

# Reportables and Recordables

Presented by:

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# Reporting fatalities and injuries/illnesses

## Fatalities and catastrophes

- Report within **8 hours**
  - Report fatal heart attacks and auto accidents
  - Catastrophe is **3 or more people** hospitalized from same event

## In-patient hospitalization

- Report within **24 hours**
  - Also report loss of an eye and amputations/avulsions



**Reporting work-related incidents**

**Reporting work-related incidents**  
If you're an employer, Oregon OSHA requires you to report work-related injuries or illnesses that cause the loss of an eye, an amputation or avulsion that includes bone or cartilage loss, in-patient hospitalization, catastrophe, or fatality, including fatalities from heart attacks and motor vehicle accidents. Reporting an incident does not assign fault, does not prove the violation of an Oregon OSHA rule, and does not establish an employee's eligibility for workers' compensation or other benefits.

**Reports must be made in person or by telephone by calling 800-922-2689 or your nearest Oregon OSHA office:**

Bend	541-388-6066
Eugene	541-686-7562
Medford	541-776-6030
Pendleton	541-276-9175
Portland	503-229-5910
Salem	503-378-3274

**Report within 24 hours**  
You must report an in-patient hospitalization, loss of an eye, and either an amputation or avulsion that results in bone loss to Oregon OSHA within 24 hours after occurrence or employer knowledge (reported to you or any of your agents). Reporting them is required only if they occur within 24 hours after the incident that caused the hospitalization, loss of an eye, amputation, or avulsion. When loss of an eye, an amputation, or an avulsion involves in-patient hospitalization, you can make a single report.

**In-patient hospitalizations:** Incidents that require medical treatment in the emergency room and then result in in-patient admission must be reported. In-patient hospitalization is the formal admission

**OSHA**  
A Division of the  
Department of Consumer  
and Business Services  
[www.orosha.org](http://www.orosha.org)

# OSHA 300 log

## Purpose

Raises awareness

Identifies and corrects hazards

Provides data to measure nation's injuries/illnesses

# Who's covered – employers



Not everyone – there are exceptions!

Who's **not** required to keep logs?

- Employers of 10 or fewer employees
  - Company-wide; peak employment
  - Count **all covered** employees
- Certain type of industry
  - Regardless of number of employees (see Table 1)

Surveys may also be sent to employers from either BLS or DCBS

Table 1 - Exempt industries

Employers **do not need to keep** Oregon OSHA injury and illness records for any establishment in the following 2007 North American Industry Classification System (NAICS) codes. Subsequent codes that are added with further revisions of the NAICS codes would apply to this exemption list, unless Oregon OSHA or the Department of Consumer and Business Services asks them in writing to keep these records.

NAICS Code	Industry Description	NAICS Code	Industry Description
4412	Other Motor Vehicle Dealers	5172	Wireless Telecommunications Carriers (except Satellite)
4431	Electronics and Appliance Stores	5173	Telecommunications Resellers
4461	Health and Personal Care Stores	5179	Other Telecommunications
4471	Gasoline Stations	5181	Internet Service Providers and Web Search Portals
4481	Clothing Stores	5182	Data Processing, Hosting, and Related Services
4482	Shoe Stores	5191	Other Information Services
4483	Jewelry, Luggage, and Leather Goods Stores	5211	Monetary Authorities - Central Bank
4511	Sporting Goods, Hobby, and Musical Instrument Stores	5221	Depository Credit Intermediation
4512	Book, Periodical, and Music Stores	5222	Nondepository Credit Intermediation
4531	Florists	5223	Activities Related to Credit Intermediation
4532	Office Supplies, Stationary, and Gift Stores	5231	Securities and Commodity Contracts Intermediation and Brokerage
4812	Nonscheduled Air Transportation		
4861	Pipeline Transportation of Crude Oil		

Not the complete exempt list

**Schools (6111, 6116, 6117) were recently removed from exempt list in Oregon.**

This means they're covered in Oregon but not federally.



# Who's covered – employers



## Injuries/illnesses of covered employees:

- Employees on payroll
- Other employees supervised on a day-to-day basis (“daily direct control and supervision”)
  - Temps/leased
- Guidance for temporary and leasing agencies in Oregon OSHA P.D. A-246

# Location of logs

- Must keep a 300 log for each establishment (more than 1 year)

*An “establishment” is a single, physical location doing business or offering services or with industrial operations.*

- Short-term establishments (less than 1 year) can be kept on one log or other log (i.e., supervising location)
- Can centralize at headquarters
- Must link employee to establishment



# What is recordable?

Injuries and illnesses must be recorded when it is:



- Death
- Days away from job
- Restricted/job transfer
- Medical treatment
- Loss of consciousness
- Diagnosis of significant injury/illness (when treatment/restrictions not recommended e.g., broken toe, chipped tooth)

This is called “General Recording Criteria” in the rule



# What is recordable – work-related



- Event or exposure in **work environment** caused or contributed to injury/illness

*A “work environment” is an establishment and other locations where employees are working or are present as a condition of their employment.*

- Significantly aggravated a pre-existing injury/illness
- There are exceptions (see Table 3)

Table 3 - Work environment exceptions

**Do not record injuries and illnesses if . . .**

At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.

The injury or illness involves signs or symptoms that surface at work but result solely from a nonwork-related event or exposure that occurs outside the work environment.

The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness, or recreational activity such as blood donation, physical examination, flu shot, exercise class, racquetball, or baseball.

The injury or illness is solely the result of an employee eating, drinking, or preparing food or drink for personal consumption (whether bought on the employer's premises or brought in). For example, if the employee is injured by choking on a sandwich while in the employer's establishment, the case is not work-related.

**Note:** If the employee becomes ill by ingesting food contaminated by workplace contaminants (such as lead), or gets food poisoning from food supplied by the employer, the case is work-related.

The injury or illness is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of the employee's assigned working hours.

The injury or illness is solely the result of personal grooming, self-medication for a nonwork-related condition, or is intentionally self-inflicted.

The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.

The illness is the common cold or flu (**Note:** contagious diseases such as tuberculosis, brucellosis, hepatitis A, or plague are work-related if the employee is infected at work).

The illness is a mental illness. Mental illness is not work-related unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (psychiatrist, psychologist, psychiatric nurse practitioner, etc.) stating that the employee has a work-related mental illness.

