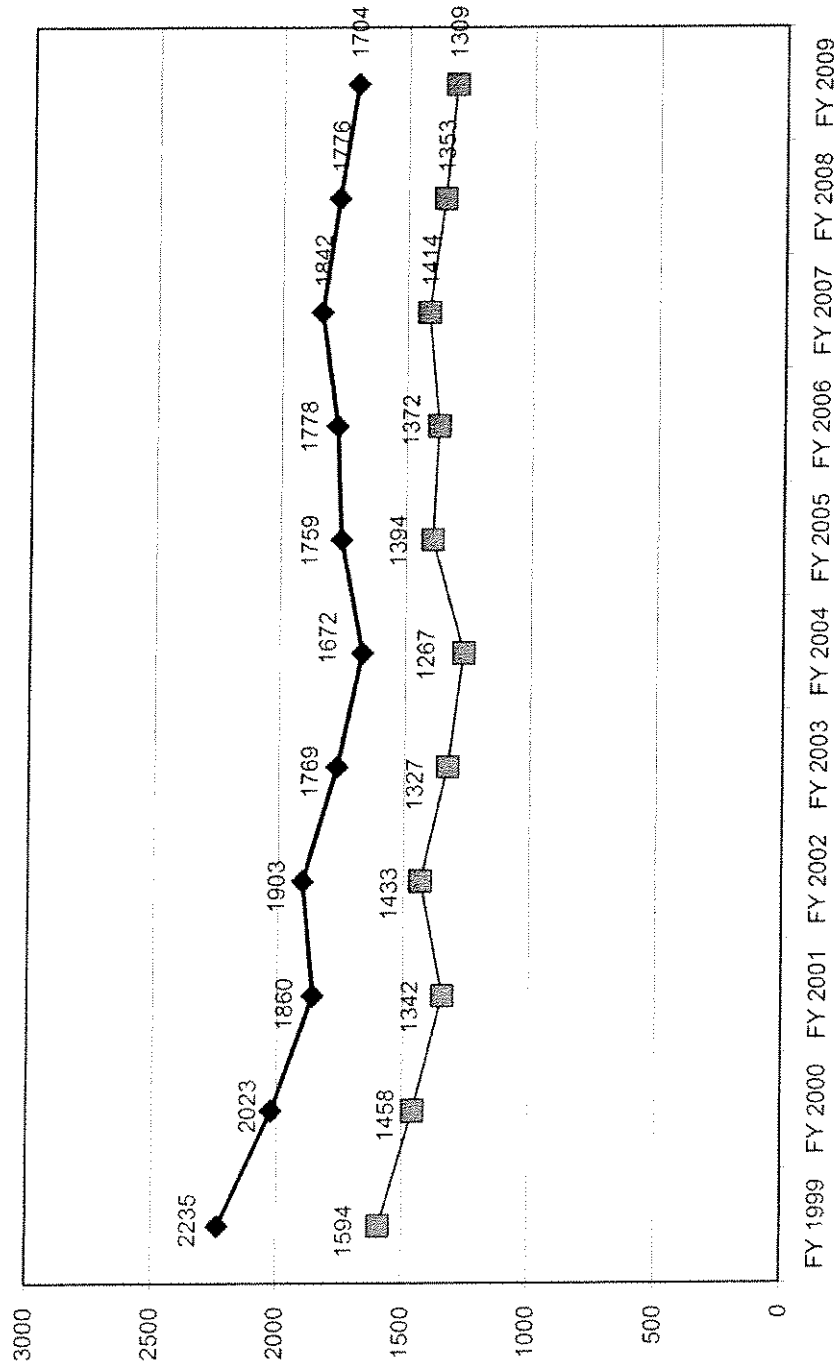
Total Oregon OSHA Inspections Federal Fiscal Years 1999 - 2008



