

November 21, 2025

Adopted Temporary Methodology Time Period Change for the Annual Adjustment of Civil Penalties

[Text of changes](#)

Rulemaking Summary:

Currently each year, as required under Oregon OSHA's General Administration Rule (Division 1), Violations and Penalties rule OAR 437-001-0142(1), the Director of the Department of Consumer and Business Services (DCBS), or their designee, must publish a notice of Oregon OSHA's Annual Adjustments to Penalties Bulletin in the Oregon Bulletin, or its successor, to notify the regulated community of annual adjustment in civil penalty amounts resulting from compliance inspections, as required by ORS 654.086(4). This annual notice is to account for the percentage change, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), from October to October of each year as published by the U.S Bureau of Labor Statistics (BLS) or its successor. However, due to the recent lapse in appropriations by the U.S. Congress, and resulting suspension of federal government services (government shutdown) and related ongoing disruptions, specifically that the U.S. Bureau of Labor Statistics has not updated their webpage containing applicable CPI-U data since September 2025 -- and no release date for October data, Oregon OSHA must adopt temporary amendments to its Division 1, OARs 437-001-0142 in order to maintain alignment with the statutory requirement under ORS 654.086(4). This temporary rulemaking changes the BLS CPI-U data time period currently in the rule from October to October of each year, to October to September of each year.

This is Oregon OSHA Temporary Administrative Order 2-2025, adopted November 21, 2025, and effective November 21, 2025 through May 18, 2026.

Oregon OSHA contact: Tom Bozicevic, Salem Central Office @ 503-378-3272, or email at tom.bozicevic@dcbs.oregon.gov.

Please visit our website osha.oregon.gov/rules to view our adopted rules, or select other rule activity from this page. 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
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form..

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on

11/21/2025 by the
Date prior to or same as filing date

Department of Consumer and Business Services- Oregon OSHA	437
Agency and Division	Administrative Rules Chapter Number

Lisa Appel	Oregon OSHA-350 Winter St NE, Salem, OR 97301	503-947-7449
Rules Coordinator	Address	Telephone

to become effective 11/21/2025 through 5/18/2026
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Adopted Temporary Methodology Time Period Change for the Annual Adjustment of Civil Penalties
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.
Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

AMEND: OAR 437-001-0142

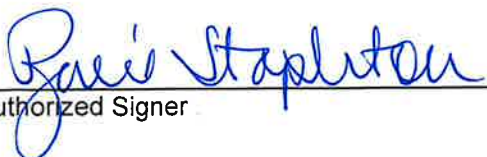
Stat. Auth.: ORS 654.025(2) and 656.726(4)

Other Auth.: _____

Stats. Implemented: ORS 654.001 - 654.295

RULE SUMMARY

Currently each year, as required under Oregon OSHA's General Administration Rule (Division 1), Violations and Penalties rule OAR 437-001-0142(1), the Director of the Department of Consumer and Business Services (DCBS), or their designee, must publish a notice of Oregon OSHA's Annual Adjustments to Penalties Bulletin in the Oregon Bulletin, or its successor, to notify the regulated community of annual adjustment in civil penalty amounts resulting from compliance inspections, as required by ORS 654.086(4). This annual notice is to account for the percentage change, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), from October to October of each year as published by the U.S Bureau of Labor Statistics (BLS) or its successor. However, due to the recent lapse in appropriations by the U.S. Congress, and resulting suspension of federal government services (government shutdown) and related ongoing disruptions, specifically that the U.S. Bureau of Labor Statistics has not updated their webpage containing applicable CPI-U data since September 2025 -- and no release date for October data, Oregon OSHA must adopt temporary amendments to its Division 1, OARs 437-001-0142 in order to maintain alignment with the statutory requirement under ORS 654.086(4). This temporary rulemaking changes the BLS CPI-U data time period currently in the rule from October to October of each year, to October to September of each year.


