

# Oregon OSHA Forest Activities Advisory Committee

June 12, 2014

9:00 am

## Meeting Minutes

### **Attendees:**

|                 |                    |                   |                |
|-----------------|--------------------|-------------------|----------------|
| Steve Aulerich  | Jennifer Flood     | Rod Huffman       | Rocky Shampang |
| Gary Beck       | Jim Gahlsdorf      | Larry Kirkpatrick | Dennis Sifford |
| Tom Bozicevic   | John Garland       | Jon Marrs         | Greg Stratton  |
| Mark Dvorscak   | Illa Gilbert-Jones | Peggy Munsell     | Jeff Wimer     |
| Stephanie Ficek | Mark Gustafson     | Ryan Olson        |                |

**Meeting was called to order at 9:00 a.m. by Tom  
Introductions were made**

### **Continuing Business:**

#### **437-007-0780 adopted changes.**

One public hearing was held and all three comments during that hearing were in favor of the rule change. The new rule went into effect on 5/29/14.

#### **Machines used in Forest Activities publication revision.**

Copies of the revised publication were handed out, and the changes reflecting the new rule exception were discussed. The committee was in favor of the changes, so the revised publication will be posted on Oregon OSHA's website. There was discussion on label requirements for refurbished machinery, and how Oregon OSHA's enforcement will deal with protective structures that do not meet the exception requirements. Tom said that Oregon OSHA will deal with any refurbished machines issues on a case-by-case basis.

#### **Oregon OSHA and DOSH proposal for cooperation agreement on talkie tooters.**

Oregon OSHA is working with DOSH to ensure that employers who work in both states have similar requirements, and that the potential hazard of two employers being assigned the same radio frequency is prevented. Oregon OSHA's new system is in the testing phase for handling requests for permits electronically, while DOSH awaits the go-ahead to interface with the system.

#### **Investigation of forest activity accidents not covered under Oregon OSHA's jurisdiction.**

Guest: Ryan Olson (OR-FACE), Illa Gilbert-Jones (OR-FACE), Jennifer Flood (DCBS). Ryan explained the Fatality Accident Control Evaluation (FACE) organization and its mission, as well as the resources they have produced. He would like the committee to

help get their resources out to the industry. Ryan explained that FACE has a formal collaborative agreement with Oregon OSHA to produce investigation results. FACE can investigate companies that Oregon OSHA does not have jurisdiction over. The purpose of these investigation reports is to identify and share best work practices to prevent injury and illness for the industry. Jeff mentioned the issues concerning workers' compensation insurance in the industry, and passed out a diagram of Oregon OSHA's jurisdiction parameters from Program Directive 231 (<http://www.orosha.org/pdf/pds/pd-231.pdf>). The group discussed direction and control from a workers compensation point of view and how that helps establish an employer/employee relationship, which may be different than how Oregon OSHA defines direction and control. Jennifer, Ombudsman for Injured Workers at the Department of Consumer and Business Services, spoke on this issue. Gary mentioned that anyone who takes out workers compensation insurance on themselves is covered under the jurisdiction of Oregon OSHA. Ryan asked about the group's interest in investigations for accidents not under Oregon OSHA's jurisdiction. John stated that we would like to know the statistics on the non-covered accidents. Gary will research how many accidents Oregon OSHA became aware of that were not under their jurisdiction.

OR-FACE website: <http://www.ohsu.edu/xd/research/centers-institutes/croet/outreach/or-face/>

Tom handed out copies of a workers' compensation insurance explanation provided by Mark highlighting the five factors that affect rates: the employer's payroll in various class codes, the pure rates for these class codes, the employers experience rating modifier, the insurance carrier's rate tier, and the type of insurance plan the employer is on.

#### **Locational issues for Medevac.**

No new information. The group agreed to keep this agenda item on as continued business for future meetings.

#### **New Business:**

##### **No whistle signals for "standing skyline" in Appendix 7-A (Mandatory) Standard Yarding System Whistle Signals.**

Jeff pointed out that there are no standard yarding system whistle signals for a standing skyline cable systems in appendix 7-A. Nor are they listed in Washington's code 437-007-0940, which only allows new yarding systems whistle signals for an unusual or new situations not covered in the standard signals. It seems that logging companies are using different signals. The group discussed developing a collective list of signals and presenting it to the industry for feedback before engaging in rulemaking. It was also suggested that we make a non-mandatory appendix, which would require changing the language in the rule. However, the reason that Appendix A is mandatory is so the industry, as a whole, would be working off a standard list of signals and there would be less of a chance for a mistaken or misunderstood signal. The group decided to give a copy of their whistle signals to Jeff and he will compare them.

### **Latino forest workers' safety.**

Tom passed around a document explaining a PNASH project proposal: *Safety and Health of Latino Immigrant Forest Workers in the Pacific Northwest*. Oregon OSHA and the committee support the project, and Tom will keep the committee informed of its progress.

John is working on a Spanish to English glossary project proposal that would include putting forest activity terms in context for better understanding. He will likely be requesting a grant from Oregon OSHA for this project. John said that there is an effort to use pictures with all hazards in the industry and for those pictures to be universal across the globe.

### **Leg protectors that are not ASTM tested.**

Tom passed out copies of summaries for *ASTM F1897: Standard Specification for Leg Protection for Chain Saw Users* and *ASTM F1414: Standard Test Method for Measurement of Cut Resistance to Chain Saw in Lower Body (Legs) Protective Clothing*, and explained that DOSH is considering adding language to their rules that would require leg protectors to meet the standards. Such a rule would prohibit the use of internal chaps which provide more mobility. John asked the question if there is case history. Gary said that he doesn't recall any incidents where wearing internal chaps contributed to an injury. The group discussed the benefit of internal chaps and potential hindrance issues. Oregon OSHA does not intend to move forward with this issue – it's just information on what DOSH is doing. Tom will ask DOSH why they are requiring leg protectors to meet the ASTM standards.

### **New AOL PPE stickers.**

Larry and Rod shared the new stickers for chain saw PPE.

### **Quarterly Overnight Hospitalizations & Fatalities Report:**

Tom reviewed the logging accidents reported to Oregon OSHA that occurred since the last meeting. There were four accidents that involved overnight hospitalizations.

### **Roundtable:**

- Rocky asked about logging hazards involving hack and squirt trees. There is no industry consensus as to the period of time when it is safe to fall or work around sprayed trees due to the all the factors involve e.g., tree size, time of year of application, location, etc. One company's policy is to go back to log within 6 months of application; if not, then they wait 10 years. Oregon OSHA requires that hazard trees be identified and mitigated.
- Steve talked about the new practice of tethered shovel logging coming into the industry, and suggested that Oregon OSHA prepare for dealing with the safety issues of this activity. Steve can bring more information to future meetings. The group agreed to put this on the agenda for the next meeting.

**Meeting Adjourned:**

12:10 p.m.

**Next Meeting:**

The next meeting is scheduled for **September 11, 2014 at 9:00 a.m.** Tom will send a reminder and a request for agenda items two weeks prior to the meeting.