

Health and Safety

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December 2018–January 2019
Volume 62 – online

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Resource

Oregon Health and Safety Resource is published every other month by the Oregon Occupational Safety and Health Division of the Department of Consumer and Business Services.

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2019 will bring challenges, opportunities

by Michael Wood

As we complete one year, it is worth taking a moment to think about all that we have on our plate here at Oregon OSHA and in the broader Oregon workplace health and safety community. Of course, we'll all continue our day-to-day activities – for us that means enforcement visits, on-site consultation visits, outreach efforts of various sorts. But we have a particular challenge or two to tackle as well.

Our effort to tackle at least a few of the outdated regulatory exposure levels is well under way – we hope to pick up the pace a bit and should have formal proposals regarding lead and manganese in the coming months. We expect those to be just the first of many. We also have other significant rulemaking proposals in various stages of development, whether related to employer knowledge, agriculture labor housing, or the federal changes to the crane standard. And, of course, the multi-year rulemaking on the pesticide worker protection standard that we completed early in 2018 takes full effect on Jan. 1, 2019.

We continue to see troubling trends in certain industries – for example, the number of workers seriously injured or killed on logging sites appears to be a resurgent trend. It's troubling to see one of our success stories becoming less defined in recent years, and we plan to engage in serious discussions with the industry about the best ways to tackle the issue.

Unfortunately, logging is not the only industry where our successes are harder to sustain. The continued decline in fatality rates across the board has largely flattened in recent years – and it's not because we don't know how to prevent those deaths that are still occurring in the workplace. I have for several years raised concerns about complacency and resting on our past successes – I fear that any further improvements will require a renewed sense of urgency on the part of employers and workers alike.

The news isn't all bad, of course. We again saw a significant decrease in the average pure premium rate for workers' compensation. As I have written before, Oregon's continued success in driving workers' compensation rates down is due in large part to Oregon's success in preventing claims, rather than simply managing them after they occur. And that reality provides an important reminder: Workplace safety and health is not simply the right thing to do, and is not necessarily in tension with the bottom line. Rather, it often can support the bottom line.

Preventing workplace injury, illness, and death is good business. But it doesn't happen without real effort on all our parts. ●



Oregon OSHA
Administrator



Don't miss...



Education:

January-February workshops

Jan. 23, 2019 • Eugene

8 a.m. Hazard Identification and Control

1 p.m. Confined Space Safety

Feb. 20, 2019 • Milwaukee

8 a.m. Excavation Safety

Feb. 20, 2019 • Salem

1 p.m. Confined Space Safety

Feb. 21, 2019 • Roseburg

8 a.m. Safety Meetings and Committees

For more information: osha.oregon.gov/edu

For the most recent public education schedule updates: osha.oregon.gov/edu/workshops

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Registration opens January 2019

Did you know?

An effective hazard communication program ensures that workers who may be exposed to hazardous chemicals know about the chemical's hazards and understand how to protect themselves from those hazards.

Product labels and safety data sheets (SDS) are the main tools for developing a hazard communication program. They identify the hazardous properties of chemicals that may pose a health or physical hazard and provide guidance for appropriate protective measures.

Oregon OSHA's hazard communication rules apply to all Oregon workplaces where employees may be exposed to hazardous chemicals during routine use or in a foreseeable emergency. The rules affect employers in general industry, construction, agricultural workplaces, and forest activities. More information is available on Oregon OSHA's [A-to-Z topic page about hazard communication](#). ●

Quotable

"When we escape the blind spot zone, we become more self-aware and aware of others. As a result, not only will our relationships, morale, and teamwork improve, we will also find ourselves more cognizant of how our decisions and behaviors impact the health and safety of ourselves and others within the organization. Heightened awareness saves lives."

– **Kevin McCarthy**, author, trainer, and coach who helps people discover their unconscious biases

3 of the top 10 Oregon OSHA standards violated so far in 2018 involve the agency's Hazard Communication Standard

Rank	Standard Violated	Subject	Total Violations	Serious	Repeat	Willful	Other	Total Initial Penalties	Serious	Repeat	Willful	Other
1	OAR 437-003-1501(1)	Fall protection	393	289	103	1	0	\$854,640	\$248,350	\$528,165	\$78,125	\$0
2	29 CFR 1910.1200(e)	Written hazard communication program	315	147	0	0	168	\$25,020	\$25,020	\$0	\$0	\$0
3	OAR 437-001-0765(1)	Rules about safety committees or safety meetings	256	56	4	0	196	\$14,680	\$12,580	\$1,480	\$0	\$620
4	OAR 437-001-0765(13)	Documentation of safety committee meetings	151	2	8	0	141	\$1,800	\$200	\$1,600	\$0	\$0
5	29 CFR 1910.1200(g)	Safety data sheets	123	15	0	0	108	\$3,600	\$3,600	\$0	\$0	\$0
6	29 CFR 1926.1053(b)	Requirements for use of ladders	119	107	9	0	3	\$85,755	\$74,945	\$10,810	\$0	\$0
7	29 CFR 1910.178(l)	Training for operators of powered industrial trucks	109	35	1	0	73	\$11,815	\$11,615	\$200	\$0	\$0
8	29 CFR 1910.1200(h)	Employee information and training	90	38	0	0	52	\$8,210	\$8,210	\$0	\$0	\$0
9	OAR 437-003-0503(2)	Certification of fall-protection training	78	2	6	0	70	\$1,420	\$220	\$1,200	\$0	\$0
10	29 CFR 1910.134(c)	Frequency of safety meetings dependent on type of work done	73	16	0	0	57	\$2,850	\$2,850	\$0	\$0	\$0

Note: Standards violated have been summarized to the rule or first paragraph level and may therefore not reflect the complete standard cited by Oregon OSHA.

Knowledge and understanding: Why hazard communication matters

By Aaron Corvin

Lacking knowledge of proper decontamination and first-aid procedures, a worker at a Gresham manufacturing plant suffered a severe chemical burn that hospitalized him for nearly a week.

At a gas station in Veneta, employees used toxic cleaning products they didn't know could cause permanent eye damage and skin corrosion.

In Tillamook, a company applying pesticides inside a hotel failed to inform the hotel's managers of measures that were needed to protect hotel workers, four of whom ended up needing medical care.

Although these incidents occurred in different job settings and involved distinct circumstances, all of them shared the same disturbing mark: a failure to follow Oregon OSHA's hazard communication standard.

Unfortunately, that failure is commonplace.

With 2018 coming to a close, three of the top 10 Oregon OSHA standards that were most often violated this year involved hazard communication rules. The requirement to write a hazard communication plan ranked second (fall protection was No. 1), with 339 violations and initial penalties of more than \$26,000.

A hazard communication plan lists all of the hazardous chemicals that workers may be exposed to. It does so by using product identifiers that are cross-referenced to the label and the safety data sheet. It also describes how a particular workplace will use the plan, the safety data sheets, the labels, and training to protect workers.



In March 2011, a production shortage prompted Continental Brass in Gresham to move a temporary worker from his regular position in the shipping department to the caustic stripping process in the plating department, shown in this picture. An accident left the worker suffering severe chemical burns. Oregon OSHA cited the company for several violations, including of hazard communication rules.

The need to maintain safety data sheets – which include details about the health effects of hazardous chemicals and safe practices for using them – was No. 5, with 138 violations and initial penalties of \$3,600.

The imperative to inform and train employees about hazard communication – including appropriate work practices, emergency procedures, and required personal protective equipment – ranked No. 8, with 92 violations and more than \$8,000 in initial penalties.

Yet, it doesn't have to be this way. Failures to comply with the rules of hazard communication – the essence of which is knowledge and understanding – don't have to occur with such frequency. And accidents involving breakdowns in hazard communication are preventable.

Oregon OSHA offers resources to help build employers' capacity to prevent such violations and to keep employees safe. Meanwhile, the agency's enforcement actions at job sites in Gresham, Veneta, and Tillamook offer lessons to carry forward.

They bring into sharp relief why hazard communication in the workplace matters.



Understanding hazard communication

Oregon OSHA's hazard communication rules apply to all Oregon workplaces where workers may be exposed to hazardous chemicals during routine use or in a foreseeable emergency. A hazardous chemical is defined as any chemical that is classified as a physical hazard, a health hazard, a simple asphyxiant, combustible dust, pyrophoric gas, or a hazard not otherwise classified.

For further details about the definitions of chemical hazards, please take a look at [our guide](#).

Oregon OSHA's hazard communication rules are intended to ensure that workers know the harmful effects of those chemicals and how to avoid being injured. The rules affect employers in general industry, construction, agriculture, and forest activities.

The guide to our hazard communication standard (which aligns with the United Nations' Globally Harmonized System), describes how the rules work and how they apply to different industries.

To draw lessons from what happens when employers fail to heed the standard, consider several recent enforcement cases.