# What is recordable – new case

It qualifies as a new case if:

Employee has never experienced a recordable injury/illness of the same type, affecting the same body part

Employee has experienced a recordable injury/illness but had **recovered completely** and the event/exposure caused the signs/symptoms to reappear

# What is recordable – resulting condition

## Days away from job:

Don't include day of injury/illness

Count **all** calendar days employee was unable to work

Cap count at 180 days

May have to estimate count (e.g., extending into a new year)

Stop count if they leave for an unrelated reason

# What is recordable – resulting condition

## Restricted work/job transfer:

Keeps employee from working full workday

Keeps from performing one or more **routine functions**

## Note:

Not restricted if limited to day of injury/illness

Count same as days away

*“Routine functions” are work activities the employee regularly performs at least once per week.*



# What is recordable – resulting condition



## Medical treatment:

- Is the “management and care of a patient to combat a disease or disorder?”
- Does **not** include:
  - Doctor observation/counseling
  - Diagnostic procedures
  - First aid
- First-aid treatments (see Table 6)

Table 6 - First aid treatment

(A)	Using a nonprescription medication at nonprescription strength (for medications available in both prescription and nonprescription form, a recommendation by a physician or other licensed health care professional to use a nonprescription medication at prescription strength is medical treatment for recordkeeping purposes);	(H)	Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister;
(B)	Administering tetanus immunizations (other immunizations, such as Hepatitis B vaccine or rabies vaccine, is medical treatment);	(I)	Using eye patches;
(C)	Cleaning, flushing or soaking wounds on the surface of the skin;	(J)	Removing foreign bodies from the eye using only irrigation or a cotton swab;
(D)	Using wound coverings such as bandages, Band-Aids™, gauze pads, etc.; or using butterfly bandages or Steri-Strips™ (other wound closing devices such as sutures, staples, etc. are medical treatment);	(K)	Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means;
(E)	Using hot or cold therapy;	(L)	Using finger guards;
(F)	Using any nonrigid means of support, such as elastic bandages, wraps, nonrigid back belts, etc. (devices with rigid stays or other systems designed to immobilize parts of the body are medical treatment for recordkeeping purposes);	(M)	Using massages (physical therapy or chiropractic treatment are medical treatment for recordkeeping purposes); or
(G)	Using temporary immobilization devices while transporting an accident victim (e.g., splints, slings, neck collars, back boards, etc.).	(N)	Drinking fluids for relief of heat stress.

This is a complete list of all first aid treatments for this standard. These treatments are considered first aid regardless of the professional status of the person providing the treatment.

# Additional recording criteria

## Loss of consciousness

- Regardless of duration

## Needlestick/sharps

- Div 1 OAR 437-001-0700(9)
- P.D. A-249 (pp. 9-10; p. 17)

## Hearing loss

- Div 1 OAR 437-001-0700(11)

## Tuberculosis

- Div 1 OAR 437-001-0700(12)
- P.D. A-249 (p. 10)

## Medical removal cases

- Div 1 OAR 437-001-0700 (10)
- P.D. A-249 (p. 11)

## Medical surveillance requirements in:

- Benzene
- Beryllium
- Cadmium
- Formaldehyde
- Lead
- Methylenedianiline
- Methylene chloride
- Silica
- Vinyl chloride

# Recording on the log

- Must have an 801 (or equivalent) for each entry on the 300 log
- Must enter each recordable case within **7 calendar days**
- Can use **equivalent** forms
- Retain all records for 5 years
  - 300 log must be updated during this time

**OSHA's Form 300** Year 20 \_\_\_\_\_

**Log of Work-Related Injuries and Illnesses**

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

You must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity, or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health-care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in OAR 437-001-0700. Use two lines for a single case if you need to. You must complete the Report of Injury or Illness (Form 801) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local Oregon OSHA office for help.

Establishment name: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_

Identify the person			Describe the case			Classify the case											
(A) Case no.	(B) Employee's name	(C) Job title (e.g., "welder")	(D) Date of injury or of illness	(E) Where the event occurred (e.g., "loading dock -north end")	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g., "second-degree burns on right forearm from acetylene torch")	Using these four categories, check only the most serious result for each case:				Enter the number of days the injured or ill worker was:		Check the "injury" column or choose one type of illness: (M)					
						Death	Days away from work	Job transfer or restriction	Other medical cases	Away from work	On job transfer or restriction	Injury	Skin disorder	Respiratory condition	Poisoning	Hearing loss	All other illnesses
						(G)	(H)	(I)	(J)	(K)	(L)	(1)	(2)	(3)	(4)	(5)	(6)
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# Providing access to logs

## Who has access to the logs:

Government  
representatives  
(within 4  
business hours)

Current and former  
employees

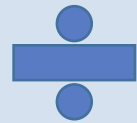
Authorized and  
personal  
representatives

Remove names if  
providing voluntarily  
Div 1 OAR 437-001-  
0700(14)(a)(J)

*Access to medical and exposure records in Div 2/Z 29 CFR 1910.1020*

# Days away, restricted, or transfer (DART) rate

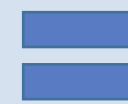
Total number of recordable injuries or illnesses with days away from work and restricted work



Hours worked by all employees



200,000



Cases involving days away from work and restricted work incidence rate

# 300A summary

- Summarizes previous year
- Posted Feb. 1 – April 30
- Establishment specific
- **Must be signed to certify**
- Post in noticeable location

OSHA's Form 300A (Rev. 04/2004)

### Summary of Work-Related Injuries and Illnesses

*All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.*

*Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."*

*Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.*

**Note: You can type input into this form and save it.** Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the [free Adobe PDF Reader](#).

Year 20

**U.S. Department of Labor**  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

**Number of Cases**

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

**Number of Days**

Total number of days away from work	Total number of days of job transfer or restriction
0	0
(K)	(L)

**Injury and Illness Types**

Total number of . . . (M)	
(1) Injuries	0
(2) Skin disorders	0
(3) Respiratory conditions	0
(4) Poisonings	0
(5) Hearing loss	0
(6) All other illnesses	0

**Post this Summary page from February 1 to April 30 of the year following the year covered by the form.**

Public reporting burden for this collection of information is estimated to average 58 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

**Establishment information**

Your establishment name

Street

City  State  Zip

Industry description (e.g., *Manufacture of motor truck trailers*)

North American Industrial Classification (NAICS), if known (e.g., 336212)

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees

Total hours worked by all employees last year

**Sign here**

**Knowingly falsifying this document may result in a fine.**

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive  Title

Phone  Date

Reset

# Electronically submitting forms

Three categories:

- **Establishments** of 250-plus employees must submit 300A
- **Establishments** of 20-plus, but less than 250 employees and NAICS (see Table 7) must submit 300A
- **NEW: Establishments** of 100-plus and NAICS (see Table 8) must submit 300, 300A, and 801s

When to submit: **March 2**

- Must also provide EIN and legal company name
- How to submit: Federal OSHA's website
  - Oregon OSHA's recordkeeping page links to it

These requirements to electronically submit are based on establishment size, not company size.

