



Oregon

Tina Kotek, Governor



Department of Consumer
and Business Services

September 13, 2024

**Annual report to the interim committees of the Legislative Assembly
relating to Senate Bill 592 (2023)**

Senate Interim Committee On Labor and Business

Chair: Sen. Kathleen Taylor
Vice-Chair: Sen. Daniel Bonham
Sen. Bill Hansell
Sen. Kayse Jama
Sen. Deb Patterson

House Interim Committee On Labor and Workplace Standards

Chair: Rep. Dacia Grayber
Vice-Chair: Rep. Lucetta Elmer
Vice-Chair: Rep. Paul Holvey
Rep. Shelly Boshart Davis
Rep. Vikki Breese-Iverson
Rep. Zach Hudson
Rep. Travis Nelson
Rep. Rob Nosse
Rep. Virgle Osborne
Rep. Anna Scharf
Rep. Nathan Sosa

During the 2023 legislative session, the Oregon Legislative Assembly passed [Senate Bill 592](#), which amended the Oregon Safe Employment Act (ORS 654.067 and 654.086) by creating a new type of violation, instituting a new type of inspection type, generally aligning penalties with federal OSHA, and establishing a legislative reporting requirement. Specifically, the revision to ORS 654.086(8) requires the director of the Department of Consumer and Business Services to submit a report at least annually to the interim committees of the Legislative Assembly related to business and labor that summarizes the following Oregon OSHA activities:

- a) The total number and total amount of penalties assessed by the department;
- b) The total number of appeals of citations, violations and penalty assessments filed with the department; and
- c) The total number of inspections completed by the department, along with the scope of the inspections and the circumstances that led to the inspections.

Upon adoption of SB 592, Oregon OSHA initiated administrative rulemaking ([AO 3-2023](#)) to implement the requirements of this legislation, which were adopted Nov. 22, 2023. The increase in penalties became effective on inspections opened on or after Jan. 1, 2024. It is important to note, an inspection can take up to 180 days from the opening of an inspection to issue a citation. The following includes Oregon OSHA information from before and after SB 592 went into effect.

In response to ORS 654.086(8), Oregon OSHA collected data from June 1, 2023, to Aug. 15, 2024. These dates were selected to capture the passage of the bill through the most recent data available.

Table 1 – Penalty Data

Total number of violations with penalties	3,352
Total amount of penalties assessed	\$8,105,908

Table 2 – Appeal Data

Total number of appealed citations	352
Total number of violations appealed	1,063
Total penalty of appealed citations	\$3,810,300

Note: Employers have 30 days to appeal a citation or violation from the date the citation is delivered.

Table 3 – Inspections Scope and Circumstances (Type)

Inspection Scope	
Comprehensive – A substantially complete inspection of the establishment	991
Partial – An inspection with focus limited to certain potentially hazardous areas, operations, conditions, or practices at the establishment	2,813
Total (All)	3,804
Inspection Type	
Accident – A systematic appraisal of an accident sequence to determine causal factors, corrective actions and preventive measures	142
Complaint – An inspection made in response to a complaint	1,692
Fatality/catastrophe – A systematic appraisal of an accident sequence to determine causal factors, corrective actions and preventative measures in which a worker is fatality injured, or three	43

or more employees are admitted to a hospital or to an equivalent medical facility.	
Programmed planned – An inspection made from a scheduling list or other planned activity	1,585
For cause – An inspection made in response to: an accident investigation revealed that a violation has caused or contributed to a work-related fatality; three or more willful violations occur at a place of employment within a 12-month period; three or more repeat violations occur at a place of employment within a 12-month period; or an employer has a history of noncompliance and the administrator deems a comprehensive inspection is necessary for the protection of employees	5
Referral – An inspection made in response to a referral from an Oregon OSHA employee, other federal, state or local government representatives, or the media	156
All other inspection types*	181

*(Follow-up, monitoring, programmed related, unprogrammed related)

The first submission of this report is required by Sept. 15, 2024. However, to align with other reporting requirements, Oregon OSHA intends to provide this annual report in December each year (starting with December 2024) to align with the data collection and reporting requirements of its federal fiscal year. This will better align this report with other data about the Oregon State Plan that is publicly available on the Oregon OSHA and federal OSHA websites. In the December 2024 edition, additional data can be provided as more inspections will fall under the rules as a result of SB 592. We are also exploring additional ways to present the data, such as by month or quarter, and welcome suggestions on how to improve this reporting.

Thank you for the opportunity to provide this committee information about the implementation of SB 592. Please contact me with any additional questions or concerns.

Sincerely,



Andrew R. Stolfi
 Director/Insurance Commissioner
 Department of Consumer and Business Services