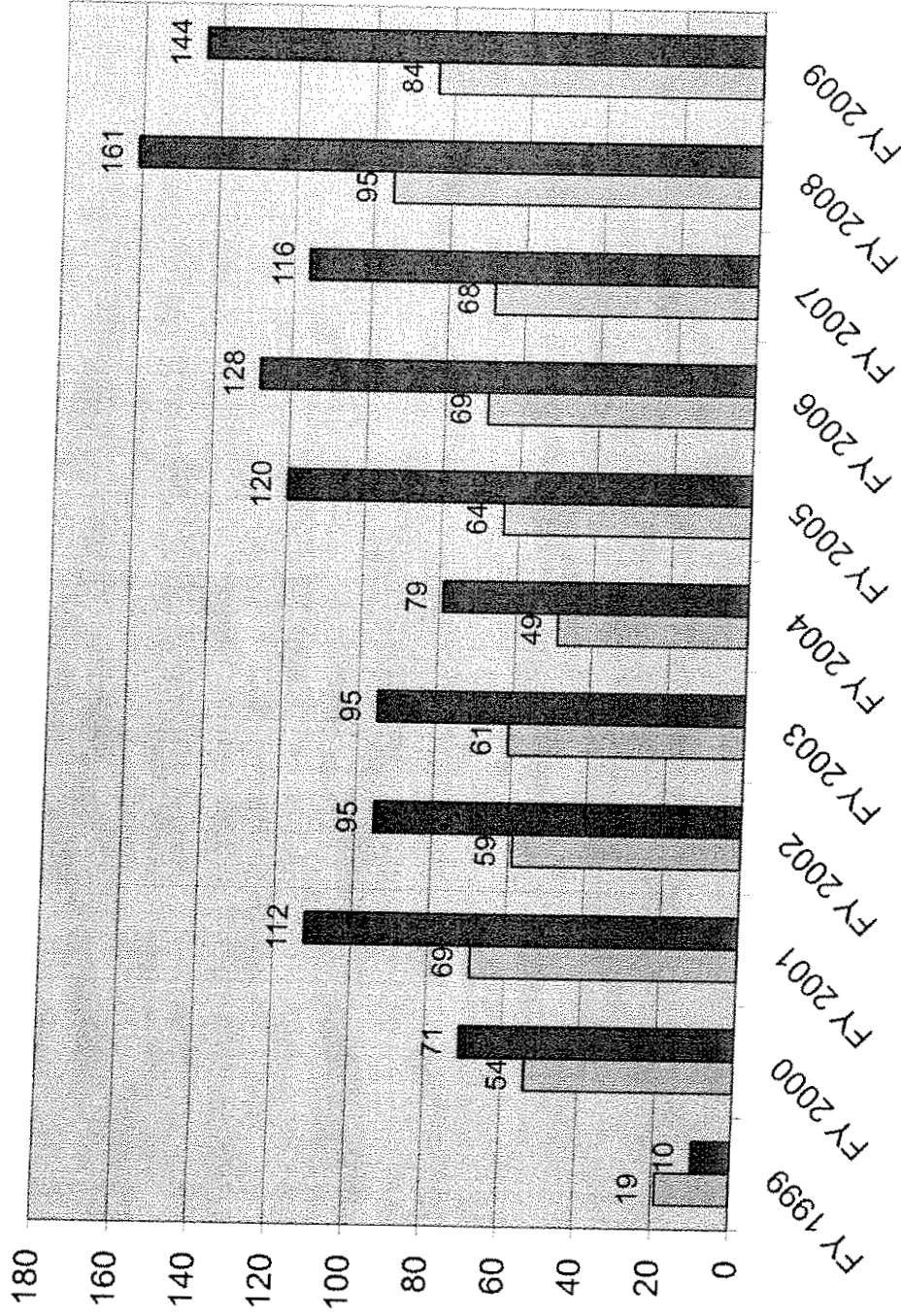
OR-OSHA Agriculture Inspections Federal Fiscal Years 1999 - 2008