Authorized Signer

Renee Stapleton
Printed name

11/21/25
Date

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Consumer and Business Services- Oregon OSHA

437

Agency and Division

Administrative Rules Chapter Number

In the Matter of:

Amending: OAR 437-001-0142

Rule Caption: Adopted Temporary Methodology Time Period Change for the Annual Adjustment of Civil Penalties

Statutory Authority: ORS 654.025(2) and 656.726(4)

Stats. Implemented: ORS 654.001 - 654.295

Need for the Temporary Rule(s):

Currently each year, as required under Oregon OSHA's General Administration Rule (Division 1), Violations and Penalties rule OAR 437-001-0142(1), the Director of the Department of Consumer and Business Services (DCBS), or their designee, must publish a notice of Oregon OSHA's Annual Adjustments to Penalties Bulletin in the Oregon Bulletin, or its successor, to notify the regulated community of annual adjustment in civil penalty amounts resulting from compliance inspections, as required by ORS 654.086(4). This annual notice is to account for the percentage change, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), from October to October of each year as published by the U.S Bureau of Labor Statistics (BLS) or its successor. However, due to the recent lapse in appropriations by the U.S. Congress, and resulting suspension of federal government services (government shutdown) and related ongoing disruptions, specifically that the U.S. Bureau of Labor Statistics has not updated their webpage containing applicable CPI-U data since September 2025 -- and no release date for October data, Oregon OSHA must adopt temporary amendments to its Division 1, OARs 437-001-0142 in order to maintain alignment with the statutory requirement under ORS 654.086(4).

Documents Relied Upon, and where they are available:

Division 1 (General Administration), Violations and Penalties:
<https://osha.oregon.gov/OSHARules/div1/437-001-0135-0203.pdf>

Chapter 654 — Occupational Safety and Health (2023 Edition):
https://www.oregonlegislature.gov/bills_laws/ors/ors654.html

U. S. Bureau of Labor Statistics (BLS), Consumer Price Index for All Urban Consumers (CPI-U):
<https://data.bls.gov/timeseries/CUUR0400SA0>

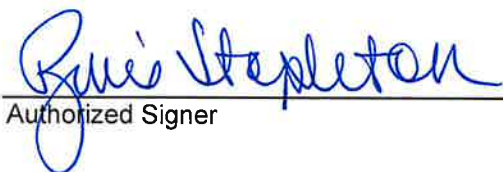
U. S. Bureau of Labor Statistics (BLS), "Suspension of Federal Government Services":
https://www.bls.gov/bls/2025_october_shutdown.htm

U. S. Bureau of Labor Statistics (BLS), "Revised news release dates following the 2025 lapse in appropriations":

<https://www.bls.gov/bls/2025-lapse-revised-release-dates.htm>

Justification of Temporary Rule(s) (1) Describe the specific consequences that result from the failure to immediately adopt, amend or suspend the rule(s); (2) who would suffer these consequences; (3) why or how failure to immediately take rulemaking action would cause these consequences; (4) how the temporary action will avoid or mitigate those consequences.:

As required by the Oregon Safe Employment Act, ORS 654.071(1), if the Director of the Department of Consumer and Business Services or their authorized representative has reason to believe, after inspection or investigation of a place of employment, that an employer has violated any state occupational safety or health law, regulation, standard, rule or order, the director or the authorized representative shall with reasonable promptness issue to such employer a citation, and notice of proposed civil penalty, if any. Such civil penalties are established by Oregon OSHA's Annual Adjustments to Penalties Bulletin, as required by ORS 654.086(4), and are annually updated, if needed, in OAR 437-001-0145. Failure to immediately adopt temporary rule changes would result in non-compliance with both state laws, ORS 654.068(4) and ORS 654.071(1).



Authorized Signer

Renee Stapleton

Printed name

11/21/25

Date

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534)

FOR ADMINISTRATIVE RULES

AGENCY NAME: DCBS/Oregon OSHA

PERMANENT:

HEARING DATES:

ADDRESS: 350 Winter Street NE

CITY/STATE: Salem OR 97301-3882

TEMPORARY: X

EFFECTIVE DATE: 11/21/2025

PHONE: 503-947-7449

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.

IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance)
See attached Statement of Need and Justification.

Description of the need for, and objectives of the rule:
See attached Statement of Need and Justification.

List of rules adopted or amended:
OAR 437-001-0142

Materials and labor costs increase or savings:
None.

Estimated administrative construction or other costs increase or savings:
None.

Land costs increase or savings:
Oregon OSHA does not foresee any effect on land costs.

Other costs increase or savings:
Oregon OSHA does not foresee any additional costs.

