

**Oregon OSHA**  
**Construction Advisory Committee**  
Tuesday, December 4, 2018

**Meeting Minutes**

---

**Attendees:**

|                   |                |                   |
|-------------------|----------------|-------------------|
| Al Lee            | Dennis Bonin   | Mike Riffe        |
| Alta Schafer      | Dennis Cox     | Nathan Taylor     |
| Barb Epstien      | Emily Crews    | Robert Henderson  |
| Brian Silbernagel | Eric Borgen    | Robert Miller     |
| Bryan Ortiz       | Eric Fullan    | Roy Shawgo        |
| Bryon Snapp       | George Goodman | Roy Shawgo IV     |
| Chris Ottoson     | Ian Chase      | Ryan Leffel       |
| Chuck Stahl       | Jared Williams | Scott Ray         |
| Clark Vermillion  | Jeff Carlson   | Sean Tinker       |
| Dale Lindstrom    | Jeff Wilson    | Soren Bjerregaard |
| David Davidson    | Lane Ellison   | Tom Deines        |
| Dede Montgomery   | Mark Tobiasson | Trena VanDeHey    |
| Dennis Barlow     | Melissa Diede  |                   |

---

The meeting was called to order by Mark Tobiasson.  
Self-introductions were made.

The November meeting minutes were approved.

**Lessons Learned:**

Employees were using a ladder that was half a foot away from the base of the house. Moles had been digging around the house and the ground collapsed under the weight of the person on the ladder.

Training on ECP- after the training they sent out a question to their employees asking what ECP stood for. They got a few right answers, but they also got quite a bit of incorrect answers. Make sure you follow up with your employees after trainings.

There was a foreman that was out early and it was still dark out. He started the machine and realized he hadn't done his walk around so he got out and found there was a homeless person sleeping in the track.

Another company found 2 homeless people sleeping in the dump box, they almost got concrete dumped on them.

Trades days in schools. Some companies are hiring kids out of high school and not training them before they put them out on a job. It would be good to have trade days in schools to teach kids about the trades industry.

There was a guy burning stuff in a burn pile and he was using diesel fuel in it. He got it on him and burned him pretty bad.

## **Continuing Business:**

### **Status of Rule Making:**

#### **Cranes:**

Jeff Carlson handed out the changes from Federal OSHA and comparison to Oregon OSHA's rules.

#### **Employer Knowledge-**

A preproposal draft has been written and handed out to the group.

George commented that this draft is very similar to the one proposed in 2016. He said that under F(a) and B, they state the word adequate, but they don't define adequate. Adequate is just a substitute for another word. They think that if OSHA can find the violation, then the employer can find it. He thinks that the rule needs more work and not anywhere close to being done.

If you look at the transcript of when Michael testified at the CBI case, it was reasonable and this proposed rule is nothing that he said in the case.

He also said that if this gets adopted then you as the employer will have to prove that you didn't have knowledge rather than having OSHA prove that you did.

He also stated that 75% of citations are based on constructive knowledge; Bryon Snapp said that he did not have the exact percentage is but he says it is over 50%.

Constructive knowledge is could have known with reasonable diligence.

Bryon said that this is not a final rule, this is what is proposed and the group will get together and discuss and suggest changes.

Ian said that the rule makes it sound like employers should just strive for being adequate, not for excellence.

The group agreed that the group needs to meet before the February 15<sup>th</sup> Partnership meeting. Even it has to be broken up meet with a few people at a time.

## **Monthly Accidents and Fatalities Report:**

### **Accidents**

#### 1. November 1<sup>st</sup> Lexington

A road maintenance crew were preparing to lift a cattle guard from the ground to a truck in a sling and backhoe. One employee stepped in between the slats of the cattle guard to tie chains from the bucket to the cattle guard. The backhoe operator rolled the backhoe forward, causing the bucket to the bucket to push against the employee's ankle.

#### 2. November 2<sup>nd</sup> Cave Junction

An employee was doing metal stud framing in the morning. After lunch an employee was having difficulty picking up boxes. The Employee did not report strenuous work in the morning and was not exposed to chemicals or needed PPE. An ambulance was called immediately.