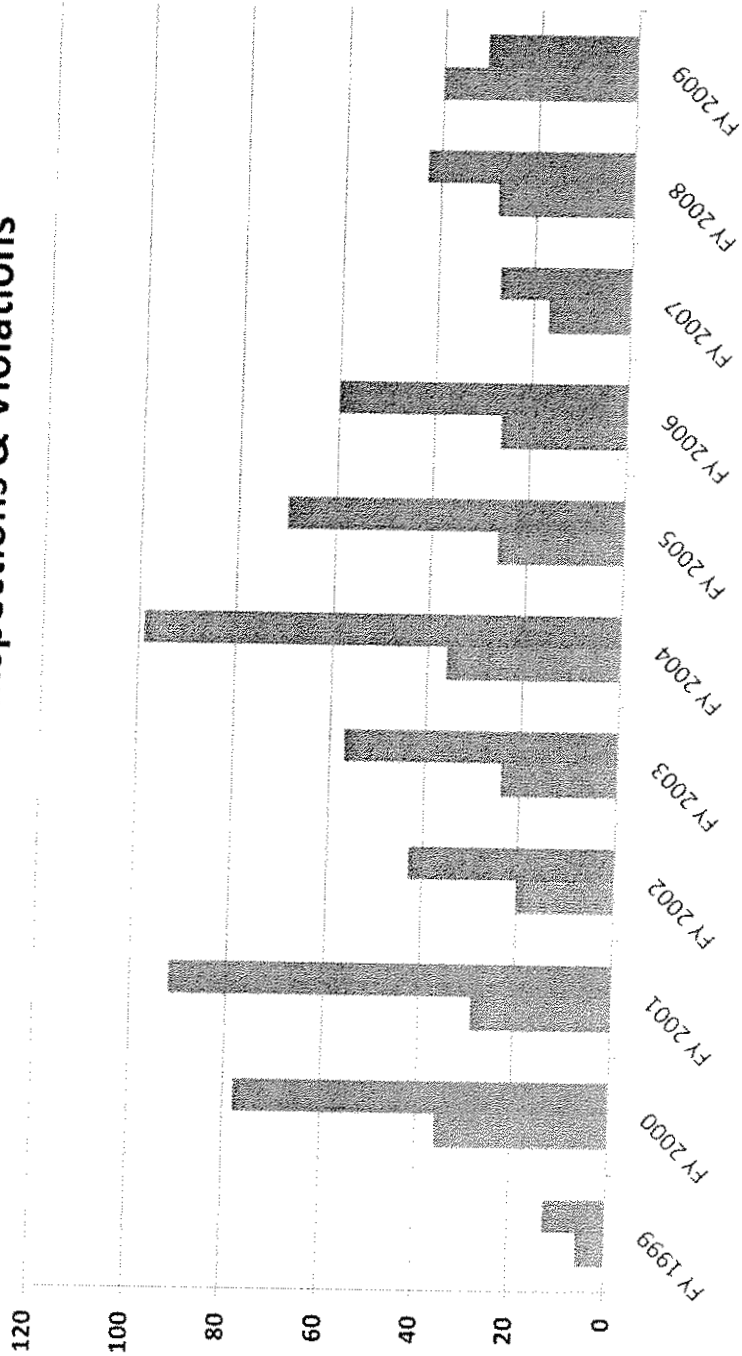
OR-OSHA Construction Inspections Federal Fiscal Years 1999 - 2009