A March 2011 accident at Continental Brass in Gresham, where the company makes door knobs and other household fixtures, brought Oregon OSHA to the scene. The accident left a temporary worker, Adrian Buckles, with chemical burns on his leg that worsened over time.

Buckles had been moved from his usual position in the shipping department to the caustic stripping process in the company's plating department. The process involved manually dipping baskets of metal parts into a series of three drums filled with caustic liquid.

The stripping process in Continental Brass' plating department, where a lack of hazard communication contributed to a worker being severely injured, involved manually dipping baskets of metal parts into a series of three drums filled with caustic liquid.

Buckles splashed his pants with the caustics while moving a basket. He was wearing an apron, but the basket brushed it out of place.

It didn't take long for him to feel a burning sensation on his leg. On the advice of a fellow employee, Buckles tried running water over his leg using the emergency eyewash station (eyewash stations are only effective for treating eyes).

His next move was to push through, working the shift despite the pain.

Later, at home, when he had to peel his pants off the burned skin on his leg, he realized his wounds were serious. They were so serious that Buckles eventually developed a methicillin-resistant staphylococcus aureus (MRSA) infection and was hospitalized for nearly a week.

The accident, and the human misery it caused, were preventable.

Oregon OSHA's investigation found Buckles was unaware that an emergency shower was nearby. Likewise, he had no idea there were water hoses he could have used to flush his searing leg.

Neither was Buckles provided with a proper work uniform, which would have helped him immediately remove the contaminated clothing from his skin. Instead, he'd worn nylon sports pants from home. The burns were most severe where his pants were bunched up at the top of his boots.

Altogether, Oregon OSHA cited the company for failing to train Buckles about the hazards of the caustics, and the first-aid and decontamination procedures he'd need to follow if something went wrong. The agency also cited the company for falling short in providing adequate personal protective equipment – including arm guards and chemical-resistant pants – and for using an inaccurate and incomplete placard to describe the contents of the caustics.

Oregon OSHA's citation of ARS Fresno, involving its Shell gas station in Veneta, included violations of hazard communication rules. The violations included a failure to provide effective information and training about cleaning chemicals such as Sanitizer Plus.

A lack of communication

At a Shell gas station in Veneta, the employer had material safety data sheets.

Problem was, they were from 2004, tucked away in a back room, and said nothing about the hazardous chemicals that were currently in use. (In 2004, safety data sheets were known as material safety data sheets, before rules were updated in 2012 to include globally harmonized standards.)

That was just one of three serious hazard communication violations Oregon OSHA uncovered as part of its complaint-based inspection of the site in December 2016. The employer, ARS Fresno LLC, also failed to implement a written hazard communication program and provide effective information and training about hazardous chemicals, even though employees regularly used such chemicals as bleach, quaternary ammonium, and propane. (In a follow-up inspection of the gas station earlier this year, the company brought a repeat violation on itself by again failing to maintain effective training and information about hazardous chemicals.)

As part of the 2016 inspection, Oregon OSHA cited the company for two other serious violations. One stemmed from the company's failure to ensure workers used protective equipment, including goggles, while handling chemicals. The other followed the company's failure to provide an eyewash station.

The company also incurred a citation for not setting up a safety committee for the 15 employees who worked at the gas station.



The safety committee violation should not be taken lightly. After all, an [effective safety committee](#), where workers and managers regularly discuss and address health and safety concerns, serves as an ongoing bulwark against the kind of neglect that leaves workers in the dark about hazardous chemicals.

Sometimes, protecting workers from exposure to chemical hazards depends on different employers talking to each other about precautionary steps they'll take while doing certain tasks.

Failing to carry out this essential piece of hazard communication in a multi-employer setting can undermine the health of people who otherwise expect a normal day at work.

In fact, that's what happened in April of this year in Tillamook, when an employee of Orkin – contracted to the Shilo Inn – was spraying pesticides in two of the hotel's rooms to eliminate bed bugs.

The Orkin employee opened windows during the application, but left entry doors of the treated rooms ajar. The mishap exposed hotel employees, who were working in the hallway, to chemical vapors. Four hotel employees were rushed to the hospital, where they were treated and released. One of them lost consciousness. All of them, to some degree, experienced headaches, nausea, and vomiting. Many other employees suffered headaches, but didn't require medical care.

The incident, reported by way of the [Oregon Emergency Response System](#), prompted an inspection by Oregon OSHA, which worked the case in cooperation with fellow members of the [Pesticide Analytical and Response Center](#).