# Table 7

**Table 7 - Designated Industries**

Annual Electronic Submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses by Establishments With 20 or More Employees but Fewer Than 250 Employees in Designated Industries

NAICS	Industry	NAICS	Industry
11	Agriculture, forestry, fishing and hunting	4882	Support activities for rail transportation
22	Utilities	4883	Support activities for water transportation
23	Construction	4884	Support activities for road transportation
31-33	Manufacturing	4889	Other support activities for transportation
42	Wholesale trade	4911	Postal service
4413	Automotive parts, accessories, and tire stores	4921	Couriers and express delivery services
4421	Furniture stores	4922	Local messengers and local delivery
4422	Home furnishings stores	4931	Warehousing and storage
4441	Building material and supplies dealers	5152	Cable and other subscription programming
4442	Lawn and garden equipment and supplies stores	5311	Lessors of real estate
4451	Grocery stores	5321	Automotive equipment rental and leasing
4452	Specialty food stores	5322	Consumer goods rental
4521	Department stores	5323	General rental centers
4529	Other general merchandise stores	5617	Services to buildings and dwellings
4533	Used merchandise stores	5621	Waste collection
4542	Vending machine operators	5622	Waste treatment and disposal
4543	Direct selling establishments	5629	Remediation and other waste management services
4811	Scheduled air transportation		
4841	General freight trucking		

# Table 8

**Table 8 – 24(c) Designated Industries**

**Designated Industries for Annual Electronic Submission of information from OSHA Form 300 Log of Work-Related Injuries and Illnesses and DCBS Form 801 by Establishments With 100 or More Employees in Designated Industries.**

**Note: If subsection (24)(c) applies then your establishment is also required to electronically submit the OSHA Form 300A summary in accord with either subsection (24)(a) or (24)(b) depending on the size of the establishment.**

NAICS	Industry	NAICS	Industry
<u>1111</u>	<u>Oilseed and Grain Farming</u>	<u>1141</u>	<u>Fishing</u>
<u>1112</u>	<u>Vegetable and Melon Farming</u>	<u>1142</u>	<u>Hunting and Trapping</u>
<u>1113</u>	<u>Fruit and Tree Nut Farming</u>	<u>1151</u>	<u>Support Activities for Crop Production</u>
<u>1114</u>	<u>Greenhouse, Nursery, and Floriculture Production</u>	<u>1152</u>	<u>Support Activities for Animal Production</u>
<u>1119</u>	<u>Other Crop Farming</u>	<u>1153</u>	<u>Support Activities for Forestry</u>
<u>1121</u>	<u>Cattle Ranching and Farming</u>	<u>2213</u>	<u>Water, Sewage and Other Systems</u>
<u>1122</u>	<u>Hog and Pig Farming</u>		
<u>1123</u>	<u>Poultry and Egg Production</u>	<u>2381</u>	<u>Foundation, Structure, and Building Exterior Contractors</u>
<u>1129</u>	<u>Other Animal Production</u>		
<u>1133</u>	<u>Logging</u>	<u>3111</u>	<u>Animal Food Manufacturing</u>

\*Not the complete lists. Please refer to rule.



# Employees reporting injuries/illnesses



- Must have a **reasonable** procedure and inform employees how to report
- Inform employees of their right to report without fear of retaliation and that employers are not allowed to discriminate for reporting
- Must be careful with disciplinary programs, incentive programs, and post-incident drug/alcohol testing
- More info in Oregon OSHA fact sheets and at federal OSHA site: <https://www.osha.gov/> (next slide)
  - Note: Federal OSHA memo dated Oct. 11, 2018



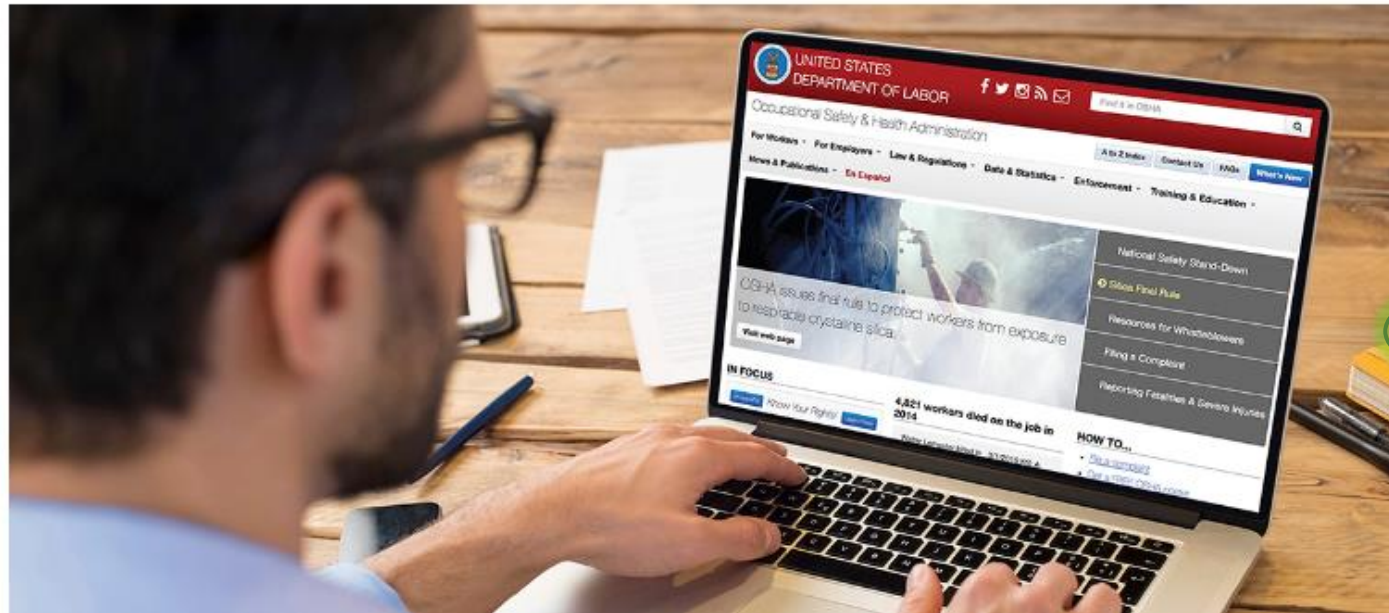
## Occupational Safety and Health Administration

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# Final Rule Issued to Improve Tracking of Workplace Injuries and Illnesses



### About

[Read the Rule](#)

[Regulatory Text for Recordkeeping Standard - Part 1904 - \[Amended\]](#)

[Corrected Text](#)

**NEW** [Employee Involvement \(Employee's right to report injuries and illnesses free from retaliation\) \(1904.35\)](#)

[Fact Sheet](#)

[Frequently Asked Questions](#)

[Blog by Deputy Secretary Chris Lu](#)

[Blog by Paul O'Neill](#)

[www.osha.gov](http://www.osha.gov)

Oregon OSHA 300 log requirements



# Resources

The screenshot shows the Oregon OSHA website's "Recordkeeping and reporting" page. The navigation bar includes "OREGON.GOV" and various menu items like "A-Z Topics", "Collaborations", "Conferences", "Consultation", "Education", "News", "Publications", "Rules", "Videos/Library", and "Español". The main heading is "Recordkeeping and reporting" with a "Topic index" button. The "Overview" section states "All employers must report" and lists reporting deadlines: within eight hours for fatalities and catastrophes, and within 24 hours for hospitalization, amputation, or loss of an eye. It also provides a toll-free number for reporting incidents. The "Recordkeeping" section explains the OSHA 300 Log and Summary. The "Highlights" section includes enforcement guidance for COVID-19, a link to the Federal OSHA website, and information on the "Electronic Submission of Records" via the Injury Tracking Application (ITA). A "Rule obligations list" is also mentioned.

More at [www.osha.oregon.gov](http://www.osha.oregon.gov) ...

...and in our recordkeeping packet!

