



Oregon Administrative Rules
Chapter 437

Division 3
Construction

General

Subdivision

A

Administrative
Order 3-2019



The Oregon Department of Consumer and Business Services adopted these rules pursuant to ORS 654.025(2).

The Secretary of State designated OAR Chapter 437 as the “Oregon Occupational Safety and Health Code.” Six general subject areas within this code are designated as “Divisions.”

- **Division 1** General Administrative Rules
- **Division 2** General Occupational Safety and Health Rules
- **Division 3** Construction
- **Division 4** Agriculture
- **Division 5** Maritime Activities
- **Division 7** Forest Activities
- **Oregon Revised Statutes (ORS) 654** The Oregon Safe Employment Act (OSEAct)

Oregon-initiated rules in this division of the Oregon Occupational Safety and Health Code are numbered in a uniform system developed by the Secretary of State. This system does not number the rules in sequence (001, 002, 003, etc.). Omitted numbers may be assigned to new rules at the time of their adoption.

Oregon-initiated rules are arranged in the following Basic Codification Structure adopted by the Secretary of State for Oregon Administrative Rules (OAR):

Chapter	Division	Rule	Section	Subsection	Paragraphs
437	002	0322	(1)	(a)	(A)(i)(I)

The majority of Oregon OSHA rules are adopted by reference from the Code of Federal Regulations (CFR), and are arranged in the following basic federal numbering system:

Chapter	Division	Part	Subpart (Subdivision)	Section	Paragraphs
437	002	1910	G	.303	(a)(1)(i)(A)(1)

The terms “subdivision” and “subpart” are synonymous within OAR 437, Oregon Occupational Safety and Health Code.

To obtain an order form or copies of these codes, address:

Department of Consumer & Business Services
Oregon Occupational Safety & Health Division (Oregon OSHA)
350 Winter St. NE
Salem, OR 97301-3882

Or call the Oregon OSHA Resource Library at 503-378-3272

The rules referenced in this division are available for viewing in the Office of the Secretary of State, Oregon State Archives Building, Salem, Oregon, or the Central Office, Oregon Occupational Safety and Health Division of the Department of Consumer and Business Services, 350 Winter St. NE, Salem, Oregon, and on our website at osha.oregon.gov.

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437-003-0001 Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, in the Federal Register:

(1) Subdivision A – General.

- (a) 29 CFR 1926.1 Purpose and Scope, published 4/6/79, FR vol. 44, p. 20940.
- (b) 29 CFR 1926.2 Variances from safety and health standards, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.3 Inspections – right of entry, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.4 Rules of practice for administrative adjudications for enforcement of safety and health standards, published 4/6/79, FR vol. 44, p. 20940.
- (e) 29 CFR 1926.6 Incorporation by reference, published 3/25/16, FR vol. 81, no. 58, p. 16085, amended 5/14/19, FR vol. 84, no. 93, p. 21457.

These standards are available at the Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, and the United States Government Printing Office.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: APD Admin. Order 5-1989, f. 3/31/89, ef. 5/1/89 (temp).
 APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).
 APD Admin. Order 14-1989, f. 7/20/89, ef. 8/1/89 (temp).
 APD Admin. Order 15-1989, f. 9/13/89, ef. 9/13/89 (perm).
 APD Admin. Order 16-1989 (temp), f. 9/13/89, ef. 9/13/89.
 OR-OSHA Admin. Order 2-1989, f. 10/17/89, ef. 10/17/89.
 OR-OSHA Admin. Order 3-1990, f. 1/19/90, ef. 1/19/90 (temp).
 OR-OSHA Admin. Order 7-1990, f. 3/2/90, ef. 3/2/90 (perm).
 OR-OSHA Admin. Order 8-1990, f. 3/30/90, ef. 3/30/90.
 OR-OSHA Admin. Order 13-1990, f. 6/28/90, ef. 8/1/90 (temp).
 OR-OSHA Admin. Order 19-1990, f. 8/31/90, ef. 8/31/90 (perm).
 OR-OSHA Admin. Order 27-1990, f. 12/12/90, ef. 2/1/91.
 OR-OSHA Admin. Order 6-1991, f. 3/18/91, ef. 4/15/91.
 OR-OSHA Admin. Order 7-1991, f. 4/25/91, ef. 4/25/91.
 OR-OSHA Admin. Order 15-1991, f. 12/13/91, ef. 12/13/91.
 OR-OSHA Admin. Order 16-1991, f. 12/16/91, ef. 1/1/92.
 OR-OSHA Admin. Order 6-1992, f. 5/18/92, ef. 5/18/92.
 OR-OSHA Admin. Order 11-1992, f. 10/9/92, ef. 10/9/92.
 OR-OSHA Admin. Order 1-1993, f. 1/22/93, ef. 1/22/93.
 OR-OSHA Admin. Order 16-1993, f. 11/1/93, ef. 11/1/93 (Lead).
 OR-OSHA Admin. Order 1-1994, f. 4/27/94, ef. 4/27/94.
 OR-OSHA Admin. Order 4-1994, f. 8/4/94, ef. 8/4/94 (HazCom).
 OR-OSHA Admin. Order 6-1994, f. 9/30/94, ef. 9/30/94.
 OR-OSHA Admin. Order 1-1995, f. 1/19/95, ef. 1/19/95 (DOT markings, placards & labels).
 OR-OSHA Admin. Order 3-1995, f. 2/22/95, ef. 2/22/95 (Haz Waste).
 OR-OSHA Admin. Order 4-1995, f. 3/29/95, ef. 3/29/95 (Asbestos).
 OR-OSHA Admin. Order 5-1995, f. 4/6/95, ef. 4/6/95 (HazCom).
 OR-OSHA Admin. Order 6-1995, f. 4/18/95, ef. 6/1/95 (Fall Protection).
 OR-OSHA Admin. Order 8-1995, f. 8/25/95, ef. 8/25/95 (Asbestos).

