

FY 2017 Comprehensive Federal Annual Monitoring Evaluation (FAME) Report

State of Oregon
Oregon Occupational Safety and Health Division (Oregon OSHA)



Evaluation Period: October 1, 2016 – September 30, 2017

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I. Executive Summary

The purpose of this report is to assess the activities of the Oregon Occupational Safety and Health Division (Oregon OSHA) for Fiscal Year (FY) 2017 with regard to activities mandated by the Occupational Safety and Health Administration (OSHA) and to gauge the State Plan's progress in resolving outstanding observations from the previous Federal Annual Monitoring Evaluation (FAME) Report.

Overall, Oregon OSHA maintained a high level of program performance during the review period. The State Plan had an excellent training program for its staff, and maintained high staffing levels despite some increased turnover in recent years. It had a comprehensive system for scheduling programmed inspections, and overall, was timely in response to complaints, referrals, and reports of fatalities. The State Plan had a lapse time for issuing citations that was on par with or better than the national average, and it maintained high levels of worker and union involvement during inspections. Lastly, Oregon OSHA adopted regulations and responded to federal program changes in a timely manner.

The FY 2017 comprehensive FAME Report on Oregon OSHA includes one new finding (converted from an FY 2016 observation), two new observations and one continued observation. The new finding was related to the retaliation program. One observation from FY 2016 was closed during this FAME period. The closed observation related to the percentage of state and local government inspections conducted by the State Plan. That observation was closed because Oregon OSHA exceeded its goal for that metric during FY 2017. Appendix A describes the new finding. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan.

II. State Plan Background

A. Background

The State of Oregon, under an agreement with OSHA, operates an occupational safety and health program through the Oregon Consumer and Business Services Department, Occupational Safety and Health Division (Oregon OSHA). The Oregon State Plan received initial approval on December 28, 1972, and was certified on September 24, 1982, after all developmental steps, as specified in the plan, had been completed. In May of 2005, after a full opportunity for public review and comment, and a comprehensive program evaluation, OSHA granted final approval to the Oregon State Plan, with the exception of temporary labor camp enforcement. The temporary labor camp standard was subsequently revised by Oregon OSHA to meet federal concerns; as of yet, the State Plan has not pursued a formal change to remove that narrow limitation on its final approval. Final approval is a significant achievement, confirming that Oregon OSHA's program in actual operation is at least as effective as the federal program with respect to issues covered by that approval.

The Administrator of Oregon OSHA is appointed by the director of the Oregon Consumer and Business Services Department and serves as the designee for the State Plan. The current Administrator is Mr. Michael Wood.

Over the years, Oregon OSHA has adopted a number of major safety and health standards which, while deemed as effective as comparable federal standards, also have significant differences. Oregon OSHA has also adopted a number of State Plan-initiated rules for which there are no federal counterparts, including Forest Activity Standards, Agricultural Standards, and Firefighter Standards. Oregon OSHA's rules, the Oregon Safe Employment Act, letters of interpretation, and recent rule activity can be accessed via the Rules and Laws section of the Oregon OSHA website.

In Oregon, the Bureau of Labor and Industries (BOLI) has statutory responsibility for accepting, processing, and making determinations on complaints alleging occupational safety and health workplace retaliation. Rules pertaining to the processing of these complaints, also known as whistleblower protection complaints, are contained in Division 438 of Oregon's Administrative Rules. Oregon OSHA reimburses BOLI for costs associated with conducting whistleblower protection investigations.

Oregon OSHA exercises jurisdiction over state and local government workplaces and private sector employers not covered by OSHA in Oregon. OSHA's inspection authority is limited to federal agencies, the U.S. Postal Service, contractors on U.S. military reservations, private sector employers and federal government employers at Crater Lake National Park, and private sector maritime employment on or adjacent to navigable waters, including shipyard operations and marine terminals. OSHA also covers private sector establishments on Native American reservations and tribal trust lands, including Native American-owned enterprises.