The image shows the cover of a packet titled "OSHA Forms for Recording Work-Related Injuries and Illnesses". The top right corner has the text "WORKER HEALTH AND SAFETY". The Oregon OSHA logo is prominently displayed. A box titled "What's inside ..." lists the contents: general instructions for filling out forms, an example of the OSHA 300 Log, a removable summary page, a worksheet for calculating average employee hours, and other reportable requirements. A note at the bottom right encourages users to review the guide and provides contact information for OSHA field offices.



# Oregon OSHA fact sheets



**Oregon OSHA FACT SHEET**

## Reporting work-related incidents

**OAR 437 Division 1**

**Reporting work-related incidents**  
If you're an employer, Oregon OSHA requires you to report work-related injuries or illnesses that cause the loss of an eye, an amputation or avulsion that includes bone or cartilage loss, in-patient hospitalization, catastrophic, or fatality, including fatalities from heart attacks and motor vehicle accidents. Reporting an incident does not assign fault, does not prove the violation of an Oregon OSHA rule, and does not establish an employee's eligibility for workers' compensation or other benefits.

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**Report within 24 hours**  
You must report an in-patient hospitalization, loss of an eye, and either an amputation or avulsion that results in bone loss to Oregon OSHA within 24 hours after occurrence or employer knowledge (reported to you or any of your agents). Reporting them is required only if they occur within 24 hours after the incident that caused the hospitalization, loss of an eye, amputation, or avulsion. When loss of an eye, amputation, or an avulsion involves in-patient hospitalization, you can make a single report.

**In-patient hospitalizations:** Incidents that require medical treatment in the emergency room and then result in in-patient admission must be reported. In-patient hospitalization is the formal admission

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**Oregon OSHA FACT SHEET**

## Post-incident drug and alcohol testing


**OAR 437 Division 1**

**Alcohol and Drug Testing**  
Oregon OSHA does not prohibit employers from drug testing employees who report work-related injuries or illnesses as long as they have an "objectively reasonable" basis for testing.

The rule does not apply to drug testing employees for reasons other than injury reporting. Also, Oregon OSHA will not issue citations for drug testing conducted under a state workers' compensation law or other state or federal law. Drug testing under state or federal law does not violate the rule. The rule only prohibits drug testing employees for reporting work-related injuries or illnesses without an objectively reasonable basis for doing so.

When Oregon OSHA evaluates the reasonableness of drug testing a particular employee who has

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**Oregon OSHA FACT SHEET**

## Recording and posting workplace injuries and illnesses

**OAR 437 Division 1**

**Am I required to keep records of workplace injuries and illnesses?**  
The list of industries exempt from the requirement to routinely keep OSHA injury and illness records was recently updated. The list is based on the North American Industry Classification System (NAICS). Some industries changed from an exempt industry to non-exempt – meaning they now have to keep records. Others, who were required to keep records, are now on the exempt list because of relatively low occupational injury and illness rates. The complete list of the designated industries that are not required to keep injury and illness records are found in Table – 1 Exempt industries in Oregon OSHA's Recording Workplace Injuries and Illnesses Rule (OAR 437-001-0700).

**What if I am not on the exempt list?**  
If your organization had more than 10 employees at any time during the last calendar year and is not listed on the exempt list in Table 1, you must keep the following injury and illness records for five years for each establishment.

- **OSHA 300 Log** – Enter each recordable injury or illness within 7 calendar days of receiving information that a recordable injury or illness occurred. Enter information about your business at the top and a one or two line description for each recordable injury or illness.

**What if I am on the exempt list?**  
If your industry is exempt or your organization never had more than 10 employees at any time during the last calendar year, you are not required to keep the OSHA Form 300 or 300A Summary form for that year. The exemption for size is based on the number of employees in the entire company within the state of Oregon. The list of exempt industries, regardless your number of employees, is found on Table 1.

You must keep the DCBS Form 801 or equivalent for five years for each occupational injury or illness that may result in a compensable claim.

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**Oregon OSHA FACT SHEET**

## Employee Accident Incident Report

**OAR 437 Division 1**

**Incentive Programs**  
Oregon OSHA's rules on recording workplace injuries and illnesses require employers to have a reasonable procedure for employees to report work-related injuries and illnesses. The rules also ban retaliating against employees for reporting work-related injuries or illnesses. These retaliation prohibitions can affect how employers use incentive programs. This fact sheet will clarify some of those issues.

**Incentive Programs**  
Oregon OSHA does not prohibit incentive programs. However, employers must take care in how they are developed and applied. The rule bans taking adverse action against employees simply because they report work-related injuries or illnesses. Adverse actions can affect not only the worker who reported the injury, but co-workers as well when a benefit is withheld.

Withholding a benefit—such as a cash prize drawing or other substantial award—simply because of a reported injury or illness would likely be considered retaliating against an employee and a violation of the rule. Penalizing employees simply because an employee reported a work-related injury or illness without regard to the circumstances surrounding the injury or illness is not "objectively reasonable," and therefore not a legitimate reason for taking adverse action against employees.

For example, an employer raffles a \$500 gift card at the end of each month with no accidents that require any employees to miss work. Then, the employer cancels the raffle one month because an employee reported a lost-time injury. This likely violates the rule because the employer did not consider the circumstances of the injury. Canceling the raffle is an adverse action against an employee with a work-related injury.

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## OSHA Injury and Illness Recordkeeping and Reporting Requirements

On July 30, 2018 the Occupational Safety and Health Administration (OSHA) issued a Notice of Proposed Rulemaking (NPRM) to eliminate the requirement to electronically submit information from OSHA Form 300 (Log of Work-Related Injuries and Illnesses), and OSHA Form 301 (Injury and Illness Incident Report) for establishments with 250 or more employees that are currently required to maintain injury and illness records. These establishments would be required to electronically submit information only from OSHA Form 300A (Summary of Work-Related Injuries and Illnesses). In addition, OSHA is proposing to require covered employers to submit their Employer Identification Number (EIN) electronically along with their injury and illness data submission.

### Recordkeeping Requirements

Many employers with more than 10 employees are required to keep a record of serious work-related injuries and illnesses. ([Certain low-risk industries are exempted.](#)) Minor injuries requiring first aid only do not need to be recorded.

- [How does OSHA define a recordable injury or illness?](#)
- [How does OSHA define first aid?](#)

This information helps employers, workers and OSHA evaluate the safety of a workplace, understand industry hazards, and implement worker protections to reduce and eliminate hazards –preventing future workplace injuries and illnesses.

### Maintaining and Posting Records

The records must be maintained at the worksite for at least five years. Each February through April, employers must post a summary of the injuries and illnesses recorded the previous year. Also, if requested, copies of the records must be provided to current and former employees, or their representatives.

- [Get recordkeeping forms 300, 300A, 301, and additional instructions.](#)
- [Read the full OSHA Recordkeeping regulation \(29 CFR 1904\).](#)

### **Updated** Electronic Submission of Records

The Injury Tracking Application (ITA) is accessible from the [ITA launch page](#), where you can provide the Agency your 2017 OSHA Form 300A information. The date by which **certain** employers are required to submit to OSHA the information from their completed 2017 Form 300A is July 1, 2018.