3. November 3<sup>rd</sup> Portland

An aggressive male was in the concert crowd (mosh pit) at the Roseland Theater. Two security employees went in to retrieve the individual. One security guard fell/ got tripped up while trying to apprehend the person. Other people in the crowd kicked the employee while they were on the ground. Other security quickly moved in and removed the injured guard. He was taken to the ER.

4. November 8<sup>th</sup> Portland

An employee reportedly slipped and fell 25 feet from an extension ladder. He has fractures on the left side of his face, and pain in his right hip and upper leg, but without fractures.

5. November 13<sup>th</sup> Lakeview

While operating a chainsaw, an employee experienced a kick back. The saw struck his fingers causing lacerations as he attempted to protect himself and regain control of the saw.

6. November 14<sup>th</sup> Glendale

A worker was cutting brush. The saw "kicked back" cutting his forehead. The worker was taken to Rogue Regional Medical Center by the foreman, admitted and had surgery for fracture.

7. November 14<sup>th</sup> Corvallis

The employee was operating the DeWalt drill when his left glove got caught in the chuck of the tool and ripped off the end of his left ring finger. His fingertip was located, but could not be reattached. The fire department transported him to Good Samaritan Regional Medical Center where he was treated and released the same day.

8. November 26<sup>th</sup> Milwaukie

Employee assisted in moving plywood out of the way. The employee slipped, lost her balance and fell onto 2x4s and 250-300 lbs of plywood fell on top of her fracturing her pelvis.

9. November 27<sup>th</sup> McMinnville

Injured worker was using a rag to apply oil to the blade of a planer that was on. The planer caught the rag and pulled his hand into the blade amputating part of his right thumb and right index finger. Worker had previously been warned not to clean the planer in this way.

## Fatalities

1. November 13<sup>th</sup> Tualatin

Employee works as an order picker in a knife manufacturer's shipping and packaging department. The employee was picking orders and walking toward his cart when he collapsed, had a seizure, threw up and then was unresponsive. He was admitted to the hospital and is in ICU with blood on the brain and is not expected to live. Employee passed away at the hospital on 11/14/18.

2. November 13<sup>th</sup> Beaverton

Employee works as an Integrated Circuit Designer. He was sitting at his desk and slumped over and lost consciousness experiencing a personal medical event. He was transported to the hospital, admitted, and treated for a brain aneurysm. Employee passed away.

3. November 16<sup>th</sup> Salem

Deceased was the chairman of the board of the company, he went on a metal roof to inspect leak prior to assigning to bid for repair. A roof panel gave way and he fell approx. 18 feet into the building below.

4. November 21<sup>st</sup> Beaverton

Employee was found in the restroom unresponsive. 911 was contacted. Emergency response was unable to revive employee. Per Medical Examiner, death was due to natural causes.

5. November 26<sup>th</sup> Milton Freewater

Employee was operating a tractor, when another employee walked out of the milking parlor and shot him.

## **Round table:**

Excavation- A company was putting in a water line in a residence next to a lake. They excavated the area for line and waited a week to put in the water line. They pumped the water out that had seeped into the trench from sitting open. While the employees were in working a slab 8 – 10 feet slid over trapping the employees at the waist. It took the rescuers 15 minutes to arrive on scene.

GOSH is in March 2019. O'Yes will have a free day for young adults from 18-25 years old. The [final schedule](#) is almost complete.

Eugene Safety Group will meet January 17, 2019 at 11:30am at Roaring Rapids Pizza. All safety professionals are welcome to attend. Please contact [Dennis Cox](#) if you are interested.

The group discussed the use of dash cams and GPS units in work vehicles.

Construction Safety Summit:

December 18, 2018 is the Member Vendor Appreciation event for the Wayne Thomas Scholarship Fundraiser at John's Incredible Pizza.

## **Next Meeting:**

January 8, 2019

OR-OSHA Portland Office

Durham Plaza

16760 SW Upper Boones Ferry Rd, STE 200

Tigard, OR 97224