In FY 2017, Oregon OSHA allocated funds for 78 compliance officers, 29 consultants that were 100% state-funded, and 4 additional consultants who provided private sector consultation under Section 21(d) of the Occupational Safety and Health Act of 1970 (OSH Act). According to the demographic profile provided in Oregon OSHA's FY2017 grant application (run date 5/16/2016), there were an estimated 1,802,000 workers in Oregon covered by workers' compensation insurance, working for about 111,800 employers. In FY 2017, Oregon OSHA's federally-approved state OSHA program was funded at \$28,420,801, of which \$5,337,553 were federal funds. These numbers include one-time funds.

B. Major New Issues

None.

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

OSHA established a two-year cycle for the FAME process. FY 2017 is a comprehensive year and, as such, OSHA was required to conduct an on-site evaluation and case file review. OSHA conducted the retaliation case file review with a two-person team the week of November 13, 2017, and the enforcement case file review with a six-person team the weeks of November 27 to December 5, 2017. The retaliation case file review was conducted at the Oregon BOLI office in Portland and the enforcement case file review was conducted at the Oregon OSHA Salem Central office. The enforcement case files were randomly selected from a list generated in OSHA Information System (OIS). All closed fatality investigations were included in the review. The retaliation cases were randomly selected from a list provided from the Web Integrated Management Information System (Web IMIS) database of all closed whistleblower cases from October 1, 2016 through September 30, 2017. The selected population included:

- One-hundred thirty-six (136) total enforcement case files
 - Thirteen (13) fatality case files
 - Twenty-five (25) complaint case files
- Forty-two (42) closed whistleblower case files

The analyses and conclusions described herein are based on information obtained from a variety of sources in FY 2017, including:

- State Activity Mandated Measures (SAMM) Report data (Appendix D)
- Mandated Activities Report for Consultation (MARC) data
- State Information Report (SIR) data
- State OSHA Annual Report (SOAR) prepared by Oregon OSHA
- Oregon OSHA Annual Performance Plan
- Grant Assurances
- Quarterly monitoring meetings between OSHA and the State Plan
- Case file reviews of enforcement retaliation case files

Each State Activity Mandated Measures (SAMM) Report has an agreed-upon Further Review Level (FRL) which can either be a single number, or a range of numbers above and below the national average. State Plan SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents the State Plan's FY 2017 State Activity Mandated Measures Report and includes the FRL for each measure.

B. Review of State Plan Performance

1. PROGRAM ADMINISTRATION

In FY 2017, a total of 63 different courses were offered to the safety and health staff with 96% (113/118) of them receiving at least 48 hours of training in FY 2017. Oregon OSHA has continued to offer training opportunities to all professional staff, whenever possible, through webinars, e-learning, and participation in local courses and conferences. The State Plan also maintains a commitment to basic training for new workers through the internal training program.

Oregon OSHA interfaces with the OSHA Information System (OIS) through its own information system known as the OSHA Technical Information System (OTIS). There have been a few issues with data not transferring correctly into OIS, such as SAMM Measures 1, 2 and 10, but not to an extent that materially impairs OSHA's ability to monitor the state program. Where there are differences in data between the OSHA SAMM report and information from Oregon OSHA, such as the SOAR, these differences are explained in this report. Some differences are minor and are due to the data being generated on different dates. Oregon OSHA developed its SOAR to evaluate the effectiveness of its own program and submitted it to OSHA on December 5, 2017. The Oregon OSHA SOAR is attached as Appendix E to this report.

According to information in the FY 2018 23(g) grant application, Oregon OSHA had onboard 45 safety compliance officers and 26 health compliance officers as of July 1st, 2017. They had on board 17 safety and 11 health consultants that were completely state funded and two safety and two health consultants that were federally funded.

2. ENFORCEMENT

a) Complaints

Oregon OSHA has a four-tiered criteria for measuring complaint responsiveness: imminent danger complaint inspections must be initiated within 24 hours in 95% of cases; serious complaint inspections must be initiated within five working days in 95% of cases; other-than-serious complaint inspections must be initiated within 30 working days in 95% of cases; and phone/fax, letter response must be initiated within 10 working days in 90% of cases. Oregon OSHA reports on its performance during quarterly meetings and annually in its annual report. The SAMM data does not capture this measure in the same way that Oregon OSHA tracks it, as the values are averaged together on the SAMM report. The Appendix D SAMM states that the average number of days to initiate complaint inspections (State Plan formula) is 6.33

days. Oregon OSHA's results from the FY2017 SOAR, when separated by complaint type, were as follows:

Percent of timely responses:

- 100% (11/11) for imminent danger complaints.
- 98.9% (725/736) for serious hazard complaints.
- 99.7% (417/418) for other-than serious hazard complaints; and
- 91.2% (839/919) for phone/fax, letter investigations

Based on the SOAR data, Oregon OSHA met its negotiated goals for timely response for imminent danger, serious, and other-than serious hazard complaints. Oregon OSHA also met its goal for timely initiation of phone/fax, letter investigation responses.

