

GENERAL PROVISIONS

437-001-0760 Rules for all Workplaces.

(1) Employers' Responsibilities.

- (a) The employer shall see that workers are properly instructed and supervised in the safe operation of any machinery, tools, equipment, process, or practice which they are authorized to use or apply. This rule shall not be construed to require a supervisor on every part of an operation nor to prohibit workers from working alone.
- (b) The employer shall take all reasonable means to require employees:
 - (A) To work and act in a safe and healthful manner;
 - (B) To conduct their work in compliance with all applicable safety and health rules;
 - (C) To use all means and methods, including but not limited to, ladders, scaffolds, guardrails, machine guards, safety belts and lifelines, that are necessary to safely accomplish all work where employees are exposed to a hazard; and
 - (D) Not to remove, displace, damage, destroy or carry off any safety device, guard, notice or warning provided for use in any employment or place of employment while such use is required by applicable safety and health rules.
- (c) Every employer shall be responsible for providing the health hazard control measures necessary to protect the employees' health from harmful or hazardous conditions and for maintaining such control measures in good working order and in use.
- (d) Every employer shall inform the employees regarding the known health hazards to which they are exposed, the measures which have been taken for the prevention and control of such hazards, and the proper methods for utilizing such control measures.

(2) Employees' Responsibilities.

- (a) Employees shall conduct their work in compliance with the safety rules contained in this code.
- (b) All injuries shall be reported immediately to the person in charge or other responsible representative of the employer.
- (c) It is the duty of all workers to make full use of safeguards provided for their protection. It shall be a worker's responsibility to abide by and perform the following requirements:
 - (A) A worker shall not operate a machine unless guard or method of guarding is in good condition, working order, in place, and operative.
 - (B) A worker shall stop the machine or moving parts and properly tagout or lockout the starting control before oiling, adjusting, or repairing, except when such machine is provided with means of oiling or adjusting that will prevent possibility of hazardous contact with moving parts.

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(C) A worker shall not remove guards or render methods of guarding inoperative except for the purpose of adjustment, oiling, repair, or the setting up a new job.

(D) Workers shall report to their supervisor any guard or method of guarding that is not properly adjusted or not accomplishing its intended function.

(E) Workers shall not use their hands or any portion of their bodies to reach between moving parts or to remove jams, hangups, etc. (Use hook, stick, tong, jig or other accessory.)

(F) Workers shall not work under objects being supported that could accidentally fall (such as loads supported by jacks, the raised body of a dump truck, etc.) until such objects are properly blocked or shored.

(G) Workers shall not use defective tools or equipment. No tool or piece of equipment should be used for any purpose for which it is not suited, and none should be abused by straining beyond its safe working load.

(d) Workers shall not remove, deface, or destroy any warning, danger sign, or barricade, or interfere with any other form of accident prevention device or practice provided which they are using, or which is being used by any other worker.

(e) Workers must not work underneath or over others exposed to a hazard thereby without first notifying them and seeing that proper safeguards or precautions have been taken.

(f) Workers shall not work in unprotected, exposed, hazardous areas under floor openings.

(g) Long or unwieldy articles shall not be carried or moved unless adequate means of guarding or guiding are provided to prevent injury.

(h) Hazardous conditions or practices observed at any time shall be reported as soon as practicable to the person in charge or some other responsible representative of the employer.

(i) Workers observed working in a manner which might cause immediate injury to either themselves or other workers shall be warned of the danger.

(j) Before leaving a job, workers shall correct, or arrange to give warning of, any condition which might result in injury to others unfamiliar with existing conditions.

(3) Investigations of Injuries.

(a) Each employer shall investigate or cause to be investigated every lost time injury that workers suffer in connection with their employment, to determine the means that should be taken to prevent recurrence. The employer shall promptly install any safeguard or take any corrective measure indicated or found advisable.

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(b) At the request of authorized Department representatives, it shall be the duty of employers, their superintendents, supervisors and employees to furnish all pertinent evidence and names of known witnesses to an accident and to give general assistance in producing complete information which might be used in preventing a recurrence of such accident.

At the request of the Department, persons having direct authority shall preserve and mark for identification, materials, tools or equipment necessary to the proper investigation of an accident.

(c) Any supervisors or persons in charge of work are held to be the agents of the employer in the discharge of their authorized duties, and are at all times responsible for:

- (A)** The execution in a safe manner of the work under their supervision; and
- (B)** The safe conduct of their crew while under their supervision; and
- (C)** The safety of all workers under their supervision.

(4) Intoxicating Liquor and Drugs. The use of intoxicating liquor on the job is strictly prohibited. Anyone whose ability to work safely is impaired by alcohol, drugs, or medication shall not be allowed on the job while in that condition.

(5) Horseplay. There must be no horseplay, scuffling, practical jokes, or any other activity of a similar nature.

(6) Extraordinary Hazards. When conditions arise that cause unusual or extraordinary hazards to workers, additional means and precautions shall be taken to protect workers or to control hazardous exposure. If the operation cannot be made reasonably safe, regular work shall be discontinued while such abnormal conditions exist, or until adequate safety of workers is ensured.

(7) Inspections.

(a) All places of employment shall be inspected by a qualified person or persons as often as the type of operation or the character of the equipment requires. Defective equipment or unsafe conditions found by these inspections shall be replaced or repaired or remedied promptly.

(b) Wherever required in this safety code, a written and dated report, signed by the person or persons making the inspection, shall be kept.

Stat. Auth.: ORS 654.025(2) and 656.726(3).

Stats. Implemented: ORS 654.001 through 654.295.

Hist: WCB No. 1-1967, f. 1/12/67, ef. 1/15/67.

WCB No. 3-1975, f. 10/6/75, ef. 11/1/75.

WCB Admin. Order, Safety 11-1976, f. 5/5/76, ef. 5/5/76.

WCB Admin. Order, Safety 15-1976, f. 7/6/76, ef. 8/1/76.

WCD Admin. Order, Safety 10-1982, f. 7/30/82, ef. 7/30/82.

OR-OSHA Admin. Order 6-1994, f. 9/30/94, ef. 9/30/94.