

**Oregon OSHA**  
**Construction Advisory Committee**  
Tuesday, October 4, 2016

**Meeting Minutes**

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**Attendees:**

|                  |                    |                   |
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| Alta Schafer     | Eliot Lapidus      | Melissa Diede     |
| Andy Collins     | Emily Crews        | Michael Wood      |
| Barb Epstien     | Gary Beck          | Michelle Brunetto |
| Barry Moreland   | Illa Gilbert-Jones | Nathan Taylor     |
| Bret Taylor      | Jeff Wilson        | Renee Stapleton   |
| Bruce Roller     | Jennifer Carter    | Roger Dale-Moore  |
| Bryan Davis      | Jeremy Lawson      | Ryan Schurr       |
| Bryon Snapp      | Kevin Wheatcroft   | Scott Ray         |
| Clark Vermillion | LaChelle           | Tony Howard       |
| David Douglas    | Mark Tobiasson     |                   |
| Demetra Star     | Mary Lou Wilson    |                   |

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The meeting was called to order by Nathan Taylor.  
Self-introductions were made.  
Minutes of the September meeting were approved.

**Lessons Learned:**

OR-OSHA looked into the issue of the company pulling the trailer that had a track hoe pulling posts. We would not allow the equipment be left on the trailer while in use as the trailer would not be a solid base. They would look at the manufactures recommendations or use the general duty guidelines.

Illa from (ORFACE) ORFACE published their [2014 annual report](#) and it is now available. They also created [toolbox talk guides](#) on [trench collapse](#) and [electrocution](#).

Questions were brought up about Tri-pods and their uses.

**Question 1:** Can the manually operated material handling winch on a tripod system be used to raise/lower materials as well as people.

**Answer 1:** Yes.

**Question 2:** Can the Self Retracting Lifeline/lanyard on a tripod system be used to raise/lower materials when it has an integrated emergency retrieval winch?

**Answer 2:** No. Division 3, Subdivision M, 1926.502(d)(18) states that:

*“Body belts, harnesses, and **components [emphasis added]** shall be used only for employee protection (as part of a personal fall arrest system or positioning device system) and not to hoist materials”.*

Oregon OSHA considers the Self Retracting Lifeline/lanyard to be a component of a personal fall arrest system which must be dedicated to employee protection.

**Question 3:** When an employee performs work while suspended from a winch mounted on a tripod system, what general Oregon OSHA rules apply.

**Answer 3:** First, when an employee performs work activities while suspended from a manually operated winch and tripod system, the entire system is classified as a single point adjustable suspension scaffold. For construction activities, single point adjustable suspension scaffolds are covered by Division 3, Subdivision L standards.

Second, only tripod systems designed by a qualified person as well as constructed and loaded in accordance with that design as required by 1926.451(a)(6) can be used with both a material hoist and a personal fall arrest system attached to the same tripod. In these situations, the attachment point on the tripod for the personal fall arrest system cannot be the same point on the tripod as the attachment point for the manually operated material handling winch.

Third, the employee that is suspended from the wire rope of the manually operated material handling winch on the tripod system must also be protected by a separate personal fall arrest system.

Take a few minutes to check your equipment and around the equipment to ensure nothing gets run over, or damaged.

Labeling on an electric panel was wrong. The employees that worked there knew it was mislabeled and worked with it as is; on was off and off was on. Fix the issues before working; don't continue working in the area if it is wrong.

OR-OSHA is developing a fact sheet for competent person for shoring and excavation, and RF exposure on towers. Bret Taylor would like to know if the group could preview the shoring and excavation. Fall protection in construction is being re-written with the new rules.

David Davidson saw a scaffolding being used with the scaffold on the ground with no mud seal. The employees said the ground was hard so they didn't use them. As they were coming down off the scaffold the leg sunk through the ground. They had found it was on an old abandoned sprinkler box.

When you are parked and getting ready to back out, watch for kids. There was a kid who ran out into the parking lot and almost got hit. If it is possible you should back into the parking spot.

Jeff Wilson has been receiving calls related to fall protection and the new trigger heights. If you have any thoughts or know of any systems for installing trusses let Jeff know.

[Jeffrey.R.Wilson@oregon.gov](mailto:Jeffrey.R.Wilson@oregon.gov)

Andy Collins: There was a guy working on a steel column and was removing the bars out of the coupler bolts and fell 38 feet. The bar was barely in the coupler bolt. The group had a discussion on who would be at fault, and other safety measure that should be in place if there are multiple companies working on a site. It turned out the Contractor did not wait for written verification that everything was done correctly. The group said that the controlling contractor and the subcontractor should have responsibility.

Fork lift accidents, someone ran over their own co-worker. It is important to walk around the equipment and be aware of your surroundings at all times. Worker complacency is the biggest issue.

Don't walk up in someone blind spot either. The University of Washington has a blind spot training that is great.

Hoffman Construction Company has installed backup cameras on their vehicles up at the top so the mud doesn't block the camera.

## **Continuing Business:**

### Status of Rule Making:

OR-OSHA will hold public hearings on electronic recordkeeping to improve tracking of workplace illnesses and injuries. <http://osha.oregon.gov/OSHARules/proposed/2016/ltr-div1-0700.pdf> contact Jeff Wilson at [Jeffrey.R.Wilson@oregon.gov](mailto:Jeffrey.R.Wilson@oregon.gov)

### **Employer Knowledge (Division 1)**

**Summary:** Oregon OSHA plans to complete rulemaking that addresses the issue of employer knowledge and the role of reasonable diligence in determining whether an employer has "constructive knowledge" of a violation in the worksite.

**Timetable:** Oregon OSHA had initial discussions with a small group of stakeholders in July and August, 2015 and reconvened on April 28, 2016. A meeting was held on May 20, 2016 with more discussion around the proposed rule language for employer knowledge and reasonable diligence. There was a suggestion to convene a smaller sub-group to discuss rule language.

**Update:** Oregon OSHA is continuing to line up sub-group participants.

**Oregon OSHA staff contact:** Bryon Snapp, Oregon OSHA, 350 Winter Street NE, Salem OR 97301-3882. Telephone: 503-947-7448. E-mail: [bryon.m.snapp@oregon.gov](mailto:bryon.m.snapp@oregon.gov)

### **Occupational Exposure to Respirable Crystalline Silica (Divisions 2, 3, and 5)**

**Summary:** Federal OSHA adopted the Occupational Exposure to Respirable Crystalline Silica standard on March 25, 2016, into general industry, construction, and maritime. Oregon OSHA convened a stakeholder group on May 27. Oregon OSHA is proposing rule development that combines Division 2, general industry rules and Division 3, construction rules as many of the same sets of rules are found within each division. A mockup of what those rules would like was handed out. Follow-up with the stakeholders is scheduled for June 26; rule drafts will be presented.

**Timetable:** Oregon OSHA will be proposing final rules by July 15 followed by public hearings (date and location to be determined.) **Update:** Oregon OSHA filed the [rule proposal](#) on July 22. Hearings are schedule for August and September. See link for locations and dates/times.

**Oregon OSHA staff contact:** Dave McLaughlin, Oregon OSHA, 350 Winter Street NE, Salem OR 97301-3882. Telephone: 503-947-7457. E-mail: [dave.mclaughlin@oregon.gov](mailto:dave.mclaughlin@oregon.gov); and Sharon Dey, Oregon OSHA. Telephone: 503-947-4392. E-mail: [sharon.d.dey@oregon.gov](mailto:sharon.d.dey@oregon.gov)

## **Silica**

OR-OSHA held public hearings for Proposed Changes to Occupational Exposure to Respirable Silica in General Industry, Construction, and Maritime.

<http://osha.oregon.gov/OSHARules/proposed/2016/ltr-div235-fr3-25-16-silica.pdf>

## **Monthly Accidents and Fatalities Report:**

### **Accidents**

1. Sept 23<sup>rd</sup> Pendleton

Employee was using a radial arm saw to cut trim pieces. Employee was cutting smaller pieces than what policy allowed. He was trying to stabilize the smaller piece of wood and amputated his left middle finger tip above the first knuckle.

2. Sept 8<sup>th</sup> PDX

Accident victim was rigging an 8 foot long, 8 inch diameter cylindrical metal casing with a nylon sling that was to be lifted from the drill section of a Klemm 806-3 drill rig. Drill rig operator was still operating the equipment as the accident victim rigged the metal casing, causing the casing to rotate counterclockwise, catching the accident victim's hand/arm in between the nylon rigging and the casing and pulling him over with the casing as it rotated, resulting in an arm injury.

3. Sept 19<sup>th</sup> Sherwood

The employee was going into a drop crawl space. As he entered, he slipped, falling onto his hand/wrist.

4. Sept 13<sup>th</sup> Tualatin

Employee was working on a 24' extension ladder and applying Enviro-Dry (insulation). He was stepping down, and lost his balance and fell off the ladder. He landed on his back side.