Appendix D SAMM Measure 3 showed that Oregon OSHA was not timely in 6% (2 out of 32) imminent danger complaint and referral situations; however, the two outliers were explained satisfactorily in quarterly meetings. In both cases, an Oregon OSHA inspector was on the job site within 24 hours, but there was no one present to conduct an opening conference with. The Oregon OSHA SOAR report stated that 11 out of the 11 imminent danger complaints were responded to timely. However, in the FY2017 SOAR, Oregon OSHA did not report on the number of imminent danger referrals that were responded to timely.

Oregon OSHA had zero denials of entry where entry was not obtained.

b) Fatalities

OSHA's review of 13 fatality inspection case files found well-documented investigations that clearly explained the events leading to the incident. The documentation supported the findings and citations where appropriate. The State Plan included family members in the fatality investigation process by providing an initial letter to the family and a follow-up letter when the investigation was closed. It is also standard procedure for Oregon OSHA to interview the families of victims to give them the opportunity to discuss the circumstances of the injuries and/or illness.

Oregon OSHA enters workplace fatalities into its information system and maintains a log of workplace fatalities in the state. Some fatalities do not result in an inspection because they are due to natural causes, or are not in the jurisdiction of Oregon OSHA. When there is a motor vehicle accident that results in the death of an employee, Oregon OSHA waits for law enforcement to complete their investigation and then makes a determination as to whether they should investigate the event.

The further review level for all State Plans is to open fatality investigations within one workday of receiving notification. OSHA has concluded from the onsite case file review, review of OIS data, and information from the Oregon OSHA SOAR that the State Plan responded timely to 92% (23/25) fatalities. The two outliers were adequately explained by Oregon OSHA. In the first case, the fatality occurred on a Friday. The Oregon OSHA inspector opened the inspection the following business day (Monday), but after gathering additional information learned that the actual employer was a different company and opened with them on Tuesday. In the second case, the inspection was opened untimely due to limited availability of staff.

Due to a variety of factors, the SAMM Appendix D report did not accurately capture all fatality information in FY2017. OSHA and Oregon OSHA have been actively working to correct these factors. Per the FY 2017 Appendix D SAMM, Oregon OSHA conducted 20 fatality investigations, responding timely (within one day) in 16 out of the 20 cases (80%). However, during this time period, Oregon OSHA actually opened 25 fatality inspections related to 26 fatalities. One inspection was related to a double fatality motor vehicle accident.

Bureau of Labor Statistics (BLS) Rates

An overview of Oregon OSHA’s private industry TCIR¹ and DART² rates for calendar years 2010 through 2016, as well as for industries, is provided in the table that follows. At the close of this monitoring period, 2016 was the most recent year for which data was available. (Data source: www.bls.gov)

Table 1

	CY 2010	CY 2011	CY 2012	CY 2013	CY 2014	CY 2015	CY 2016	% Change, 10-12	% Change, 10-14	% Change, 10-16
	Private Industry									
TCIR	3.9	3.8	3.9	4.1	3.9	3.7	4.0	0%	0%	3%
DART	2.2	2.1	2.2	2.2	2.2	2.1	2.4	0%	0%	9%
	Construction, NAICS³ 23									
TCIR	4.5	4.3	4.5	5.9	4.4	4.3	5.6	0%	-2%	24%
DART	2.5	2.3	2.5	3.5	2.7	2.2	3.4	0%	8%	36%
	Manufacturing, NAICS 31-33									
TCIR	4.4	5.0	4.4	4.5	4.6	4.3	4.1	0%	5%	-7%

1 TCIR is the total case incident rate, which represents the number of recordable injuries and illnesses per 100 full-time workers, calculated as: $(N/EH) \times 200,000$ where N = number of injuries and illnesses; EH = total hours worked by all workers during the calendar year; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

2 DART is the days away from work, job transfer, or restriction rate, which represents the number of such cases per 100 full-time workers. Calculation of the DART rate is similar to that of TCIR.

