

**Oregon OSHA**  
Construction Advisory Committee  
Tuesday, May 1, 2012

**Meeting Minutes**

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<b>Attendees:</b>	Dave Kaiser	Michelle Potter
Andy Collins	Demetra Star	Peggy Munsell
Barry Moreland	Dennis Mahoney	Roger Dale-Moore
Brian Silbernagel	Diana Gray	Ron Brooks
Bruce Roller	Eliot Lapidus	Ron Haverkost
Cindy Regier	Gary Beck	Tony Barsotti
Dave Davidson	Marilyn Schuster	Trena VanDeHey

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Meeting was called to order at 9:00 am by Dave Davidson  
Introductions were made

Approval of Minutes:  
A motion was made, second and minutes approved as submitted.

Posted Construction Advisory Committee minutes can be found at:  
[http://www.cbs.state.or.us/external/osha/standards/const\\_advise.html](http://www.cbs.state.or.us/external/osha/standards/const_advise.html)

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***Lessons Learned:***

Dianna.....

Talked about an incident that occurred resulting in an employee having their foot ran over, she titled it “what’s wrong with this picture”. The accident happened when an employee was walking next to a forklift traveling with an unstable load. While handling the load to prevent excess motion the load shifted and landed on the employee’s foot. What alternatives are there to prevent this accident? Several comments and questions were bantered about leading to a variety of best practices resolutions.

Brian specifically mentioned another case that lead to a company policy that requires a certain distance that his employees are required to maintain when moving “jersey” barriers.

***Continuing Business:***

**Status of rule making –**

**Rulemaking updates can be found at:**

<http://www.cbs.state.or.us/osha/pdf/rules/2010development.pdf>.

Peggy gave a brief update:

**Confined space:** Public hearing tomorrow May 2, 2012, 9:30 AM @ the L&I building, Salem, room F. Oregon OSHA received one positive comment thus far.

**Penalties/Division 1:** Oregon OSHA should have a final rule next week with a projected implementation date of July 1. One member asked where they could get a copy of the final rule. Employees on Oregon OSHA's email notification list will receive the language text. The final rule will also be posted on our Web site.

**The Hazard Communication Standard (HCS)** is now aligned with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). <http://www.osha.gov/dsg/hazcom/ghs-final-rule.html>  
Oregon OSHA plans to adopt as is and follow the same training and full implementation time tables.

Tony commented in regards to the time tables that Federal OSHA has and believes the industry Oregon employer should have no difficulty meeting those requirements.

**From the Federal rule:**

(j) Effective dates.

(j)(1) Employers shall train employees regarding the new label elements and safety data sheets format by December 1, 2013.

(j)(2) Chemical manufacturers, importers, distributors, and employers shall be in compliance with all modified provisions of this section no later than June 1, 2015, except:

(j)(2)(i) After December 1, 2015, the distributor shall not ship containers labeled by the chemical manufacturer or importer unless the label has been modified to comply with paragraph (f)(1) of this section.

(j)(2) (ii) All employers shall, as necessary, update any alternative workplace labeling used under paragraph (f)(6) of this section, update the hazard communication program required by paragraph (h)(1), and provide any additional employee training in accordance with paragraph (h)(3) for newly identified physical or health hazards no later than June 1, 2016.

(j)(3) Chemical manufacturers, importers, distributors, and employers may comply with either §1910.1200, revised as of October 1, 2011, or the current version of this standard or both during the transition period.

Eliot asked about the labeling change which is the “Environment” label will be (Non-Mandatory) in reference to Aquatic Toxicity.

***Overnight Hospital Report:***

Dianna Gray gave an update.

Fatalities for April- Two cases reported, both were heart related, a university custodial employee and a State Hospital employee.

One construction accident was reported, fall from a ladder. After the investigation Oregon OSHA received a complaint regarding the validity of the accident. The complaint alleged that the company had potentially mislead the compliance officer and the accident was a fall from or working from a scaffold system rather than a fall from a ladder.

Michelle has had some experience with subs hiding incidents and accidents or minimizing the severity of the situations. Her company is currently addressing the problem through pre-contract talks with the sub contractors.

Barry asked the group about successful incentive programs regarding reporting incidents and accidents. The group consensus was that, those programs are not common in the construction industry.

Diana mentioned two of accidents, one of which was in the Roseburg area. A supervising electrician while leaving for the day noticed a lighting system that was operating improperly. In his haste he did not follow control procedures and an event caused his fall from a ladder.

Roger was aware of the incident and conveyed that the company is very proactive and commits to a lot of training regarding safety and health issues.

In Portland a company was preparing for a crane delivery. An employee was walking the boom of a lattice boom crane. Reportedly a critical step in the process was overlooked allowing the crane to tilt, causing the employee to fall to a lower level.

Another employee fell through a 16 inch floor opening. While working on a smoke damage renovation project the employee displaced a cover that was not secured and fell 9 feet to the next lower level. The accident was reported by the temp agency, rather than the host employer.

Group took several minutes discussing leasing and temporary agencies as they relate to workers compensation, actual direction and control and responsible employers from providing employees with proper personal protective equipment

***Roundtable:***

Marilyn mentioned that Federal OSHA would like to hear from the group about areas that they can improve on for specific requirements, similar to the SIP III. If the group has suggestions notify her via e-mail, prior to next meeting. [schustmk@cbs.state.or.us](mailto:schustmk@cbs.state.or.us)

Tony mentioned the respiratory cartridge change out and the cleaning schedule requirements in the 1910.134 Respiratory Protection standard.

In an effort to get their name in the minutes.....

Ron Brooks mentioned that Oregon OSHA has a much easier web site than Federal OSHA to navigate.

Brian complimented Oregon OSHA on the PPE handbook, "it is excellent".

<http://www.cbs.state.or.us/osha/pdf/pubs/2738.pdf>

Barry cautioned the group about wobble lights. Recently emergency services were called after hours to a notice of smoke in a building under construction. A faulty electrical connection caused the light to melt into a pile of goo. Major damage was avoided, could have been much worse.

<http://probuiltlighting.com/wobblelight/>

Roger mentioned that truss manufactures are labeling their product to reference that "not to used as a fall protection anchor"

Ron H asked the group if Oregon OSHA should take the Division 2 PPE 437-002-0134 [http://www.cbs.state.or.us/osha/pdf/rules/division\\_2/div2\\_i.pdf#page=14](http://www.cbs.state.or.us/osha/pdf/rules/division_2/div2_i.pdf#page=14) requirements and make the construction Division 3 requirements identical. The only objection that was brought forward was the documentation requirement for the full body assessment. The consensus of the group was the consistency would a good thing as long as the documentation requirement was excluded. Ron will have copies of the proposal next meeting.

Ron also mentioned that Oregon OSHA would also like to develop rules that would align construction and general industry woodworking requirements. Ron will provide draft language text of that rule at the next meeting as well.

Dave mentioned that it was important that general contractors assure that their sub contractors have workers compensation when required

The small construction crane subcommittee followed this meeting.

***Planning for Agenda and for Next Meeting:***

**When:** Tuesday, June 5, 2012 at 9:00 a.m.

**Where:** AGC, Wilsonville.