

Text of Corrections Made to the Temporary Rule Addressing COVID-19 Workplace Risks

Oregon OSHA Administrative Order 4-2020 effective December 11, 2020

[OSHA Temporary Rule 437-001-0744 and Appendix Addressing COVID-19 Workplace Risks](#)

On November 6, 2020 Oregon OSHA adopted a Temporary Rule Addressing COVID-19 Workplace Risks. Oregon OSHA refiled these rules on December 11, 2020 to correct non-substantive “scrivener's errors” made in the original filing on November 6, 2020. The rule is effective December 11, 2020 through May 4, 2021.

Text removed is in ~~[brackets with line through]~~.

Text added is in **bold and underline**.

The following changes were made:

DIVISION 1, GENERAL ADMINISTRATIVE RULES

2(g) Employer – means any person who has one or more employees, any sole proprietor or member of a partnership who elects workers’ compensation coverage, or any corporation in relation to the exposure of its corporate officers except for corporations without workers’ compensation coverage under ORS 656.128 and whose only employee is the sole owner of the corporation, or any successor or assignee of an employer as described in OAR 437-~~[0045]~~ **001-0015**.

2(h) Employment, Place of – has the meaning provided in OAR 43~~[4-0045]~~ **7-001-0015** and excludes any place where the only employment involves workers not covered by workers’ compensation and employed in or around a private home, as well as any corporate farm where the only employment involves the farm’s family members.

2(m) Filtering facepiece respirator -- means a tight-fitting, negative pressure, particulate respirator, where the ~~[particular]~~ **particulate** filter is the facepiece itself. Such respirators are often referred to as “dust masks,” but dust masks that are not certified by the National Institute for Occupational Safety and Health are not respirators. The most common filtering facepiece respirators for general use are known as N-95 respirators.

3(f) Ventilation requirements. No later than January 6, 2021, the employer must optimize the amount of outside air circulated through its existing heating, ventilation, and air conditioning (HVAC) system(s), to the extent the system can do so when

operating as designed, whenever there are employees in the workplace and the outdoor air quality index remains at either “good” or “moderate” levels. This does not require installation of new ventilation equipment. The employer is not required to meet the provisions of the American National Standards (ANSI)/American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards 62.1 and 62.2 (ASHRAE 2019a, 2019b), but to the degree the employer does so it is in compliance with this paragraph. In accordance with the HVAC manufacturer’s instructions and the design specifics of the HVAC system and as frequently as is necessary, the employer must ensure the following:

4(f) Heightened risk ventilation requirements. **No later than January 6, 2021, and in** [~~in~~] addition to the provisions of 3(f) above, certain heightened risk facilities must meeting the following requirements to the degree that they are under the employer’s control.

APPENDIX

A-12.A. General Operations. Employers **operating fitness-related organizations** [~~of personal services providers~~] must ensure that the following screening measures are taken: