

**Oregon OSHA**  
**Construction Advisory Committee**  
Tuesday, September 6, 2011

**Meeting Minutes**

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**Attendees:**

Angie Hannan  
Anthony Morton  
Barry Moreland  
Brian Silbernagel  
Bruce Poinsette  
Bruce Roller  
Chris Ottoson

Cindy Regier  
Dave Kaiser  
Dave Parsons  
Dawn Morse  
Dianna Gray  
Dede Montgomery  
Eliot Lapidus  
Gary Beck

Kyle Lewis  
Marilyn Schuster  
MaryLou Wilson  
Melissa Diede  
Michael Wood  
Ron Haverkost  
Tom McCullen  
Tony Barsotti

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Meeting was called to order at 9:00 am by Dave Parsons  
Introductions

Approval of Minutes:

A motion was made by Bruce R and second by Dave K. to approve the minutes as submitted.

Posted Construction Advisory Committee minutes can be found at:

[http://www.cbs.state.or.us/external/osha/standards/const\\_advise.html](http://www.cbs.state.or.us/external/osha/standards/const_advise.html)

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***Lessons Learned:***

Dave emphasized the importance of communicating the lessons learned piece so all can take from the experiences and correct similar issues within their companies. Dave went on to mention an incident involving an employee cleaning up glass pieces without appropriate PPE, where that the company had PPE readily available.

Last month Don Berg mentioned that one of his workers fell 30ft off of a tower in Hawaii due to a “baker board” breaking. They are still working on that accident. Dave provided some information on what a baker board is, basically a work platform that attaches to a tower to provide a safe work surface.

Angie later mentioned an incident where a subcontractor fell from an attic fracturing ribs in part due to inadequate lighting.

***Continuing Business:***

**Status of rule making –**

**Rulemaking updates can be found at:**

<http://www.cbs.state.or.us/osha/pdf/rules/2010development.pdf>.

Marilyn gave an update:

Confined space rule has been proposed for both General Industry and Construction. Hearing dates and the text to the proposal can be found here. <http://www.cbs.state.or.us/osha/standards/proposed.html>

Oxy/fuel- The Advisory Committee has met numerous times. Claudia Marthaller is the lead from Oregon OSHA Technical section. She is working with Tom Meier to get the rule on track. Tony B asked if the venting was the most substantive issue concerning the rule. Angie had attended the most recent meeting and mentioned that there were several issues that will get revisited in upcoming meetings. Anticipated proposal will be drafted within the next few months.

Penalties- There is a committee meeting Thursday, September 8<sup>th</sup>. Check [website](#) for details.

Scheduling- A draft of the proposed scheduling is posted on the [website](#).

Marilyn also touched on standard improvement process phase 3 (SIP-III) that is an on- going rulemaking activity for Federal OSHA. Oregon OSHA will propose changes to the Division subdivision I (PPE) rules. Without making significant changes Oregon OSHA plans to repeal all the PPE rules with the exception of respirators (1910.134) and electrical(1910.137) Ron handed out the text to the PPE change and asked the group to review and send any comments/feedback within the next two weeks(9/20). Additional Oregon OSHA will propose to add all parts of the body to the hazard assessment rather than the current restriction of head, hand, eye, foot and face.

Angie asked about the provision in the current rule concerning employee purchased equipment and that relationship to a union contract. Michael emphasized that the employer is ultimately responsible for the adequacy of the equipment regardless of contract negotiations.

***Overnight Hospital Report:***

Diana handed out a construction industry injury report for August with two struck by incidents. One involved hanging metal, of which the employee was assisting another, he was cut by the piece of metal through his glove lacerating his finger, requiring surgery. The second injury involved an equipment operator being caught between the super structures of two roller compactors.

## ***Roundtable:***

Follow up to last meeting, Dawn was asked if a meeting involving Oregon OSHA had been set up to discuss the issues concerning particular shoring systems. She mentioned that she had gone through the informal process and is drafting new literature to avoid further confusion for all parties involved with the system.

Mary Lou had questions from previous meetings concerning the 20ft “Power line Safety” requirements in the current construction crane rules. Ron handed out a draft of text that is intended to be inserted into Oregon OSHA’s crane publication. Ron asked the group for comments to him in two weeks (9/20). Oregon OSHA did contact region X federal OSHA and clarified the intent of the 20ft rule, which is reflected of the handout.

Brian S asked for Oregon OSHA’s stance on the overall responsibility of ensuring that only qualified signal persons are used when multiple contractors would potentially be using the crane. Is it the operator’s responsibility, the controlling contractor or the actual signal person’s employer? After some lengthy conversation involving several members, Oregon OSHA deferred to a case by case determination. The rule clearly gives the operator authority to stop operations and in turn requires all employers to ensure their signal persons are qualified. In each case Oregon OSHA will likely refer to Program Directive [A-257](#) (Multi-employer Workplace Citation Guideline) to determine which employer on site would have responsibility under the guideline.

Dave K handed out a flyer for a presentation and trade show being held at the Central Electric Training Center in Tangent, Oregon October 21, 2011. The theme is electrical safe work practices and OSHA electrical standards/70E. Interested parties were asked to contact Dave Baker at [dbaker@cjatc.org](mailto:dbaker@cjatc.org) or 541 917 6199.

Barry asked about a worker at the Intel project that potentially received a shock from a concrete vibrator and any details that can be shared. (None at this time.) At the same time Tony asked Barry his understanding of the requirements for grounding portable generators. Barry recommended following the manufacturer’s recommendations and that most generators are frame grounded and do not require specialized grounding methods.

Angie asked if the current flush toilet requirements on projects of over 1 million will be reviewed anytime soon. No because it is based in statute.

Dawn asked about competent person continuing training requirements. What is the current requirement for having additional training to retain a competent person status regarding excavation. Oregon OSHA does not require any continuing training or documentation for proof of competency. Oregon OSHA does require a competent person be capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to employees, and have the authorization to take prompt corrective measures to eliminate them.

Dede mentioned the upcoming CROET [fall symposium](#). She also mentioned Oregon Young Employee Safety coalition (OYES) and a talking safety class in Albany. Plus, CROET on twitter. The GOSH 2013 planning committee will start in December.

Bruce P mentioned the [Mid-Oregon Construction Safety Summit](#) coming up at the end of January.

***Planning for Agenda and for Next Meeting:***

**When:** Tuesday, October 4, 2011 at 9:00 a.m.

**Where:** L&I CR E