*Typical-Single story 3 bedrooms, 1 1/2 bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME: Tom Bozicevic

EMAIL ADDRESS: tom.bozicevic@dcbs.oregon.gov

OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

OSHA 2-2025

CHAPTER 437

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION

FILED

11/21/2025 2:42 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Adopted Temporary Methodology Time Period Change for the Annual Adjustment of Civil Penalties

EFFECTIVE DATE: 11/21/2025 THROUGH 05/18/2026

AGENCY APPROVED DATE: 11/21/2025

CONTACT: Lisa Appel

503-947-7449

OSHA.rulemaking@dcbs.oregon.gov

350 Winter St NE

Salem, OR 97301

Filed By:

Lisa Appel

Rules Coordinator

NEED FOR THE RULE(S):

Currently each year, as required under Oregon OSHA's General Administration Rule (Division 1), Violations and Penalties rule OAR 437-001-0142(1), the Director of the Department of Consumer and Business Services (DCBS), or their designee, must publish a notice of Oregon OSHA's Annual Adjustments to Penalties Bulletin in the Oregon Bulletin, or its successor, to notify the regulated community of annual adjustment in civil penalty amounts resulting from compliance inspections, as required by ORS 654.086(4). This annual notice is to account for the percentage change, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), from October to October of each year as published by the U.S Bureau of Labor Statistics (BLS) or its successor. However, due to the recent lapse in appropriations by the U.S. Congress, and resulting suspension of federal government services (government shutdown) and related ongoing disruptions, specifically that the U.S. Bureau of Labor Statistics has not updated their webpage containing applicable CPI-U data since September 2025 -- and no release date for October data, Oregon OSHA must adopt temporary amendments to its Division 1, OARs 437-001-0142 in order to maintain alignment with the statutory requirement under ORS 654.086(4).

JUSTIFICATION OF TEMPORARY FILING:

As required by the Oregon Safe Employment Act, ORS 654.071(1), if the Director of the Department of Consumer and Business Services or their authorized representative has reason to believe, after inspection or investigation of a place of employment, that an employer has violated any state occupational safety or health law, regulation, standard, rule or order, the director or the authorized representative shall with reasonable promptness issue to such employer a citation, and notice of proposed civil penalty, if any. Such civil penalties are established by Oregon OSHA's Annual Adjustments to Penalties Bulletin, as required by ORS 654.086(4), and are annually updated, if needed, in OAR 437-001-0145. Failure to immediately adopt temporary rule changes would result in non-compliance with both state laws, ORS 654.068(4) and ORS 654.071(1).

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Division 1 (General Administration), Violations and Penalties:

<https://osha.oregon.gov/OSHArules/div1/437-001-0135-0203.pdf>

Chapter 654 – Occupational Safety and Health (2023 Edition):
https://www.oregonlegislature.gov/bills_laws/ors/ors654.html

U. S. Bureau of Labor Statistics (BLS), Consumer Price Index for All Urban Consumers (CPI-U):
<https://data.bls.gov/timeseries/CUUR0400SA0>

U. S. Bureau of Labor Statistics (BLS), “Suspension of Federal Government Services”:
https://www.bls.gov/bls/2025_october_shutdown.htm

U. S. Bureau of Labor Statistics (BLS), “Revised news release dates following the 2025 lapse in appropriations”:
<https://www.bls.gov/bls/2025-lapse-revised-release-dates.htm>

HOUSING IMPACT STATEMENT:

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING A
*TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND. (ORS 183.534)
FOR ADMINISTRATIVE RULES

AGENCY NAME: DCBS/Oregon OSHA
ADDRESS: 350 Winter Street NE
CITY/STATE: Salem, OR 97301-3882
PHONE: 503-947-7449

TEMPORARY: X
EFFECTIVE DATE: 11/21/2025

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL
RESULT FROM THIS PROPOSED CHANGE. PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS
ESTIMATE WAS DETERMINED. IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change:
See attached Statement of Need and Justification.

Description of the need for, and objectives of the rule:
See attached Statement of Need and Justification.

List of rules adopted or amended:
OAR 437-001-0142

Materials and labor costs increase or savings:
None.

Estimated administrative construction or other costs increase or savings:
None.

Land costs increase or savings:
Oregon OSHA does not foresee any effect on land costs.

Other costs increase or savings:

Oregon OSHA does not foresee any additional costs.