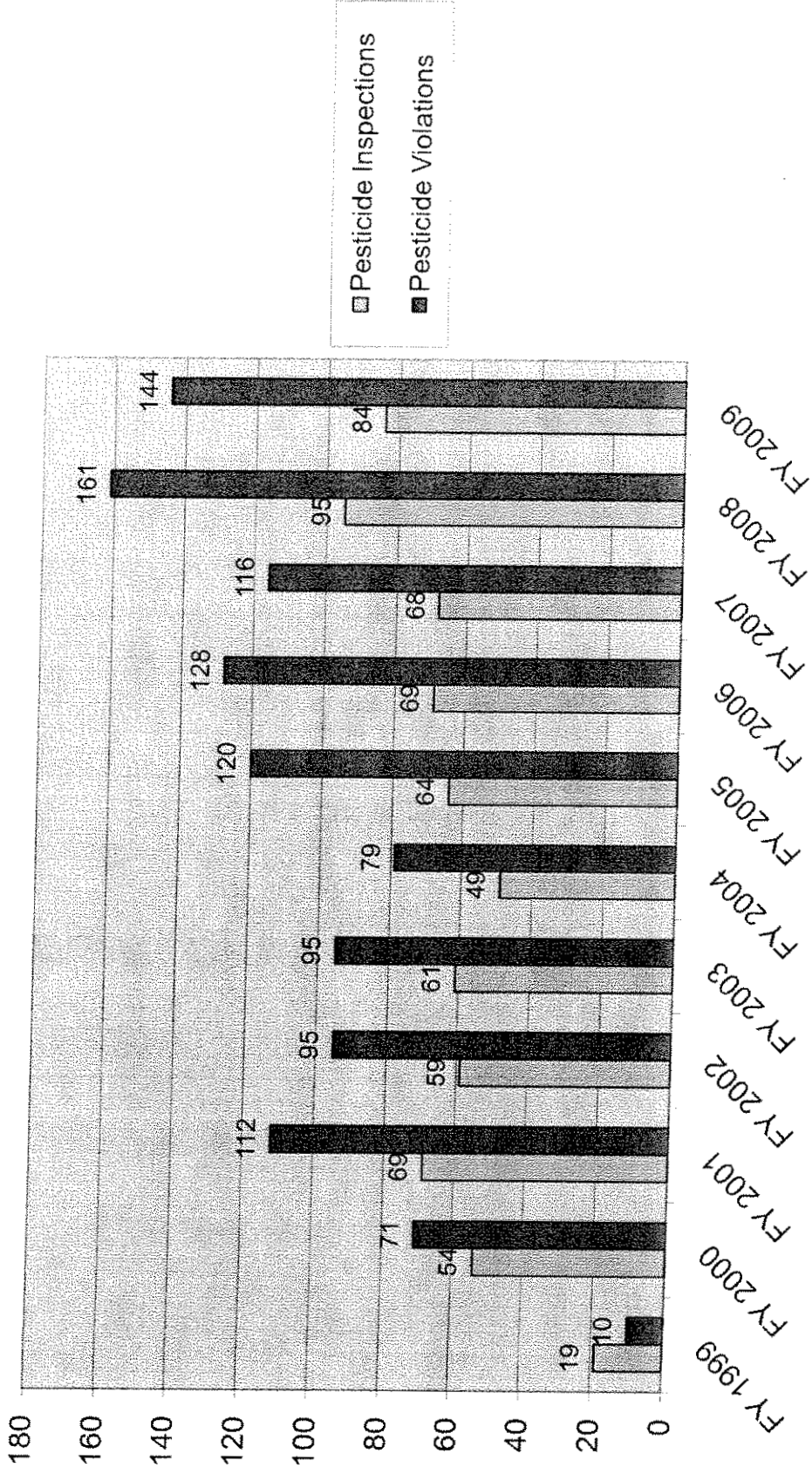
OR-OSHA Pesticide Inspections & Violations



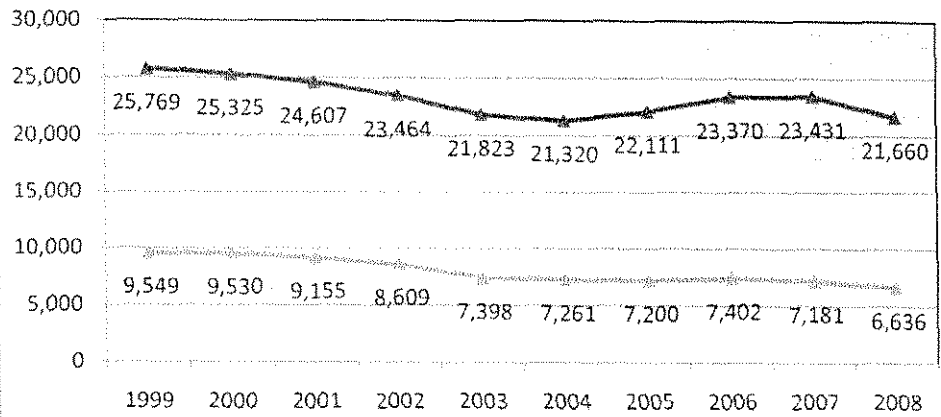
Oregon OSHA Lead in Construction Inspections & Violations



