



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

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on January 27, 2009 by the  
Date prior to or same as filing date

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

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to become effective February 3, 2009 as OR-OSHA Administrative Order 2-2009.  
Date upon filing or later

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

**RULE CAPTION**

Adopt changes to Division 1, General Administrative Rules.  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

**AMEND:** OAR 437-001-0015, 437-001-0160, 437-001-0205, 437-001-0760, 437-001-1015, 437-001-1020

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

**ORS** 654.001 through 654.295  
Stats. Implemented

**RULE SUMMARY**

After consideration of comments received about the proposed changes to Division 1, General Administrative Rules, Oregon OSHA takes the following actions:

New language to clarify when Oregon OSHA rules cover corporate officers generated no comments and will be made.

We will not adopt the proposed changes covering when we cite a violation as a repeat. The definition and penalty criteria will remain as they were before the proposal except for minor grammar changes like changing "shall" to "must" or "will." Comments suggested that more work is needed to assure any changes are understood. Comments in support of the proposed changes raised issues that will be considered in future work on this subject.

Proposed changes to our method of delivering citations and notices of penalties generated no comments and will be made as proposed.

The proposed change related to supervisors or persons in charge of work will be made as proposed. This change involves no new requirements but moves the rule to a more logical position.

The proposed change to language about guaranty contracts caused no comments and will go as proposed.

Please visit OR-OSHA's web site at [www.orosha.org](http://www.orosha.org)

<u>/s/Michael D. Wood</u>	<u>Michael D. Wood</u>	<u>1/22/09</u>
Authorized Signer	Printed name	Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.  
\*\*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 930-2005