

**Oregon OSHA**  
Construction Advisory Committee  
Tuesday, September 12, 2023

**Meeting Minutes**

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**Attendees:**

Al Lee-Lennar	David Smiley	Mark Spring
Alex Garcia	Eric Bongen	Mary Lou Wilson
Alta Schafer	Erik Elkins	Matt Kaiser
Amanda Davies	Erin Flynn	Mike Brunenkant
Angelica Valdivieso	Greig Lowell	Monty Foust
Annmarie Earl	Hailey Latherow	Nathan Taylor
Barbra Anderson	Ilene Ferrell	Oriana Davis
Bash Mumuni	Jake Errico	Penny Wolf-McCormick
Bill Haskins	Jason Dunton	Phillip Wade
Bryan Davis	Jeff Hooper	R. Beecher
Bryan Ortiz	Jeff Wilson	Renée Stapleton
Bryon Snapp	Joaquin Diaz	Rick McMurry
Caleb Harris	Joe Miller	Roy Shawgo
Chris Dahl	John Mastromonaco	Sean Tinker
Craig Ley	Josh Schwabauer	Stephanie Baird
Dale Lindstrom	Julie Love	Steve Barrett
Darren Dikeman	Katia Costa	Tammi Stevens
David Davidson	Lynn Craig	

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The meeting was called to order by Nathan Taylor.  
Thank you all for joining the hybrid meeting. Introductions of people in person were made.

**Previous Meeting Minutes.**

The August meeting minutes were approved.

**Lessons Learned & Safety Suggestions:**

Mental health- received a call from an employee who just needed to talk about things they were going through. Normally information for a professional service would be given out, but felt that letting the person talk was important. It would be helpful to go through training to bridge the gap before getting someone to a professional.

-PMCA- there is a program that is available to be a resource for people. They are trying to get into the construction industry. It is a really good class. [Get link from Amme.](#)  
There is a crisis line, 9-8-8 that is a good resource too for people in crisis.

Call from contractor, they have a monthly training and wondering if they could do suicide awareness training to meet their training requirements.

-Oregon OSHA doesn't have anything that explicitly talks about that subject, the rules for on going training is specific, and there is no box to check. A safety meeting is getting input from employees rather than just training.

Renee: there is a separate element of training to meet exemption from a random construction and not tied to safety committees.

## Status of Rulemaking:

### COVID-19

We have adopted the permanent rule to remove the [COVID 19 rule](#). Employers are no longer responsible for providing facial coverings to their employees. However, if an employer requires the use of facial coverings by workers, they must supply these items at no cost to the employees.

**Div 1- SB592** It was passed with an emergency clause so we are moving quickly on this rulemaking. Intent to have in place January 1, 2024.

**SB907:** right to refuse work, is also meeting at the same meeting as above.

There are public hearings scheduled and dates can be found on the [Oregon OSHA Website](#). Written comments are accepted until (11/3/23).

Renee: there are 5 hearings to participate in. there are mixes of day and evening and English and Spanish. We are mandated by law and by Governor and there are portions that are in the bill we have to include and adopt. It was an emergency bill so it is going really fast. We do have a summary document that is available online (in the link listed above) so it is clear what will be changing.

There is still a reduction scale, but it can get complicated with repeats, willful, and caused and contributed which has no reductions.

Dave: this bill also requires us to increase/adjust amounts annually, based on consumer price index for the western states. And will be done by bulletin rather than a rulemaking annually.

### Record Keeping:

Federal OSHA has updated their requirements for [recording keeping](#) so we need to review and update Oregon OSHA's.

Discussion on ITR and BLS reporting. They are separate but both are required.

Federal data base that companies are required to report to? If it is a State plan then you would report to the State OSHA. If you are in a federal plan then you would report to them. But same paramotors as if it is a reportable accident.

-And this reported to Federal OSHA and not Oregon OSHA.

