

Oregon OSHA

Forest Activities Advisory Committee Minutes

September 21, 2023

9:00 am – noon

AOL office, Zoom meeting

Attendees

Tom Bozicevic, Greig Lowell, John Garland, Kate Ryan, Jennifer Stewart, Larry Fipps, Larry Kirkpatrick, Steve Aulerich, Bryon Snapp, Thomas Price, David Grim, Theresa Lundy, Tami Rockwell, Denise Dethlefs, Julie Love, Wayne Oja, Lance Ryan

- Introductions
 - Approve June 2023 meeting minutes
 - Rulemaking update
 - Quarterly Overnight Hospitalizations & Fatalities Report
 - Roundtable (time permitting)
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Introductions were conducted.

Motion to accept June 2023 meeting minutes, seconded. June 2023 meeting minutes were approved.

Member: Some companies are using hayrack trailers with shorter loads without wrappers. Statistics show that this style could be more likely to tip over than the longer style of trailer. On the short trailers, the loads tend to be shorter but taller. There is a concern that they could tip over, for example when turning corners. One thought is that some companies may be hesitant to put the system on the trailer. Larger trailers that carry longer loads have more tires under them.

Rulemaking update

See the Proposed Rules page on the Oregon OSHA website:

<https://osha.oregon.gov/rules/making/Pages/proposed.aspx>

- Division 1 Rulemaking 592 Updates to Penalty structure. This is currently in proposed rulemaking, and there are additional upcoming public hearings in October. Your feedback is encouraged at these public hearings.
 - Q. What can the public help adjust with the proposed rule?
 - A. One example is adjustments with the penalty structure for small businesses. Minimums and maximums cannot be adjusted in the rule.
- Rulemaking for SB 907: Right for a worker to refuse certain work tasks based on their reasonable belief that the work task is hazardous or dangerous. This is currently in proposed rulemaking, and there are additional upcoming public hearings in October. Your feedback is encouraged at these public hearings.
- Requested Program Directive A-264 regarding Construction: Focused Inspections was shared with the committee after the meeting: <https://osha.oregon.gov/OSHARules/pd/pd-264.pdf>. The only program currently approved by Oregon OSHA is the Associated General Contractors (AGC) Oregon Columbia Chapter Safety Program Recognition Indicating Dedication & Excellence (PRIDE) program; however, any other similar program that could show a positive impact on our safety enforcement effort would be considered.

- Oregon OSHA's Field Inspection Reference Manual (FIRM) – Chapter 1 Oregon OSHA Organizational Structure, Programs, and Inspections – VIII. Programmed Inspection – Scheduled Inspections Exemptions (starting on page 1-9).
<https://osha.oregon.gov/OSHARules/enforcement/firm.pdf>
- Active recordkeeping rulemaking that requires employers in certain high-hazard industries to submit injury data for federal submission (Technical Specialist, Theodore Bunch).
- Active blood lead levels (PEL) rulemaking. The tasks that may be relevant to logging are grinding or sanding (Technical Specialist, Linda Pressnell).
- Active Ag labor housing rulemaking (Technical Specialist, Sarah Rew).
- Active Non-entry firefighting rulemaking (Technical Specialist, Tom Bozicevic).

Overnight Hospitalizations & Fatalities Report (6/1/23 –8/31/23)

The committee reviewed nine hospitalization events.

Logging Accidents Reported to Oregon OSHA Year 2022

Tom provided a summary of the 2022 accidents reported to Oregon OSHA that included:

- Fatalities: 2 (Natural cause/Unknown medical: 0)
- Hospitalizations: 10 (Unknown medical: 0)

Questions/comments:

- Q. What is the definition of “Natural Causes”? There seem to be a large number of fatalities listed as being caused by “Natural Causes.”
- A. Something not caused by the employment, such as a cardiac event or aneurysm. It also seems like employers are calling in more often than in the past when an employee death occurs at work.
- Q. What constitutes a hospitalization that then is reportable? I understand when a patient is admitted. But what is the difference between being admitted, receiving treatment (and clarification of what “treatment” is).
- A. Overnight hospital with medical treatment is reportable. A list of what is considered medical treatment and what is not considered medical treatment is in Division 1 Recordkeeping. Division 1, OAR 437-001-0700 Recording Workplace Injuries and Illnesses, Table 6 (page 94)
<https://osha.oregon.gov/OSHARules/div1/437-001-0700.pdf>
- Q. Is there a risk to reporting an incident and then it wasn't actually required to be reported?
- A. There is an inherent risk to reporting when not required because it could result in an inspection. You can make an anonymous call to Technical or call and talk it over with Consultation before actually reporting it. After the call, you can then say that you need to report the incident if required.
- Q. Is the 800 number to report an accident to Oregon OSHA, “live” during normal business hours or does it always go to voicemail for a message to be left?
- A. Needs to be enough actionable information if a message is left with federal OSHA.

Meeting ended unexpectedly due to a power outage. Members were encouraged to email Tom Bozicevic with additional questions or comments about the meeting's agenda items.

Next meeting:

December 14, 2023