The upshot of Oregon OSHA's findings and citation: Orkin's methods of notifying another employer of measures to protect workers were ineffective, because hotel employees' access to the hallway hadn't been restricted during the pesticide application. ●



Earlier this year, employees of the Shilo Inn in Tillamook were exposed to chemical vapors during a pesticide application by Orkin. An Orkin employee had opened windows during the application, but left entry doors of the treated rooms ajar. Oregon OSHA cited Orkin for a lack of hazard communication. Hotel employees' access to the hallway should have been restricted during the spraying of pesticides.

Advice, training, other help

The enforcement cases offer examples of the human costs of overlooking hazard communication rules. What's more, they highlight how Oregon OSHA holds employers accountable for letting things slide.

All of which is avoidable when employers pay attention, put hazard communication into practice, and focus on prevention.

Oregon OSHA can help.

Our [A-to-Z topic page](#) about hazard communication includes not only our guide on the subject, but also checklists, fact sheets, and safety data sheet and label guidelines.

Head to our online training courses, and you will find programs on [hazard communication](#) and [labels and safety data sheets](#).

[Technical experts](#) and on-site, no-cost [consultation services](#) are available, too.

Those resources, and more, aren't hard to find. For the sake of a solid hazard communication program – and the health and safety of your employees – you just have to be willing to use them.



Construction Corner: What you should know about safety monitoring for roofing work

By Ellis Brasch

Oregon OSHA's [Division 3, Subdivision M](#), construction rules set the requirements for the types of fall protection systems that can be used to protect employees who are working at heights. Most workers can be protected with conventional fall protection systems such as guardrails, safety nets, and personal fall arrest systems. Other fall protection systems, however, have a specific purpose and can be used only in certain situations.

Safety monitoring for roofing work is one of those systems. The system requires a safety monitor and can be used only when employees are doing roofing work. *Roofing work* means hoisting, storing, applying, and removing roofing materials and equipment. Roofing work includes work on insulation, sheet metal, and vapor barriers, but does not include construction of the roof deck or the leading edge.

What is a safety monitor?

The safety monitor system uses a person (the safety monitor), rather than a mechanical system to warn roofers when they are six feet or more above a lower level and in danger of falling. The safety monitor, who must be a *competent person*, is responsible for recognizing fall hazards and warning workers about them. Many of Oregon OSHA's construction rules require competent persons to evaluate hazardous conditions and mechanical systems, inspect equipment, and train others to work safely.

The safety monitor's responsibilities for roofing work include:

- Recognizing fall hazards
- Warning roofers when they are unaware of fall hazards or are not working safely
- Staying on the same walking-working surface as the roofers to watch them and to communicate with them while they are working
- Avoiding any other work or distracting activity while watching the roofers

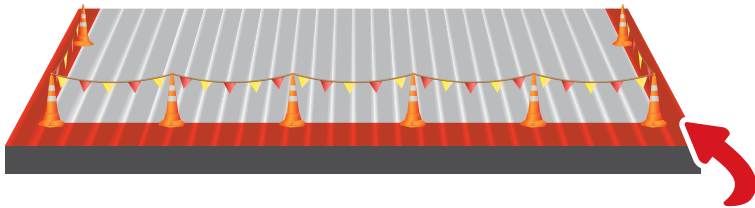


Only employees who are doing roofing work are permitted in the area controlled by the safety monitor. Mechanical equipment must not be used or stored in the area while the work is under way.

Roof slopes are limited to 2:12 and warning lines are required for roofs wider than 50 feet.

Safety monitoring systems for roofing work can be used only to protect employees who do roofing work on roofs that have slopes no greater than 2:12.

Safety monitoring on roofs wider than 50 feet is not permitted *unless* a warning-line system is also installed to keep employees from coming too close to an unprotected roof edge. (See [Appendix A](#) for guidelines on determining roof widths.)



Employees who do roofing work **between the warning line and the roof edge** must be protected by a safety monitoring system – or a personal fall arrest system, personal fall restraint system, guardrail system, or safety net system. (When a safety monitoring system is used, the safety monitor must be able to see and communicate with all employees who are working between the warning line and the roof edge.)



Training is required

Training is required for all workers exposed to fall hazards. Employees must be trained by a competent person before they begin tasks that could expose them to fall hazards or before they use fall protection systems. They must be retrained when they don't recognize fall hazards, when they don't follow safe practices for using fall protection systems, and when changes in the workplace or in the fall protection systems make their previous training incomplete. Keep a record of each employee's fall protection training. Include the employee's name, the training date, and the trainer's name.