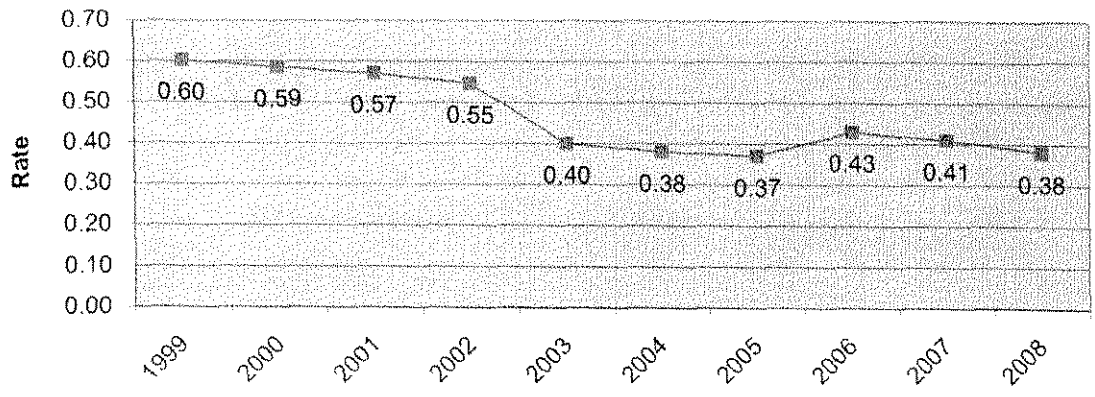
OR-OSHA Pesticide Inspections & Violations



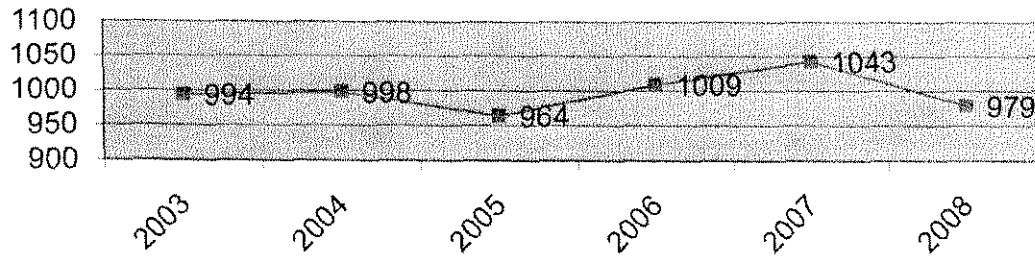
**Total Claims: MSD Claims
Calendar Year 1999-2008**



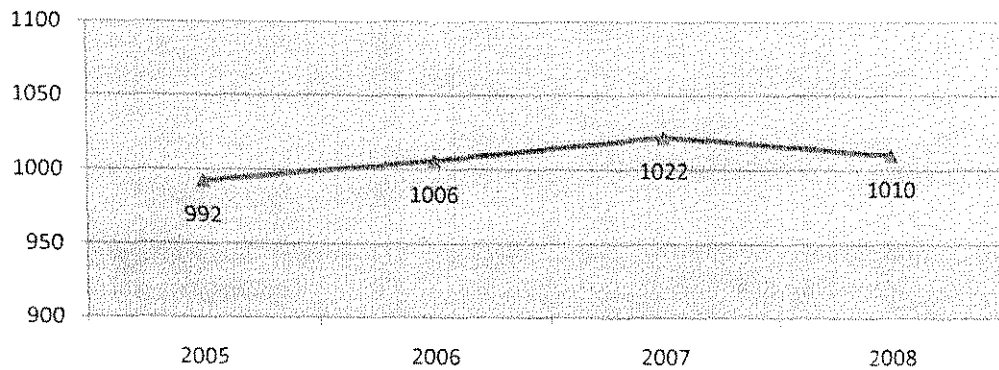
**MSD Claims Rate: 1997 - 2008 (all sectors)
accepted disabling claims**