- [Learn about OSHA's rule on submitting injury and illness records electronically.](#)





# Oregon OSHA Update

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Department of Consumer  
and Business Services

[www.osha.oregon.gov](http://www.osha.oregon.gov)

# Website (www.osha.oregon.gov)



Report a fatality or serious injury

## Get help

- Report a fatality or injury
- File a complaint
- Request a consultation
- Ask our experts
- Find closest office

## Common resources

- A to Z topic index
- Rules and laws
- Inspections, citations, appeals
- Forms, guides, posters
- Reports and statistics

## Education & training

- Classroom and online
- PESO - bilingual training
- Conferences
- Grant programs
- Resource Center library and videos

Employer essentials

Workers

# Get email notifications!

# Oregon OSHA Update

- Division 1 Changes (SB 592)
  - Comprehensive Inspections
    - Violation caused or contributed to work-related fatality (within 12 mos.)
    - Three repeat violations (within 12 mos.)
    - Three willful violations (within 12 mos.)
    - Non-compliance history



Department of Consumer  
and Business Services

# Oregon OSHA Update

- Division 1 Changes (SB 592)
  - Penalties increased for serious, repeat and willful violations
  - **NEW** Penalties for Serious, Repeat, and Willful Violations when Caused or Contributed to Fatality
  - Annual penalty adjustments must be based on changes in the Consumer Price Index (West Region)



U.S. BUREAU OF LABOR STATISTICS



Department of Consumer  
and Business Services

# Penalty Adjustments

WORKER HEALTH AND SAFETY

## Violations and Penalties – Penalty Adjustment Calculations

FOR THIS TYPE OF ADJUSTMENT	OREGON OSHA WILL CONSIDER	BASE PENALTY ADJUSTED AS FOLLOWS
<b>Good faith effort</b> <i>(Applies only to all first instance violations)</i>	<ul style="list-style-type: none"> <li>● Existence of an overall safety and health program is evident.</li> <li>● Safety and health policies are effectively communicated to employees.</li> <li>● Efforts put forth before an inspection to promote safety and health in the workplace.</li> <li>● Demonstrations of employee involvement in the safety and health program are apparent.</li> <li>● Management's commitment and level of involvement to safety and health is apparent.</li> <li>● Analysis of worksite hazards conducted.</li> </ul>	<ul style="list-style-type: none"> <li>● Good: -20% reduction</li> <li>● Average: no adjustment</li> <li>● Poor: +20% increase</li> </ul>
<b>Size</b> <i>(Applies only to all first instance violations)</i>	<ul style="list-style-type: none"> <li>● 1-10 employees statewide</li> <li>● 11-25</li> <li>● 26-90</li> <li>● 91-130</li> <li>● 131-175</li> <li>● 176-250</li> <li>● 251 or more</li> </ul>	<ul style="list-style-type: none"> <li>● -75% reduction</li> <li>● -60% reduction</li> <li>● -40% reduction</li> <li>● -30% reduction</li> <li>● -20% reduction</li> <li>● -10% reduction</li> <li>● No size reduction</li> </ul>
<b>History</b> <i>(Applies only to all first instance violations)</i>	<ul style="list-style-type: none"> <li>● Trends in injuries and illnesses (types of workers' compensation claims) or enforcement history (previous three years).</li> <li>● Injury and illness DART rate for company (below statewide average).</li> <li>● Mod rate (experience modification rating) is around 1.</li> </ul>	<ul style="list-style-type: none"> <li>● -10% reduction for positive history</li> <li>● No reduction for average history</li> <li>● +10% increase for negative history</li> </ul>
<b>Immediate correction</b> <i>(Applies only to all first instance violations)</i>	<ul style="list-style-type: none"> <li>● Immediate correction (abatement) of violations identified during the inspection, provided that such corrective action is permanent and substantial and not temporary or superficial.</li> </ul>	<ul style="list-style-type: none"> <li>● -10% reduction</li> </ul>

# First Instance Violations

## PENALTY ADJUSTMENT CALCULATIONS | ANNUAL ADJUSTMENTS TO PENALTIES BULLETIN I-2024

### Violations and Penalties – First Instance Violations

FIRST INSTANCE PENALTY TABLE		
Other than serious-rated violation		
Probability	Severity	
	Other than serious	
Low	\$0	
High	\$300	
Serious-rated violation		
Probability	Severity	
	Serious Physical Harm	Death
Low	\$3,458	\$11,528
Medium	\$6,916	\$13,833
High	\$9,222	\$16,138

EMPLOYER SIZE ADJUSTMENT TABLE	
Number of employees	Adjustment reduction
1-10	-75%
11-25	-60%
26-90	-40%
91-130	-30%
131-175	-20%
176-250	-10%
251 or more	No size adjustment

Size adjustments are based on statewide peak employment and only apply to first instance violations.

FIRST INSTANCE SERIOUS PENALTY TABLE						
To be used to calculate penalty adjustments						
Adjustment	Penalty in dollars					
	Low Serious	Medium serious	High Serious	Low Death	Medium Death	High Death
30%	\$4,495	\$8,990	\$11,989	\$14,987	\$16,138**	\$16,138**
20%	\$4,149	\$8,299	\$11,066	\$13,834	\$16,138**	\$16,138**
10%	\$3,804	\$7,607	\$10,144	\$12,681	\$15,217	\$16,138**
<b>Initial Penalty</b>	<b>\$3,458</b>	<b>\$6,916</b>	<b>\$9,222</b>	<b>\$11,528</b>	<b>\$13,833</b>	<b>\$16,138</b>
-10%	\$3,112	\$6,224	\$8,300	\$10,375	\$12,450	\$14,524
-20%	\$2,766	\$5,533	\$7,378	\$9,223	\$11,067	\$12,910
-30%	\$2,420	\$4,841	\$6,455	\$8,070	\$9,683	\$11,296
-40%	\$2,075	\$4,149	\$5,533	\$6,917	\$8,300	\$9,683
-50%	\$1,729	\$3,458	\$4,611	\$5,764	\$6,917	\$8,069
-60%	\$1,383	\$2,766	\$3,689	\$4,611	\$5,533	\$6,455
-70%	\$1,153*	\$2,075	\$2,767	\$3,458	\$4,150	\$4,841
-75%	\$1,153*	\$1,729	\$2,305	\$2,882	\$3,458	\$4,034
-80%	\$1,153*	\$1,383	\$1,844	\$2,306	\$2,767	\$3,228
-85%	\$1,153*	\$1,153*	\$1,383	\$1,729	\$2,075	\$2,421
-90%	\$1,153*	\$1,153*	\$1,153*	\$1,153*	\$1,383	\$1,614
-95%	\$1,153*	\$1,153*	\$1,153*	\$1,153*	\$1,153*	\$1,153*

\* The minimum-adjusted penalty for a serious-rated violation is \$1,153.

