

**Oregon OSHA**  
Construction Advisory Committee  
Tuesday, January 8, 2013

**Meeting Minutes**

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**Attendees:**

Barry Moreland  
Brian Silbernagel  
Bruce Roller  
Cindy Regier  
Dave Davidson

Dave Kaiser  
Dede Montgomery  
Demetra Star  
Eliot Lapidus  
Ian Chase  
Jane Kirby

Larry Lovelady  
Kevin Wheatcoat  
Mary Lou Wilson  
Peggy Munsell  
Roger Dale-Moore  
Ron Haverkost

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Meeting was called to order at 9:00 am by Dave Davidson  
Introductions were made

Approval of Minutes:

A motion was made and minutes approved with no changes.

Posted Construction Advisory Committee minutes can be found at:

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

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***Lessons Learned:***

Roger Dale-Moore spoke on emergency response and having a plan in place. They experienced a phone threat at night at a job site.

Peg summarized an electrical contact accident that was featured in Oregon OSHA's Resource publication (March 2011). The group discussed arc flash, live current, and reminders to be careful.

Dede mentioned training new hires on AEDs.

Ian received feedback from employee's on new topics for training them and many suggested revisiting what already has been covered as you can't hear them too many times.

***Continuing Business:***

**Status of rule making –**

**Rulemaking updates can be found at:**

<http://www.orosha.org/pdf/rules/2012development.pdf>

**Confined Spaces.** Oregon OSHA's confined space standard for general industry and construction was adopted September 28, 2012, with an effective date of April 1, 2013.

**Agriculture.** Oregon OSHA proposed changes to Division 4: Subdivision A, General Subjects – Scope; Exclusive Coverage; and Access to Medical Records, Subdivision B, Definitions, Subdivision I, Personal Protective Equipment – all sections, Subdivision Z, Chemicals/Toxins – all sections. We removed Subdivisions A and B from this current rulemaking action. Three public hearings were held in June 2012 with no comments received for proposed changes to Subdivisions I and Z. Final adoption was September 19, 2012, with an effective date of January 1, 2013.

**Hazard Communication.** Final adoption and effective date was September 25, 2012. Oregon OSHA adopted changes as shown in the March 26, 2012, Federal Register for federal amendments to the hazard communication standard to conform to the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS). A brochure and Fact Sheet are almost finalized. There will be training at GOSH, SAIF and ASSE offer training, and Dede mentioned that the University of Washington offers a one-day class.

**Oxy-fuel Gases.** Work to update and improve Oregon's oxygen-fuel gas rules for welding in general industry and construction is still underway.

**Small Capacity Cranes in Construction.** The small capacity crane advisory group met to develop draft language for crane operator training, when using cranes under 20 tons. The rule will require general industry employers with mobile crews operating small capacity (more than 1 ton but less than 20 ton) mobile cranes to meet the crane operator training requirements found in construction, Division 3, Subdivision CC, or follow the provisions in the draft rule. The draft rules provide an additional option for operator training for construction employees who operate small capacity (more than 1 ton but less than 20 tons) mobile cranes. This rulemaking was proposed in December 2012, with three public hearings scheduled for January 24, 29 & 30, 2013.

**PPE in Construction.** Oregon OSHA, working with the Construction Advisory Committee, has developed draft rule text for PPE in construction that essentially mirrors the PPE rule in general industry. The PPE rule in construction will not require employers to verify that the required workplace hazard assessment has been performed through a written certification.

**Skylights in General Industry.** Included in the PPE rulemaking, Oregon OSHA will also change the general industry hole covering requirements for holes in floors, roofs, and other walking/working surfaces, to include skylights and skylight screens. Requirements for general industry and construction will be the same. This rulemaking was proposed in December 2012, with three public hearings scheduled for January 24, 29 & 30, 2013.

**Employer Knowledge of Violations.** Public forums, held in November, provided an opportunity for informal conversation about whether a rule could help clarify the issue of employer

knowledge, particularly when Oregon OSHA is able to determine that a supervisor (as an agent of the employer) either knew or should have known about the violation in question. More public forums will be held in 2013.

***Overnight Hospital Report:***

Peg reported on 2 fatalities in December 2012.

***Roundtable:***

**Dede** mentioned the safety video contest and information could be found at [youngemployeesafety.org](http://youngemployeesafety.org). Also there will be a student day at GOSH on Tuesday as well as a wellness day on Thursday. You can find more information on the GOSH website: <http://oregongosh.com/>.

**Demetra** found a Letter of Agreement for the water bureau regarding cement asbestos water pipe repair. She asked if these letters are the “law”? OR-OSHA reps said no, they explain how OR-OSHA interprets the law.

**Ron and Barry** discussed and clarified the requirements regarding temporary power when doing construction work and when a GFCI is required in during construction activities. Ron handed out a word document that had the pertinent GFCI rules in both construction and general industry. [http://www.cbs.state.or.us/osha/pdf/rules/division\\_3/div3k.pdf#page=11](http://www.cbs.state.or.us/osha/pdf/rules/division_3/div3k.pdf#page=11) 437-003-0404  
[http://www.cbs.state.or.us/osha/pdf/rules/division\\_2/div2\\_s.pdf#page=27](http://www.cbs.state.or.us/osha/pdf/rules/division_2/div2_s.pdf#page=27) 1910.304(b)(3)

**Jane** provided Quick Cards from the Feds on GHS.

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

**When:** Tuesday February 5, 2013 at 9:00 a.m.

**Where:** L&I Room F