

**Oregon OSHA**  
**Construction Advisory Committee**  
Tuesday, November 5, 2019

**Meeting Minutes**

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**Attendees:**

Al Lee	Dennis Bonin	Matt Kaiser
Alta Schafer	Dennis Cox	Megan McDonald
Andy Colins	Eric Bongen	Michelle Brunetto
Barb Epstien	Eric Fullan	Nathan Taylor
Becky	George Goodman	Pat Brunson
Blake Reichel	Ian Chace	Paul Johnston
Bri Hume	Jared Ottinger	Paulo Pinto
Brian Ortiz	Jeff Luyet	Rick McMurry
Bryon Snapp	Jeff Wilson	Robert Henderson
Clark Vermillion	Julie Love	Roy Shawgo
Connor Toney	Laird Blanchard	Ryan Leffel
Dale Lindstrom	Lon Steel	Tony Hannan
Dave McLaughlin	Mark Hillyard	Tony Howard
David Davidson	Mark Tobiasson	Troy Stroud
Dennis Barlow	Mary Lou Wilson	Warren Jackson

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

The October meeting minutes were approved.

**Lessons Learned:**

A gas line was struck while excavating on a recent project. As-Built documents did not indicate the line and ground penetrating radar units could not get into the area of the excavation. Understanding the limitations to identifying what is underground, excavator's should always proceed with caution.

The AGC PRIDE program and its relationship to Oregon OSHA inspections was discussed. Generally speaking, comprehensive inspections involving PRIDE contractors would become "focused" inspections. Focused inspections typically involve fall Hazards, electrical hazards, struck-by hazards, and caught in/between-hazards. This is addressed fully in Program Directive A-264 and can be found here:

<https://osha.oregon.gov/OSHARules/pd/pd-264.pdf>

**Continuing Business:**

**Status of Rule Making:**

**PEL's-**

**Manganese:** Oregon OSHA held two stakeholder meetings on October 2<sup>nd</sup> and 17<sup>th</sup>, going over pre-proposal draft language. There is no proposal date yet, but likely before the end of the year.

**Standards Improvement Project-**

Oregon OSHA adopted Federal [SIP-IV](#) amendments and Oregon initiated changes to Administrative, General Industry, Construction, and Maritime activity standards. Updated

the MUTCD from the millennium edition to the 2009 edition (which is the most current edition).

### **Spanish Conference-**

Oregon OSHA's Spanish Language Conference will be November 19, 2019 at the Oregon State Fair Grounds in Salem. This will be presented entirely in Spanish for the workers who do not speak English. This event is free so there are no barriers of having people attend. You must be registered before the conference starts to attend, so please [register online](#), or call 541-618-7920.

### **Employer Knowledge and Penalty Updates-**

There is a Fiscal Impact Advisory Committee that will meet in January.

### **Mobile Elevating Work Platforms-**

Bryon gave clarification on the training requirements for aerial work platforms. Oregon OSHA has not adopted, nor does Oregon OSHA intend at this time to adopt, the ANSI A92.22 - 2018 / Safe Use of Mobile Elevating Work Platforms (MEWPs) standard. Questions have been asked about whether or not Oregon OSHA will cite employer's who have employees that use the devices under the General Duty clause (ORS 654.10) for not training those employees to the A92.22 – 2018. The answer to that question is clearly "no". In Oregon, there are training requirements for these type of devices when they are covered by the Division 3, Subdivision L regulations, specifically **1916.454 Training Requirements**. In the Division 3, Subdivision L regulations, there are references to ANSI A92 standards for the purpose of helping to identify the type of equipment covered by the rule. See **437-003-0071 Manually Propelled Elevating Aerial Platforms**, **437-003-0073 Boom Supported Elevating Work Platforms**, and **437-003-0074 Scissor Lifts – Self-Propelled Elevating Work Platforms** as examples where Oregon OSHA has listed an ANSI A92 standard for reference purposes. The revised ANSI A92.22 – 2018 standard requires equipment dealers to train to the new standard; however, Oregon OSHA does not require employers and employees to be retrained to the new ANSI standards. Oregon OSHA will enforce the training requirements of 1926.454 for employees using mobile elevating work platforms (MEWP).

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

### **Accidents**

1. October 24<sup>th</sup>, Eugene  
The worker was pinned between the forklift and a semi-truck which resulted in abdominal pain and external bruising.
2. October 13<sup>th</sup> Eugene  
Employees were sheathing a residence and the victim was on a roof, cutting a valley block. The victim stated his arm leaned downward and the circular saw dipped downward, caught the cuff of his jeans and cut his left thigh. The employee called out to the others and climbed down the ladder to the first floor. A tourniquet was then applied. EMS were notified and arrived on the scene in about five minutes.
3. October 9<sup>th</sup> Bend  
Two employees were setting the end truss on a garage. The employees were attempting to brace the truss when the truss fell forward striking the scaffold. This caused the employee's to fall to the lower level, resulting in a broken ankle. The injured employee was working approximately 7 feet on a scaffold when the accident occurred.
4. October 3<sup>rd</sup> Eugene  
The worker was hanging a steel truss between two rakers. On the downhill side of the clips, the iron got fouled up. The truss came off the clip and came at him. The victim got on the iron from the 72-

foot boom lift and he was tied off to the raker. The piece became loose and struck him. When the steel truss struck him, he was able to sit on the raker. The employee received lacerations (eye, wrist), a hematoma (thigh), and a sore back.