\*\* The maximum-adjusted penalty amount for a serious-rated violation is \$16,138





# Repeat Violations

PENALTY ADJUSTMENT CALCULATIONS | ANNUAL ADJUSTMENTS TO PENALTIES BULLETIN I-2024

## Violations and Penalties – Repeat Violations

REPEAT TABLE		
Repeat occurrence	Other than serious	First Instance serious initial penalty
1 <sup>st</sup> repeat	\$11,528	x 4 base penalty
2 <sup>nd</sup> repeat	\$11,528	x 6 base penalty
3 <sup>rd</sup> repeat	\$11,528	x 8 base penalty
<b>Additional repeats</b>	<b>Discretion of administrator</b>	

**Repeat violation:** An employer's second or subsequent violation involving a substantially similar violation as the earlier violation or violations, cited within the previous three years, will be cited as a repeat violation.

REPEAT 51 OR GREATER EMPLOYEES								
Other than serious-rated violation		Serious-rated violation						
Probability	Severity	Probability	Severity			Severity		
	Other than serious		Serious Physical Harm			Death		
			First	Second	Third	First	Second	Third
All	\$11,528*	Low	\$13,831	\$20,747	\$27,663	\$46,113	\$69,169	\$92,226
		Medium	\$27,663	\$41,494	\$55,326	\$55,334	\$83,001	\$110,668
		High	\$36,888	\$55,332	\$73,776	\$64,551	\$96,826	\$129,101

A civil penalty reduction based on size will be applied to employers with 50 or fewer employees. A reduction of \$7,230 will be applied to civil penalties for repeat violations as shown in the table below.

REPEAT 50 OR FEWER EMPLOYEES								
Other than serious-rated violation		Serious-rated violation						
Probability	Severity	Probability	Severity			Severity		
	Other than serious		Serious Physical Harm			Death		
			First	Second	Third	First	Second	Third
All	\$11,528*	Low	\$11,528	\$13,517	\$20,433	\$38,883	\$61,940	\$84,996
		Medium	\$20,433	\$34,265	\$48,096	\$48,104	\$75,771	\$103,438
		High	\$29,658	\$48,102	\$66,546	\$57,321	\$89,596	\$121,872

\* The minimum-adjusted penalty for any repeat violation is \$11,528.

# Caused or Contributed Violations Willful Violations

PENALTY ADJUSTMENT CALCULATIONS | ANNUAL ADJUSTMENTS TO PENALTIES BULLETIN 1-2024

Violations and Penalties – Caused or Contributed to a Work-Related Death and Willful Violations

WILLFUL TABLE		
Other than serious-rated violation		
First	\$11,528	
Additional repeats	Discretion of Administrator	
Serious-rated violation		
Probability	Severity	
	Serious Physical Harm	Death
Low	\$25,820	\$77,461
Medium	\$36,148	\$103,281
High	\$51,641	\$134,265

\* Minimum willful penalty of \$11,528

**Willful violation:** A violation that is committed knowingly by an employer or supervisory employee who, having a free will or choice, intentionally or knowingly disobeys or recklessly disregards the requirements of a statute, regulation, rule, standard, or order.

WILLFUL THAT CAUSED OR CONTRIBUTED TO A WORK-RELATED FATALITY		
Other than serious-rated violation		
All	\$51,641	
Serious-rated violation		
Probability	Severity	
	Serious Physical Harm	Death
Low	\$67,133	\$175,578
Medium	\$98,117	\$201,398
High	\$129,101	\$253,038

REPEAT THAT CAUSED OR CONTRIBUTED TO A WORK-RELATED FATALITY		
Other than serious-rated violation		
All	\$51,641	
Serious-rated violation		
Probability	Severity	
	Serious Physical Harm	Death
Low	\$56,805	\$165,250
Medium	\$87,789	\$191,070
High	\$118,773	\$242,710

SERIOUS THAT CAUSED OR CONTRIBUTED TO A WORK-RELATED FATALITY		
Probability	Severity	
	Serious Physical Harm	Death
Low	\$20,656	\$30,984
Medium	\$23,755	\$38,214
High	\$26,853	\$44,411

**Caused or contributed to a work-related fatality violation:** The workplace death of an employee that was attributed to a violation or in which the violation was a related factor, as determined by the compliance officer.

For complete rule requirements, refer to OAR 437-001-0135 through 437-001-0203.

<https://osha.oregon.gov/OSHAPubs/563-2-2024.pdf>

# Penalty Resources – Fact Sheet

WORKER HEALTH AND SAFETY

 FACT SHEET

## How does Oregon OSHA determine penalties?



On Nov. 1, 2021, Oregon OSHA amended [several of its Division 1 workplace safety and health rules](#), increasing maximum penalties for alleged violations. The changes took effect Dec. 1, 2021. They capped a series of penalty adjustments that began at the federal level when Congress passed the Inflation Adjustment Act in 2015.

# Penalty Resources – Comments & Decisions



**Oregon**  
Tina Kotek, Governor



Department of Consumer  
and Business Services

## SUMMARY OF COMMENTS AND AGENCY DECISIONS - Explanation of Rulemaking

Division 1 Updates – Civil penalties, comprehensive inspections, protection for employee refusal of work

Title: Division 1 Civil Penalty and Work Refusal Changes From SB 592 and SB 907

Department of Consumer & Business Services  
Oregon Occupational Safety & Health Division

Anticipated Administrative Order Number: 3-2023

Anticipated Adopted Date: November 22, 2023

Anticipated Effective Date: January 1, 2024

### 1. Executive Summary



Department of Consumer  
and Business Services

<https://osha.oregon.gov/OSHARules/comments/comments-and-decisions-A03-2023-civil-penalty-and-work-refusal-fromSB592andSB907.pdf>



Department of Consumer  
and Business Services



# Penalty Resources – Annual Adj. (CPI)



**Oregon**  
Tina Kotek, Governor



Department of Consumer  
and Business Services

**Bulletin Number:** 1-2024  
**Published:** 11/28/2023  
**Effective:** 1/1/2024

## **Oregon OSHA's Annual Adjustments to Penalties Bulletin** **ORS 654.086(3), OAR 437-001-0142**

**To: All Interested Parties**

**Summary:** This bulletin supersedes the civil penalties adopted by Administrative Order 3-2023 (adopted 11/22/2023 and effective 1/1/2024). As provided for in ORS 654.086(3), Oregon OSHA shall adjust the amount of civil penalties to account for the percentage increase or decrease, if any, in the Consumer Price Index for All Urban Consumers, West Region, All Items (West Region CPI-U), as published by the Bureau of Labor Statistics (BLS) of the United States Department of Labor. On November 14, 2023, the BLS published a 3.281% increase.

**West Region CPI-U:**

BLS reference data location: <https://data.bls.gov/timeseries/CUUR0400SA0>

Date published BLS West Region CPI-U: 11/14/2023



Department of Consumer  
and Business Services

<https://osha.oregon.gov/OSHAPubs/bulletins/bulletin-1-2024.pdf>



Department of Consumer  
and Business Services

# Penalty Resources – Video Overview

## SB592 Inspections and Penalties

In 2023, the Oregon State Legislature passed Senate Bill 592 that brought about changes to how Oregon OSHA assesses penalties and introduced a new type of inspection. In this video, we'll give a brief overview of these legislative and administrative rule changes.



[SB592 Inspections and Penalties](https://osha.oregon.gov/media/videos-online/Pages/sb592-inspections-and-Penalties.aspx) from [Oregon OSHA](https://osha.oregon.gov/) on Vimeo.

