

Oregon OSHA

Construction Advisory Committee

Tuesday, December 01, 2009

Meeting Minutes

Attendees:	Dave Kaiser	Peg Munsell
Andrew Haymart	Dave Parsons	Ron Haverkost
Andy Collins	Dianna Gray	Tony Howard
Barry Moreland	Jill McConnell	Yutonah Bowes
Brian Silbernagel	Marilyn Schuster	

Meeting was called to order at 9:00 am
Round table introductions

Approval of Minutes:
A motion was made to approve the minutes as submitted and seconded.

Posted Construction Advisory Committee minutes can be found at:
http://www.cbs.state.or.us/external/osha/standards/const_advise.html

Lessons Learned/Safety Tip:

With the recent workplace violence shootings, Dianna reminded all to be aware of employee safety by talking and touching base with employees to find out how they are doing. Think about a plan in case something happens and make sure to have policies and procedures in place. Train managers how to handle these types of situations and refer to your lawyer on your limits/rights.

Dave Parsons came across a situation when after attending scaffold training at Intel. Erecting a rented scaffold couldn't be completed due to it being damaged. He reminded the group when renting equipment, check for damages.

Continuing Business:

Status of rule making –

Proposed:

Division 2/H – Acetylene – A public hearing is scheduled for Jan. 13, 2010, 9:00am, at Oregon OSHA's Portland Field Office. On Aug. 11, 2009, Federal OSHA published in the Federal Register a direct final rule revising 1910.102 by updating references to standards developing organizations. Through the advisory committee, it was determined through examining 1910.102, Acetylene, and the SDO standards, that Oregon OSHA would develop an Oregon-initiated rule to replace the federal standard. New Oregon rule 437-002-2102 Acetylene, includes general requirements for work practices and

definitions used in paragraph (1), Cylinders. Piped systems and generators and filling cylinders retains language from 1910.102 for those topics. Oregon OSHA will adopt the federal changes to 1910.6 Incorporation by reference, as they appear in the Aug. 11, 2009 Federal Register.

Recently Adopted: Nothing since Division 1, Scheduling, on October 5, 2009.

Rulemaking under development: Divisions 2 and 5 – Personal Protective Equipment – Federal OSHA issued a final rule in the September 9, 2009 Federal Register revising the personal protective equipment (PPE) sections in general industry and maritime activities regarding requirements for eye- and face-protective devices, head protection, and foot protection. Consensus standards are also updated. By mid-December 2009, Oregon OSHA will propose to adopt the changes as is.

Division 4 – Various amendments in multiple subdivisions including new crane and hoist requirement, safety committee rules, and minor changes in ALH. Two external stakeholder meetings were held.

Division 2/J and 3/J - Confined Space in Construction – Draft language was sent out to external stakeholders in mid-April. Advisory group met May, July, and Sept, Oct and November 2009. The next meeting will be scheduled after the first of the year.

Division 2/L – Oregon rules for Firefighters – Stakeholders have met twice and will possibly start meeting quarterly concerning a rewrite of OAR 437-002-0182 Oregon Rules for Firefighters. They have been meeting biannually.

Division 2/H – Compressed Gas – Oregon OSHA will continue to work with the Compressed Gas Advisory Committee after the first of the new year. Oregon OSHA will consider repealing the federal standard 1910.101 Compressed Gases (general requirements), and adopt an Oregon-initiated rule.

Compressed Air Article –Dave Davidson:

The article is complete and can be viewed at <http://www.orosha.org/pdf/resource/2850-2009-12.pdf>.

Overnight Hospitalizations Report – Dianna Gray:

Diana provided the committee a summary of overnight hospitalizations reported to Oregon OSHA field offices during the last month that included the industry, type of injury and the mechanism of injury.

Overhead Line Safety Act – Peggy Munsell:

Peggy distributed a handout, *Oregon's Overhead Line Safety Act*. A subcommittee has formed reviewing the statute and looking at changes in regards to building in close proximity to overhead power lines. JR Gonzalez from Public Utility Commission has taken the lead. Oregon OSHA is participating. They are looking to expand the reference

to Oregon OSHA's requirement of no work activities to take place within 10 feet of a high voltage overhead power line. The NESC's requirement is 7.5 feet. No one has jurisdiction unless there is a worker involved and Building Codes does not have anything in there statutes. The subcommittee drafted changes to Oregon's Overhead Line Safety Act incorporating language from Oregon OSHA 10 foot rule and included some language changes on proximity resulting in civil penalties. Discussions continue on who would regulate, funding, and out reach efforts. Next meeting is January 12, 8-10am at PGE.

Roundtable: -

Yutonah Bowes – Passed out new Construction Ergonomics *Protect your back and your future* pamphlets.

Dave Kaiser – Dave addressed with Marilyn a conversation from the November meeting regarding training centers and training received at a JATC is the same as employer training and OSHA will accept. He requested a letter of intent or an addition to the minutes that states training from a JATC or training centers are acceptable as employer provided training. Peggy previously replied that she isn't able to give a "stamp of approval" t. Marilyn stated that basic training is transferrable and she will find an old letter that relates to his question. On Dec. 14th, Dave will be attending a meeting at BCD to start the process with BCD, Oregon OSHA, Building officials and the permanent anchor subcommittee to work together on finding a solution regarding the permanent anchor rule.

Brian Silbernagel – He reminded the group that all crane operators in Washington need to be NCCO certified and have cranes inspected by third party (accredited by State).

Dianna Gray – The Oregon Trades Women's Fair is taking place April 29-May 1, 2010 and they are looking for sponsors.

Ron Haverkost –Reminder that the hands free cell phone driving law takes effect January 1st. [House Bill 2377](#) prohibits all drivers from using a mobile communication device while operating a motor vehicle. A mobile communication device is defined as "*a text messaging device or a wireless, two-way communication device designed to receive and transmit voice or text communication*".

Tony Howard –Tony thanked all for a great year and he enjoyed working with everyone.

Planning for Agenda and for Next Meeting:

When: Tuesday, January 5, 2010 at 9:00 a.m.

Where: L&I, Room E