5. October 1<sup>st</sup> Gold Beach  
An employee said to have rolled his ankle on the ladder, fell off the ladder to the concrete below. The employee fractured his pelvis and scapula. Employee was taken to Gold Beach and then flown to OSHU.
6. October 4<sup>th</sup>, Hillsboro  
The injured employee was walking under a power line that was on the employers property, and had an approximate 28 foot metal pole that he was apparently carrying in a vertical upright position. The metal pole struck one of the wires attached to the power line and severely shocked/electrocuted the worker. the worker was taken by life flight to Emanuel hospital where he is being treated for 3rd degree burns on his torso and lower extremities.
7. October 18<sup>th</sup>, Portland  
Employee was on a catwalk planning on changing a hydraulic hose on a 1200 excavator. The employee thought he followed procedures for de-energizing the equipment, however as he started to take it apart the hose was still under pressure, knocking the employee off the catwalk, falling 12' onto cement blocks. Called 911, employee received multiple fractures x3 to pelvis, x1 to arm, and fractured his skull/face.
8. October 9<sup>th</sup>, Portland  
An apprentice had a serious laceration while using a Skilsaw to his left thumb while cutting a 2 inch by 4 inch deck board.

## **Fatalities**

1. October 29<sup>th</sup>, Myrtle Creek  
The victim, Tree Feller, had faced a Maple tree and was boring it (cutting into the side of the tree) when the tree "Barber Chaired" and struck the victim. (71 year old male)
2. October 23<sup>rd</sup>, Ashland  
Employee was operating a rubber tire skidder when the skidder rolled over, downhill and on to its side. An approximate 55ft felled tree was in the grapple.(89 year old male)
3. October 23<sup>rd</sup> Canby  
Employee did not show up for shift; staff went to cabin and found him unresponsive; staff notified EMS and performed CPR and AED until EMS arrival; EMS unable to revive employee. (30 year old male)
4. October 19<sup>th</sup> Wallowa  
Snowplow was traveling southbound when a Dodge pickup, with two occupants, traveling northbound, was negotiating a curve when it lost control and went into the on-coming lane and into the path of the Snowplow. The driver of the Dodge pickup died from his injuries at the scene. The passenger of the Dodge pickup was transported to an hospital via air ambulance. The driver of the snowplow was transported via ground ambulance to hospital with serious injuries. (24 year old male)
5. October 12<sup>th</sup>, Malin  
Employee had backed tractor up, shut off. Employee went around potato shed - came back to jump start the tractor while standing by the steps of the tractor, employee was ran over. (57 year old male)
6. October 8<sup>th</sup>, Ontario  
Employee working behind a onion harvester, was pulled into the harvester when it was unexpectedly started by the operator who did not know the employee was close by. (42 year old male)
7. October 7<sup>th</sup>, Canyonville  
Employee was fueling up truck when coworker noticed he was mumbling, coworker helped him back into the truck and called 911. Employee became more and more unresponsive, coworker

pulled him out of the truck and began CPR. Emergency responsive arrived on scene and were able to briefly resuscitate employee in ambulance. Employee was transported to hospital where he passed away from a presumed heart attack. (68 year old male)

### **MSHA Discussion:**

The group discussed jurisdiction between Oregon OSHA and MSHA.

When a company is onsite and is crushing rocks and moving it to another part onsite, who has jurisdiction?

If it is not used for retail, and not moved off site, MSHA is not likely to assert jurisdiction. MSHA determines on a case by case basis if it is their jurisdiction, or not.

Oregon OSHA has an interagency agreement with MSHA; You can find it on the [Oregon OSHA webpage under collaborations](#).

If you take and sell any, intentionally or not, you are in MSHA jurisdiction.

When MSHA determines they don't have jurisdiction, Oregon OSHA's will step in.

### **Round table:**

Construction Safety Summit: the next meeting is November 19<sup>th</sup>. It will be at John's Incredible Pizza, and the topic is Testimony a Real Life Story, by Matt Pomerinke.

Silica exposure work plan- There is a fact sheet in Spanish, but table 1 is not. Does Oregon OSHA have a plan to translate?

-Federal OSHA has table 1 translated in Spanish,

[https://www.osha.gov/sites/default/files/2018-12/fy16\\_sh-29650-sh6\\_TablaExposicion.pdf](https://www.osha.gov/sites/default/files/2018-12/fy16_sh-29650-sh6_TablaExposicion.pdf)

The Construction Advisory Committee is putting a steering team together to decide what the agenda will be for the next months, and what they would like to talk about at each meeting.

The Eugene Safety Summit will meet November 21<sup>st</sup> at Roaring Rapids Pizza.

Crane certification extension will end on 1/1/2020.

Construction Financial Management Association has [a Portland Suicide Prevention Summit](#) on November 15 at the Oregon Zoo.

AGC Columbia is partnering with Washington to do a crane training. They received a grant, and anyone is welcome. Dennis will send out the information once they know more.

If you have any topics that you would like Oregon OSHA to talk about to the group, please let [Alta Schafer](#) or [Mark Tobiasson](#) know.

### **Next Meeting:**

December 3, 2019  
Portland Field Office  
16760 SW Upper Boones Ferry Rd.  
Tigard, OR 97224