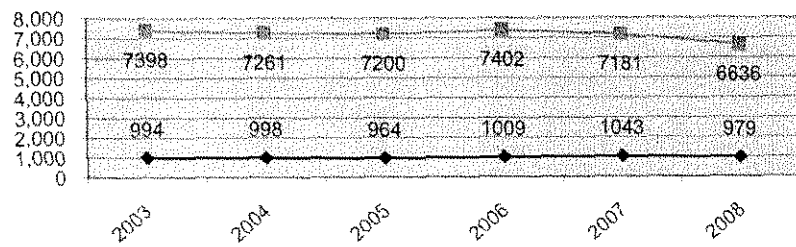
**Health Care MSD Claims
NAICS 621-624
2003-2008**
accepted disabling claims



**Health Care MSD Claims (NAICS 621-624)
3-year rolling average (accepted disabling claims)**



MSD Claims: All Sectors vs. Health Care
accepted disabling claims
NAICS 621-624



APPENDIX D

State Performance Data

U. S. D E P A R T M E N T O F L A B O R
 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
 STATE ACTIVITY MANDATED MEASURES (SAMMS)

OCT 23, 2009
 PAGE 1 OF 2

State: OREGON

RID: 1054100

MEASURE ----- From: 10/01/2008 CURRENT
 To: 09/30/2009 FY-TO-DATE REFERENCE/STANDARD

MEASURE	From: 10/01/2008	CURRENT	To: 09/30/2009	FY-TO-DATE	REFERENCE/STANDARD
1. Average number of days to initiate Complaint Inspections	5492	119	7.97	8.50	Negotiated fixed number for each State
	689	14			
2. Average number of days to initiate Complaint Investigations	3526	228	9.11	14.25	Negotiated fixed number for each State
	387	16			
3. Percent of Complaints where Complainants were notified on time	675	28	96.57	100.00	100%
	699	28			
4. Percent of Complaints and Referrals responded to within 1 day -Immdanger	86	2	98.85	100.00	100%
	87	2			
5. Number of Denials where entry not obtained	0	0			0
6. Percent of S/W/R Violations verified					
Private	3481	9	93.65	12.16	100%
	3717	74			
Public	155	1	95.68	100.00	100%
	162	1			
7. Average number of calendar days from Opening Conference to Citation Issue					
Safety	116983	7454	33.34	39.43	2489573
	3508	189			43.8
					56880
Health	43968	2854	66.41	69.60	692926
	662	41			57.4
					12071
					National Data (1 year)

*FY0909R

**PRELIMINARY DATA SUBJECT TO ANALYSIS AND REVISION

U. S. D E P A R T M E N T O F L A B O R
 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
 STATE ACTIVITY MANDATED MEASURES (SAMMS)

OCT 23, 2009
 PAGE 2 OF 2

State: OREGON

RID: 1054100

MEASURE	From: 10/01/2008	CURRENT	REFERENCE/STANDARD
	To: 09/30/2009	FY-TO-DATE	
8. Percent of Programmed Inspections with S/W/R Violations			
Safety	1848	87	92328
	51.15	54.72	58.6
	3613	159	157566
Health	221	9	11007
	50.46	42.86	51.2
	438	21	21510
9. Average Violations per Inspection with Violations			
S/W/R	5200	305	420601
	1.24	1.32	2.1
	4169	230	201241
Other	6300	321	243346
	1.51	1.39	1.2
	4169	230	201241
10. Average Initial Penalty per Serious Violation (Private Sector Only)	1745795	98034	492362261
	364.23	342.77	1335.2
	4793	286	368756
11. Percent of Total Inspections in Public Sector	302	2	759
	5.47	2.00	4.8
	5517	100	15829
12. Average lapse time from receipt of Contest to first level decision	41192	994	4382038
	98.78	76.46	246.1
	417	13	17807
13. Percent of IIC Investigations Completed within 90 days	79	0	100%
	78.22		
	101	0	
14. Percent of IIC Complaints that are Meritorious	19	0	1466
	18.81		20.8
	101	0	7052
15. Percent of Meritorious IIC Complaints that are Settled	6	0	1263
	31.58		86.2
	19	0	1466

