

# Walking-Working Surfaces and PPE (Fall Protection Systems) Advisory Committee

## Meeting Minutes

January 19, 2017

### Present:

Greg Astley

Ryan Bodily

Kevin Denis

Stephanie Ficek (Scribe)

Ron Haverkost

Tony Howard

Sue Joye

William Kalapsa

Ken Langley

Greg McDonald

Peter Morin

Michael O'Connell Jr.

Bryon Snapp

Robert Snyder

Renee Stapleton

William White

### Welcome and introductions

The group introduced themselves.

### Review minutes

The group approved the 1/5/17 meeting minutes.

### Rule review

The existing rule language from the following OARs within 2/D were reviewed by the group to obtain comments on whether the existing rule language should be retained or repealed. Members were provided copies of each OAR. Rule language from each OAR that was duplicated in the new 1910.21-.30 had "strikethrough" applied and were not considered. Oregon OSHA intends to remove the duplicative language from the existing OARs and maintain the equivalent language in the new 1910.21 -.30. Bryon polled the group on each rule, asking them if they think we should **keep** or **repeal** the remaining OAR rules. He also asked for a "**neutral**" vote for those that didn't feel there was enough information to make a decision. The majority vote is noted in red below. Vote totals were tracked after 437-002-0022(3)(c)(A) and indicated in [brackets] after the majority result. Vote totals vary as members left the meeting.

Bryon mentioned that he ran a report from 2006-2016 on the number of Oregon OSHA citations per rule.

### OAR 437-002-0022, Additional Oregon General Requirements

#### (1) **Barriers.**

(1)(a) and (b) **Repeal**. Bryon will do additional research to make sure that 1910.28 (b)(3) covers (1)(a) and (b). Oregon OSHA has cited 437-002-0022 (a) once and never cited 437-002-0022 (b) in the 10-year span.

**(2) Plant Arrangement.**

**(2)(a) Keep**

**(2)(b) Keep**

**(2)(c) Repeal** and **neutral**. The group was split on this rule. It was noted that the definition of “platforms” has changed in the federal rule.

**(3) Aisles, Passageways, Walkways, Inclines.**

**(3)(a) Keep** but add definitions for aisles, passageways, walkways, and inclines.

**(3)(b) Keep, neutral, and repeal.** The group was split on this rule.

**(3)(c)(A) Keep, neutral, and repeal.** The group was split on this rule.

**(3)(c)(B) Keep.** [+7 / =4 / -1]

**(3)(d) Keep.** [+9 / =1 / -1]

**(3)(e) Repeal.** [+1 / =3 / -8] The group discussed the definition of ramps and runways from the federal rule. It was suggested that we look into the building code requirement for ramps.

**(3)(f) Repeal.** [+0 / = 1 / -10] Bryon will look into 1910.22 (a)(3) to make sure that this rule is duplicative.

**437-002-0023, Covers for holes. Repeal.** No vote taken because the language is duplicated in 1910.29(e)(1) & (e)(2).

**OAR 437-002-0026, Portable ladders**

**(3)Ladder selection. Repeal.** [+0 / =0 / -12]

**(5) General requirements – all ladders.**

**(5)(b) Repeal.** [+0 / =0 / -12]

**(5)(c) Repeal.** [+0 / =0 / -12]

**(5)(d) Keep.** [+6 / =1 / -3] There was discussion on the definition of auxiliary and accessory equipment.

**(5)(f) Repeal.** [+0 / =0 / -10]

**(5)(h) Repeal.** [+4 / =1 / -6]

**(6) General requirements – portable stepladders.**

**(6)(b) Repeal.** [+0 / =1 / -10]

**(7) Use – all ladders.**

**(7)(d) Repeal.** [+0 / =0 / -11]

**(7)(f) Repeal.** This rule is covered in 1910.23 (b)(8) and is duplicative language.

**(7)(k) Keep.** [+8 / =0 / -1]

**(7)(l) Repeal.** This rule is covered in 1910.23 (b)(8) and is duplicative language.

**(7)(m) Keep.** [+9 / =0 / -1]

**(7)(n) Keep.** [+10 / =0 / -1] It was suggested that we remove the word “scaffolds.”

**(7)(o)** It was suggested that we put the language from (7)(o) into a note.

**(7)(q) Repeal.** [+0 / =0 / -11] This vote was for the language, “nor as a brace, skid, guy or anchor point.” The first half of this rule is duplicated in 1910.23(c)(8).

**(8) Use of specific types of ladders.**

**(8)(a) Keep.** [+9 / =1 / -2] There have been no citations on this rule in the 10-year span.

**(8)(a)(A) Repeal.** This rule is covered in 1910.23 (b)(8).

**(8)(a)(B) Repeal.** This rule is covered in 1910.23 (b)(8).

**(8)(a)(C) Repeal.** [+0 / =1 / -9] This rule has been cited 28 times in the 10-year span.

**(8)(b)(A)(i) Repeal.** [+3 / =2 / -7]

**(8)(b)(A)(iv) Repeal.** Suggest turning into a note.

**(8)(b)(B) (i) Keep.** [+7 / =2 / -0] Bryon mentioned that Oregon OSHA needs to decide on whether to allow job-made ladders in general industry. Once that decision is made, it will clarify some of these issues.

**(8)(b)(B) (ii) Repeal.** Not vote on. This rule is covered in 1910.23 (b)(8) and is duplicative language.

**(8)(b)(B) (v) Repeal.** [+0 / =0 / -9]

**(8)(b)(C) (i) Repeal.** Not vote on. This rule is covered in 1910.23 (b)(8) and is duplicative language.

**(8)(b)(C) (iv) Keep.** [+4 / =2 / -2]

**(8)(b)(D) Keep.** [+7 / =0 / -0]

In the next meeting, the group will complete the rule review by covering:

- OAR 437-002-0027
- OAR 437-002-0028
- OAR 437-002-0030
- OAR 437-002-0031
- OAR 437-002-0032
- OAR 437-002-0033

### **Fiscal Impact**

Ken Langley briefly introduced the members to the “Analysis of Cost Implementation: New Walking/Working Surfaces Rules” that will be discussed at the next meeting. Ken requested members to identify and share with Oregon OSHA the costs incurred from this rulemaking. Ken informed the members that Bryon will email the group the fiscal impact from the Federal Register where the federal final rule was published.

**Meeting adjourned:** 4 p.m.

**Next meeting:** Thursday, Jan. 26, 2017 (1 – 4 p.m.)