

Oregon OSHA
Construction Advisory Committee
Tuesday, April 1, 2008
9:00 – 11:00 AM

Meeting minutes

Attendees:

Barb Belcher	Dave Kaiser	Barry Moreland
Ron Haverkost	Michael Wood	Peggy Munsell
Dede Montgomery	Chris Ottoson	Dan Sabatino
Andrew Haymart	Ellis Brasch	Tony Howard
Tony Barsotti	Pat Darby	Don Berg

Call to Order 9:00 a.m.

Introductions

Review minutes:

Dave Kaiser motioned to accept meeting minutes for February 2008. The motion was seconded and all members were in favor.

Posted Construction Advisory Committee minutes can be found at:
http://www.cbs.state.or.us/external/osha/standards/const_advise.html

➤ **Status of current rule review- Peggy Munsell**

- Peggy gave an overview of rulemaking activity.
Safety Committees

Tony asked what the expectation of the new Safety Committee rule was. Peggy responded that Oregon OSHA is very close to a final rule and the rule could be posted final by the end of the month. Update: After meeting with Michael Wood, the decision was made to reconvene the stakeholder committee on May 21. Discussions will include centralized safety committees, effectiveness of safety committees, and the safety committee penalty, 437-001-0203(7), Determination of Penalty.

PPE – Hearing scheduled for April 21, 2008. Adoption tentative on May 15, 2008

Silica – Still reviewing comments and data analysis. Update: Met with Michael Wood on April 28, decision on the PEL proposal to be finalized next week.

Click here for current rulemaking activity:

[Adopted Rules](#)

[Proposed Rules](#)

➤ Health & Safety Issues (Global/current)

- Diffusion of Information (DOI) – Dave Parsons
No new information to report. This committee is on hold until another project is produced.
- Permanent anchor- Dave Kaiser
The committee met last week and meet on the fourth Friday of every month. They are looking at technical questions and ensuring there are engineering solutions to all roof structures. Any interested parties are welcome to join the committee. Tony also said that the upcoming [ASSE conference in June](#) in Las Vegas has a topic on the agenda that concerns [controlling fall hazards through the international building codes](#). The committee recommended that an OR-OSHA representative that is on the sub-committee go to the June conference.

ACTION: The committee discovered reference to the building codes in Division 2 F asked if Ron could research the reference.

Tony Howard asked how the anchor points are inspected and certified when most of the anchor point is covered and not visible. He also said that there are products available that are counter weighted anchor points that allow for temporary installation of anchor points.

ACTION: Ron Haverkost will research and report at the next meeting.

- Rubber Gloves Division 2 vs. Division 3 –
The [Oregon OSHA interpretation](#) does not clarify why Division 2 and Division 3 have different requirements. Barry did have a discussion with Arnett and they do not track the failure rate when testing rubber gloves. He said that this is a destructive test and wears down the quality of the glove. Barry would like to see the same requirement in both divisions 60-day retest and 1-year shelf life.
Ron Haverkost tried to locate any historical data on why Oregon OSHA differs from the federal OSHA. There is no data available.
Michael Wood said that Oregon OSHA will consider producing a policy document that clarifies the rule and aligns the requirement in both rules to 60-day retest and 1 year shelf life.
ACTION: Ron Haverkost will research maintenance vs construction and policy language.
- Fall protection vs. wall openings.
Tony Barsotti initiated this original conversation. Oregon OSHA asked that Tony submit a specific written question for us to respond to. The question posed at the last meeting is too broad to respond to.
- Construction Fatalities
The committee discussed the preliminary report of the [Number of Compensable Fatalities by industry for 2007](#).
Michael responded that although the 2007 numbers were up, it's not clear if that is statistically meaningful. The rate has actually increased each of the last three years, which is troubling. In any case, the 2007 construction fatalities emphasize that this is

still a dangerous industry and the type of fatalities suggest that workers are being killed by the sort of hazards that we know very well how to prevent.

- Confined Space In Construction

Dave McLaughlin is putting together a stakeholder group that will be looking at revision to the confined space in construction rule. Peggy asked if any members of the Construction Advisory Committee were interested in participating. Dave Kaiser, Barry Moreland, Tony Howard, Dan Sabatino and Don Berg are all willing to participate.

- Lessons Learned]

Nothing to report

➤ **Open Forum**

- Michael Wood – Oregon OSHA is embarking on rulemaking activity on fixed site scheduling systems in safety and health. A more meaningful way to target and selecting employers that will be industry based. This will be more of a targeted system with a random selection within the target system. Anyone interested in participating in this rulemaking activity is welcome.

- Barry Moreland – Barry asked the committee if they were aware of any manufacturers that produce a flexible non-metal ladder. He posted the question: if a compliance officer came to a construction site and saw an electrician using a metal ladder, would that open them up for a citation? If there is no exposure to the hazard, there is no violation. There was also committee discussion that allowing it's use on the site sets the employer/employee up for failure when the wrong ladder is used because it is handy, administration controls are the weakest control methods.

Meeting adjourned

2008 Meetings: (Note Room Change for 2008 Meetings)

Tuesday, May 6, 2008 – Room B

Tuesday, June 3, 2008 - AGC Boardroom (9450 SW Commerce Circle, Suite 200 Wilsonville)

Tuesday, July 1, 2008 – Room B

Tuesday, August 5, 2008 – Room B

Tuesday, September 2, 2008 - AGC Boardroom (9450 SW Commerce Circle, Suite 200 Wilsonville)

Tuesday, October 7, 2008 – Room B

Tuesday, November 4, 2008 – Room B

Tuesday, December 2, 2008 – AGC Boardroom (9450 SW Commerce Circle, Suite 200 Wilsonville)