OR-OSHA Admin. Order 5-1996, f. 11/29/96, ef. 11/29/96.
 OR-OSHA Admin. Order 6-1996, f. 11/29/96, ef. 11/29/96.
 OR-OSHA Admin. Order 2-1997, f. 3/12/97, ef. 3/12/97.
 OR-OSHA Admin. Order 4-1997, f. 4/2/97, ef. 4/2/97.
 OR-OSHA Admin. Order 6-1997, f. 5/2/97, ef. 5/2/97.
 OR-OSHA Admin. Order 7-1997, f. 9/15/97, ef. 9/15/97 (Fall Protection).
 OR-OSHA Admin. Order 8-1997, f. 11/14/97, e. 11/14/97 (Methylene Chloride).
 OR-OSHA Admin. Order 1-1998, f. 2/13/98, e. 2/13/98 (Methylene Chloride).
 OR-OSHA Admin. Order 3-1998, f. 7/7/98, ef. 7/7/98 (Respiratory Protection).
 OR-OSHA Admin. Order 6-1998, f. 10/15/98, ef. 10/15/98 (Slings 3/H).
 OR-OSHA Admin. Order 7-1998, f. 12/28/98, ef. 12/28/98 (Asbestos).
 OR-OSHA Admin. Order 1-1999, f. 3/22/99, e. 3/22/99 (Methylene Chloride).
 OR-OSHA Admin. Order 4-1999, f. 4/30/99, ef. 4/30/99.
 OR-OSHA Admin. Order 6-1999, f. 5/26/99, ef. 5/26/99.
 OR-OSHA Admin. Order 3-2000, f. 2/8/00, ef. 2/8/00.
 OR-OSHA Admin. Order 3-2001, f. 2/5/01, ef. 2/5/01 (Fall Protection/Oregon Exceptions).
 OR-OSHA Admin. Order 3-2002, f. 4/15/02, ef. 4/18/02 (Steel Erection).
 OR-OSHA Admin. Order 5-2002, f. 6/28/02, ef. 10/1/03 (GFCI 3/K).
 OR-OSHA Admin. Order 6-2002, f. 7/19/02, ef. 7/19/02 (Fall Protection/Steel Erection).
 OR-OSHA Admin. Order 1-2003, f. 1/30/03, ef. 4/30/03 (3/Q Masonry Wall Bracing).
 OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03 (3/G).
 OR-OSHA Admin. Order 7-2003, f. 12/5/03, ef. 12/5/03 (3/O).
 OR-OSHA Admin. Order 8-2003, f. 12/30/03, ef. 1/1/04 (3/R).
 OR-OSHA Admin. Order 1-2005, f. 4/12/05, ef. 4/12/05 (3/D and 3/Z).
 OR-OSHA Admin. Order 2-2006, f. 4/28/06, ef. 4/28/06 (3/R).
 OR-OSHA Admin. Order 4-2006, f. 7/24/06, ef. 7/24/06.
 OR-OSHA Admin. Order 5-2006, f. 8/7/06, ef. 1/1/07.
 OR-OSHA Admin. Order 6-2006, f. 8/30/06, ef. 8/30/06.
 OR-OSHA Admin. Order 10-2006, f. 11/30/06, ef. 11/30/06.
 OR-OSHA Admin. Order 6-2007, f. 9/26/07, ef. 9/26/07 (3/O).
 OR-OSHA Admin. Order 5-2008, f. 5/1/08, ef. 5/15/08 (PPE).
 OR-OSHA Admin. Order 5-2009, f. 5/29/09, ef. 5/29/09.
 OR-OSHA Admin. Order 3-2010, f. 6/10/10, ef. 6/15/10.
 OR-OSHA Admin. Order 1-2011, f. 2/9/11, ef. 2/9/11.
 OR-OSHA Admin. Order 4-2011, f. 12/8/11, ef. 12/8/11.
 OR-OSHA Admin. Order 5-2011, f. 12/8/11, ef. 7/1/12.
 OR-OSHA Admin. Order 1-2012, f. 4/10/12, ef. 4/10/12.
 OR-OSHA Admin. Order 5-2012, f. 9/25/12, ef. 9/25/12.
 OR-OSHA Admin. Order 1-2013, f. 2/14/13, ef. 2/14/13.
 OR-OSHA Admin. Order 2-2013, f. 2/15/13, ef. 4/1/13.
 OR-OSHA Admin. Order 4-2013, f. 7/19/13, ef. 7/19/13.
 OR-OSHA Admin. Order 5-2013, f. 9/13/13, ef. 9/13/13.
 OR-OSHA Admin. Order 6-2013, f. 10/9/13, ef. 10/9/13.
 OR-OSHA Admin. Order 7-2013, f. 12/12/13, ef. 12/12/13.
 OR-OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15.
 OR-OSHA Admin. Order 7-2014, f. 11/7/14, ef. 11/9/14.
 OR-OSHA Admin. Order 3-2015, f. 10/9/15, ef. 1/1/16.
 OR-OSHA Admin. Order 1-2016, f. 3/1/16, ef. 1/1/17.
 OR-OSHA Admin. Order 3-2016, f. 8/19/16, ef. 8/19/16.
 OR-OSHA Admin. Order 4-2016, f. 9/7/16, ef. 9/7/16.
 OR-OSHA Admin. Order 1-2019, f. 5/9/19, ef. 5/9/19.
 OR-OSHA Admin. Order 3-2019, f. 10/29/19, ef. 10/29/19.