For more information

- **Safety monitoring systems:** See [437-003-2502 Safety monitoring systems](#).
- **Guidelines for determining roof widths:** See Appendix A, [Determining Roof Widths: Non-mandatory guidelines for complying with 437-003-2502\(2\)](#).
- **Employee training:** See [437-003-0503, Training requirements](#). ●



Question

I manage several multi-story office buildings in Oregon. I understand there are new anchorage requirements for rope descent and rope access systems that took effect on Dec. 1, 2018. What should I know about the requirements and where can I find them?

Ask Technical

There are two requirements for permanent anchorages on buildings that took effect on Dec 1. One of the requirements affects building owners and managers, such as yourself. The other requirement affects employers.

Requirement for building owners and managers:

"Before any rope descent or rope access system is used, the building owner must inform the employer, in writing, that the building owner has identified, tested, certified, and maintained each permanent anchorage so it is capable of supporting at least 5,000 pounds, in any direction, for each employee attached. The information must be based on an annual inspection by a qualified person and a certification of each anchorage by a qualified person, as necessary, and at least every 10 years" 437-002-2027 (4)(a)(A).

Requirement for employers:

"The employer must ensure that no employee uses any permanent anchorage before the employer has obtained written information from the building owner that each anchorage meets the requirements of 437-002-2027(4)(a) (A). The employer must keep the information for the duration of the job." 437-002-2027(4)(a)(B).

You will find these requirements in Oregon OSHA's [Walking-Working Surfaces](#) rules. See [437-002-2027, Rope Descent & Rope Access Systems](#).

Keep in mind: A qualified person is someone who has the knowledge, training, and experience to supervise the design, installation, and use of personal fall-arrest anchorages. The qualified person must be able to determine and certify that each permanent anchorage is capable of supporting at least 5,000 pounds, in any direction, for each employee attached. ●

Short take

Cintas Corporation – Location #172 achieves VPP Star status

Cintas Corporation – Location #172 in Eugene has become Oregon's 21st [Voluntary Protection Program](#) (VPP) Star site.

Oregon OSHA's VPP encourages companies to effectively protect workers by going well beyond minimum safety requirements. To be considered for VPP recognition, a company's safety and health management system must excel in all areas, including management leadership, employee involvement, worksite analysis, hazard prevention and control, and safety and health training.

That is exactly what Cintas has demonstrated at its location in Eugene, according to a VPP evaluation of the site. The evaluation team found a "deeply ingrained safety culture" that flows through "employee and management interactions to a level that is not commonly seen, even among VPP sites."

The Cintas site in Eugene applied for VPP earlier this year and received the evaluation in April. It became a VPP facility in July. Headquartered in Cincinnati, Ohio, Cintas provides corporate identity uniforms and related business services. It also offers first aid and safety services. It operates more than 400 facilities in North America.

Cintas currently has 94 VPP sites nationwide.

The benefits of becoming a VPP company include up to 80 percent fewer work-day injuries than expected of an average site of the same size and industry; reduced workers' compensation costs; improved employee motivation to work safely; and recognition in the community.

For more information, contact Mark Hurliman, Oregon OSHA VPP/SHARP program manager, 541-776-6016 or mark.e.hurliman@oregon.gov. ●

Supervisors and employees of Cintas Corporation's Location #172 in Eugene gathered in October to celebrate becoming a VPP Star site.



The team at Cintas Corporation's Location #172 in Eugene displays the VPP Star site flag. Several employees also were recognized for their extraordinary efforts, and the site itself was awarded with the Cintas Brass Ring, the company's highest internal award.

Short take

Young worker video contest opens to Oregon high school students

High school students across Oregon are invited to let their video skills shine for a good cause: increasing awareness about workplace safety for young workers.

The annual “Speak up. Work safe.” video contest is now open for submissions. The top three entries will take home cash prizes ranging from \$300 to \$500, and students will earn a matching amount for their school.

Students must create a 90-second or less video that inspires young workers to do at least one thing differently to stay safe on the job. The video must include the theme: “Speak up. Work safe.” Participants are encouraged to develop a key message or slogan, use humor, and get creative while emphasizing ways to protect themselves – and their co-workers – from getting hurt on the job.

Submissions will be judged on certain criteria, including:

- An original health and safety message that appeals to teen workers and safety educators
- Overall production value (video/audio quality, acting, and editing)
- “Speak up. Work safe.” theme is used effectively

The deadline for submissions is Friday, Feb. 1, 2019. Videos can be submitted online or mailed.

Contest winners will be unveiled at a screening event in spring 2019, and winning entries will be posted on YouTube.

