

Oregon OSHA
Construction Advisory Committee
Tuesday, May 14, 2024

Meeting Minutes

Attendees:

Al Lee-Lennar	Dave McLaughlin	Mars Garcida
Alex Garcia	David Davidson	Mary Lou Wilson
Alta Schafer	David Smiley	Mike Brunenkant
Amme Standing	Eric Elkins	Nathan Taylor
Annmarie Earl	Eric Fullan	Oriana Davis
Barbara Hudson-Hanley	Hailey Latherow	Rick McMurry
Barbra Anderson	Ilene Ferrell	Roy Shawgo
Barry Moreland	Jake Errico	Russ Nicolai
Bash Mumuni	Jason Ophus	Ryan Leffel
Blake	Jeff Hooper	Sean Tinker
Bryan Davis	Jennifer Carter	Stephanie Baird
Bryon Snapp	Joaquin Diaz	Stephen Cannon
Caleb Gaboury	John Frank	Stephen Heaven
Caleb Mitchell	John Mastromonaco	Steve Barrett
Charls Furst	Josh Schwabauer	Steve Huson
Cindy Booker	Julie Love	Thomas Price
Craig Ley	Justin Scott	Tim Moore
Craig Tweedy	Kathryn Prus	Travis Stone
Dale Lindstrom	Kyan Bartel	Ursula Lande
David Rekdahl	Laird Blanchard	
Darren Dikeman	Lynn Craig	

The meeting was called to order by Rick McMurry.

Thank you all for joining the hybrid meeting. Introductions of people in person were made.

Previous Meeting Minutes.

The April meeting minutes were approved.

Lessons Learned & Safety Suggestions:

Companies are focusing on mental health. Check in on your coworkers.

OSHA Spotlight: Inspection Walk-Through

Bryon Snapp-

Oregon OSHA has a process that is outlined in our Field Inspection Reference Manual [FIRM](#).

There will be an opening, a walk around, a documents review, employee interviews, and a closing.

The scope of the inspection:

We can be there for a comprehensive inspection; these are wider scope and more involved and that will be from one of our scheduled list. At the opening conference, we will explain what the scope of the inspection is. If you have questions about why they are there, the opening is the appropriate time to ask those questions.

If it is a complaint, referral, or emphasis programs, those will look different and will be narrower in scope.

Opening conferences for all inspections will be relatively brief and then will transition into the body of the work. Safety will look at safety related items, and health will be health related items. There is some overlap between the two disciplines.

We would like an employer representative on the inspection walk through with the compliance officer. There are rare occasions where it is just the Oregon OSHA compliance officer, but those are very rare and outlined in the FIRM.

We are looking for hazards within the scope of the inspection.

We will interview employees, look at safety committees, injury & illness data, and review documents. Compliance officers may request copies of the documents.

Then we will schedule a closing conference once done.

Employee interviews:

The goal of interviews is to get perspective on if the health and safety program is working at that location. Oregon OSHA has the right, through the Oregon Safe Employment Act (ORS 654.067) to interview employees privately without an employer representative present. Interviews of both employees or employer representatives may happen on that same day as the opening conference, or they can be later. Interviews may be in person, or by phone. We want to interview about 10% of the workforce, within reason. The employee has the right to refuse the interview, but we could subpoena the employee depending on the situation, but that will go through Oregon OSHA upper management for approval and would be very rare. We can also record the interviews as well, but they will be notified of the recording before it starts.

As we are attempting to open the inspection, if an employer representative is not available, we will ask someone to make contact with a management representative and ask them to contact the Compliance officer promptly. We will wait a reasonable amount of time for that employer representative to arrive (no more than 45 minutes). If they cannot arrive within 45 minutes, we may open on the phone with the employer representative, then start the walkaround with a person authorized by the employer that will accompany the Compliance officer, then we will meet up with employer representative once they arrive.

We can seek a warrant to gain access if it is denied.

Can the employer provide documents to for the Compliance officer to review digitally while on the location of the inspection? Possibly, our challenges have been ensuring that there is sufficient signal to send and receive emails or other digital communications. It is a best practice if you have a physical back-up on the jobsite in case there is no service.

Language barriers: we have options for translation services so we can interview anyone. We have bilingual staff, as well as a phone service we have available to us that is able to translate in several different languages.