437-003-0003 *Purpose*

The purpose of these rules is to prescribe minimum safety and health requirements for employees engaged in construction work, including demolition, blasting and use of explosives, and power transmission distribution and maintenance work.

Stat. Auth.: ORS 654.025(2) and ORS 656.726(4).
 Stats. Implemented: ORS 654.001 through 654.295.
 Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.

437-003-0005 Additional Applicability

If a specific type of equipment, process or practice is not limited to the construction industry, the provisions contained in other Divisions of OAR 437, Oregon Occupational Safety and Health Code, shall apply.

Stat. Auth.: ORS 654.025(2) and ORS 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.

1926.1 Purpose and Scope

- (a) This part sets forth the safety and health standards promulgated by the Secretary of Labor under section 107 of the Contract Work Hours and Safety Standards Act. The standards are published in Subpart C of this part and following Subparts.
- (b) Subpart B of this part contains statements of general policy and interpretations of section 107 of the Contract Work Hours and Safety Standards Act having general applicability.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 4-1989, f. 3/31/89, ef. 5/1/89 (temp).
APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).

437-003-0006 General Oregon Definitions

For the purposes of administration of the Oregon Safe Employment Act, the following terms mean:

- (1) **Act** means the Oregon Safe Employment Act, ORS 654.
- (2) **Agency** means the Oregon Occupational Safety and Health Division, Department of Insurance and Finance.
- (3) **Assistant Secretary** means the Administrator of the Oregon Occupational Safety and Health Division or designated representative.
- (4) **Assistant Secretary of Labor for Occupational Safety and Health** means the Administrator of the Oregon Occupational Safety and Health Division or designated representative.
- (5) **Office of the Solicitor of Labor** means Legal Counsel for the Oregon Occupational Safety and Health Division.
- (6) **Occupational Safety and Health Administration or OSHA** means the Oregon Occupational Safety and Health Division, Department of Insurance and Finance.

- (7) **Standards** mean any occupational safety and health standard which has been adopted and promulgated by a nationally-recognized standards-producing organization, the federal government, or the state of Oregon and shall have the same meaning as, and include, the terms code(s) and rule(s).
- (8) **Administrative Rules** means Chapter 437, Division 1, Rules for the Administration of the Oregon Safe Employment Act, and Oregon Revised Statutes (ORS), Chapter 183.

Stat. Auth.: ORS 654.025(2) and ORS 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.

1926.2 Variances from Safety and Health Standards

- (a) Variances from standards which are, or may be, published in this part may be granted under the same circumstances whereunder variances may be granted under section 6(b)(A) or 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 65). The procedures for the granting of variances and for related relief under this part are those published in Part 1905 of this title.
- (b) Any requests for variances under this section shall also be considered requests for variances under the Williams-Steiger Occupational Safety and Health Act of 1970, and any requests for variances under Williams-Steiger Occupational Safety and Health Act with respect to construction safety or health standards shall be considered to be also variances under the Construction Safety Act. Any variance from a construction safety or health standard which is contained in this part and which is incorporated by reference in Part 1910 of this title shall be deemed a variance from the standard under both the Construction Safety Act and the Williams-Steiger Occupational Safety and Health Act of 1970.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 4-1989, f. 3/31/89, ef. 5/1/89 (temp).
APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).

1926.3 Inspections – Right of Entry

- (a) It shall be a condition of each contract which is subject to section 107 of the Contract Work Hours and Safety Standards Act that the Secretary of Labor or any authorized representative shall have a right of entry to any site of contract performance for the following purposes:
- (1) To inspect or investigate the matter of compliance with the safety and health standards contained in Subpart C of this part and following Subparts; and

- (2) To carry out the duties of the Secretary under section 107(b) of the Act.
- (b) For the purpose of carrying out his investigative duties under the Act, the Secretary of Labor may, by agreement, use with or without reimbursement the services, personnel, and facilities of any State or Federal agency. Any agreements with States under this section shall be similar to those provided for under the Walsh-Healey Public Contracts Act under 41 CFR Part 50-205.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 4-1989, f. 3/31/89, ef. 5/1/89 (temp).
APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).

437-003-0007 Additional Rules of Practice for Administrative Adjudications

In addition to and not in lieu of administrative and legal actions outlined in 29 CFR 1926.4, the State of Oregon will use the provisions of ORS Chapter 183, 654, and OAR 437, Division 1, to administer this code.

Stat. Auth.: ORS 654.025(2) and ORS 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.