For contest information, including rules, tips, entry forms, workplace safety and young worker resources, and a playlist of past finalist videos, go to youngemployeesafety.org/contest.

The Oregon Young Employee Safety Coalition (O[yes]) organizes the contest. The sponsors are Oregon OSHA, SAIF Corporation, local Oregon chapters of the American Society of Safety Engineers, the Oregon Institute of Occupational Health Sciences at OHSU, the SHARP Alliance, the Central Oregon Safety & Health Association, the SafeBuild Alliance, Hoffman Construction, and Construction Safety Summit. ●

O[yes] Oregon
young employee
safety

You could be **90 seconds**
away from **\$500**





Short take

Eight tips for safe winter driving in Oregon

Winter does not officially begin until Dec. 21, but by then, the winter driving season will be in full swing in Oregon's mountain passes and east of the Cascades, where snow, ice, and cold temperatures are common. Although western Oregon is usually spared those events, under the right conditions, a winter storm can leave the entire state under a blanket of snow and ice. Here are eight tips to keep in mind when you are driving in Oregon this winter.

1. Know before you go with TripCheck

Stay informed about current road conditions with [TripCheck](#), the Oregon Department of Transportation's travel information website. Interactive maps pinpoint traffic delays, construction activity, and traffic incidents. Also, more than 400 cameras at key locations throughout Oregon, southern Washington, and northern California show you road conditions in real time.

2. Drive carefully with studded tires

Studded tires are permitted in Oregon from Nov. 1 to March 31. Driving with studded tires before Nov. 1 or after March 31 is a Class C violation and carries a fine of nearly \$200. Studded tires provide more traction than all-weather tires on icy roads, but are less effective than traction tires without studs in most other winter conditions. Road damage from studded tires costs Oregonians \$8.5 million a year.



3. Pay attention to Snow Zone signs

On Oregon roads at higher elevations, you may see [Snow Zone](#) signs telling you when you must use chains or traction tires. Traction tires may be used instead of chains on vehicles rated at 10,000 pounds gross vehicle weight or less and that are not towing or being towed. In extreme winter conditions, all vehicles may be required to use chains, regardless of the type of vehicle or type of tire being used.

4. Slow down in snow and icy conditions

- Slow down! It's the most effective way to avoid crashing on slick, snowy roads. Brake gently to avoid skidding or sliding.
- Make sure your vehicle has clean headlights, good brakes, working windshield wipers, and tires with sufficient tread.
- Be cautious on bridges and overpasses. They are the first to freeze and the last to thaw because they are built of concrete, which does not retain as much heat as other materials.
- Be alert for "black ice" at night and early in the morning, when temperatures are typically their lowest. Black ice – actually a thin layer of transparent ice – usually melts quickly in sunlight, but it can last much longer on shaded road surfaces.
- If you carry chains in your vehicle, know how to put them on and take them off.
- Never drive in potentially icy conditions with your cruise control active.

5. Slow down in fog and low-visibility conditions

- Slow down so that you can react to the changes in visibility.
- Never drive in low-visibility conditions with your cruise control active.
- Use your low-beam headlights for maximum visibility and keep them clean.

6. Don't blindly follow your GPS

Remember that the recommended route shown on your GPS device from point A to point B may also become impassible during the winter. Use [TripCheck](#) before you go to get the latest information on road conditions. Don't attempt detours onto unfamiliar roads.

7. Stop when signal lights are flashing or out

If you approach an intersection when the signal lights are flashing or out, treat the intersection as an all-way stop: Come to a full stop. Look both ways for other traffic and pedestrians. Once it is safe, drive cautiously through the intersection.

8. Report road hazards to ODOT

Call the nearest Oregon Department of Transportation dispatch center to report road hazards such as fallen trees and downed power lines.

- Portland metro and Hood River area: 503-283-5859
- Mid-Willamette Valley and north coast: 503-362-0457
- Southern Willamette Valley and south coast: 541-858-3103
- Central and eastern Oregon: 541-383-0121 ●

Short take

Communication and coordination for staffing agencies and host employers

An increasing number of workers are assigned by staffing agencies to work under the direction and control of a host employer. Examples include seasonal workers, such as delivery drivers and warehouse workers, who may be placed in both short- and long-term assignments. In these situations, it is important for the staffing agency and the host employer to work together to provide and maintain a safe work environment for their workers.

- A staffing agency is a firm that provides temporary workers to host employers. A staffing agency hires its own employees and assigns them to support or supplement a host employer's workforce in situations involving employee absences, temporary skill shortages, seasonal workloads, and special projects.
- A host employer has general supervisory authority over the worksite, including controlling the means and manner of work performed and having the power to correct safety and health hazards or require others to correct them.