3 NAICS is the North American Industry Classification System

DART	2.6	2.9	2.7	2.5	2.6	2.5	2.4	4%	0%	-8%
		State and local government								
TCIR	4.6	4.7	4.2	4.3	4.5	4.0	4.0	-9%	-2%	-13%
DART	2.2	2.3	2.0	2.3	2.5	2.0	2.0	-9%	14%	-9%

c) Targeting and Programmed Inspection

During FY 2017, the Appendix D SAMM reported that Oregon OSHA conducted 2,802 safety and 938 health inspections for a total of 3740 inspections statewide. This represents 87% of Oregon’s annual performance goal of conducting 4,300 inspections during this period. The State Plan’s safety inspection numbers were 13% below the further review level, while health inspections were within the further review level. Oregon OSHA experienced a higher turnover rate among safety compliance officers than health compliance officers during this time period, which may have contributed to the lower safety inspection numbers. The difference in total inspection numbers between the SOAR and the Appendix D SAMM were because the reports were run at different times.

The State Plan’s in-compliance rate was 31% for safety inspections, which was inside the FRL of 23.62% to 35.44%. The in-compliance rate for health inspections was 27%, which was slightly lower than and better than the FRL of 28.62% to 42.94%. Oregon OSHA has more stringent and comprehensive health regulations than OSHA, which could be affecting their health in-compliance rate. Of the inspections conducted by Oregon OSHA, 34% were related to local and national emphasis programs.

The State Plan’s average number of serious/willful/repeat violations per inspection was 1.33 for FY 2017, which was 9% below the further review level for this metric. Per OIS data, Oregon OSHA issued 3,427 serious/willful/repeat violations for 2,571 inspections. OSHA’s inspection case file review did not reveal concerns about Oregon OSHA compliance officer’s hazard identification. This SAMM metric has been an observation for the last two FAME years and will be continued as an observation this year. OSHA will continue to monitor the State Plan and may conduct a special study at the end of FY 2018 in order to resolve the observation.

Observation FY 2017-OB-01(FY 2016-OB-02): Oregon OSHA's average number of serious, willful, and repeat violations per inspection was 1.33 for FY 2017, which was 9% below the further review level.

Federal Monitoring Plan: OSHA will continue monitoring this observation over the next fiscal year. OSHA may conduct a special study during FY2018.

Oregon OSHA had an average of one other-than-serious violation per inspection, which was within the further review level.

d) Citations and Penalties

OSHA enforcement case file review found that Oregon OSHA provided adequate evidence to support violations, and issued citations for all apparent violations. The State Plan was still lagging in the number of serious/willful/repeat violations per inspection with 1.33 per inspection as discussed above.

Oregon OSHA's average serious penalty for all employers was \$620 or 67% below the further review level of \$1,887.60 to \$3,146.00 in FY 2017. Of most concern was the discrepancy in assessed penalties between Oregon OSHA and the FRL for larger employers. For private sector employers with 101-250 workers, the average serious penalty issued was \$600.27, or 80% below the range of the FRL of \$2,964.20 to \$4,940.33. For private sector employers with more than 250 workers, the average serious penalty issued was \$756.67 or 80% below the range of the FRL of \$3,797.61 to \$6,329.35. The State Plan has been below range on this metric for many years. However, in FY2017 Oregon passed legislation that gives Oregon OSHA the authority to modify its penalties. On December 22, 2017, Oregon adopted Administrative Order 8-2017, raising both minimum and maximum penalties for alleged violations. OSHA will continue to discuss this metric with the State Plan during quarterly meetings.

e) Abatement

Oregon OSHA requires that each hazard be abated, and that adequate verification of the correction is included in the case file. OSHA's FY 2017 review of inspection case files revealed adequate hazard abatement letters and supporting documentation in the majority of the case files. In 8% (10/124) of the case files with violations reviewed, there was inadequate evidence of corrective action. However, one of the cases had been administratively closed due to repeated difficulty in contacting the employer, and one case had a citation that returned as undeliverable. In the remaining seven cases with overdue abatement, one case was only overdue by 19 days at the time of the case file review. While the lack of a letter of corrective action or abatement verification in 6% (7/124) cases indicates a minor deficiency, the small number of case files affected does not warrant a formal observation.