1926.4 Rules of Practice for Administrative Adjudications for Enforcement of Safety and Health Standards

- (a) The rules of practice for administrative adjudications for the enforcement of the safety and health standards contained in Subpart C of this part and the following Subparts shall be the same as those published in Part 6 of this title with respect to safety and health violations of the Service Contract Act of 1965 (69 Stat. 1035), except as provided in paragraph (b) of this section.
- (b) In the case of debarment, the findings required by section 107(d) of the Act shall be made by the hearing examiner or the Assistant Secretary of Labor for Occupational Safety and Health, as the case may be. Whenever, as provided in section 107(d)(2), a contractor requests termination of debarment before the end of the 3-year period prescribed in that section, the request shall be filed in writing with the Assistant Secretary of Labor for Occupational Safety and Health who shall publish a notice in the Federal Register that the request has been received and afford interested persons an opportunity to be heard upon the request, and thereafter the provisions of Part 6 of this title shall apply with respect to prehearing conferences, hearings and related matters, and decisions and orders.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: APD Admin. Order 4-1989, f. 3/31/89, ef. 5/1/89 (temp).

APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).

1926.6 Incorporation by reference

- (a) The standards of agencies of the U.S. Government, and organizations which are not agencies of the U.S. Government which are incorporated by reference in this part, have the same force and effect as other standards in this part. Only the mandatory provisions (i.e., provisions containing the word "shall" or other mandatory language) of standards incorporated by reference are adopted as standards under the Occupational Safety and Health Act.
- (b) The standards listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, OSHA must publish a document in the Federal Register and the material must be available to the public.
- (c) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed below for these private standards organizations. In addition, these standards are available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3508, Washington, DC 20210; telephone: 202-693-2350 (TTY number: 877-889-5627). These standards are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of these standards at NARA, telephone: 202-741-6030, or go to www.archives.gov/federal-register/cfr/ibr-locations.html.
- (d) The following material is available for purchase from the American Conference of Governmental Industrial Hygienists (ACGIH), 1330 Kemper Meadow Drive, Cincinnati, OH 45240; telephone: 513-742-6163; fax: 513-742-3355; e-mail: mail@acgih.org; Web site: <http://www.acgih.org> :
- (1) Threshold Limit Values of Airborne Contaminants for 1970, 1970, IBR approved for 1926.55(a) and Appendix A of 1926.55.
 - (2) [Reserved]
- (e) The following material is available for purchase from the American National Standards Institute (ANSI), 25 West 43rd Street, Fourth Floor, New York, NY 10036; telephone: 212-642-4900; fax: 212-302-1286; e-mail: info@ansi.org; Web site: <http://www.ansi.org/>

- (1) ANSI A10.3-1970, Safety Requirements for Explosive-Actuated Fastening Tools, IBR approved for 1926.302(e).
- (2) ANSI A10.4-1963, Safety Requirements for Workmen's Hoists, IBR approved for 1926.552(c).
- (3) ANSI A10.5-1969, Safety Requirements for Material Hoists, IBR approved for 1926.552(b).
- (4) ANSI A11.1-1965 (R1970), Practice for Industrial Lighting, IBR approved for 1926.56(b).
- (5) ANSI A17.1-1965, Elevators, Dumbwaiters, Escalators, and Moving Walks, IBR approved for 1926.552(d).
- (6) ANSI A17.1a-1967, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for 1926.552(d).
- (7) ANSI A17.1b-1968, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for 1926.552(d).
- (8) ANSI A17.1c-1969, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for 1926.552(d).
- (9) ANSI A17.1d-1970, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for 1926.552(d).
- (10) ANSI A17.2-1960, Practice for the Inspection of Elevators (Inspector's Manual), IBR approved for 1926.552(d).
- (11) ANSI A17.2a-1965, Practice for the Inspection of Elevators (Inspector's Manual) Supplement, IBR approved for 1926.552(d).
- (12) ANSI A17.2b-1967, Practice for the Inspection of Elevators (Inspector's Manual) Supplement, IBR approved for 1926.552(d).
- (13) ANSI A92.2-1969, Vehicle Mounted Elevating and Rotating Work Platforms, IBR approved for 1926.453(a) and 1926.453(b).
- (14) ANSI B7.1-1970, Safety Code for the Use, Care, and Protection of Abrasive Wheels, IBR approved for 1926.57(g), 1926.303(b), 1926.303(c), and 1926.303(d).
- (15) ANSI B20.1-1957, Safety Code for Conveyors, Cableways, and Related Equipment, IBR approved for 1926.555(a).
- (16) ANSI B56.1-1969, Safety Standards for Powered Industrial Trucks, IBR approved for 1926.602(c).

(17-22) [Reserved]

(23) ANSI O1.1-1961, Safety Code for Woodworking Machinery, IBR approved for 1926.304(f).

(24) ANSI Z35.1-1968, Specifications for Accident Prevention Signs; IBR approved for Sec. 1926.200(b), (c), and 1 (i). Copies available for purchase from the IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 1-877-413-5184; Web site: www.global.ihs.com.

(25) ANSI Z35.2-1968, Specifications for Accident Prevention Tags, IBR approved for 1926.200(i).

(26) ANSI Z49.1-1967, Safety in Welding and Cutting, IBR approved for 1926.350(j).

(27) USA Z53.1-1967 (also referred to as ANSI Z53.1-1967), Safety Color Code for Marking Physical Hazards, ANSI approved October 9, 1967; IBR approved for 1926.200(c). Copies available for purchase from the IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 1-877-413-5184; Web site: www.global.ihs.com.

