



Oregon

Theodore R. Kulongoski, Governor

Department of Consumer and Business Services

Oregon Occupational Safety & Health Division (OR-OSHA)

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January 23, 2004

Revised: November 18, 2007

Deborah Bogart
Oregon Department of Forestry
State Forester's Office
2600 State Street
Salem, OR 97301

Dear Ms. Bogart:

This letter replaces our letter of February 21, 2003 on the same subject. It reflects the most recent information from the state Attorney General on the subject.

If prisoners have coverage under a workers' compensation insurance policy, they also are covered by the Oregon Safe Employment Act and all Oregon OSHA standards, including those regarding recordkeeping. In this case, control and supervision are not relevant to the determination of OSHA coverage.

Prisoners working in any capacity without workers' compensation insurance coverage are not subject to any of Oregon OSHA's standards, including recordkeeping.

Please call me if you have any questions or want to discuss further.

Sincerely,

Marilyn Schuster, Manager
Resource and Technical Services
503-378-3272