In addition, Oregon OSHA issued citations an average of 37 workdays following the initiation of an inspection for safety cases, and 38 workdays for health cases. The lapse time for safety inspections was within the FRL of 36.23 to 54.35 workdays. The health inspection lapse time was outside of (better than) the FRL range of 44.82 to 67.24 workdays. A shorter lapse time helps ensure that serious hazards are abated as timely as possible.

f) Worker and Union Involvement

OSHA evaluated Oregon OSHA's worker interviews during the case file review and did not find any trends that indicated deficiencies in its inspection process related to this metric. The case file review found that worker representatives were properly notified and involved in inspections. According to the SAMM Report, in 100% of initial inspections, a worker representative participated in the walk around inspection and/or the compliance officer conducted and documented worker interviews.

3. REVIEW PROCEDURES

Oregon OSHA's review procedures are not identical to OSHA's. The State Plan allows an employer 30 days in which to file a written appeal of a citation notice. Oregon OSHA has no authority to modify the 30 day appeal request period. Untimely appeals are forwarded to the Oregon Workers' Compensation Board and Oregon Department of Justice.

If an employer appeals a serious violation or the reasonableness of an abatement date issued by Oregon OSHA, it does not automatically extend the abatement date. When an employer does not apply for an extension, they must correct all serious violations within the assigned period pending appeal. The abatement period for other-than-serious violations does not begin until all appealed items become a final order.

OSHA's enforcement case file review did not reveal any issues or deficiencies related to informal or formal settlement proceedings. Per the Appendix D SAMM report, Oregon OSHA retained 93.56% of penalties following settlement proceedings, which was outside the range (better than) the further review level of 57.32% to 77.56%.

4. STANDARDS AND FEDERAL PROGRAM CHANGE (FPC) ADOPTION

a) Standards Adoption

Oregon OSHA has acceptable procedures for promulgating standards that are at least as effective as those issued by OSHA. The Oregon state rulemaking process is initiated based on one or more of the following: a federal rule requiring State Plan response is promulgated, the State Plan determines whether an update to an existing rule is needed, the state legislature directs rulemaking, in response to public petitions, or if Oregon OSHA staff has indicated a need. The second step in the state rulemaking process is the Oregon OSHA Technical Section conducts a review by comparing the new/updated proposed rule to existing rules and consensus standards. They research technical feasibility, review the fiscal impact of the rule, form advisory committees, and other steps, as needed. Next the Technical Section makes a recommendation to the Oregon OSHA Safety & Health Policy Group, where the rule recommendation is made to and decided on by the core team. The opportunity is given to Oregon OSHA Staff to provide comments, and then a Notice of Proposal is filed with the Secretary of State by the 15th of the month for printing in the Oregon Bulletin on the first of the month. At least 20 days are allowed for public comment. Notices are sent to affected parties and legislators, including information on hearings, if scheduled. An opportunity is provided for stakeholders and Oregon OSHA staff to make comments. Finally, there is a Hearing on Final Rule adoption. More information about Oregon OSHA's rulemaking process can be found on its website.

A notice of intent was received timely for all federal standards. Oregon OSHA promulgated rules timely in response to five out of the seven standards issued by OSHA that had adoption due dates in FY 2016 and FY 2017. A statute change was required before Oregon OSHA was able to initiate rulemaking to comply with the Final Rule on the Implementation of the 2017 Annual Adjustment to Civil Penalties for Inflation and the Interim Final Rule on Maximum Penalty Increase. Oregon Senate Bill 92 was adopted on June 6, 2017, with an effective date of January 1, 2018. Oregon Senate Bill 92 allows the Director of the Oregon Department of Consumer and Business Services to set civil penalties for violations of state occupational health and safety statutes, not to exceed maximum penalties or fall below certain minimum penalties under federal Occupational Safety and Health Act of 1970 (OSH Act). Oregon OSHA adopted changes to increase certain minimum and maximum penalties for alleged violations via Administrative Order 8-2017, effective January 1, 2018.