801 question:

Dual purpose form. It is an OSHA form when you are using to document on a case. There is a bold line that says above this line is OSHA. It becomes a workers comp form once it is signed. There are things that are compensable that are not reportable and vice versa. So just the once that there is a entry on the 300's.

Oregon OSHA offers record keeping classes and have [online training](#) on their website.

[Lead rulemaking](#) is starting to meet: nothing has been proposed yet. If you would like to be part of this rulemaking, please reach out to Linda Pressnell, [Linda.S.Pressnell@dcbs.oregon.gov](mailto:Linda.S.Pressnell@dcbs.oregon.gov).

[Non-Entry firefighting](#) rulemaking: Three have been meetings held, and is currently being worked on.

[Consultation in public entity's](#) rulemaking: Drafting the rule.

**Standards improvement process:** this is clean-up of rule; minor editorial scripser errors.

[Ag Labor Housing](#) is being worked on. Meetings being held monthly

**Upcoming:**

Federal OSHA is working on a heat rule, but we have not heard any updates or further information.

Emphasis on warehouses from Federal OSHA.

Emphasis on falls in construction and general industry. We have had one but we are going to adjust ours to be at least as effective as.

**General Discussion:**

**Guest Speaker: Dr. Matthew Hallowell:**

Presentations are on their website: [www.csra.colorado.edu](http://www.csra.colorado.edu)

Dr. Hallowell shared a presentation on the [Total Recordable Incident Rate and fatalities.](#)

Q: Ilene Ferrell asked Dr. Hallowell: If injuries and fatalities are 98% random, how do you explain why injuries and fatalities have drastically dropped over the last 50 years?

A: the timing is random.

Q: where does it go from here? How will it help us?

A: set goals, measure against the goals. Reward people for improvement. And measure against something that is not random. Find the things that are important to you, and work proactively rather than reactively.

HECA: High Energy

ESG: environment, (safety) (sustainability?), governance,

Amme: Energy wheel: appreciate where you are going with this. Looking at energies and controls. And the energy plan is on everyone of our projects now. and is a motion in the right direction.

Ilene shared: Here is a good article on EGS and Safety.

<https://www.ehstoday.com/environment/article/21268778/esg-standards-are-impacting-ehs-more-than-ever>

The group thanked Dr. Hallowell for presenting today to the group.

## Monthly Accidents and Fatalities Report:

If there is an accident or fatality incident that you would like more information on let Nathan and Jeff know so we can track it and can discuss once the case is able to be discussed.

*The following is preliminary information as reported at the time of the accident intake.*

### Accidents

1. August 26<sup>th</sup>, Grants Pass  
Employee Cheney Creek fire 42.21.90 123.38.16 (Lat. Long) fire fighter, EE felt heat cramps, notified supervisor, Hiked EE out started to cool, transported three rivers medical center, on 08/26/23 @ 1847 hours EE released on 08/27/23 at 1330. Determined to be heat stress, EE returning to work on 08/30/23
2. August 11<sup>th</sup>, White City  
Extrusion block was kicked-back by table saw when employee was cutting block resulting in a bruise – pancreatitis
3. August 31<sup>st</sup>, Sandy  
An employee working at the Camp Creek fire was hit in the arm by a falling snag on 8/31/2023. EE was taken by ambulance to Mt. Hood Medical Center. Employee was struck on his head, arm, and shoulder and had surgery for a broken forearm.
4. August 28<sup>th</sup>, Columbia City  
Employee left work approximately 8/13/2023 and contacted employer representative approximately 10:30 a.m. 8/28/2023 describing having had partial foot amputation due to infected blister on foot.
5. August 22<sup>nd</sup>, Portland  
The employee was working at a job site as an Electrician as he fell from a platform (15 feet fall). The ambulance took him to the Legacy Emmanuel Hospital. The fall resulted in broken ribs.
6. August 17<sup>th</sup>, Tigard  
Employee went home and began to feel ill. Employee went to ER and reported he was drinking plenty of water and taking breaks in the company vehicle with A/C but hospital diagnosed him with Heat stroke.
7. August 16<sup>th</sup> Portland  
An employee owner was working on a slightly pitched rooftop for a residential building. He was putting on finishing trim on a window. The employee lost footing and fell to the ground in a grassy area. Fall distance was approximately 10ft from the ground. Distance from leading edge of the roof to the window is approximately 4ft. Employee was not wearing fall protection. Two other employees were working at the same site but did not witness the fall. The injured employee called the other employees to alert them of the injury. 911 was called and the injured employee was transported to Immanuel hospital via ambulance. Employee broke his right ankle and requires surgery.
8. August 11<sup>th</sup>, Salem  
An employee was injured when they tripped stepping over the tongue of trailer that was attached to a dump truck. The injury occurred during the routine daily inspection. The employee was transported to the Hospital by the employer where X-rays revealed a broken

