

[Click here to see text of changes](#)
[Link to House Bill 2093](#)
[Link to House Bill 2204](#)

October 4, 2006

Oregon OSHA - Adopted Changes Division 1, General Administrative Rules

Numerous rules in Division 1, General Administrative Rules are amended. Most changes are to update information and to clarify language. We have changes in two standards precipitated by House Bills passed by the 2005 Oregon Legislature. HB 2204 includes e-mail notification as a means to inform the public of rulemaking. HB 2093 changes the criteria used by OR-OSHA to identify employers who receive notification of increased likelihood of receiving a workplace inspection.

Comments received during the open comment period lead Oregon OSHA to delay the effective date of the requirement in OAR 437-001-0700(21) for the reporting of a fatality resulting from motor vehicle accidents that happen during the employees work shift. The delayed effective date is January 1, 2007, all other changes in this rulemaking are effective when adopted September 6, 2006.

437-001-0002 Add language from HB 2204 to include e-mail notification.

437-001-0015 Adding a North American Industry Classification System (NAICS) definition, and amending the definition for Grouped Violation.

437-001-0057(11) Scheduling inspections. HB 2093 changes the criteria used by OR-OSHA to identify employers who receive notification of increased likelihood of receiving a workplace inspection.

437-001-0270 Discretion If there is No Timely Appeal. Delete the first paragraph.

437-001-0700 Recordkeeping and Reporting.

(6) Work-Related. Adding a new paragraph (a) on when an employee leaves the company with a work related injury.

(11) Occupational Hearing Loss Recoding Criteria. Adding Definitions for ease of reader for STS and audiometric zero.

(17) Annual Summary. Changing the title to “Annual Summary and Posting Requirements”.

(18) Paperwork Retention and Updating. Removing paragraph (b) on the retention of OSHA 200 log and old 801 forms.

(21) Reporting Fatalities and Hospitalizations to Oregon OSHA. Adding clarifying language, additional reporting of motor vehicle accidents and adding a definition for ease of reader.

437-001-0765(2)(b) Change the paragraph from Loss Workday Case Incidence Rate (LWCIR) to Days Away, Restricted, or Transferred (DART)

This is OR-OSHA Administrative Order 7-2006, **adopted and effective September 6, 2006 (delayed effective date: January 1, 2007, for requirement for reporting of a fatality resulting from motor vehicle accidents that happen during the employees work shift. OAR 437-001-0700(21)).**

Please visit OR-OSHA's web site: www.orosha.org for proposed, adopted, and final rules, as well as current publications, training opportunities, and much more.

OR-OSHA contact: Trena VanDeHey, Central Office @ 503-947-7452

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Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on September 6, 2006 by the
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437
Agency and Division Administrative Rules Chapter Number

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to become effective September 6, 2006 as OR-OSHA Administrative Order 7-2006.
Date upon filing or later

Rulemaking Notice was published in the July 2006 Oregon Bulletin.**
Month and Year

RULE CAPTION

Adoption of changes throughout Division 1, General Administrative Rules.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 437-001-0002, 437-001-0015, 437-001-0057, 437-001-0270, 437-001-0700, 437-001-0765.

ORS 654.025(2), 656.726(4)
Stat. Auth.

ORS 654.001 through 654.295
Stats. Implemented

RULE SUMMARY

The following changes are adopted in Division 1, General Administrative Rules:

437-001-0002 Add language from HB 2204 to include e-mail notification.

437-001-0015 Adding a North American Industry Classification System (NAICS) Definition. Amend Grouped Violation definition.

437-001-0057 (11) Scheduling inspections. HB 2093 changes the criteria used by OR-OSHA to identify employers who receive notification of increased likelihood of receiving a workplace inspection.

437-001-0270 Discretion If there is No Timely Appeal. Delete the first paragraph.

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(21) Reporting Fatalities and Hospitalizations to Oregon OSHA. Adding clarifying language, additional reporting of motor vehicle accidents and adding a definition for ease of reader.

NOTE: The reporting of motor vehicle accidents has a delayed effective date of January 1, 2007.

437-001-0765 (2)(b) Change the paragraph from Loss Workday Case Incidence Rate (LWCIR) to Days Away, Restricted, or Transferred (DART)

Please visit OR-OSHA's web site at www.orosha.org

/s/Michael D. Wood
Authorized Signer

Michael D. Wood
Printed name

8/31/06
Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

**The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

ARC 930-2005