Oregon OSHA did not adopt any of the federal standards identically, although most were substantially similar. In FY 2016 and FY 2017, Oregon OSHA updated two of its own unique standards and recordkeeping standard:

- AO1-2017 Oregon OSHA Adopted Changes to the Worker Protection Standard in Agriculture with Federal and State Changes
- AO5-2017 Certain Schools and Education Support Removed from the Recordkeeping Exempt List
- AO4-2015₄ Updated Training Requirements for Firefighters

The following table lists the standards issued by OSHA that required a response during FY 2016 and FY 2017 and Oregon OSHA’s response.

Table 2
Status of 2016 and 2017 Federal Standards Adopted
(Includes Standards due for adoption in 2016)

Standard:	State Plan Response Date:	Intent to Adopt:	Adopt Identical:	Adoption Due Date:	State Plan Adoption Date:
Final Rule on the Implementation of the 2017 Annual Adjustment to Civil Penalties for Inflation (1/18/2017) Adoption Required	2/28/2017	Y	N	7/18/2017	Adopted 6/6/2017 with an effective date of 1/1/2018. (Senate Bill 92) Adopted 12/22/2017 with an effective date of 1/1/2018 (AO 8-2017)
Final Rule on Occupational Exposure to Beryllium (1/9/2017) Adoption Required	2/24/2017	Y	N	7/9/2017	Adopted 7/7/2017 with an effective date of 3/12/2018. (AO 3-2017 and AO 4-2017)
Final Rule on Walking Working Surfaces and Personal Protective Equipment (11/18/2016) Adoption Required	1/12/2017	Y	N	5/18/2016	Adopted 5/16/2017 with an effective date of 11/1/2017. (AO 2-2017)
Interim Final Rule on Maximum Penalty Increase (7/1/2016) Adoption Required	8/29/2016	Y	N	1/1/2017	Adopted 6/6/2017 with an effective date of 1/1/2018. (Senate Bill 92) Adopted 12/22/2017 with an effective date of 1/1/2018 (AO

4 Oregon OSHA numbers its Administrative Orders according to calendar year rather than federal fiscal year

					8-2017)
Final Rule to Improve Tracking of Workplace Injuries and Illnesses (5/12/2016) Adoption Required	7/8/2016	Y	N	11/14/2016	Adopted 11/10/2016 with an effective date of 5/1/2017. (AO 6-2016)
Occupational Exposure to Respirable Crystalline Silica (3/25/2016) Adoption Required	5/23/2016	Y	Alt	9/26/2016	Adopted 9/23/2016 with an effective date of 7/1/2018. (AO 5-2016)
Confined Spaces in Construction (5/4/2015) Adoption Required	10/27/2014	Y	Alt	2/4/2016	Oregon OSHA already had a rule in place at the time of federal promulgation

b) Federal Program Change (FPC) Adoption

A total of 14 FPCs required adoption in FY 2016 and FY 2017. Oregon OSHA's acknowledgement of intent was 100% timely during this period. Oregon OSHA transmitted documentation of its final response within the six month required timeframe for 13 of the 14 FPCs with responses due during this period. The one delayed response to an FPC was due to the necessity of a statute change in order to raise maximum penalties, which affected the updates related to penalty structure for Oregon OSHA's response to CPL 02-00-160 Field Operations Manual.

Table 3
Status of Federal Program Changes (FPCs) Adoption

FPC Directive/Subject:	State Response Date:	Intent to Adopt:	Adopt Identical:	Adoption Due Date:	State Submission
					Date:
CPL 02-01-058: Enforcement Procedures and scheduling for exposure Workplace violence (1/10/2017) Adoption not required	2/24/2017	Y	N	7/10/2017	6/13/2017
CPL 02-00-160: Field Operations Manual (8/2/2016) Adoption not required	9/16/2016	Y	N	2/2/2017	
CPL 03-00-020: OSHA's National Emphasis Program	4/1/2016	N	N	9/7/2016	State does not have

