

September 30, 2011

Oregon OSHA - Adopted Changes to Division 1, General Administrative Rules

This rulemaking makes relatively minor adjustments to the scheduling rule changes adopted in September of 2009. First, the existing rule establishes the size of each tier based on outdated data from the workers compensation system. The department can now develop more reliable estimates of size for most industries using data from the Employment Department. Second, this rulemaking improves the ranking of industries by employing a more sophisticated statistical technique. Additionally, the rule replaces the industry tiers with the criteria that will be used to develop those tiers now and in the future.

This adopted rulemaking also amends OAR 437-001-0706 Recordkeeping for Health Care Assaults, to remove the reporting requirement. This requirement has been satisfied and no longer needs to be included in the rule.

This is Oregon OSHA Administrative Order 2-2011, adopted September 29, 2011 and **becomes effective October 1, 2011.**

Please visit Oregon 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: **Claudia Marthaller, Central Office @ 503-947-7454;**
 or email at claudia.s.marthaller@state.or.us

Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

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 Sept. 29, 2011 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

Sue Joye 350 Winter Street NE, Salem OR 97301-3882 503-947-7449
Rules Coordinator Address Telephone

to become effective October 1, 2011 as Oregon OSHA Administrative Order 2-2011.
Date upon filing or later

Rulemaking Notice was published in the August 2011 *Oregon Bulletin*.**
Month and Year

RULE CAPTION

Adopt changes to 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 437-001-0057 and 437-001-0706.

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

ORS 654.001 through 654.295
Stats. Implemented

RULE SUMMARY

This rulemaking makes relatively minor adjustments to the scheduling rule changes adopted in September of 2009. First, the existing rule establishes the size of each tier based on outdated data from the workers compensation system. The department can now develop more reliable estimates of size for most industries using data from the Employment Department. Second, this rule improves the ranking of industries by employing a more sophisticated statistical technique. Additionally, the rule replaces the industry tiers with the criteria that will be used to develop those tiers now and in the future.

This rulemaking also amends OAR 437-001-0706 Recordkeeping for Health Care Assaults, to remove the reporting requirement. This requirement has been satisfied and no longer needs to be included in the rule.

Please visit our web site www.orosha.org Click 'Rules/Compliance' in the left vertical column and view our proposed, adopted, and final rules.

/s/Michael D. Wood
Authorized Signer

Michael D. Wood
Printed name

9/29/2011
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