(28) ANSI Z535.1-2006 (R2011), Safety Colors, reaffirmed July 19, 2011; IBR approved for 1926.200(c). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877-413-5184; Web site: www.global.ihs.com; or

(iii) TechStreet Store, 3916 Rancho Dr., Ann Arbor, MI 48108; telephone: 877-699-9277; Web site: www.techstreet.com

(29) ANSI Z535.2-2011, Environmental and Facility Safety Signs, published September 15, 2011; IBR approved for 1926.200(b), (c), and (i). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877-413-5184; Web site: www.global.ihs.com; or

(iii) TechStreet Store, 3916 Rancho Dr., Ann Arbor, MI 48108; telephone: 877-699-9277; Web site: www.techstreet.com

- (30) ANSI Z535.5-2011, Safety Tags and Barricade Tapes (for Temporary Hazards), published September 15, 2011, including Errata, November 14, 2011; IBR approved for 1926.200(h) and (i). Copies available for purchase from the:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877-413-5184; Web site: www.global.ihs.com; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: 877-699-9277; Web site: www.techstreet.com.
- (31) ANSI Z87.1-2010, Occupational and Educational Personal Eye and Face Protection Devices, IBR approved for 1926.102(b). Copies are available for purchase from:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (877) 413-5184; Web site: <http://global.ihs.com>; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: (877) 699-9277; Web site: <http://techstreet.com>.
- (32) ANSI Z87.1-2003, Occupational and Educational Personal Eye and Face Protection Devices, Approved June 19, 2003; IBR approved for 1926.102(b). Copies available for purchase from the:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (877) 413-5184; Web site: <http://global.ihs.com>; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: (877) 699-9277; Web site: <http://techstreet.com>.

- (33) ANSI Z87.1-1989 (R-1998), Practice for Occupational and Educational Eye and Face Protection, Reaffirmation approved January 4, 1999; IBR approved for 1926.102(b). Copies are available for purchase from:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (877) 413-5184; Web site: <http://global.ihs.com/>; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: (877) 699-9277; Web site: <http://techstreet.com>. ANSI Z87.1-1968, Practice for Occupational and Educational Eye and Face Protection, IBR approved for 1926.102(a).
- (34) American National Standards Institute (ANSI) Z89.1-2009, American National Standard for Industrial Head Protection, approved January 26, 2009; IBR approved for Sec. 1926.100(b)(1)(i). Copies of ANSI Z89.1-2009 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysite.org.
- (35) American National Standards Institute (ANSI) Z89.1-2003, American National Standard for Industrial Head Protection; IBR approved for Sec. 1926.100(b)(1)(ii). Copies of ANSI Z89.1-2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysite.org.
- (36) American National Standards Institute (ANSI) Z89.1-1997, American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements; IBR approved for Sec. 1926.100(b)(1)(iii). Copies of ANSI Z89.1-1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysite.org.
- (f) The following material is available for purchase from standards resellers such as the Document Center Inc., 111 Industrial Road, Suite 9, Belmont, CA 94002; telephone: 650-591-7600; fax: 650-591-7617; e-mail: info@document-center.com; Web site: <http://www.document-center.com/>:
- (1) ANSI B15.1-1953 (R1958), Safety Code for Mechanical Power-Transmission Apparatus, revised 1958, IBR approved for 1926.300(b)(2).

- (2) ANSI B30.5-1968, Crawler, Locomotive, and Truck Cranes, approved Dec. 16, 1968, IBR approved for 1926.1433(a).
- (g) The following material is available for purchase from the American Society for Testing and Materials (ASTM), ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959; telephone: 610-832-9585; fax: 610-832-9555; e-mail: service@astm.org ; Web site: <http://www.astm.org/>:
- (1) ASTM A370-1968, Methods and Definitions for Mechanical Testing and Steel Products, IBR approved for 1926.1001(f).
 - (2) [Reserved]
 - (3) ASTM D56-1969, Standard Method of Test for Flash Point by the Tag Closed Tester, IBR approved for 1926.155(i).
 - (4) ASTM D93-1969, Standard Method of Test for Flash Point by the Pensky Martens Closed Tester, IBR approved for 1926.155(i).
 - (5) ASTM D323-1958 (R1968), Standard Method of Test for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for 1926.155(m).
- (h) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016; telephone: 1-800-843-2763; fax: 973-882-1717; e-mail: infocentral@asme.org; Web site: <http://www.asme.org/>:
- (1) ASME B30.2-2005, Overhead and Gantry Cranes (Top Running Bridge, Single or Multiple Girder, Top Running Trolley Hoist), issued Dec. 30, 2005 (“ASME B30.2-2005”), IBR approved for 1926.1438(b).
 - (2) ASME B30.5-2004, Mobile and Locomotive Cranes, issued Sept. 27, 2004 (“ASME B30.5-2004”), IBR approved for 1926.1414(b); 1926.1414(e); 1926.1433(b).
 - (3) ASME B30.7-2001, Base-Mounted Drum Hoists, issued Jan. 21, 2002 (“ASME B30.7-2001”), IBR approved for 1926.1436(e).
 - (4) ASME B30.14-2004, Side Boom Tractors, issued Sept. 20, 2004 (“ASME B30.14-2004”), IBR approved for 1926.1440(c).
 - (5) ASME Boiler and Pressure Vessel Code, Section VIII, 1968, IBR approved for 1926.152(i), 1926.306(a), and 1926.603(a).
 - (6) ASME Power Boilers, Section I, 1968, IBR approved for 1926.603(a).