Before coming on site, staffing agencies and their workers must be aware of:

- The types of hazards that may be present
- The procedures or measures they need to use to avoid or control their exposure to these hazards
- How to contact the host employer to report an injury, illness, or incident or if they have a safety concern

Host employers and their workers must understand:

- The types of hazards that may arise from the work being done at the site
- The procedures or measures needed to eliminate or control exposure to the hazards
- How to contact the staffing agency if they have a safety concern
- What to do in an emergency ●



Short take

Pesticide drift protections take effect Jan. 1

Oregon OSHA has [adopted rules](#) that increase protections against the risk of pesticides drifting off their mark when spraying occurs outdoors. The rules, which exceed federal requirements, take effect Jan. 1, 2019.

The rules expand a protective zone; extend the evacuation period; require doors, windows, and air intakes to be closed during pesticide applications; and require storage for shoes and boots to prevent tracking of pesticides into worker housing.

Pesticide drift outside a treated area is already illegal. However, Oregon OSHA's rules further address the risk by adding safeguards for workers and their families who rely on farm housing. The rules are part of a [broader and ongoing effort](#) to reduce incidents of unsafe pesticide exposure among agricultural workers and pesticide handlers.

At issue is the U.S. Environmental Protection Agency's Application Exclusion Zone (AEZ). The zone is adjacent to – but outside of – the pesticide-treated area. It provides an added level of protection beyond the safeguards enforced with respect to the treated area itself. The AEZ surrounds and moves with spray equipment and must be free of all people other than appropriately trained and equipped pesticide handlers.

The EPA's rule was designed for workers in the field. It did not account for the interaction of the AEZ with worker housing and other agricultural structures. It also allows people to return to the zone immediately after the spray equipment has passed by.

By contrast, Oregon OSHA's rules [exceed those of the EPA in several ways](#). Oregon OSHA offers [technical experts](#) to help understand rules, as well as on-site, no-cost [consultation services](#). Our online A-to-Z topic page includes information about the [Worker Protection Standard](#), of which the AEZ is a part.



Safety Notes

Incident Report

Incident: Burn

Industry: Gas station with convenience store

Worker: Food service clerk

What happened?

A food service worker severely burned his feet and ankles when he stepped into two fry pots filled with hot oil while he was cleaning an exhaust hood.

How did it happen?

The food service worker was working the restaurant food counter and nearing the end of his shift, but he still had to clean the exhaust hood above two deep fryers.

He turned off one fry pot, but kept the other one on in case an order came in before the restaurant closed. Then, he put a lid over each pot and got his cleaning supplies. He used a step stool to gain access to the exhaust hood, but it was not adequate because he was shorter than the other employees who used it to clean the exhaust hood. So, he climbed off the top of the step stool and onto the surface of the deep fryers.

His co-workers told him not to stand on the fryers, but he said it was OK because he had done it that way before. When they said it was not safe, he pretended to slip. Then, just moments later, he did slip. Trying to regain his balance, he knocked the lids off both fry pots and each foot slipped into the hot oil. With both feet fully immersed, he fell backwards to the floor.

The manager on duty, who walked into the restaurant just as the employee fell to the floor, ran over to help and was joined by two other food service workers.

The dazed food service worker was sitting up with his back to the deep fryers and said, "I'm OK, I don't need you to call 911. I can go back to work." The manager called 911 anyway and moved the injured food service worker to the office to assess his injuries.

Emergency responders arrived and stabilized him for transport to the nearest medical center, where he was later transferred with second- and third-degree burns on his feet and ankles to a hospital burn center in another state. The worst burns required skin grafts.



The deep fryers. The cover is up on the left-side fryer. Exhaust hood is above. Note that the fryers are mounted on roller casters that allow the units to be rolled away from the wall.

Findings

- The injured food service worker had been working for the company for three years. As a new employee, he received basic safety awareness training, information on company policies and procedures, and training on topics such as back safety; fire safety; ladder safety; and slips, trips, and falls.
- When asked to describe the training provided for cleaning the exhaust hood above the deep fryers, he said, "There was none. I had to figure it out for myself. ... I have seen taller employees stand on the step stool and clean it but I can't reach the hood that way, so I had to stand on top of the deep fryer."
- When asked if he was aware of other employees who cleaned the exhaust hood the same way, he said, "Yes there have been two or three other employees doing it my way."
- Another food service worker said, "I did not get any training (either), I was just told to clean it. I did not want to get burned, so I turned off the fryers and let them cool; then, I rolled the fryers out of the way, got the six-foot step ladder and set it where the fryers were. This way I was right under the exhaust hood and could reach it all."
- When asked to provide written procedures or describe the proper procedure to clean the exhaust hood, the restaurant manager said, "We don't have a procedure for that." ●

Violation

"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."