5. Sept 13<sup>th</sup> Oregon City

The company had rented a large forklift from United rentals, and the injured worker was attempting to move the forks when the forks came dislodged from the rest of the machine and fell, striking the worker in the head and face. It is assumed that the forks were elevated and that there was a pin missing that affixed the forks to the truck.

6. Sept 13<sup>th</sup> Sellwood

Subcontracted employees were moving concrete barriers with a forklift when the forklift operator ran over an employee, causing injuries (fractures) to both feet and legs. The forklift operator is the owner of the subcontracted company and the injured worker is her son.

7. Sept 3<sup>rd</sup>. Portland

Employee set up an extension ladder to 14 feet. Employee was standing on the 3rd rung from the top when the ladder kicked out from under him. Employee fell about 12 feet to the deck below, resulting to laceration to the head and a fracture to L2

8. Sept 2<sup>nd</sup> Portland

Two employees were unloading a truck of supplies at the loading dock of the job site when one employee tripped over a piece of embedded angle iron and fell approximately 4' from

the loading dock to the surface below. The employee sustained a fractured lower left leg as a result of the fall.

9. Sept 22<sup>nd</sup> Salem

Employee was outside painting an assisted living facility home and fell from his 12 foot ladder. He injured his back and was kept overnight at Salem hospital.

10. Sept 7<sup>th</sup> Woodburn

Employee was sealing concrete with a sprayer. When employee added thinner to the sealant, he wanted to test the compound to make sure it was activated. He did this by touching the end of the nozzle with his bare finger (left hand), causing a wound. Employee continued working, went home and showered. Wound became painful and swollen, so employee went to Silverton Hospital, where he was redirected to Emanuel, arriving after midnight. Surgery on his hand @ 11am 9/8/16

### **Fatalities**

1. August 4<sup>th</sup> Baker City

Employee was ejected from his vehicle when his car rolled after colliding with another vehicle.

2. August 4<sup>th</sup> Sweet Home

A forest service employee found the worker slumped over in the vehicle. The vehicle was in park, running and the driver side was open. 65 year old male doing security patrol. Presumed died of natural causes.

3. August 7<sup>th</sup> PDX

Security employee was found dead from a gunshot wound.

4. August 26<sup>th</sup> PDX

Deceased, drove to job site with his son. When they arrived at the job site, The son approached the supervisor and told him that his dad wasn't feeling well, that he'd been coughing up blood, and that he was going to take him to the hospital. Before leaving again, The father told the son that he needed to use the restroom. The father entered the porta-potty, while the son stood outside the door talking to him. At some point, The father stopped talking, and the son and co-workers pried open the door. 911 was called. Medics, Fire, and Police arrived. Medics worked on the father for some time before he was declared dead on the scene. The ME stated that it appeared to be natural causes. The father was a 68 year old heavy equipment operator.

5. August 29<sup>th</sup> Elkton

A Choker Setter was working on the rigging when he collapsed. Cause of death is unknown.

### **Round table:**

The Construction Safety Summit is on October 25, 2016 at John's Incredible Pizza Co. at 9180 SW Hall Blvd. Beaverton, OR. Bret Taylor will be presenting a 3 hour workshop on excavation.

Andy Collins is working with a group to create safety for steel erection, high-rise training. In the spring you can watch the building be built. They will present it to anyone who is interested. Melissa added they will discuss means, methods, controls, and short cuts in the training.

The AGC Safety and Health Council Meeting is on October 13, 2016. The topic is on Silica.

Barry: There will be an training for Foundations for Safety Leadership Training on October 10, 2016 at On Electric 1709 SE 3rd Ave Portland, Oregon 97214.

Michael discussed the 3 legislative proposals for the 2017 session.

Oregon OSHA is in the process of updating the maximum penalty amount to match federal OSHA's. They also added verbiage to increase the amount to account for the cost of living inflation, so they don't have to go to the legislators each time.

Oregon OSHA also asked to increase the Commercial construction need flush toilets and wash basin jobs that exceed \$1.75 million dollars to be set in rule. The current amount is \$1 million. They also added verbiage that gives the director authority to increase the amount.

They also asked for the amount for the Worker Memorial Scholarship fund to increase to \$1 million so there is more money to use on the scholarships.

-The scholarship amount wouldn't change until 2018.

Illa: They are working on the final construction track for GOSH and should have it at the next meeting.

There is a meeting for safety directors at the Lucky Lab Brew Pub on 915 SE Hawthorne Ave Portland, OR on October 28, 2016 at 12 pm.

**Next Meeting:**

November 1, 2016

OR-OSHA Portland Office

Durham Plaza

16760 SW Upper Boones Ferry Rd, STE 200

Tigard, OR 97224