- (i) The following material is available for purchase from the American Society of Agricultural and Biological Engineers (ASABE), 2950 Niles Road, St. Joseph, MI 49085; telephone: 269.429.0300; fax: 269.429.3852; e-mail: hq@asabe.org; Web site: <http://www.asabe.org/>:
- (1) ASAE R313.1-1971, Soil Cone Penetrometer, reaffirmed 1975, IBR approved for 1926.1002(e).
 - (2) [Reserved]
- (j) The following material is available for purchase from the American Welding Society (AWS), 550 N.W. LeJeune Road, Miami, Florida 33126; telephone: 1-800-443-9353; Web site: <http://www.aws.org/>:
- (1) AWS D1.1/D1.1M:2002, Structural Welding Code – Steel, 18th ed., ANSI approved Aug. 31, 2001 (“AWS D1.1/D1.1M:2002”), IBR approved for 1926.1436(c).
 - (2) ANSI/AWS D14.3-94, Specification for Welding Earthmoving and Construction Equipment, ANSI approved Jun. 11, 1993 (“ANSI/AWS D14.3-94”), IBR approved for 1926.1436(c).
- (k) The following material is available for purchase from the British Standards Institution (BSI), 389 Chiswick High Road, London, W4 4AL, United Kingdom; telephone: +44 20 8996 9001; fax: +44 20 8996 7001; e-mail: cservices@bsigroup.com; Web site: <http://www.bsigroup.com/>:
- (1) BS EN 13000:2004, Cranes – Mobile Cranes, published Jan. 4, 2006 (“BS EN 13000:2004”), IBR approved for 1926.1433(c).
 - (2) BS EN 14439:2006, Cranes – Safety – Tower Cranes, published Jan. 31, 2007 (“BS EN 14439:2006”), IBR approved for 1926.1433(c).
- (l) The following material is available for purchase from the Bureau of Reclamation, United States Department of the Interior, 1849 C Street NW, Washington DC 20240; telephone: 202-208-4501; Web site: <http://www.usbr.gov/>:
- (1) Safety and Health Regulations for Construction, Part II, Sept. 1971, IBR approved for 1926.1000(f).
 - (2) [Reserved]
- (m) The following material is available for purchase from the California Department of Industrial Relations, 455 Golden Gate Avenue, San Francisco CA 94102; telephone: (415) 703-5070; e-mail: info@dir.ca.gov; Web site: <http://www.dir.ca.gov/>:
- (1) Construction Safety Orders, IBR approved for 1926.1000(f).

- (2) [Reserved]
- (n) Note: For traffic control, signaling, and barricades in Oregon, OAR 437-003-0420 Traffic Control, applies. The following material is adopted by reference and available from the Federal Highway Administration, United States Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone: 202-366-4000; website: www.fhwa.dot.gov/.
- (1) Manual on Uniform Traffic Control Devices for Streets and Highways, 2009 Edition, December 2009 (including Revision 1 dated May 2012 and Revision 2 dated May 2012), (“MUTCD”) IBR approved for 1926.200(g) and 1926.201(a).
- (2) [Reserved]
- (o) The following material is available for purchase from the General Services Administration (GSA), 1800 F Street, NW, Washington, DC 20405; telephone: (202) 501-0800; Web site: <http://www.gsa.gov/>:
- (1) QQ-P-416, Federal Specification Plating Cadmium (Electrodeposited), IBR approved for 1926.104(e).
- (2) [Reserved]
- (p) The following material is available for purchase from the Institute of Makers of Explosives (IME), 1120 19th Street NW, Suite 310, Washington, DC 20036; telephone: 202-429-9280; fax: 202-429-9280; e-mail: info@ime.org; Web site: <http://www.ime.org/>:
- (1) IME Pub. No. 2, American Table of Distances for Storage of Explosives, Jun. 5, 1964, IBR approved for 1926.914(a).
- (2) IME Pub. No. 20, Radio Frequency Energy – A Potential Hazard in the Use of Electric Blasting Caps, Mar. 1968, IBR approved for 1926.900(k).
- (q) The following material is available from the International Labour Organization (ILO), 4 route des Morillons, CH-1211 Genève 22, Switzerland; telephone: +41 (0) 22 799 6111; fax: +41 (0) 22 798 8685; website: <http://www.ilo.org/>:
- (1) Guidelines for the Use of the ILO International Classification of Radiographs of Pneumoconioses, Revised Edition 2011, Occupational safety and health series; 22 (Rev.2011), IBR approved for 1926.1101.
- (2) [Reserved]
- (r) The following material is available for purchase from the International Organization for Standardization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH-1211 Geneva 20, Switzerland; telephone: +41 22 749 01 11; fax: +41 22 733 34 30; Web site: <http://www.iso.org/>:

- (1) ISO 3471:2008(E), Earth-moving machinery—Roll-over protective structures—Laboratory tests and performance requirements, Fourth Edition, Aug. 8, 2008 (“ISO 3471:2008”), IBR approved for 1926.1001(c) and 1926.1002(c).
 - (2) ISO 5700:2013(E), Tractors for agriculture and forestry—Roll-over protective structures—Static test method and acceptance conditions, Fifth Edition, May 1, 2013 (“ISO 5700:2013”), IBR approved for 1926.1002(c).
 - (3) ISO 27850:2013(E), Tractors for agriculture and forestry—Falling object protective structures—Test procedures and performance requirements, First Edition, May.01, 2013 (“ISO 27850:2013”), IBR approved for 1926.1003(c).
 - (4) ISO 11660-1:2008(E), Cranes – Access, guards and restraints – Part 1: General, 2d ed., Feb. 15, 2008 (“ISO 11660-1:2008(E)”), IBR approved for 1926.1423(c).
 - (5) ISO 11660-2:1994(E), Cranes – Access, guards and restraints – Part 2: Mobile cranes, 1994 (“ISO 11660-2:1994(E)”), IBR approved for 1926.1423(c).
 - (6) ISO 11660-3:2008(E), Cranes – Access, guards and restraints – Part 3: Tower cranes, 2d ed., Feb. 15, 2008 (“ISO 11660-3:2008(E)”), IBR approved for 1926.1423(c).
- (s) The following material is available for purchase from the National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169; telephone: 617-770-3000; fax: 617-770-0700; Web site: <http://www.nfpa.org/>:
- (1) NFPA 10A-1970, Maintenance and Use of Portable Fire Extinguishers, IBR approved for 1926.150(c).
 - (2) NFPA 13-1969, Standard for the Installation of Sprinkler Systems, IBR approved for 1926.152(d).
 - (3) NFPA 30-1969, The Flammable and Combustible Liquids Code, IBR approved for 1926.152(c).
 - (4) NFPA 80-1970, Standard for Fire Doors and Windows, Class E or F Openings, IBR approved for 1926.152(b).
 - (5) NFPA 251-1969, Standard Methods of Fire Test of Building Construction and Material, IBR approved for 1926.152(b) and 1926.155(f).
 - (6) NFPA 385-1966, Standard for Tank Vehicles for Flammable and Combustible Liquids, IBR approved for 1926.152(g).

- (t) The following material is available for purchase from the Power Crane and Shovel Association (PCSA), 6737 W. Washington Street, Suite 2400, Milwaukee, WI 53214; telephone: 1-800-369-2310; fax: 414-272-1170; Web site: <http://www.aem.org/CBC/ProdSpec/PCSA/>:
- (1) PCSA Std. No. 1, Mobile Crane and Excavator Standards, 1968, IBR approved for 1926.602(b).
 - (2) PCSA Std. No. 2, Mobile Hydraulic Crane Standards, 1968 ("PCSA Std. No. 2 (1968)"), IBR approved for 1926.602(b) and 1926.1433(a).
 - (3) PCSA Std. No. 3, Mobile Hydraulic Excavator Standards, 1969, IBR approved for 1926.602(b).
- (u) The following material is available for purchase from the Society of Automotive Engineers (SAE), 400 Commonwealth Drive, Warrendale, PA 15096; telephone: 1-877-606-7323; fax: 724-776-0790; Web site: <http://www.sae.org/>:
- (1) SAE 1970 Handbook, IBR approved for 1926.602(b).
 - (2) SAE J166-1971, Trucks and Wagons, IBR approved for 1926.602(a).
 - (3) SAE J167, Protective Frame with Overhead Protection-Test Procedures and Performance Requirements, approved July 1970, IBR approved for 1926.1003(b).
 - (4) SAE J168, Protective Enclosures – Test Procedures and Performance Requirements, approved July 1970, IBR approved for 1926.1002(b).
 - (5) SAE J185 (reaf. May 2003), Access Systems for Off-Road Machines, reaffirmed May 2003 ("SAE J185 (May 1993)"), IBR approved for 1926.1423(c).
 - (6) SAE J236-1971, Self-Propelled Graders, IBR approved for 1926.602(a).
 - (7) SAE J237-1971, Front End Loaders and Dozers, IBR approved for 126.602(a).
 - (8) SAE J319b-1971, Self-Propelled Scrapers, IBR approved for 1926.602(a).
 - (9) SAE J320a, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired, Self-Propelled Scrapers, revised July 1969 (editorial change July 1970), IBR approved for 1926.1001(b).
 - (10) SAE J321a-1970, Fenders for Pneumatic-Tired Earthmoving Haulage Equipment, IBR approved for 1926.602(a).
 - (11) SAE J333a-1970, Operator Protection for Agricultural and Light Industrial Tractors, IBR approved for 1926.602(a).

- (12) SAE J334a, Protective Frame Test Procedures and Performance Requirements, revised July 1970, IBR approved for 1926.1002(b).
 - (13) SAE J386-1969, Seat Belts for Construction Equipment, IBR approved for 1926.602(a).
 - (14) SAE J394, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired Front End Loaders and Rubber-Tired Dozers, approved July 1969 (editorial change July 1970), IBR approved for 1926.1001(b).
 - (15) SAE J395, Minimum Performance Criteria for Roll-Over Protective Structure for Crawler Tractors and Crawler-Type Loaders, approved July 1969 (editorial change July 1970), IBR approved for 1926.1001(b).
 - (16) SAE J396, Minimum Performance Criteria for Roll-Over Protective Structure for Motor Graders, approved July 1969 (editorial change July 1970), IBR approved for 1926.1001(b).
 - (17) SAE J397, Critical Zone Characteristics and Dimensions for Operators of Construction and Industrial Machinery, approved July 1969 (editorial change July 1970), IBR approved for 1926.1001(b).
 - (18) SAE J987 (rev. Jun. 2003), Lattice Boom Cranes – Method of Test, revised Jun. 2003 (“SAE J987 (Jun. 2003)”), IBR approved for 1926.1433(c).
 - (19) SAE J1063 (rev. Nov. 1993), Cantilevered Boom Crane Structures – Method of Test, revised Nov. 1993 (“SAE J1063 (Nov. 1993)”), IBR approved for 1926.1433(c).
- (v) The following material is available for purchase from the United States Army Corps of Engineers, 441 G Street, NW, Washington, DC 20314; telephone: 202-761-0011; e-mail: hq-publicaffairs@usace.army.mil; Web site: <http://www.usace.army.mil/>:
- (1) EM-385-1-1, General Safety Requirements, Mar. 1967, IBR approved for 1926.1000(f).
 - (2) [Reserved]

