

Recordkeeping Exemptions Advisory Committee

Meeting Minutes

March 31, 2017, 1:00-2:30 pm

Present:

From Oregon OSHA

Sue Joye – Rules Coordinator

Dave McLaughlin – Tech. Specialist

Sarah Rew – Meeting Recorder

Renée Stapleton – Policy Manager

Jeff Wilson – Tech. Specialist, (Facilitator)

Michelle Batten – PFSP/AFT

Jared Mason-Gere (by phone) – OEA

Lisa Freiley – OSBA

Soren Metzger – OSEA

Belinda Reagan – PFSP/AFT

Welcome and introductions

The group introduced themselves. Sue Joye gave a brief synopsis of the rulemaking process. Portions of the Recordkeeping and Reporting rule and a copy of the 300 Log were distributed.

Purpose

The Oregon School Employees Association (OSEA) has led a campaign to reduce the amount of preventable injuries resulting from violence against the school staff they represent. These efforts resulted in legislation passed in 2013 that requires school districts to establish a reporting policy for incidents resulting in injuries to district employees. In January of this year OSEA petitioned Oregon OSHA to initiate rulemaking to remove NAICS 6111 (Elementary and Secondary Schools), 6116 (Other Schools and Instruction), and 6117 (Educational Support Services), from exempt status of Table 1 in OAR 437-001-0700 Recording Workplace Injuries and Illnesses.

Advisory committee role and responsibilities

The committee is open to the public. Members must represent interests of persons likely to be affected by the rules. Our goal is to have public involvement in the development of public policy, which includes participation in manipulation of potential language and possible fiscal impacts.

Rule Review

The existing rule language in OAR 437-001-0700 exempts certain industries from keeping Oregon OSHA injury and illness records. OSEA proposes to remove three NAICS Codes from the exempt list: 6111 (Elementary and Secondary Schools), 6116 (Other Schools and Instruction) and 6117 (Educational Support Services).

The history of the rule was discussed.

Fiscal Impact

Fiscal impact was discussed, and Oregon OSHA requested the classification and compensation of the person typically filling out record keeping (maintaining the records, logs, etc.). Based on calculations conducted by OSHA in past rulemakings that took certain industries off the exempted industries list, the expected approximate time to fill out forms is as follows:

Fill out 801 – 20 minutes (this should already be occurring, should not be an added cost)

Line entry on 300 Log – 15 minutes

Complete, verify and post 300A – 1 hour (annually)
Learn the recordkeeping system – 1 hour (This would occur initially for employers who are not currently keeping records and would occur periodically due to employee turnover)

Action Item

Lisa Freiley will provide guidance about the person(s) responsible for maintaining the 300 Log; Oregon OSHA may use this in developing a fiscal impact picture for this rulemaking.

There was also discussion concerning possible public hearing sites.

Timeline

Oregon OSHA anticipates filing proposed rulemaking with the Secretary of State by April 14, 2017, with public hearings in statewide locations capturing large and small school districts. Comments will be received from the filing of the proposed rulemaking through approximately mid-June 2017. Adoption of final rules in June or July 2017, to become effective, tentatively, January 1, 2018.

Contact:

Jeff Wilson, Technical Specialist, Oregon OSHA
503-947-7421 | Jeffrey.R.Wilson@oregon.gov

References

[437-001-0700](tel:437-001-0700)
[OSHA 300 Log](#)