

Safety committees

Every employer of more than 10 employees must have a safety committee. Every employer with 10 or fewer employees is required to have a safety committee under certain conditions.

Oregon's regulations encourage committees to play an active role in the planning and evaluating the employer's workplace safety program. The regulations address employee involvement, accountability for safety and health, worksite inspections and accident-investigation procedures.

If your workplace is unionized, the union contract may specify the union's role in appointing employees to the committee.

The law allows for variations in committee structure and function for mobile work activities such as construction and logging.

If you would like to learn more about OR-OSHA or worker rights and responsibilities regarding workplace safety and health, please visit these Web sites:

OR-OSHA:
www.orosha.org

Labor Education and Research Center:
www.uoregon.edu/~lerc/

Bureau of Labor and Industries:
www.boli.state.or.us

For more information, call the OR-OSHA office nearest you.

Salem Central Office
350 Winter St. NE, Rm. 430
Salem, OR 97301-3882
Phone: (503) 378-3272
Toll-free: (800) 922-2689
Fax: (503) 947-7461
en Español: (800) 843-8086
Web site: www.orosha.org

Portland
1750 NW Naito Parkway, Ste. 112
Portland, OR 97209-2533
(503) 229-5910

Salem
DAS Bldg. 1st Floor
1225 Ferry St. SE
Salem, OR 97310-1330
(503) 378-3274

Eugene
1140 Willagillespie, Ste. 42
Eugene, OR 97401-2101
(541) 686-7562

Bend
Red Oaks Square
1230 NE Third St., Ste. A-115
Bend, OR 97701-4374
(541) 388-6066

Medford
1840 Barnett Rd., Ste. D
Medford, OR 97504-8250
(541) 776-6030

Pendleton
721 SE Third St., Ste. 306
Pendleton, OR 97801-3056
(541) 276-9175



**Oregon
Occupational
Safety &
Health Division**



A Worker's Guide to OR-OSHA

We are the Oregon Occupational Safety and Health Division (OR-OSHA), the state agency responsible for ensuring, as far as possible, safe and healthful working conditions for every working man and woman in Oregon. OR-OSHA has jurisdiction over most workplaces in Oregon.

What OR-OSHA does

- Adopts safety and health rules to protect workers from hazardous conditions or processes
- Conducts safety and health inspections of workplaces to see if employers are complying with Oregon safety-and-health rules. Employers not in compliance may be cited and pay fines
- Provides workshops for workers and employers on a variety of workplace safety-and-health subjects

Workers' legal rights

Workers represented by a union have the right to be represented when OR-OSHA conducts safety or health inspections of their workplace. Workers not represented by a union may select someone to represent them during an inspection. If a representative is not available, the OSHA compliance officer will interview a representative number of workers. If requested by the worker, the interview will be conducted in private.

Information given to OR-OSHA and used in court to support alleged violations may be released by OR-OSHA. This includes the name of the worker who provided the information.

Workers have the right to complain to OR-OSHA about unsafe working conditions. If they request it, OR-OSHA will keep the complainants' names confidential.

It is unlawful to fire or otherwise discriminate against workers who exercise their rights under the law. Rights include filing a complaint with OR-OSHA, raising safety or health issues with employers, and testifying at a hearing involving safety or health issues. Workers who believe they have been discriminated against for their safety and health activities may, within 30 days of the alleged violation, file a complaint with the Oregon Bureau of Labor and Industries. For more information check BOLI's Web site, www.boli.state.or.us.

OR-OSHA inspections

Inspection priorities

OR-OSHA inspections are triggered by one of the following:

Imminent danger: conditions may exist in a workplace that are likely to cause death or serious injury.

Fatality, catastrophe or accident: OR-OSHA will investigate job-related deaths and serious injury accidents.

Complaints: OR-OSHA responds to complaints in the following order: imminent danger, serious, or other-than-serious. The type of complaint determines whether OR-OSHA responds in person, in writing, or by telephone.

Referrals: referrals may come from other governmental agencies, OR-OSHA or federal OSHA employees, or the media.

Programmed inspections: OR-OSHA conducts workplace inspections based on a company's number of injury and illness claims, type of industry, and number of employees.

Follow-up inspections: after an employer receives a citation, a follow-up inspection may be conducted to determine if the employer has corrected the problems noted in the citation.

Inspection procedure

Regardless of what triggers an inspection, OR-OSHA's procedure for conducting enforcement inspections is basically the same:

Opening conference: with the employer and employee representative(s) present, the compliance officer presents his/her credentials, explains the purpose, nature, and scope of the inspection, requests records to be examined, and explains the process.

Walkaround: a tour of the worksite to determine if hazards are present. Employer and employee representatives may accompany the compliance officer. Other workers may be interviewed in private by the compliance officer. Samples of chemical and physical agents may be collected for analysis.

Closing conference: at the conclusion of the walkaround, a closing conference will be held with the employer and employee representative(s).

The compliance officer presents:

1. Violations identified during the inspection
2. The amount of time the employer has to correct violations
3. The employer's rights to appeal the citation.

Post-inspection activities

If OR-OSHA concludes from a review of the inspection report that a rule or order was violated, a citation will be issued to the employer. A copy of the citation will be sent to the union, if the workers are represented. The employer must post the citation in the workplace for three days or until all violations have been corrected.

The employer has 20 days from receipt of the citation to appeal:

1. Any alleged violations
2. The time allowed for correction
3. The fines assessed by OR-OSHA

If a citation is appealed by the employer or the workers' representative, OR-OSHA conducts an informal conference to determine whether or not the division should withdraw or modify the citation. If either the employer or worker representative is dissatisfied with the results of the informal conference, he or she can request a formal hearing before the Workers' Compensation Board. The board's decisions can be appealed to the Oregon Court of Appeals.

The union or the employees can appeal only the amount of time allowed for correction.