

[Click here to link to text of changes](#)

[Click here to link to HB 2093](#)

[Click here to link to HB 2204](#)

June 30, 2006

Oregon OSHA - Proposed Changes Division 1, General Administrative Rules

Public Hearing Scheduled for:

<u>Date</u>	<u>Time</u>	<u>Location</u>
August 1, 2006	9:30 am	Oregon Dept. of Fish & Wildlife Bldg. First Floor – Commission Room 3406 Cherry Street NE Salem OR 97303

Numerous rules in Division 1, General Administrative Rules are proposed to be amended. Most changes are to update information and to clarify language. We have changes in two standards precipitated by House Bills passed by the 2005 Oregon Legislature. HB 2204 includes e-mail notification as a means to inform the public of rulemaking. HB 2093 changes the criteria used by OR-OSHA to identify employers who receive notification of increased likelihood of receiving a workplace inspection.

437-001-0002 Add language from HB 2204 to include e-mail notification.

437-001-0015 Adding a North American Industry Classification System (NAICS) definition, and amending the definition for Grouped Violation.

437-001-0057(11) Scheduling inspections. HB 2093 changes the criteria used by OR-OSHA to identify employers who receive notification of increased likelihood of receiving a workplace inspection.

437-001-0270 Discretion If there is No Timely Appeal. Delete the first paragraph.

437-001-0700 Recordkeeping and Reporting.

(6) Work-Related. Adding a new paragraph (a) on when an employee leaves the company with a work related injury.

(11) Occupational Hearing Loss Recoding Criteria. Adding Definitions for ease of reader for STS and audiometric zero.

(17) Annual Summary. Changing the title to “Annual Summary and Posting Requirements”.

(18) Paperwork Retention and Updating. Removing paragraph (b) on the retention of OSHA 200 log and old 801 forms.

(21) Reporting Fatalities and Hospitalizations to Oregon OSHA. Adding clarifying language, additional reporting of motor vehicle accidents and adding a definition for ease of reader.

437-001-0765(2)(b) Change the paragraph from Loss Workday Case Incidence Rate (LWCIR) to Days Away, Restricted, or Transferred (DART)

When does this happen: Adoption tentatively will be August 2006

To get a copy: Our web site – www.orosha.org Rules & Laws, then Proposed Rules
Or call the OR-OSHA Resource Center at 503-947-7447

To comment: Department of Consumer and Business Services/Oregon OSHA
350 Winter Street NE
Salem OR 97301-3882
E-mail – tech.web@state.or.us
Fax – 503-947-7461

Comment period closes: August 8, 2006

OR-OSHA contact: Trena VanDeHey, Central Office @ 503-947-7452

Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services/Oregon OSHA
Agency and Division

OAR 437
Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE Salem OR 97301-3882
Rules Coordinator Address

503-947-7449
Telephone

RULE CAPTION

Propose to adopt changes throughout Division 1, General Administrative Rules.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Oregon Dept. of Fish & Wildlife Bldg.
3406 Cherry Avenue NE
Commission Room – First Floor
Salem OR 97303

August 1, 2006
Hearing Date

9:30 AM
Time

Location

Sue Joye
Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

AMEND: OAR 437-001-0002, 437-001-0015, 437-001-0057, 437-001-0270, 437-001-0700, 437-001-0765.

ORS 654.025(2) and 656.726(4)

Stat. Auth.

Other Authority

ORS 654.001 through 654.295

Stats. Implemented

RULE SUMMARY

437-001-0002 Add language from HB 2204 to include e-mail notification.

437-001-0015 Adding a North American Industry Classification System (NAICS) Definition.

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Please visit our web site www.orosha.org Click 'Rules & Laws' in the left vertical column and view our proposed, adopted, and final rules.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

August 8, 2006
Last Day for Public Comment
Last day to submit written comments to the Rules Coordinator

/s/ Michael D. Wood 6/15/06
Signature

Michael D. Wood
Printed name Date

*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 920-2005

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services/Oregon OSHA

Agency and Division

OAR 437

Administrative Rules Chapter Number

In the Matter of: Amending OAR 437-001-0002, 437-001-0015, 437-001-0057, 437-001-0270, 437-001-0700, 437-001-0765.

Rule Caption: Propose to adopt changes throughout Division 1, General Administrative Rules.

Statutory Authority: ORS 654.025(2) and 656.726(4)

Stats. Implemented: ORS 654.001 through 654.295

Need for the Rule(s): These standards were reworded for clarity and plain language, correct/add reference changes, and changed language due to house bill changes.

Documents Relied Upon, and where they are available:

Division 1, General Administrative Rules

House Bill 2093 from the 2005 Oregon Legislative Session

House Bill 2204 from the 2005 Oregon Legislative Session

Fiscal and Economic Impact, including Statement of Cost of Compliance: This rulemaking is both technologically and economically feasible and presents a very minimal potential increased cost to employers throughout the state of additional hours of work with reporting the motor vehicle accidents.

How were small businesses involved in the development of this rule? Two of the standards being amended are required by Legislative House Bills signed into law in 2005. The other rule changes are to add, delete, or modify language.

Administrative Rule Advisory Committee consulted?: Yes. The ongoing Partnership Committee met on June 1, 2006 and the Construction Advisory Committee met June 7, 2006 and discussed these proposed changes.

If not, why?:

/s/Michael D. Wood 6/15/06
Authorized Signer

Michael D. Wood
Printed name Date