Health and Safety

RESOURCE

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Resource

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Oregon OSHA
Department of Consumer and Business Services

Oregon OSHA Administrator

The key to success remains the same

By Michael Wood

I opened one of my earliest Administrator's Messages for the Resource (Winter 2006) with the following:

> I am sometimes asked by business owners and managers, as well as others, what it takes to develop a truly effective safety and health program. The question usually assumes that there is a particular structure, or a particular program, or a particular approach that can be endorsed as the "best" approach to workplace health and safety. But my answer is both a bit simpler and a good deal more challenging: "You."

The successes of the past have not been primarily the result of safety professionals or consultants. Effective change in the workplace requires the commitment of both management and workers. And I remain convinced that, wherever it starts (and it sometimes can start with pressure from workers, or from unions, or from government agencies like Oregon OSHA), a truly successful safety and health program can best be measured by the level of personal involvement and commitment on the part of top leadership.

As I prepare to leave Oregon OSHA after 16 years to begin new challenges in Washington state, I realize that my answer to that question hasn't changed much. I suppose that could just mean that I'm a slow learner. But, I prefer to believe that it is because, on this point at least, I had it right back then.

My time at Oregon OSHA has been a great ride. I have been privileged to work with – and learn from – some of the best and most committed safety and health professionals in the business. Many of them were part of the Oregon OSHA team, while others worked for one of our many partners in making workplace health and safety a reality in Oregon. I will miss so many people as I leave this job that I don't know where to begin. And I take with me a wide range of lessons learned – about workplace safety, about communications, about leadership, and about public service. And, of course, I know quite a bit more about communicable disease prevention than I did 16 years ago – or even two years ago!

I have learned from the mistakes we've made, and the mistakes we've uncovered in fatality and accident investigations. I have learned from years of stakeholder discussions about the challenges faced by employers, and about the risks and barriers faced by workers. I doubt that there has been a single working day in the past 16 years when I have not gained at least one useful insight about how we can reduce the hazards that can cause serious injury, illness, and death.

Of course, I also know that the job is not done. Too many people are hurt, become ill, or are killed in Oregon workplaces. The work will continue, both at Oregon OSHA and in workplaces all over the state. In a week or two, folks will have moved on and, in a year or two, few of you will remember "the former administrator." And that's as it should be, because you all have jobs to do.

As I wrote all those years ago, there are good, worthwhile programs out there. And it does make sense to pay attention to fundamentals such as job hazard analysis and respect for the hierarchy of controls. There are certainly techniques that work better than others. But I'll stick with my original answer – the most important ingredient of workplace health and safety is still you!

Don't miss.....

Education:

Workshop classes will be held virtually until further notice.

A minimum of five registrants is needed to hold a virtual workshop.

Registered participants will receive an email if a cancellation is necessary.

Register and attend

Using the secure online registration portal, you can find classes. The workshop schedule changes every three months.

For more information, visit the classroom workshops page.

Find more information about education resources by visiting Oregon OSHA's education and training page.

Due to the effects of COVID-19, Oregon OSHA and its conference partners have made changes to the event schedule. Mark your calendar for these workplace safety and health conferences:

Mid-Oregon Construction Safety Summit
Jan. 24 & 25, 2022 • Bend

Cascade Occupational Safety & Health Conference
March 7 & 8, 2022 • Eugene

Northwest Safety & Health Summit by Region X VPPPA
May 10-12, 2022 • Boise, Idaho

Blue Mountain Occupational Safety & Health Conference
June 6 & 7, 2022 • Pendleton

Central Oregon Occupational Safety & Health Conference
Sept. 19 & 20, 2022 • Bend

Southern Oregon Occupational Safety & Health Conference
October 2022

Western Pulp, Paper, and Forest Products Safety & Health Conference
Nov. 29-Dec. 2, 2022 • Portland

Oregon GOSH Conference
March 6-9, 2023 • Portland

To receive conference registration materials, exhibitor information, or sponsorship information, contact the Conference Section:
oregon.conferences@oregon.gov | **503-947-7411** | osha.oregon.gov/conferences

Did you know?

Oregon OSHA offers free online training to help employers protect their workers from the hazards of confined spaces.

The confined spaces online course covers a variety of topics. It defines confined and permit-required confined spaces. It shows how to identify confined-space hazards. And it walks viewers through everything from signs for permit-required confined spaces and options for entering a permit-required confined space to written program and permits, permit-required entry procedures, and training and equipment.

For more information about confined spaces – including brochures, fact sheets, and Oregon OSHA requirements – visit the division's A-to-Z topic index page.

Quotable

"The danger which is least expected soonest comes to us."