<https://osha.oregon.gov/media/videos-online/Pages/sb592-inspections-and-Penalties.aspx>



# Oregon OSHA Update

- Division 1 Changes (SB 907)
  - Work Refusal (amends ORS 654)
    - Cannot bar or discriminate against any employee who has, with no reasonable alternative and in good faith, refused to be exposed to serious injury or death
    - A “reasonable person” would agree under the circumstances all of the following are met:
      - requested correction from employer and was unable to obtain
      - it’s imminent danger or a risk of serious physical harm
      - regulatory agencies couldn’t help due to the urgency

# Oregon OSHA Update

## Heat Illness Prevention [Div 2/J 437-002-0156]

- indoor or outdoor when heat index equals or exceeds 80 deg. F
  - exemptions
  - shade and water
  - high-heat practices (when heat index > 90)
  - emergency medical plan
  - acclimatization
  - heat illness prevention plan
  - training

App. A too!

# Oregon OSHA Update

## Heat Illness Prevention [Div 2/J 437-002-0156]

(eff. 6/15/2022)

OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

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### PROGRAM DIRECTIVE

Program Directive A-299  
Issued July 11, 2017  
Revised June 1, 2022

## Directive

- SUBJECT:** Local Emphasis Program (LEP): Preventing Heat Related Illness
- PURPOSE:** The purpose of this directive is to create a State Local Emphasis Program (LEP) for preventing heat related illness in the state of Oregon by enforcing Oregon OSHA's Heat Illness Prevention Rules.
- BACKGROUND:** Heat-related illnesses generally occur when body heat generated by physical work is aggravated by environmental heat and humidity.

Since July of 2017, Oregon OSHA has focused on heat related illness in all inspections from June 15 – October 1 by providing guidance and education to employers in relation to heat related illness. In 2021, a deadly heat event in the Pacific Northwest set record-breaking temperatures in Oregon. On June 28<sup>th</sup>, Portland International Airport reached 116 F and other parts of the state were even hotter. This extreme

# Oregon OSHA Update

## Heat Illness Prevention [Div 2/J 437-002-0156]

**WORKER HEALTH AND SAFETY**

**FACT SHEET**

### Key requirements: Oregon OSHA's permanent rules for heat illness prevention

OSHA | Oregon OSHA  
Department of Consumer and Business Services

On May 9, 2022, Oregon adopted two permanent rules – 437-002-0156 and 437-004-1131 – following direction from Oregon Gov. Kate Brown to protect workers from heat-related illnesses.

The rules' key requirements are identical and apply to any workplace where extreme heat caused by weather can expose workers to heat-related illnesses – medical conditions resulting from the body's inability to cope with a particular heat load; 437-004-1131 applies to agricultural workplaces and 437-002-0156 applies to all other workplaces. The rules do not apply to buildings and structures that have mechanical ventilation that keep the indoor heat index less than 80 degrees Fahrenheit.

The key requirements are based on a set of numbers called the heat index – sometimes called the apparent temperature – published by the National Oceanic and

## FACT Sheet

DCBS | Department of Consumer and Business Services

OSHA | Oregon OSHA

### HEAT ILLNESS PREVENTION

**Start Module**

## Online Training

- powerpoint



**OSHA-NIOSH Heat Safety Tool**  
Centers For Disease Control and Prevention

#91 in Weather  
★★★★★ 2.8 • 112 Ratings

Free

## App

# Oregon OSHA Update

## Protection from Wildfire Smoke

[Div 2/Z 437-002-1081]

(eff. 7/1/2022)

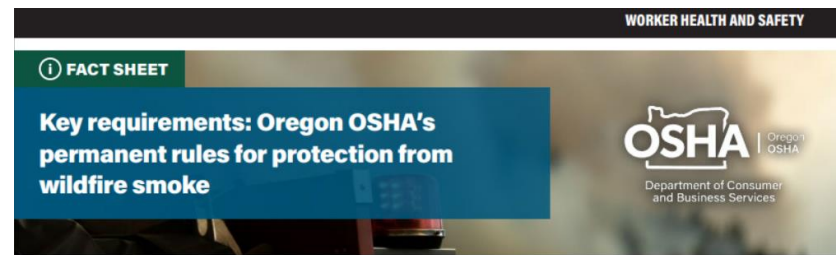
- where ambient air concentration for fine particulate matter (PM<sub>2.5</sub>) is at or above 35.5 µg/m<sup>3</sup> (AQI of 101 for PM<sub>2.5</sub>)
  - exemptions
  - exposure monitoring
  - information and training
  - two-way communication
  - engineering and administrative controls

Appendices too!

# Oregon OSHA Update

## Protection from Wildfire Smoke

[Div 2/Z 437-002-1081]



**WORKER HEALTH AND SAFETY**

**FACT SHEET**

**Key requirements: Oregon OSHA's permanent rules for protection from wildfire smoke**

**OSHA** | Oregon OSHA  
Department of Consumer and Business Services

Effective July 1, 2022, Oregon OSHA's adopted permanent rules – OAR 437-002-1081 and OAR 437-004-9791, Protection from Wildfire Smoke – will apply to employers whose employees are or will be exposed to unhealthy or hazardous levels of wildfire smoke. With large-scale wildfire events across the western United States becoming more frequent, wildfire smoke is an increasing danger to Oregon workers. The harmful chemicals and tiny particles suspended in wildfire smoke can make anyone sick. The tiny particles of most concern and addressed in these standards is the particulate matter with a diameter in micrometers of 2.5 or less, commonly referred to as PM<sub>2.5</sub>.

Mild symptoms of wildfire smoke exposure include coughing, runny nose, and eye irritation and inflammation, while more serious and sometimes fatal

closed except when it is necessary to briefly open doors to enter or exit

- Employers that have predetermined to suspend operations to prevent employee exposure to wildfire smoke levels for PM<sub>2.5</sub> at or above 35.5 µg/m<sup>3</sup> (AQI 101)
- Employees working at home

**The following activities and operations are partially exempt from the standards:**

- Wildland firefighting and associated support activities such as fire camp services and fire management
- Evacuation, rescue, utilities, communications, and medical operations directly involved in or aiding emergency operations or firefighting operations
- Work activities involving only intermittent employee exposure of less than 15 minutes in an hour to



**DCBS** Department of Consumer and Business Services

**OSHA** Oregon OSHA

**WILDFIRE SMOKE TRAINING REQUIREMENTS v2**

**Start Module**

## Online Training

- powerpoint

### Fact Sheet

#### Using the Air Quality Index (AQI) to Assess Wildfire Smoke

##### Introduction

Oregon Occupational Safety and Health issued emergency rules on Aug. 9, 2021 to protect workers from wildfire smoke. The [Oregon OSHA rules](#) apply to employers whose employees are exposed to wildfire smoke while at work, based on concentrations of fine particulate matter, also called PM<sub>2.5</sub>, as shown on the [Air Quality Index \(AQI\)](#). The AQI is a tool for assessing air quality around the state using information from DEQ air quality monitoring stations.

