

General Provisions

437-001-0744 Repealed

Statutory/Other Authority: ORS 654.025(2), ORS 654.035, ORS 656.726(4), ORS 654.025(3)(a)

Statutes/Other Implemented: ORS 654.001 through 654.295

History: OR OSHA Temporary Admin. Order 3-2020, filed 11/6/20, effective 11/16/20.
OR OSHA Temporary Admin. Order 4-2020, filed 12/11/20, effective 12/11/20.
OR OSHA Admin. Order 2-2021, filed 5/4/21, effective 5/4/21.
OR OSHA Temporary Admin. Order 5-2021, filed 6/30/21, effective 6/30/21.
OR OSHA Temporary Admin. Order 10-2021, filed 8/13/21, effective 8/13/21.
OR OSHA Temporary Admin. Order 12-2021, filed 9/14/21, effective 9/16/21.
OR-OSHA Admin. Order 14-2021, filed 12/21/21, effective 12/21/21.
OR-OSHA Temporary Admin Order 1-2022, filed 3/18/22, effective 3/18/22.
OR-OSHA Admin Order 5--2022, filed 09/09/2022, effective 09/12/2022.
OR-OSHA Temporary Admin. Order 1-2023, filed 3/30/23, effective 4/3/23.
OR-OSHA Administrative Order 2-2023, filed 8/16/23, effective 8/17/23.

437-001-0760 Rules for all Workplaces

(1) Employers' Responsibilities.

- (a) The employer must see that workers are properly instructed and supervised in the safe operation of any machinery, tools, equipment, process, or practice that they are authorized to use or apply. This rule does not require a supervisor on every part of an operation nor prohibit workers from working alone.
- (b) The employer must take all reasonable means to require employees:
 - (A) To work and act in a safe and healthful manner;
 - (B) To conduct their work in compliance with all applicable safety and health rules;
 - (C) To use all means and methods, including but not limited to, ladders, scaffolds, guardrails, machine guards, safety belts, and lifelines, that are necessary to safely accomplish all work where employees are exposed to a hazard; and
 - (D) Not to remove, displace, damage, destroy, or carry off any safety device, guard, notice, or warning provided for use in any employment or place of employment while such use is required by applicable safety and health rules.
- (c) Every employer is responsible for providing the health hazard control measures necessary to protect the employees' health from harmful or hazardous conditions and for maintaining such control measures in good working order and in use.

- (d) Every employer must inform the employees regarding the known health hazards to which they are exposed, the measures which have been taken for the prevention and control of such hazards, and the proper methods for utilizing such control measures.
 - (e) Every agent of the employer is responsible for:
 - (A) The safe performance of the work under the agent's supervision or control;
 - (B) The safe conduct of all employees under the agent's supervision or control;
 - (C) The safety of all employees working under the agent's supervision or control.
- (2) Employees' Responsibilities.
- (a) Employees must conduct their work in compliance with the safety rules contained in this code.
 - (b) All injuries must be reported immediately to the person in charge or other responsible representative of the employer.
 - (c) It is the duty of all workers to make full use of safeguards provided for their protection. It is the worker's responsibility to abide by and perform the following requirements:
 - (A) A worker must not operate a machine unless guard or method of guarding is in good condition, working order, in place, and operative.
 - (B) A worker must stop the machine or moving parts and properly tagout or lockout the starting control before oiling, adjusting, or repairing, except when such machine is provided with means of oiling or adjusting that will prevent possibility of hazardous contact with moving parts.
 - (C) A worker must not remove guards or render methods of guarding inoperative except for the purpose of adjustment, oiling, repair, or the setting up a new job.
 - (D) Workers must report to their supervisor any guard or method of guarding that is not properly adjusted or not accomplishing its intended function.
 - (E) Workers must not use their hands or any portion of their bodies to reach between moving parts or to remove jams, hangups, etc. (Use hook, stick, tong, jig, or other accessory.)
 - (F) Workers must not work under objects being supported that could accidentally fall (such as loads supported by jacks, the raised body of a dump truck, etc.) until such objects are properly blocked or shored.

- (G) Workers must not use defective tools or equipment. No tool or piece of equipment should be used for any purpose for which it is not suited, and none should be abused by straining beyond its safe working load.
 - (d) Workers must not remove, deface, or destroy any warning, danger sign, or barricade, or interfere with any other form of accident prevention device or practice provided which they are using, or which is being used by any other worker.
 - (e) Workers must not work underneath or over others exposed to a hazard thereby without first notifying them and seeing that proper safeguards or precautions have been taken.
 - (f) Workers must not work in unprotected, exposed, hazardous areas under floor openings.
 - (g) Long or unwieldy articles must not be carried or moved unless adequate means of guarding or guiding are provided to prevent injury.
 - (h) Hazardous conditions or practices observed at any time must be reported as soon as practicable to the person in charge or some other responsible representative of the employer.
 - (i) Workers observed working in a manner which might cause immediate injury to either themselves or other workers must be warned of the danger.
 - (j) Before leaving a job, workers must correct, or arrange to give warning of, any condition which might result in injury to others unfamiliar with existing conditions.
- (3) Investigations of Injuries.
- (a) Each employer must investigate or cause to be investigated every lost time injury that workers suffer in connection with their employment, to determine the means that should be taken to prevent recurrence. The employer must promptly install any safeguard or take any corrective measure indicated or found advisable.
 - (b) At the request of authorized Department representatives, it is the duty of employers, their superintendents, supervisors, and employees to furnish all pertinent evidence and names of known witnesses to an accident and to give general assistance in producing complete information which might be used in preventing a recurrence of such accident.

At the request of the Department, persons having direct authority must preserve and mark for identification, materials, tools, or equipment necessary to the proper investigation of an accident.

- (4) **Intoxicating Liquor and Drugs.** The use of intoxicating liquor on the job is strictly prohibited. Anyone whose ability to work safely is impaired by alcohol, drugs, or medication must not be allowed on the job while in that condition.
- (5) **Horseplay.** There must be no horseplay, scuffling, practical jokes, or any other activity of a similar nature.
- (6) **Extraordinary Hazards.** When conditions arise that cause unusual or extraordinary hazards to workers, additional means and precautions shall be taken to protect workers or to control hazardous exposure. If the operation cannot be made reasonably safe, regular work must be discontinued while such abnormal conditions exist, or until adequate safety of workers is ensured.
- (7) **Inspections.**
 - (a) All places of employment must be inspected by a qualified person or persons as often as the type of operation or the character of the equipment requires. Defective equipment or unsafe conditions found by these inspections must be replaced or repaired or remedied promptly.
 - (b) Wherever required in this safety code, a written and dated report, signed by the person or persons making the inspection, must be kept.

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

Statutes/Other Implemented: ORS 654.001 through 654.295.

History: WCB No. 1-1967, filed 1/12/67, effective 1/15/67.

WCB No. 3-1975, filed 10/6/75, effective 11/1/75.

WCB Admin. Order, Safety 11-1976, filed 5/5/76, effective 5/5/76.

WCB Admin. Order, Safety 15-1976, filed 7/6/76, effective 8/1/76.

WCD Admin. Order, Safety 10-1982, filed 7/30/82, effective 7/30/82.

OSHA 6-1994, filed 9/30/94, effective 9/30/94.

OSHA 2-2009, filed 1/27/09, effective 2/3/09.

OSHA 2-2012, filed 5/11/12, effective 7/1/12.

OSHA 5-2018, filed 11/29/18, effective 12/17/18.