– Voltaire
French Enlightenment writer, historian, and philosopher

Datapoints

In 2022, Oregon employers, on average, will pay less for workers' compensation coverage. The decline in costs marks nine years of average decreases in the pure premium rate – the base rate insurers use to determine how much employers must pay for medical costs and lost wages.

Oregon OSHA helps keep workers' compensation costs down by advancing workplace safety and health. After all, the least costliest workers' compensation claim is the one that never gets filed because the employer follows the safety standards the division enforces to protect workers.

Also keeping the state's workers' compensation system stable are the Workers' Compensation Division; the Workers' Compensation Board, which resolves disputes over the state's workers' compensation and workplace safety laws; and Injured worker and small business advocacy services.

The numbers tell a positive story:

- Employers, on average, will pay 97 cents per $100 of payroll for workers' compensation costs in 2022, down from $1.02 in 2021. That figure covers workers' compensation claims costs, assessments, and insurer profit and expenses.
- The pure premium rate will drop by an average 5.8 percent. In fact, the pure premium will have declined by 51 percent during the 2013 to 2022 period.
- The decrease in the pure premium of 5.8 percent is an average, so an individual employer may see a larger or smaller decrease, no change, or even an increase, depending on the employer's own industry, claims experience, and payroll. Also, pure premium does not take into account the varying expenses and profit of insurers.
- The premium assessment is a percentage of the workers' compensation insurance premium employers pay. It is added to the premium. It would increase from 9.0 percent this year to 9.8 percent in 2022.
- The premium assessment is affected by the pure premium and the economy. In order to provide stable funding for programs that support Oregon's workers' compensation and worker safety programs, an increase in the assessment is needed to partially counteract a decline in pure premium.
- The Workers' Benefit Fund assessment provides benefit increases to permanently disabled workers and to families of workers who died from a workplace injury or disease. It also supports Oregon's efforts to help injured workers return to work sooner – through incentive programs to employers – and earn their pre-injury wages.
- The fund's revenue comes from a cents-per-hour-worked assessment. The assessment would see no change in 2022, remaining at 2.2 cents per hour worked.
- The decrease in the pure premium will be effective Jan. 1, 2022, but employers will see the changes when they renew their policies in 2022. The assessment changes will be effective Jan. 1, 2022.
- Oregon's workers' compensation premium rates have ranked low nationally for many years. Oregon had the seventh least expensive rates in 2020, according to a nationally recognized biennial study conducted by the Oregon Department of Consumer and Business Services.

Find more information about Oregon workers' compensation costs on the Department of Consumer and Business Services website.

Confined spaces and permit spaces – not just empty places

What are confined spaces and permit spaces and how are they different?

By Ellis Brasch

To understand confined spaces and permit spaces, let's first give a space some context. A space is just an empty place. A confined space is different than a typical space because it has three additional characteristics:

1. A confined space is configured so that a person can fully enter and work. If you can enter the space, but are unable to do a job task there, it is not a confined space.
2. A confined space has a restricted entry and exit, which makes it difficult to escape in an emergency. If you can leave the space without difficulty in an emergency, it is not a confined space.
3. A confined space is not designed for continuous human occupancy. If you can live in the space or spend your workday there, it is not a confined space.

A permit space has all the characteristics of a confined space – and it has, or could have, at least one of these hazards:

- An atmospheric hazard: Air that can cause death, acute illness, or impair the ability of workers to escape.
- An engulfment hazard: Loose material or liquid that could trap or bury a person.
- A configuration hazard: A shape that could trap or asphyxiate a person.
- Another recognized hazard: Appendix B to Oregon OSHA's confined space and permit space rule for general industry and construction work (437-002-0146) lists other recognized hazards that make a confined space a permit space.

Why is it called a permit space? Because – in most cases – you will need to prepare an entry permit that describes necessary entry conditions for the space before your employees enter. More on that in a minute. Let's begin by reviewing the six things you must do to protect your employees if they need to enter a permit space.

1. Evaluate the space

The word "evaluate" means that you must identify all confined spaces at your workplace and determine if they have hazards that make them permit spaces. Appendix A to Oregon OSHA's confined space and permit space rule for general industry and construction work (437-002-0146) helps you identify confined spaces and permit spaces. Do not allow employees to enter a confined space before it has been fully evaluated. If employees will never enter a confined space, it is not necessary to evaluate it.

If your workplace does have a permit space, your employees need to know where it is located and that it is hazardous. You must:

- Identify the space as a permit space. You can use signs, labels, or tags to identify the space.
- Re-evaluate the space when conditions within the space change.
- Prevent unauthorized employees from entering the space.