*FY090R

**PRELIMINARY DATA SUBJECT TO ANALYSIS AND REVISION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CURRENT MONTH = SEPTEMBER 2009

INTERIM STATE INDICATOR REPORT (SIR)

STATE = OREGON

PERFORMANCE MEASURE	----- 3 MONTHS-----		----- 6 MONTHS-----		-----12 MONTHS-----		-----24 MONTHS-----	
	FED	STATE	FED	STATE	FED	STATE	FED	STATE
C. ENFORCEMENT (PRIVATE SECTOR)								
1. PROGRAMMED INSPECTIONS (%)								
A. SAFETY	6212	842	11892	1757	21855	3446	42572	6678
	67.3	76.8	67.5	78.4	66.8	79.0	65.2	78.7
	9230	1097	17617	2242	32713	4360	65304	8488
B. HEALTH	508	118	1004	234	1963	420	3678	802
	34.5	50.2	34.1	50.2	35.3	48.7	34.0	45.4
	1471	235	2946	466	5559	863	10829	1765
2. PROGRAMMED INSPECTIONS WITH VIOLATIONS (%)								
A. SAFETY	4645	695	8997	1410	16745	2774	32019	5420
	67.7	64.6	65.9	66.9	65.8	69.4	65.9	70.4
	6860	1076	13654	2107	25453	3999	48603	7694
B. HEALTH	368	105	746	192	1486	325	2884	628
	52.2	51.2	50.8	51.1	51.7	52.9	55.6	57.0
	705	205	1468	376	2873	614	5187	1101
3. SERIOUS VIOLATIONS (%)								
A. SAFETY	15510	924	29490	1953	56535	3916	111717	7353
	81.8	41.8	81.1	43.4	80.0	45.0	79.4	44.1
	18952	2211	36371	4502	70692	8707	140747	16690
B. HEALTH	2802	240	5343	410	10035	780	19393	1439
	70.1	35.3	69.9	34.7	69.7	36.9	67.7	34.7
	4000	679	7645	1181	14395	2111	28659	4143
4. ABATEMENT PERIOD FOR VIOLS								
A. SAFETY PERCENT >30 DAYS	2938	64	5782	101	12109	196	25516	342
	15.9	6.3	16.2	4.7	17.6	4.5	18.7	4.2
	18492	1020	35597	2141	68607	4315	136812	8097
B. HEALTH PERCENT >60 DAYS	256	28	577	44	1452	85	3111	152
	6.3	6.4	7.5	5.8	10.0	6.1	10.9	6.3
	4078	437	7720	760	14561	1399	28488	2397

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CURRENT MONTH = SEPTEMBER 2009

INTERIM STATE INDICATOR REPORT (SIR)