*Typical-Single story 3 bedrooms, 1 1/2 bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

AMEND: 437-001-0142

RULE SUMMARY: Currently each year, as required under Oregon OSHA's General Administration Rule (Division 1), Violations and Penalties rule OAR 437-001-0142(1), the Director of the Department of Consumer and Business Services (DCBS), or their designee, must publish a notice of Oregon OSHA's Annual Adjustments to Penalties Bulletin in the Oregon Bulletin, or its successor, to notify the regulated community of annual adjustment in civil penalty amounts resulting from compliance inspections, as required by ORS 654.086(4). This annual notice is to account for the percentage change, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), from October to October of each year as published by the U.S Bureau of Labor Statistics (BLS) or its successor. However, due to the recent lapse in appropriations by the U.S. Congress, and resulting suspension of federal government services (government shutdown) and related ongoing disruptions, specifically that the U.S. Bureau of Labor Statistics has not updated their webpage containing applicable CPI-U data since September 2025 -- and no release date for October data, Oregon OSHA must adopt temporary amendments to its Division 1, OARs 437-001-0142 in order to maintain alignment with the statutory requirement under ORS 654.086(4). This temporary rulemaking changes the BLS CPI-U data time period currently in the rule from October to October of each year, to October to September of each year.

CHANGES TO RULE:

437-001-0142

Annual Adjustment of Civil Penalties

(1) Each year, the director will be responsible for publishing notice of Oregon OSHA's Annual Adjustments to Penalties Bulletin in the Oregon Bulletin or its successor. This bulletin will also be made available on the Division's website at <https://osha.oregon.gov/pages/topics/violations-and-penalties>, or its successor. This bulletin will notify the regulated community of annual adjustment in civil penalty amounts required by ORS 654.086(4) to account for the percentage change, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), from October to ~~October~~ September of each year as published by the Bureau of Labor Statistics (BLS) of the United States Department of Labor or its successor. The annual adjustments will be effective January 1st of each calendar year.¶

(2) Annual adjustments must be applied to the following civil penalties:¶

(a) Other than serious-rated violation - maximum civil penalty amounts in OAR 437-001-0145(2)(a) and civil penalty amounts in Table 2 in OAR 437-001-0145(2)(g).¶

(b) Serious Physical Harm or Death-rated violation - minimum and maximum civil penalty amounts in OAR 437-001-0145(2)(b) and civil penalty amounts in Table 2 in OAR 437-001-0145(2)(g).¶

(c) Repeat Violation - minimum and maximum civil penalty amounts in OAR 437-001-0145(2)(c) and civil penalty amounts in Table 2 in OAR 437-001-0165(3).¶

(d) Willful Violations - minimum and maximum civil penalty amounts in OAR 437-001-0145(2)(d) and civil penalty amounts in Table 1 in OAR 437-001-0175(1).¶

(e) Violations that caused or contributed to a work-related fatality - minimum and maximum civil penalty amounts in OAR 437-001-0145(2)(e) and civil penalty amounts in Table 3 in OAR 437-001-0145(3).¶

(f) Willful and repeat violations that caused or contributed to a work-related fatality - minimum and maximum civil penalty amounts in OAR 437-001-0145(2)(f) and civil penalty amounts in Table 2 in OAR 437-001-0165(3) and Table 2 in OAR 437-001-0175(2).¶

(3) An annual adjustment must be applied to the penalty reduction in OAR 437-001-0150(2)(b).¶

(4) The civil penalty amounts adjusted under this rule will not be lower than the minimum or greater than the maximum that may be assessed under ORS 654.086 as a result of any reductions or multipliers applied. See Appendix A to OAR 437-001-0142 - Example of Oregon OSHA's Annual Adjustments to Penalties Bulletin.¶

Note: Appendix A is an example of information that will be included in Oregon OSHA's Annual Adjustments to Penalties Bulletin.

~~[Insert Appendix A - Example of Oregon OSHA's Annual Adjustments to Penalties Bulletin]~~

Statutory/Other Authority: ORS 654.025(2), 656.726(4)

Statutes/Other Implemented: ORS 654.001 - 654.295

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Attachment for 437-001-0142, Annual Adjustment of Civil Penalties

Appendix A: Example of Oregon OSHA's Annual Adjustments to Penalties Bulletin

Bulletin Number:

Published:

Effective:

Oregon OSHA's Annual Adjustments to Penalties Bulletin
ORS 654.086(4), OAR 437-001-0142

To: All Interested Parties

Summary: This bulletin supersedes the civil penalties adopted by Administrative Order 3-2023. As provided for in ORS 654.086(4), Oregon OSHA shall adjust the amount of civil penalties to account for the percentage increase or decrease, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), as published by the Bureau of Labor Statistics (BLS) of the United States Department of Labor. On DATE, the BLS published a % increase.