2. Prepare a written program

Most accidents in permit spaces happen because workers do not recognize and control the hazards before they enter. Before your employees enter a permit space, you must:

- Prepare a written permit space program. Oregon OSHA's confined space and permit space rule (437-002-0146) describes requirements you must follow in developing the program.
- Determine if all atmospheric hazards in the space can be eliminated or controlled with continuous forced air ventilation, and all other hazards – called physical hazards – can be eliminated.

There are only two methods that workers can use to enter a permit space: Alternate entry and permit entry.

What is alternate entry? If all atmospheric hazards in a permit space can be eliminated or controlled with continuous forced air ventilation and all physical hazards can be eliminated before workers enter, then the space is safe to enter – but it is still a permit space and workers must still take precautions. So, before workers enter the space, they must follow alternate entry procedures to ensure that they stay safe. Oregon OSHA's confined space and permit space rule for general industry and construction work (437-002-0146) describes requirements for alternate entry procedures.

What is permit entry? If all atmospheric hazards in a permit space cannot be eliminated or controlled with continuous forced-air ventilation and all physical hazards cannot be eliminated before workers enter, the space is not a safe place. So, before any worker enters, you will need to prepare an entry permit. The entry permit describes the acceptable entry conditions for the space and verifies that the space is safe to enter. Oregon OSHA's confined space and permit space rule for general industry and construction work (437-002-0146) describes what must be included in the entry permit and what procedure you must use to issue the permit; Appendix C has an example of an entry permit.

No one can enter a permit space under permit entry until a completed entry permit verifies that the hazards in the space have been eliminated or controlled. Before your employees enter, an entry supervisor must also sign the permit and post it on the space where employees can see it. After work is done, the entry supervisor must cancel the entry permit and keep it for at least one year. You will need to review the permit during that time to ensure that the information is current and will protect employees if they need to enter the space again.

3. Have the necessary equipment available

Your employees must have the equipment necessary to safely enter and work in a permit

space. The equipment must be available to the employees at no cost and must be used in accordance with the instructions from the manufacturer, and your employees must be trained to use the equipment properly.

4. Designate employees' duties and responsibilities

Working in a permit space involves entrants, attendants, and entry supervisors. Before anyone enters a permit space, you must designate who has each of these duties. Entrants are the employees you allow to enter a permit space. Attendants monitor the entrants' activities from outside the space. The entry supervisor ensures that attendants and entrants follow entry procedures.

5. Prepare for emergencies

Before you authorize employees to enter a permit space, you must ensure that trained emergency responders will be available if an entrant needs help. Responders must be able to reach the site promptly and know how to deal with the emergency. You can use an on-site rescue team or a third-party rescue service if the responder meets your needs in an emergency. Third-party rescue services must agree, in writing, to provide the service. Appendix D to Oregon OSHA's confined space and permit space rule (437-002-0146) can help you choose an appropriate rescue service and evaluate your own rescue team if your rescue is done "in-house."

6. Make sure your employees are trained

All employees involved in permit space activities must be trained to perform their duties. Document each employee's training, including the employee's name, the trainer's signature, the training date, and the employee's responsibilities.

Employees who work around permit spaces, but do not have responsibilities associated with those spaces, must have awareness training. Awareness training gives these employees a basic overview of the permit space program, the permit system, and alternate entry procedures. It is not necessary to document awareness training.

Oregon OSHA proposes rule updates to maintain protections for workers against COVID-19

By Aaron Corvin

Current protections for all Oregon workers against COVID-19 – including masking provisions renewed in response to the highly-infectious delta variant – would remain in place under a rule proposal by the Oregon Occupational Safety and Health Division (Oregon OSHA).

The proposal does not involve new or substantive changes to the division's existing rule addressing COVID-19 risks in Oregon workplaces. Instead, it formalizes updates to the rule the division has already made since the surge in infections from the delta variant that resulted in a record number of Oregonians hospitalized with COVID-19 in August and September.

Those updates reflect, in part, protective measures that were reinstated by the Oregon Health Authority's (OHA) adoption of statewide masking measures for indoor and outdoor spaces, as well as masking requirements for schools. Under state law, Oregon OSHA has the authority to enforce rules adopted by other state agencies for the health and safety of workers.

Oregon OSHA's rule proposal will undergo a series of virtual public hearings in early November. Adoption of any changes are anticipated in December.

As it has previously stated, Oregon OSHA intends to repeal the entire rule once it is no longer necessary to address the COVID-19 pandemic in Oregon workplaces. Discussions continue with the Oregon OSHA Partnership Committee, OHA, two infectious disease rulemaking advisory committees, and other stakeholders to determine when all of additional parts of the rule can be repealed.