STATE = OREGON

PERFORMANCE MEASURE	----- 3 MONTHS-----		----- 6 MONTHS-----		-----12 MONTHS-----		-----24 MONTHS-----	
	FED	STATE	FED	STATE	FED	STATE	FED	STATE
C. ENFORCEMENT (PRIVATE SECTOR)								
5. AVERAGE PENALTY								
A. SAFETY								
OTHER-THAN-SERIOUS	280876	18130	628826	46500	1303857	123860	2663433	312290
	923.9	725.2	998.1	603.9	1030.7	555.4	1049.4	500.5
	304	25	630	77	1265	223	2538	624
B. HEALTH								
OTHER-THAN-SERIOUS	83100	815	142950	4815	294225	10490	654830	24595
	799.0	135.8	803.1	300.9	855.3	327.8	867.3	256.2
	104	6	178	16	344	32	755	96
6. INSPECTIONS PER 100 HOURS								
A. SAFETY								
	10459	1404	19991	2766	37160	5227	73338	10034
	6.1	7.4	5.7	7.0	5.5	6.8	5.3	6.9
	1722	190	3533	396	6727	770	13759	1460
B. HEALTH								
	1764	327	3581	637	6701	1140	12705	2191
	1.8	3.3	1.7	3.1	1.6	2.8	1.5	2.7
	994	99	2112	204	4125	405	8503	805
7. VIOLATIONS VACATED %								
	1278	0	2561	0	5139	0	10097	0
	4.9	.0	5.0	.0	5.1	.0	5.0	.0
	26336	2837	51387	5456	100187	10234	201495	19346
8. VIOLATIONS RECLASSIFIED %								
	1130	0	2440	0	4798	1	9539	1
	4.3	.0	4.7	.0	4.8	.0	4.7	.0
	26336	2837	51387	5456	100187	10234	201495	19346
9. PENALTY RETENTION %								
	13523966	233575	27149245	753855	54889469	1255354	111585445	2438556
	63.4	100.0	62.9	100.0	63.2	100.0	62.9	100.0
	21315664	233575	43130384	753855	86796382	1255354	177346966	2438556

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U. S. D E P A R T M E N T O F L A B O R

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CURRENT MONTH = SEPTEMBER 2009

INTERIM STATE INDICATOR REPORT

STATE = OREGON

PERFORMANCE MEASURE	----- 3 MONTHS-----		----- 6 MONTHS-----		----- 12 MONTHS-----		----- 24 MONTHS-----	
	PRIVATE	PUBLIC	PRIVATE	PUBLIC	PRIVATE	PUBLIC	PRIVATE	PUBLIC
D. ENFORCEMENT (PUBLIC SECTOR)								
1. PROGRAMMED INSPECTIONS %								
A. SAFETY	842	50	1757	119	3446	207	6678	356
	76.8	78.1	78.4	84.4	79.0	83.1	78.7	81.7
	1097	64	2242	141	4360	249	8488	436
B. HEALTH	118	7	234	13	420	32	802	56
	50.2	58.3	50.2	54.2	48.7	58.2	45.4	56.6
	235	12	466	24	863	55	1765	99
2. SERIOUS VIOLATIONS (%)								
A. SAFETY	924	34	1953	80	3916	171	7353	273
	41.8	44.7	43.4	36.7	45.0	39.3	44.1	36.8
	2211	76	4502	218	8707	435	16690	741
B. HEALTH	240	13	410	38	780	57	1439	91
	35.3	41.9	34.7	44.7	36.9	44.5	34.7	43.8
	679	31	1181	85	2111	128	4143	208

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CURRENT MONTH = SEPTEMBER 2009

COMPUTERIZED STATE PLAN ACTIVITY MEASURES

STATE = OREGON

PERFORMANCE MEASURE	----- 3 MONTHS-----		----- 6 MONTHS-----		----- 12 MONTHS-----		----- 24 MONTHS-----	
	FED	STATE	FED	STATE	FED	STATE	FED	STATE
E. REVIEW PROCEDURES								
1. VIOLATIONS VACATED %	446 22.8 1956	40 8.5 469	875 24.2 3609	90 8.0 1123	1756 23.4 7506	138 7.6 1811	3749 24.1 15528	320 8.6 3704
2. VIOLATIONS RECLASSIFIED %	282 14.4 1956	12 2.6 469	563 15.6 3609	31 2.8 1123	1133 15.1 7506	56 3.1 1811	2274 14.6 15528	91 2.5 3704
3. PENALTY RETENTION %	2319074 54.1 4286744	144825 75.3 192450	4080249 51.5 7922126	283610 71.2 398400	10792902 58.5 18457526	479450 71.5 670405	20045599 55.9 35865959	1056830 71.0 1488555