-we will not use the employer's person to translate, or a worker advocate for translation service.

Can the union representative attend the employee interviews? We will ask the employee if they are comfortable with a labor representative, ie. Union rep. and we will ask if there is someone they would like, and we will take that into consideration. It is ultimately the Oregon OSHA compliance officer's decision.

Status of Rulemaking:

Dave-

Working on Lead rules- meeting next week, hoping to have a proposal by end of June.
Looking at bringing down leads. Linda P.
RAC meeting on Friday 5/17

Fed OSHA- Emergency Responders. The public comment period has been pushed out to July 22, 2024.

Fed OSHA: employee rep on walk around- we have an existing policy in place now. No real effect.

ALH rules- meetings on going.

Program Directive: Process Safety Management that we are working on.

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. April 22nd Lone

An employee bent down and began pulling weeds when a rattlesnake bit the employee in the right index finger. It was reported that one of the two rattlesnake's fangs punctured the employee's finger. The employee was transferred by ambulance to the Good Shepherd's ER where the employee was treated and kept overnight.

2. April 22nd Roseburg

The employee was unloading the paving machine when something got caught or shifted which did not allow the tilt deck to operate properly, causing it to tilt. This caused the employee's leg to get pinched between the back of the paver and the end of the trailer.

3. April 15th, Boardman

Setting a blind flange and 36" diameter end cap of pipe slid off and landed on employee's leg, crushing it.

4. April 23rd, Portland

The employer was working on the roof, as he slipped and fell to the lower level about 6-8 feet, resulted to broken ankle.

5. April 23rd, independence

EE fell off approximately 12-15' tin roof when fixing a leak landing on his head to a lower-level concrete floor.

6. April 18th Salem

The employee was using a wrench to do an adjustment on a chop saw but hadn't stopped the saw blade. The employee's left hand slipped and sawblade hit the top

of the employee's left hand. 911 was called immediately. Emergency services responded and arrived approximately 3 minutes later. An ambulance took the employee to the hospital. At this time, it's unclear if the laceration will result in an amputation or if they will be admitted into the hospital.

7. April 10th Portland

Employee is a CDL driver and was preparing to load equipment onto a trailer. The trailer ramp brace was removed so the ramp could be hydraulically lowered and as the ramp was being lowered something went wrong with the mechanism and the ramp fell, striking the employee's leg. The employee was transported to the hospital by ambulance, was admitted and underwent surgery to repair a crushed femur.

8. April 9th Beaverton

Line 2 wrap area. Maintenance engineer working graveyard shift (10pm-6am) was on a ladder. On roughly the third to lowest rung, he fell back on his left side. He was transferred to St. Vincent, then to OHSU for fractured ribs and lacerated liver, kidney, and adrenal gland in the ICU.

Fatalities

No reported at this meeting.

Anonymous Questions:

If you have anything you would like to bring up at the meetings and would like to stay anonymous, let Rick McMurry, or Dale Lindstrom know and they will bring it up for you.

Have there been problems/citations related to a contractor not having a proper trainer that did training?

B: that would be the competent person. Don't know off the top of head if we have cited for.

Q; how much leeway exists for employee who has injury/ fatality: where it was a personal medical event. If the employee has a seizure at work, or employee has a diabetic event, etc.

B: There needs to be a work-related component, but it can be fuzzy. I would suggest report it even if you are unsure and we will decide if we are going to investigate or not. If there is any question, we will investigate to see if there is anything work related.

Q: If the employee is based out of Oregon, traveled to California for work, and after leaving the job site going to the hotel is in a car accident; Would that be considered recordable since they could be considered on the job. Since they are not in their home base.

If they are hospitalized overnight does that get reported to CAL-OSHA, or OR-OSHA?

A: It will be reported to CAL-OSHA (or whatever state the incident happened), and recorded to the homebase logs if on the job.

Round table:

- Bliss roofing: Safety Stand down last week and spent week training.

- CSS: 5/28 at noon SAIF headquarters at Lake Oswego. Dave Stanton, Port of Portland presenting: Prevention Through Design.

Q: Can OR-OSHA create a sample policy for Wildfire Smoke?

A: Yes, we will work on creating these.

Meeting adjourned.

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

Next Meeting:

June 11, 2024