The updates that would be maintained under the rule proposal include:

- Employers with workers operating in indoor or outdoor workspaces must implement the masking requirements adopted by OHA.
- Employers must ensure the provisions of OHA's masking requirements in schools and other employee protections imposed by OHA or the Oregon Department of Education are followed in public and private K-12 schools.
- The physical distancing requirements of Oregon OSHA's workplace COVID-19 rule are no longer in effect outside of health care and transit settings.
- Except for health care settings, Oregon OSHA no longer requires employers to regularly clean or sanitize common areas, shared equipment, and high-touch surfaces. Other sanitation measures in the division's rule remain in effect for all workplaces.
- To ensure Oregon OSHA's rule is at least as effective as federal OSHA's COVID-19 emergency temporary standard, employers in the health care sector must provide workers engaged in direct patient care, or in direct support of such care, financial relief when such workers cannot work because of quarantine or isolation for COVID-19.

Oregon OSHA encourages a careful reading of the rule proposal. Virtual public hearings will be held at 5 p.m. Tuesday, Nov. 2, and Wednesday, Nov. 3; 10 a.m. Friday, Nov. 5; and 5 p.m. Monday, Nov. 8. Details about how to sign up for the hearings, a summary of the rule proposal, and options for commenting on it are now available.

The comment period will close Friday, Nov. 12.

Meanwhile, Oregon OSHA is also proposing updates to a COVID-19 rule that applies to employer-provided housing for workers. Details about how to sign up for the rule proposal's virtual public hearings, a summary of the rule proposal, and options for commenting on it by the Nov. 29 deadline are now available.

Learn more about Oregon OSHA's workplace guidance and resources related to COVID-19.

Learn more about the division's adopted rules, proposed rules, advisory committees, and related information.

Ask OSHA

Oregon OSHA

Department of Consumer and Business Services

Access to electronic safety data sheets

Q: Oregon OSHA's Hazard Communication rule for general industry (1910.1200, Hazard Communication) says that employees must have immediate access to safety data sheets in their work areas, but does not specify how employees can access them. Would my company be compliant if we allowed employees to do an Internet search to access safety data sheets for our hazardous chemicals?

A: Your employees can search the Internet to access safety data sheets for the hazardous chemicals at your workplace; however, an Internet search cannot be the only way they access that information.

There are free apps available for Android and iPhone that allow your employees to view safety data sheets for hazardous chemicals they use that meet the "immediate access" requirement of 1910.1200. You can also make electronic safety data sheets available to your employees from your company's website or you can contract with an electronic safety data sheet provider. Remember: The electronic safety data sheets must be manufacturer-specific versions that correspond to the actual chemical products in use at your workplace. You must also ensure that:

- Your employees have unrestricted access to the safety data sheets during their work shifts
- You can print paper copies of the safety data sheets upon request
- There is a backup procedure or system in place so that employees can access the safety data sheets when electronic access is not available
- Your employees are trained how to access the safety data sheets electronically and with the backup procedure

Short take

Oregon OSHA adopts new rules to protect workers from overexposure to manganese

By Ellis Brasch

The key change lowers the permissible exposure limit for manganese compounds and fume from 5.0 milligrams per cubic meter (mg/m3) to 0.1 mg/m3.

Health experts have long known about the effects of work-related overexposure to manganese compounds and fume. Early evidence dates to 1837 when a British scientist noticed weakness, lethargy, paralysis, tremors, and speech and psychological disturbances in Scottish workers who had the unfortunate task of grinding manganese. The cause was manganese poisoning, a toxic condition caused by excessive, long-term ingestion or inhalation of manganese.