on Shipbreaking (3/7/2016)					jurisdiction over this activity and did not adopt
CPL 02-03-007: Whistleblower Investigations Manual (1/28/2016)	4/18/2016	Y	N	9/11/2016	7/7/2016
CSP 02-00-003: Consultation Policies and Procedures Manual (11/19/2015)	2/17/2016	Y	N	5/19/2016	5/17/2016
TED 01-00-020: Mandatory Training Program for OSHA Whistleblower Investigators (10/8/2015)	12/3/2015	N	N	12/3/2015	This directive was not required, and Oregon did not adopt.
CPL 02-00-159: Field Operations Manual (FOM) (10/1/2015)	11/19/2015	Y	N	4/1/2016	3/11/2016
CPL 02-03-006: Alternative Dispute Resolution (ADR) Processes for Whistleblower Protection Program (8/18/2015)	10/13/2015	N	N	2/18/2015	This directive was not required, and Oregon did not adopt.
CPL 03-00-019: National Emphasis Program on Amputation (8/13/2015)	9/1/2015	Y	N	2/13/2016	10/19/2015
CSP 03-01-004: Special Government Employees (SGE) Program Policies & Procedures Manual for the Occupational Safety and Health Administration's Voluntary Protection Program (7/30/2015)	8/31/2015	N	N	1/30/2016	8/31/2015
CSP 04-01-002: OSHA Alliance Program (7/29/2015)	8/14/2015	N	N	1/29/2016	8/14/2015

CPL 02-02-079: Inspection Procedures for the Hazard Communication Standard (7/9/2015)	8/10/2015	Y	N	1/9/2016	1/8/2016
CPL 02-02-078: Enforcement Procedures and Scheduling for Occupational Exposure to Tuberculosis (6/30/2015)	8/10/2015	Y	N	12/30/2015	9/15/2015
CPL 02-03-005: Whistleblower Investigations Manual (4/21/2015)	6/25/2015	Y	N	10/21/2015	8/18/2015

5. VARIANCES

Oregon OSHA granted nine research variances in FY 2016 and four in FY 2017 in order to support the use of new technology that could replace dangerous tree falling and timber transporting operations by workers on the ground with operators in machines with protective cabs. In FY 2017, Oregon OSHA granted one temporary variance related to the updated walking-working surfaces rule. One variance request was denied during this time period because the employer did not provide enough information. In all cases, the alternative protection afforded to workers was adequate.

6. STATE AND LOCAL GOVERNMENT WORKER PROGRAM

Oregon OSHA's monetary penalty structure applies to state and local government employers as well as to private sector employers. Per the SAMM, Appendix D, the State Plan conducted 3.37% (126/3740) of inspections in state and local government workplaces in FY 2017 (SAMM 6). This exceeded the negotiated goal provided in Oregon OSHA's FY 2017 23(g) grant application by 0.02%, where they projected that 3.35% (144/4300) inspections would be conducted in this sector. Consequently, Observation FY 2016-OB-01 was closed, as Oregon OSHA exceeded its projected goal this fiscal year.

7. WHISTLEBLOWER PROGRAM

Section 654.062 (5) of the Oregon Safe Employment Act provides for retaliation protection equivalent to that provided by OSHA. Oregon OSHA contracts with the BOLI, Civil Rights Division, for whistleblower protection complaint investigations.

Since FY 2013, Oregon OSHA's timeliness of completed retaliation cases has remained significantly higher than the national average as reported in the Web IMIS end of year Whistleblower National Activity Measure Reports. Oregon OSHA's goal from its annual performance plan is to complete 80% of whistleblower cases within 90 calendar days, which it has exceeded for the past two years. According to the FY 2017 SAMM Report, Oregon OSHA completed 87% of retaliation investigations within 90 days. The fixed further review level for this metric for all State Plans is 100% completion of retaliation cases within 90 days.

The average number of days for Oregon OSHA to complete a whistleblower protection investigation in FY 2017 was 91 days, significantly better than the national average of 247 days. Although the further review level for this metric for all State Plans is 90 days, Oregon OSHA was below the national average for this metric and does not require further review.

Oregon OSHA's merit rate of 18% is lower than the FY 2017 national average merit rate of 21%. In addition, the merit rate falls 2% below the further review level. The further review level for this metric was plus or minus 20% of the three year national average, which was a 25% merit rate. The merit rate includes both settlements and litigated cases. Oregon OSHA's litigation rate was 15%, which was 10% higher than the national average of 5% for FY 2017. The higher rate of litigation compared to settlements is likely the cause of the merit rate falling below the further review level.