West Region CPI-U:

BLS reference data location: <https://data.bls.gov/timeseries/CUUR0400SA0>

Date published BLS West Region CPI-U:

Month	Year	West Region CPI-U Index Data
October		
September		

Percentage Adjustment	
Annual Adjustment Factor	

Oregon OSHA is required to calculate the annual adjustment based on the West Region CPI-U. Annual inflation adjustments are based on the percent change between the West Region CPI-U in October of the preceding year and September of the current year. The percent change is the cost-of-living adjustment multiplier for the following year. In order to compute the annual adjustment, the Agency multiplied the most recent penalty amount for each applicable penalty by the multiplier and rounded to the nearest dollar.

More information about Oregon OSHA's violations and civil penalties can be found at: <https://osha.oregon.gov/Pages/topics/violations-and-penalties.aspx>

The civil penalties in this bulletin apply to citations assessed under ORS 654.086 for inspections opened between January 1, through December 31. See tables on the following pages.

Bulletin Number:

Published:

Effective:

Penalty Table – Penalty Range By Type and Classification of Violation		
Type	Minimum	Maximum
Other Than Serious		
Serious Physical Harm or Death		
Repeat		
Willful		
Serious that Caused or Contributed to a Work-Related Fatality		
Repeat that Caused or Contributed to a Work-Related Fatality		
Willful that Caused or Contributed to a Work-Related Fatality		

First-instance violation: An employer's first violation cited within the previous three years of a particular statute, regulation, rule, standard, or order.

Other Than Serious (OAR 437-001-0145)		
Probability	Low	High
Initial Penalty		

The civil penalty amount for an initial other than serious violation is not annually adjusted.

Serious Violation Types (OAR 437-001-0145)						
Severity Probability	Serious Physical Harm			Death		
	Low	Medium	High	Low	Medium	High
Initial Penalty						

Bulletin Number:

Published:

Effective:

Repeat violation: An employer's second or subsequent violation involving a substantially similar violation as the earlier violation or violations, cited within the previous three years.

Repeat Violation Types (OAR 437-001-0165)			
Probability	Severity		
	Other than Serious		
	First	Second	Third
Civil Penalty			

Civil penalties for the 4th and greater repeat violations are assigned with the Administrator's discretion.

Repeat Violation Types (OAR 437-001-0165)						
Probability	Severity					
	Serious Physical Harm			Death		
	First	Second	Third	First	Second	Third
Low						
Medium						
High						

Repeat Size Reduction for 1-50 employees (OAR 437-001-0150)	
Type Reduction	Serious Violation Types

Willful violation: A violation committed knowingly by an employer or supervisory employee who, having a free will or choice, intentionally or knowingly disobeys or recklessly disregards the requirements of a statute, regulation, rule, standard, or order.

Willful Violation Types (OAR 437-001-0175)			
Other than Serious		Probability	Severity
			Other than Serious
Civil Penalty		Low	Serious Physical Harm
		Medium	Death
		High	

Bulletin Number:

Published:

Effective:

Caused or contributed to a work-related fatality violation: The workplace death of an employee that was attributed to a violation or in which the violation was a related factor, as determined by the compliance officer.

Serious that Caused or Contributed to a Work-Related Fatality Violation Types (OAR 437-001-0145)						
Severity	Serious Physical Harm			Death		
Probability	Low	Medium	High	Low	Medium	High
Civil Penalty						

Repeat that Caused or Contributed to a Work-Related Fatality Violation Types (OAR 437-001-0165)				
Other than Serious		Probability	Severity	
			Serious Physical Harm	Death
Civil Penalty		Low		
		Medium		
		High		

Willful that Caused or Contributed a Work-Related Fatality Violation Types (OAR 437-001-0175)				
Other than Serious		Probability	Severity	
			Serious Physical Harm	Death
Civil Penalty		Low		
		Medium		
		High		

If you have questions about this bulletin, call Oregon OSHA at 503-378-3272 or 800-922-2689.

(Administrator - Printed name)

(Administrator - Signature)

Date