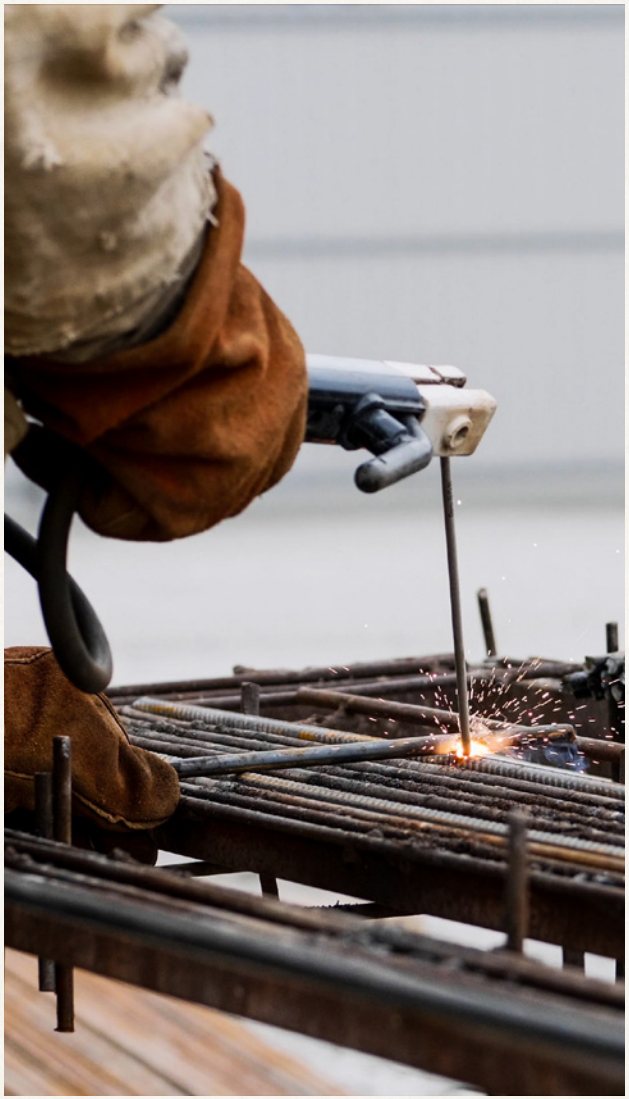
A permissible exposure limit (PEL) is usually expressed as the maximum quantity of an air contaminant that a worker can be exposed to, averaged over an eight-hour workday. The National Institute of Occupational Safety and Health (NIOSH) and the American Conference of Governmental Industrial Hygienists (ACGIH) have both recommended more protective PELs for manganese than federal OSHA's current "Ceiling Limit," which sets the maximum exposure level a 5.0 mg/m3 during any part of a work shift.

Oregon workers most likely to be exposed to manganese are those who do welding and other hot-work tasks. Manganese is often found in welding rods and filler metals; when a welding arc contacts the manganese, the metal heats and reacts with the oxygen in the air, creating manganese oxide fumes, which can be inhaled by a welder.

The new PEL for manganese appears in Oregon Table Z-1 of Oregon Rules for Air Contaminants (437-002-0382, General Industry; 437-003-1000, Construction; and 437-004-9000, Agriculture). Oregon OSHA also adopted three new related rules that supplement the requirements in Oregon OSHA's Subdivision 2/Q, Welding, Cutting, and Brazing rules. They are:

- 437-002-0279, Additional Oregon Confined Space Requirements. Sets additional requirements for performing welding operations in a confined space.
- 437-002-0281, Manganese. Includes "Table OR Q-2 for Manganese" that sets the levels of respiratory protection necessary to prevent overexposure to manganese.
- 437-002-0299, Definitions. Includes new definitions for terms used in Subdivision 2/Q.

The new PEL for manganese and the new adopted rules become effective Sept. 1, 2022.



Short take

Oregon OSHA and Oregon Farm Bureau to provide virtual pesticide training workshops in December and February

By Ellis Brasch

Oregon OSHA and the Oregon Farm Bureau Health and Safety Committee are providing virtual training workshops for Oregon Farm Bureau members and nonmembers on Tuesday, Dec. 7, 2021, and Thursday, Feb. 24, 2022. Both workshops are from 8 a.m. to noon.

Each workshop provides four CORE recertification credit hours for pesticide handlers and applicators. Don't forget: If you have an Oregon Private Pesticide Applicator license or a Pesticide Apprentice license, you must take four CORE recertification credit hours before you renew your license. Those who have an Oregon Commercial Pesticide Applicator, Public Pesticide Applicator, or a Pesticide Consultant license are also encouraged to attend one of the workshops and are eligible to receive four CORE recertification credits.

The virtual training is $20 for current voting or supporting Oregon Farm Bureau members (membership will be verified) and $60 for nonmembers. Each participant must register individually; only credit cards are accepted. You can register here for the December and February workshops.

Visit the Oregon Farm Bureau website to join or to renew your Oregon Farm Bureau membership. When you join the Oregon Farm Bureau, you will have access to many money-saving member benefits, including this training. Your membership also helps keep Oregon's agriculture viable, vital, and sustainable.

Short take

Interim leaders selected as Oregon OSHA administrator leaves for Washington

By Aaron Corvin

Oregon OSHA Administrator Michael Wood left his post this month to take a job with the State of Washington.

Julie Love
Interim Administrator

Renée Stapleton
Interim Deputy Administrator

Julie Love, Oregon OSHA's deputy administrator, will serve as interim administrator. Renée Stapleton, the division's policy manager, will be the interim deputy administrator. A national recruitment for Oregon OSHA administrator is planned.