##### Assessing Wildfire Smoke in your area

There are a number of ways employers can assess the level of air pollution from wildfire smoke in their area. These include county-level air quality advisories, state and federal AQI websites and smartphone apps, as well as employer-maintained air quality monitors.

There are many variables that can impact concentrations of wildfire smoke, including proximity to a fire, local topography, and wind speed and direction. Therefore, there is no standard for how close you need to be to a DEQ monitor to use the information it provides.

DEQ operates air quality monitoring sites across Oregon and maintains the state's AQI. The agency follows strict quality control and assurance procedures to ensure the monitoring sites provide accurate, reliable and complete data. The data are shown in near real time on [DEQ's AQI website](#), [DEQ's OregonAir mobile app for Android and iPhone](#), the [Oregon Smoke Information Blog](#) and [EPA's AirNow map](#). The AQI pulls data from DEQ's monitoring locations and uses a calculation called [NowCast](#) to derive the index value. The NowCast shows you air quality for the most current hour, using longer averages during periods of stable air quality and shorter averages when air quality is changing rapidly, such as during a wildfire. The AQI values account for changes in exposure to smoke over time. *Please note that the AQI is in Pacific Standard Time (PST), with no adjustment for daylight savings. For example, 10 a.m. PST is 11 a.m. during daylight savings time from March to November.*

Air quality forecasting is extremely challenging.



**Air Quality Monitoring**  
DEQ Laboratory  
7202 NE Oregon Parkway  
Hillsboro, OR 97124  
Phone: 503-685-5700  
800-451-4611  
Contact: Dan Johnson  
971-686-5323  
[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*

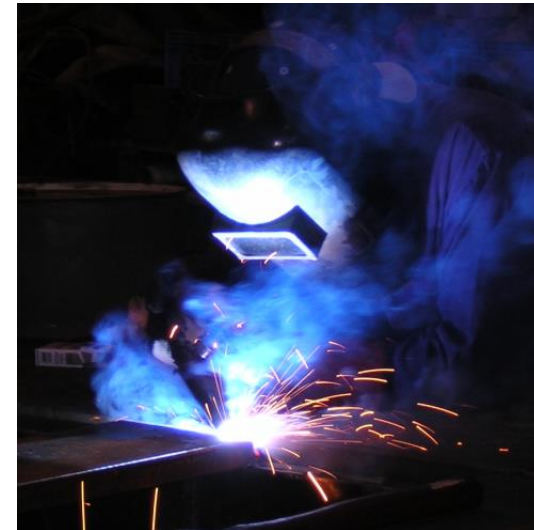


# Oregon OSHA Update

## Manganese (eff. 9/1/2022)

[Div 2/Q and Div 2/Z, Div 3/Z, Div 4/Z]

- PEL now  $0.1 \text{ mg/m}^3$  Ceiling remains  $5 \text{ mg/m}^3$
- additions to the welding rule (Div 2/Q)
  - confined space
  - definitions
  - other additions throughout



# Oregon OSHA Update

## Recently Revised Excavation Inspections Program Directive (A-176)

OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

### PROGRAM DIRECTIVE

Program Directive A-176  
Issued December 1, 1990  
Revised November 1, 2022

**SUBJECT:** Excavation Standards

**AFFECTED STANDARDS/  
DIRECTIVES:** Division 3, Construction

**PURPOSE:** This instruction is intended to serve as a standard-specific reference for Oregon OSHA Compliance Safety and Health Officers (CSHOs) regarding the application of Subdivision P of 29 CFR Part 1926, providing supplemental compliance inspection guidance and citation policies.

**SCOPE:** This instruction applies to all Oregon OSHA.

**REFERENCES:**

- A. 29 CFR Part 1926 Subdivision P – Excavations.
- B. Oregon OSHA Field Inspection Reference Manual (FIRM).
- C. Oregon OSHA Technical Manual, Section V, Chapter 2.
- D. 29 CFR Part 1926, Safety and Health Regulations for Construction.

## Recently Created Underground Utilities Program Directive (A-303)

OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

### PROGRAM DIRECTIVE

Program Directive A-303  
Issued May 2, 2022  
Revised \_\_\_\_\_

**SUBJECT:** Underground Utility Installations: Inspection and Citation Guidance

**AFFECTED STANDARDS/  
DIRECTIVES:**

- Division 1, Rules for all Workplaces, OAR 437-001-0760(1)(b)(C)

Division 3/P, Safety Training & Education, 29 CFR 1926.21(b)(2)

Division 3/P, Specific Excavation Requirements, OAR 437-003-0096(2) and 29 CFR 1926.651(b)

Division 3/T, Demolition, 29 CFR 1926.850(c), Preparatory Operations

Oregon OSHA Field Inspection Reference Manual (FIRM)

[Program Directive A-176, Excavation Standards.](#)

## Recently Created Warehousing/Dist. Centers Program Directive (A-305)

OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

### PROGRAM DIRECTIVE

Program Directive: A-305  
Issued: December 29, 2023

**Subject:** National Emphasis Program (NEP): Warehousing and Distribution Center Operations

**References:**

1. [Division 1, General Administration](#)
2. [Division 2, Subdivision D, Walking-Working Surfaces](#)
3. [Division 2, Subdivision E, Means of Egress](#)
4. [Division 2, Subdivision J, General Environmental Controls](#)
5. [Division 2, Subdivision L, Fire Protection](#)
6. [Division 2, Subdivision N, Material Handling and Storage](#)
7. [Oregon OSHA Field Inspection Reference Manual \(FIRM\)](#)

# Handout

## Summary of Oregon OSHA Rules and Resources

Oregon OSHA rules are found in the following “Divisions”



**Division 1 – Administrative Rules**

**Division 2 – General Industry**

**Division 3 – Construction**

**Division 4 – Agriculture**

**Division 5 – Maritime Activities (Fed OSHA jurisdiction)**

**Division 7 – Forest Activities**



### Division 1 - Administrative Rules

- Definitions
- Inspection Scheduling
- Citations/Penalties/Corrections
- Appeal Process and Informal Conference
- Posting Requirements
- Complaint Process
- Variances
- Consultation Program
- Employer and Employee Responsibilities
- Rule Addressing COVID-19 Workplace Risks
- Safety Committees
- Grant Program
- Recordkeeping and Reporting
- Insurer/Self-Insured Program

# Handout



350 Winter St. NE, Salem, OR 97309

503-378-3272

[osha.oregon.gov](http://osha.oregon.gov)

## Engaged, energized, and effective safety committees.

A playbook of ideas, interventions, and ingenuity!

The purpose of safety committees and safety meetings is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health. Safety committees and safety meetings will help you continually improve your safety and health program.

## Key requirements for safety committees and safety meetings

- Agree on a chairperson.
- Provide training in accident-incident investigations and hazard identification.
- Meet monthly and do quarterly inspections.
- Ensure that centralized safety committees meet the requirements in 437-001-0765(9).
- Keep a record of each meeting for three years that includes:



# Oregon OSHA Resources

- Consultation
- Education
- Technical Services
- Resource Center
- Conferences (of course!)



Department of Consumer  
and Business Services

[www.osha.oregon.gov](http://www.osha.oregon.gov)