Rules for all workplaces, 437-001-0760(1)(a).

Going the Distance

Company:

Georgia-Pacific, Philomath

Environmental, health, and safety manager:

Julie Stout

Operations/facilities/workforce:

The Philomath sawmill has specialized equipment that allows the manufacturing of a wide array of products, from dimension lumber to timbers up to 24 feet in both Douglas-fir and Hem-fir.

Responsibilities/hazards addressed:

The focus of safety management at Georgia-Pacific is critical hazards, events that are unlikely to happen, but if they did, could be catastrophic. Such hazards include mobile equipment/pedestrian interface, fires and explosions, falls from elevated heights, and contact with uncontrolled and unguarded energy sources. Using the hierarchy of controls, we work to reduce the risk as low as reasonably practical.

Julie Stout, pictured here during a quarterly walkthrough with the safety committee, said she takes "every opportunity to acknowledge and thank employees for their safe decision making and hard work."



The Philomath facility has been a Voluntary Protection Program Star site since 2001. You received the 2017 Region X Special Government Employee of the Year Award. The award recognized your work as a member of the **Special Government Employee program**, which allows private-sector employees to work with federal OSHA during site evaluations conducted under VPP. In turn, such employees volunteer to serve on OSHA VPP teams.

What are two or three of the most important things you've learned through your experience with VPP that you'd most want to pass on to others?

One of the most important and valuable things I have learned through my experience with VPP is the quest for continual improvement. This aligns perfectly with Georgia-Pacific's guiding principles of transformation. We have heard from many great leaders that "what you are doing today won't be good enough for tomorrow." The annual self-assessment evaluates every element of our safety programs. This self-assessment requires intellectual honesty and the critical thinking skills to create value for the long-term. It's an ongoing process of evaluating what can we do better, setting goals to make the programs truly effective.

My favorite part of participating in OSHA VPP audits is evaluating the safety culture of other VPP Star Sites. I like spending time with the employees in their workplace learning how they manage change, how they engage in challenges, how they take what they have learned from mistakes, how they build trust and respect in their culture, and how they keep their employees engaged. I always come out of VPP audits with fresh ideas.



Stout received the 2017 Region X Special Government Employee of the Year Award. At left is Mark E. Hurliman, VPP/SHARP program coordinator for Oregon OSHA, who received the 2017 Region X Chairperson Award. Stout's award recognized her work as a member of the Special Government Employee program, which allows private-sector employees to work with federal OSHA during site evaluations conducted under VPP. In turn, such employees volunteer to serve on OSHA VPP teams.



Stout is the environmental, health, and safety manager for Georgia-Pacific in Philomath.

When it comes to your line of work, how do you measure success?

In the safety world, I measure success through the safe behaviors of my employees. When employees *want* to be safe and honor the controls, I feel like there is success. Success is also building capabilities for our employees to take ownership and pride in their involvement, specifically with our critical hazard compliance system owners. Another measure of success is watching our teammates develop personally with the opportunities OSHA provides, such as presenting at a workshop or a conference. And, finally, success is having systems in place to create a safe working environment with no significant incidents.

What are some things you always do to promote safety where you work, and what are some things you never do?

I *always* take every opportunity to acknowledge and thank employees for their safe decision making and hard work. Reinforcing positive behavior promotes a culture of “That’s how we do it here.” I *never* forget where I started in the company and those teammates who are working production. They have entrusted me and supported me up the leadership ladder for the past 11 years. I work for them. Everything I do is to help them work safe and go home in the same or better condition than when they arrived at work.

What is some advice you’d give to those looking to improve safety and health at their workplace or for others seeking a career in this field?

Training in psychology is helpful in the safety world. Getting into the hearts and minds of teammates and understanding what motivates people is essential. Using the human organizational performance (HOP) approach also helps leaders understand why people make mistakes and to look deeper into how we can set our employees up for success and to fail safely when necessary.

The most successful safety professionals (and other successful leaders) I know have worked “boots on the ground” in the industry. It gives leaders an edge on what the true gaps are, and a better understanding of the processes and knowledge of the procedures. Involving the teammates who work on the floor in developing procedures that are clear and precise creates buy in, which increases the likelihood the procedures will be honored. ●