Oregon has made its workplace health and safety system a success for decades. "We have demonstrated a resilience and flexibility in the face of these extraordinary times," said Wood, a Certified Safety Professional and a graduate of Gonzaga University. "I also know that I leave behind a team that is truly capable of extraordinary work."

Wood accepted a position as deputy director of operations for the Washington State Office of the Insurance Commissioner. He served as administrator of Oregon OSHA for 16 years. Before joining the State of Oregon in that position, he worked for the Washington State Department of Labor and Industries for more than two decades.

Even as it has quickly responded to the COVID-19 emergency – including adopting requirements to protect workers – Oregon OSHA has continued to advance its long-running work addressing high-hazard industries and various emphasis safety programs. For decades, the division's efforts – part of a larger system in Oregon focused on safe and healthy workplaces – have helped drive down injury, illness, and fatality rates in Oregon workplaces.

"Michael has dedicated his career to public service, has skillfully steered Oregon OSHA through many challenges, and is leaving behind a strong team of highly skilled professionals who are ready to address new challenges," said Andrew Stolfi, director of the Oregon Department of Consumer and Business Services, of which Oregon OSHA is a division. "We will miss him and wish him well as he moves into a new phase of his impressive career in public service."

> *"Michael has dedicated his career to public service, has skillfully steered Oregon OSHA through many challenges, and is leaving behind a strong team of highly skilled professionals who are ready to address new challenges."*
>
> – **Andrew Stolfi**
> *Director of the Oregon Department of Consumer and Business Services*

We're here to help

In addition to its enforcement program, Oregon OSHA offers employers and workers free resources to help make their workplaces safer.

Those resources include consultation services, technical experts, education and online training, workers' rights to a safe workplace, and an A-to-Z topic index encompassing a variety of fact sheets, publications, and guides.

Short take

Oregon OSHA, FACE agree to advance effort to boost workplace safety

By Aaron Corvin

Oregon OSHA and the Oregon Fatality Assessment and Control Evaluation Program (FACE) have signed an agreement to continue working together – including sharing information – to help prevent on-the-job fatalities.

The agreement promotes collaboration between Oregon OSHA and FACE to support the quality and quantity of FACE fatality investigation reports and related fatality prevention outreach in Oregon.

Signed on Oct. 22, the agreement calls on Oregon OSHA and FACE to cooperate in many ways, including:

- Oregon OSHA fatality investigators will provide all employers, at the opening or closing of an investigation, an informational pamphlet on the FACE research and investigation program
- FACE researchers will participate as silent observers for selected OSHA fatality investigations
- Oregon OSHA fatality investigators may nominate compelling, recently closed investigation cases for follow-up and further investigation by FACE
- FACE may conduct investigation activities independent of Oregon OSHA processes

In addition to sharing information, Oregon OSHA and FACE will work together to produce and distribute comprehensive outreach and educational materials. Meanwhile, FACE's priorities through 2026 include the following:

- Any fatal injury within the Portland metro area (broadly defined) and surrounding communities, including Salem.
- Falls in construction.
- Workers involved in mobile machinery events.
- Temporary and/or contingent workers.
- Young workers (25 years and under) and workers new to the job (within the first year at the position).
- Minority workers in terms of race, ethnicity, and immigration status.

Oregon OSHA is the state's workplace safety and health program, with a mission of advancing and improving on-the-job safety and health for all workers in Oregon. The division carries out its mission in a variety of ways, including enforcement of workplace safety and health requirements; free and confidential consultation services; technical advice; and many other educational and training resources in English and Spanish.

The FACE program is a project of the Oregon Institute of Occupational Health Sciences at Oregon Health & Science University. It is supported by a cooperative agreement with the National Institute for Occupational Safety and Health through the Occupational Public Health Program of the Public Health Division of the Oregon Health Authority. The program is designed to increase the understanding of factors that contribute to workplace deaths and to identify effective prevention strategies.

Oregon OSHA Interim Administrator Julie Love

Oregon FACE Director David Hurtadov

Incident Alert!

Company ....Winery.
Incident .....A worker was asphyxiated after he entered a 30,000-gallon wine tank.
Hazard.....Oxygen displaced by low-pressure nitrogen gas.

The employee

The employee was a 39-year-old cellar worker.

How the incident happened

The day before the incident, winery employees had pumped wine from a primary 30,000-gallon wine tank that was 28 feet high and 13 feet in diameter into another tank, leaving 500 gallons of wine and residual dead yeast, grape skins, seeds, and stems – called "lees" – in the primary tank. To prevent the remaining wine in the primary tank from oxidizing, they pumped low-pressure nitrogen gas into the tank from its top.