[75 FR 48130, Aug. 9, 2010, as amended at 77 FR 37600, June 22, 2012; 78 FR 35566, June 13, 2013; 78 FR 66641, Nov. 6, 2013; 79 FR 20692, Apr. 11, 2014; 81 FR 16092, Mar. 25, 2016; 84 FR 21574, May 14, 2019]

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 1-2011, f. 2/9/11, ef. 2/9/11.

OR-OSHA Admin. Order 7-2012, f. 12/14/12, ef. 12/14/12.

OR-OSHA Admin. Order 7-2013, f. 12/12/13, ef. 12/12/13.

OR-OSHA Admin. Order 3-2019, f. 10/29/19, ef. 10/29/19.

Historical Notes for Subdivision A

Note: The Accident Prevention Division adopted Division 3, Construction on a temporary basis effective May 1, 1989. It contained new and revised federal occupational safety and health rules for the Construction industry. APD is now announcing that these same rules have been duly filed for permanent adoption. Division 3, Construction replaced Oregon codes Division 83 and 84. Some individual rules from each of these divisions have been retained and adopted into the new Division 3 as Oregon initiated rules.

This is Oregon OSHA Administrative Order 8-1989, filed and effective July 7, 1989.

Note: This rulemaking is to keep Oregon OSHA in harmony with recent changes to federal OSHA's standards. Oregon OSHA held two public hearings in January 2011. Testimony was received at the hearings as well as written comments submitted throughout the comment period. All comments were carefully considered before proceeding with this final rulemaking.

Oregon OSHA adopted most of the changes as they appear in the August 9, 2010 federal register. These changes revise the construction industry crane and derrick rules found in new Subpart CC of 29 CFR Part 1926. The crane and derrick standard was revised to update and specify industry work practices necessary to protect employees. This final standard also addresses advances in the designs of cranes and derricks, related hazards, and the qualifications of employees needed to operate them safely. Under this final rule, employers must determine whether the ground is sufficient to support the anticipated weight and associated loads of hoisting equipment. The employer is also required to assess hazards within the work zone that would affect the safe operation, such as power lines and objects or personel that would be within the work zone or swing radius. Finally, the employer is required to ensure that the equipment is in safe operating condition through required inspections and that employees in the work zone are trained to recognize hazards associated with the use of the equipment and any related duties that they are assigned to perform.

This is Oregon OSHA Administrative Order 1-2011, filed and effective February 9, 2011.

Note: Federal OSHA updated the references in standards to recognize the 2009 edition of the American National Standard for Industrial Head Protection, and is deleting the 1986 edition of that national consensus standard because it is out of date. These changes were published in the June 22, 2012 Federal Register. Federal OSHA corrected an editorial instruction printed in the June 22, 2012 Federal Register. This correction was published in the July 23, 2012 Federal Register. Federal OSHA also removed an unnecessary term in Appendix C of Respiratory Protection; restoring inadvertently removed requirements in Mechanical Power Presses; and, corrected a cross reference in two paragraphs in Appendix A to Subdivision L of scaffold standards in construction. These changes were published in the August 7, 2012 Federal Register.

This is Oregon OSHA Administrative Order 7-2012, filed and effective December 14, 2012.

Note: Oregon OSHA amended standards in Division 2, General Industry, and Division 3, Construction, to reflect federal OSHA updates published in the June 13, 2013 Federal Register. Federal OSHA updates its general industry and construction signage rules by adding references to the latest version of the American National Standards Institute (“ANSI”) standards on accident prevention signs and tags, ANSI Z535.1-2006 (R2011), Z535.2-2011 and Z535.5-2011. OSHA retained references to the earlier ANSI signage standards, ANSI Z53.1-1967m Z35.1-1968, and Z35.2-1968. This rulemaking provides employers the option to comply with either the earlier or updated standards. Also included in this rulemaking are minor corrections from federal OSHA of the June 13, 2013 Federal Register with the November 6, 2013 Federal Register. Corrections are to address reference clarifications for graphics. Oregon initiated rules are also amended to reflect the newer ANSI references.

This is Oregon OSHA Administrative Order 7-2013, filed and effective December 12, 2013.

Note: Oregon OSHA is adopting changes to our administrative (recordkeeping), general industry, and construction standards, and updating references in the maritime activity standards in response to federal OSHA’s adoption of final rules published in the May 14, 2019 Federal Register. This is Phase IV of federal OSHA’s Standards Improvement Project (SIP-IV), the fourth in a series of rulemakings to improve and streamline workplace safety and health standards. Oregon’s response removes or revises rules or requirements within our corresponding rules that are outdated, duplicative, or inconsistent. This rulemaking is anticipated to reduce regulatory burden and compliance costs while maintaining or enhancing worker safety and health as well as worker privacy protections.

In Division 3A, Oregon OSHA adopted updates to the incorporation by reference rule, 1926.6, including updated standards and reorganization of paragraphs.

This is Oregon OSHA Administrative Order 3-2019, filed and effective 10/29/2019.