



Oregon

Theodore R. Kulongoski, Governor

Department of Consumer and Business Services

Oregon Occupational Safety & Health Division (OR-OSHA)

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Mary Bachurin
Oregon Parks & Recreation Department
1115 Commercial St NE
Salem OR 97301-3882-1001

Dear Ms. Bachurin:

This is in response to your request for information about work place safety responsibilities when work is done by a contractor.

Normally, when OPRD hires a contractor to do certain work, that contractor has sole responsibility for the safety and health of their workers. However, if an OPRD employee or manager is exercising direction and control over the workers at the job site then OPRD could also be held responsible. Also OPRD could be responsible for any unsafe condition that is under the control of OPRD but outside the control of the contractor and exposes the contractor's employees to a hazard.

As to your question, "What steps does OPRD need to take to transfer the liability and risk with this service?" We suggest you request an opinion on that matter from your representative in the office of the Attorney General.

For further information contact Ron Preece at 378-3272. You are also invited to see the OR-OSHA pages on the Internet at www.cbs.state.or.us/external/osha/index.html.

Sincerely,

Marilyn K. Schuster, Manager
Standards & Technical Resources Section
Oregon Occupational Safety & Health Division