After determining the production schedule at 8 a.m. on the day of the incident, the winery's cellar master asked the cellar worker to pump the remaining lees out of the primary tank because a customer had requested a secondary filtration of the lees to recover the remaining wine.

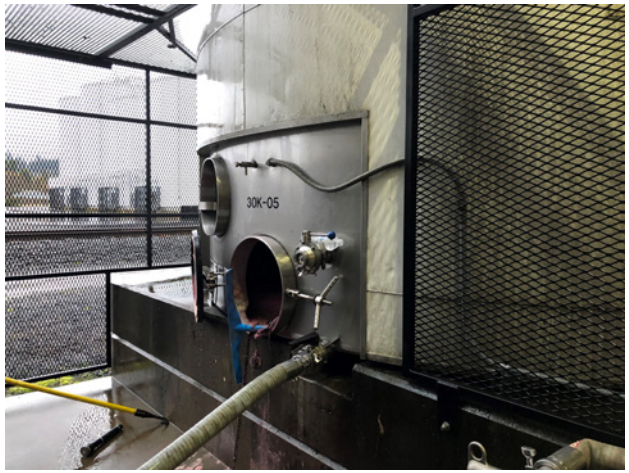
Although the cellar worker usually worked in the winery's barreled wine area and had not done that job before, he set up equipment to filter and pump the lees out of the 30,000-gallon tank. He also needed to enter the tank to push any remaining lees closer to the pump with a squeegee. But, he did not realize that nitrogen gas was still being pumped into the tank from the top.

At 10:30 a.m., the cellar master heard an unusual noise coming from the pump inside the tank. When he looked through the opening at the bottom of the tank, he saw the cellar worker lying down and not moving.

The cellar master radioed for help and used a pike pole to pull the cellar worker closer to the opening. Other winery employees helped him pull the cellar worker out of the tank and began resuscitation until emergency responders arrived 10 minutes later. The nitrogen in the tank had displaced the remaining oxygen and the cellar worker had died from asphyxiation.

Key findings

- The winery had a written permit space program that identified the wine tanks, the wastewater pit, the transfer line vault, and in-ground auger pit and wine presses as permit spaces; however, the winery did not ensure that employees were following the alternate entry procedures described in the program.
- Entry permits were not reviewed annually as required to ensure that the procedures for issuing them were still effective.
- Entry documentation did not identify rescue service providers or how to contact them.



The cellar worker entered the 30,000-gallon tank through this opening to pump out the remaining lees.

Looking into the tank from the opening. The cellar worker used the one-sided rubber squeegee (blue blade, foreground) to push the lees closer to the pump

- The winery discussed entry-rescue with employees, but did not require practice entry-rescue training for its documented permit spaces within the past 12 months.
- The cellar worker entered the 30,000-gallon tank without testing it for an atmospheric hazard. Because there was no testing for an atmospheric hazard, an entry supervisor and entry attendant were not present during permit-entry conditions.
- The cellar worker's primary language was Spanish; however, training was not offered or provided in his primary language, standard operating procedures were not written in his primary language, and confirmation of his competency was not conducted in Spanish.

Citations

The winery was cited with nine alleged violations; total penalties were $11,100. The violations were grouped as follows:

Three violations

- *Permit space entry and permits – 437-002-0146(6)(c): Initial testing for atmospheric hazards was not performed before entry when necessary.*
- *Personnel – 437-002-0146(8)(a): The winery did not ensure that an attendant and entry supervisor were present during permit-space entry.*
- *Alternate entry – 437-002-0146(10)(d)(I): The winery did not ensure that employees followed alternate-entry procedures when they entered permit spaces under alternate entry conditions.*

Two violations

- Permit space entry and permits – 437-002-0146(5)(g)(A): Permits were not reviewed to evaluate the winery's permit space program within one year after they were canceled.
- Permit entry – 437-002-0146(6)(b)(M): Entry permits did not include information about available rescue services and how to contact rescue service providers.

Two violations

- Rescue – 437-002-0146(9)(a)(A): The winery did not have permit-entry rescue procedures that included a procedure for summoning rescue services.
- Rescue – 437-002-0146(9)(d): The winery did not conduct practice entry rescues for presses, tanks, and underground permit spaces.

Two violations

- Training – 437-002-0146(11)(a)(A)(iii): The winery did not provide training after the employee's assigned duties changed.
- Training – 437-002-0146(11)(b): The winery did not ensure the employee was proficient in his assigned duties; the winery's confined space program, operating procedures, and proficiency quizzes were not provided to the employee in his primary language.