hip. The employee spent the night in the hospital and was scheduled for hip replacement surgery on 08/12/2023

9. August 11<sup>th</sup> Portland

Accident occurred at a Fabrication Shop. Unknown job task at this time. EE was impaled by 6" diameter metal rod that was under tension and unexpectedly released. EE transported to Legacy Emmanuel by EMS. EE currently under emergency surgery.

After speaking with the investigator, it was found the rod was closer to 1" diameter and approximately 6' long. The rod was a pry bar with a pointed end on one end and a chisel type configuration on the other. The rod impaled the worker and exited out his back approximately 6 inches. EMT's were unable to transport the worker due to the rod. Thankfully a hospital was nearby, so the EMT's rolled him there on the gurney. The rod missed the heart by approximately 2" and the spine by approximately 1".

## Fatalities

1. August 29<sup>th</sup>, Grants Pass

Employee was not using any cleaning or other chemicals at time of incident. Employee had went on a break and failed to return to work. Responding medics and police told the owner they believed this death to be an overdose (no further information on what evidence/observations were used to conclude this.) The indoor temperature is set at 72 degrees F and the outdoor high temperature for Grants Pass on 08/29/2023 was 75 degrees F. 34 year old male.

2. August 31<sup>st</sup>, Keizer

On 08/18/23 the employee was in the process of climbing down a fixed ladder on a compactor, when he suddenly fell approximately seven feet striking a control panel and then the concrete floor. The injured employee was taken to the hospital and immediately received head surgery. On 08/31/23 it was reported that the injured employee died of his injuries. 75 year old male.

3. August 19<sup>th</sup>, Portland

Employee reported to work on 8/19/23 at 7:39 PM. Employee indicated shortly after clocking into work that he did not feel well and was going to step outside for some air. Coworkers went looking for the employee when he did not come back inside. Coworkers found the employee unconscious outside and call emergency services 911 - and employee was transported to the hospital and was declared deceased. Per employer representative - this was a 24 hour care home and nothing unusual was occurring at the home the day of the incident. Employee performed no work after clocking into work. 64 year old male.

4. August 17<sup>th</sup>, La Grande

Truck driver lost control of the truck flipped on it's side and slid down the road. The truck was then ignited and blew up due to the loss of petroleum during the accident. 52 year old male

5. August 7<sup>th</sup>, Portland

Employee was found by coworker, collapsed in the 3rd floor bathroom. There were no cleaning supplies in the bathroom. Employee has a choice of cleaning Friday or Sunday night, for Monday morning. Unknown which day employee arrived to clean the office. Employer report confirmed that there was no use of any gas powered equipment, no use of

aggressive strong strippers/solvents, no evidence of mixing of chemicals and that the employee had a history of heart issues. 52 year old male.

**Anonymous Questions:**

*If you have anything you would like to bring up at the meetings and would like to stay anonymous, let Joaquin Diaz, or Nathan Taylor know and they will bring it up for you.*

Question has been postponed until the October Meeting.

**Round table:**

Nothing Shared

Meeting adjourned.

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

**Next Meeting:**

October 10, 2023

**Oregon OSHA** / Zoom Meeting –  
16760 SW Upper Boones Ferry Rd. Tigard, OR 97224