What the company did to prevent future incidents

- The winery completed an initial investigation within 24 hours of the incident.
- The winery reassessed its procedure for removing lees from wine tanks to strengthen the importance of entry procedures and to make them safer.
- The winery provided staff with additional confined space safety and entry procedures training.

Going the Distance

Woodfold Manufacturing Inc.

Wood door manufacturing

Established: 1957 | **Employees:** 45

Two years ago, Resource spoke with Kevin Emerick, risk manager for Woodfold Manufacturing Inc. in Forest Grove, about his company's journey through Oregon OSHA's Safety and Health Achievement Recognition Program (SHARP).

The company makes custom-crafted accordion and roll-up doors, and hardwood shutters for residential and commercial installations. When Resource checked in with Emerick, the company had graduated from the five-year SHARP program, reflecting its robust commitment to workplace safety and health.

So much has changed since then.

The coronavirus pandemic continues to pose unprecedented challenges to on-the-job health and safety. In light of those ongoing challenges, Resource has decided to re-connect with employers, and health and safety leaders who've been previously featured in Going the Distance for their dedication to employee safety.

We want to learn what has changed for them. We want to share their stories with you.

> *"After having graduated from the SHARP program and establishing safety management systems, our approach to protecting our people really never changed. We did find ourselves relying on new partners for best practices and data, including the World Health Organization, Centers for Disease Control and Prevention, Oregon Health Authority, and, of course, Oregon OSHA."*
>
> – **Kevin Emerick**
> *Risk Manager*

Woodfold Manufacturing makes custom-crafted accordion and roll-up doors, and hardwood shutters for residential and commercial installations.

Question:

How did the pandemic change how Woodfold approaches workplace safety?

Answer:

The pandemic certainly presented an unprecedented and unique hazard, which we had little experience with to start. But honestly, after having graduated from the SHARP program and establishing safety management systems, our approach to protecting our people really never changed. We did find ourselves relying on new partners for best practices and data, including the World Health Organization, Centers for Disease Control and Prevention, Oregon Health Authority, and, of course, Oregon OSHA. But we continued to lean on existing safety management systems, and open communication and collaboration with our employees to develop new work practices. On the positive side, many of the new safety work practices will stay in place even after the pandemic. For example, to keep any nonessential visitors from entering our buildings, we changed the programming on all our building doors locks, which not only helped protect our employees from potential exposure from people entering the building, but also made the buildings more secure from other potential threats. We also learned how we could get our customer service team set up to work remotely, which will allow for telework in the future, as needed. I know there are many companies that will continue using telework even after the pandemic, but for us, there is far greater value when we can work side by side (safely) and have the spontaneous collaboration that can only happen in person. Also, I think when you're trying to grow a culture as an employee-owned company, especially among new employees, that develops more easily from seeing it in action, rather than words.

Question:

What is the most important advice you can share with others about on-the-job safety during this challenging time?

Answer:

The most challenging issue was keeping up with the ever-changing information and guidance and what that meant for our employees. The biggest key through these dynamic times was making sure our decisions were based on consistent and credible sources like the CDC and OHA. The other key was employee communication. Starting with the first executive order issued back on March 8, 2020, by Gov. Brown, we started having meetings with our employees, initially daily as things were changing so quickly. Then, it became weekly and never less than monthly, even to this day. Our goal was to

Well before the pandemic, in the summer 2019, Resource spoke with Woodfold about its journey through Oregon OSHA's SHARP program, a reflection of the company's dedication to employee safety.

educate our employees about potential risks and protective measures while also trying to reduce anxiety of the unknown. Our communications always stressed that these safe practices are just as important away from work as they are at work. I believe our greatest risk was not what happened at work, but more of what happened on personal time. We also spent a fair amount of time dispelling misinformation being spread. I believe all those efforts helped us have a 98 percent vaccination rate without it being mandated. Another piece of advice is if you're lucky enough to have an established wellness program as we did, then leverage it and encourage employees to continue to work on their physical and mental health, and use the available resources. This was an especially important emphasis we made before vaccines were available, when our only protection was a healthy immune system and safe behaviors.

Question:

What kinds of connections and communications have been important for you and the company to maintain – or perhaps create – as you have moved your operations forward?

Answer:

Well, as mentioned earlier, we relied heavily on information coming from the CDC and OHA that provided evolving guidance and a consistent matrix, so we had a sense of what the risk levels were. Our monthly all-company meetings continue to be an important function, not only to provide COVID-19 updates, but also to continue to encourage employees to maintain all the protective measures used both at work and at home, so we can get through this. There is a bit of COVID fatigue happening right now, so it's been important for us to continue to encourage our employees to stay disciplined in doing the right thing to keep themselves and others safe.