During the monitoring period in Oregon OSHA, 100 out of 131 cases, or 76% of cases, were dismissed. The national dismissal rate was 61% of cases. While the difference in dismissal rate was notable, it did not rise to the level of an observation. These measures will continue to be monitored to ensure that cases are being classified and handled as required in the Oregon OSHA Program Directive A-288 Whistleblower Investigation Manual. The following table is a summary of retaliation – related SAMM data for fiscal years 2015 through 2017.

Table 4

	FY 2015	FY 2016	FY 2017	FY 2017 National Average
Completed Within 90 Days (SAMM 14)	83%	83%	87%	39%
Merit Cases (SAMM 15)	7%	6%	18%	21%
Average Number of Calendar Days to Complete Investigation (SAMM 16)	86	89	91	247

Merit settlement, litigation, dismissal, and withdrawal rates were appropriate and investigations were timely completed, as detailed in Table 5:

Table 5

	Merit	Settlement	Litigation	Dismissal	Withdrawal
Oregon OSHA	18%	2%	15%	76%	6%
National Average	21%	15%	5%	61%	18%

Furthermore, Oregon OSHA completed 87% of retaliation investigations within 90 days, well above the national average of 39%. Oregon OSHA’s settlement rate was much lower than the national average, meaning BOLI was likely missing opportunities to settle cases. With regard to settlements, two of the case files reviewed failed to include copies of settlement agreements. Therefore, this was addressed as an observation below. BOLI’s dismissal rate is higher than the national average, but not to the point that would warrant an observation. The numbers related to litigation and withdrawals were within a normal range.

The following observations and finding resulted from the retaliation case file review:

Observation FY2017-OB-02: Oregon OSHA did not ensure that BOLI adequately addressed cases where workers reported injuries. In 12% of the cases reviewed (five of 42), complainants reported an injury. Reporting an injury is considered a protected activity under Section 11(c) of the OSH Act. However, in those five cases, BOLI did not identify the injury report as a protected activity and BOLI did not inform the complainant of their right to dually file with OSHA.

BOLI indicated that it had investigated these claims under a workers’ compensation statute that is at least as effective as Section 11(c). However, it is not clear whether any of the five cases, identified during the FY2017 review, were investigated under the workers’

compensation statute, nor were those case files available for review. Consequently, it was not possible to evaluate the effectiveness of the State Plan's procedures for protecting workers who reported injuries during FY2017.

Federal Monitoring Plan: OSHA will conduct a retaliation case file review in FY 2018 to assess whether or not Oregon OSHA and BOLI have ensured that workers who report that they were retaliated against because they reported an injury are informed of their right to dually file with OSHA.

Observation FY2017-OB-03: Case documentation; In 33% (14 of 42) of cases, the case file did not include a telephone/activity log; in 5% (two of 42) of cases, medical records were not sequestered; in 21% (nine of 42) of cases, the report of investigation did not properly assess prima facie elements; in, at least, 24% (10 of 42) of cases, the report of investigation lacked citation to relevant evidence; in 5% (two of 42) of cases, the case files failed to include documentation of the settlement agreements.

Federal Monitoring Plan: OSHA will conduct a retaliation case file review in FY 2018 to assess file documentation.

Finding FY 2017-01 (FY 2016-OB-03): Oregon OSHA is not ensuring that BOLI adequately tests all evidence prior to closing a retaliation case and documents justification for case closure. This was found in 14% (six of 42) of retaliation cases during the FY2017 case file review.

Specifically, in six retaliation investigations reviewed by OSHA in FY 2017, the determination reached was not based on sound legal reasoning and substantive evidence in the case file.

Recommendation FY2017-01: Oregon OSHA should ensure that BOLI whistleblower protection investigators have adequate training and that sufficient oversight is given to the program to ensure that retaliation cases are handled appropriately.

8. COMPLAINT ABOUT STATE PROGRAM ADMINISTRATION (CASPA)

There were no CASPAs accepted against Oregon OSHA in FY2016 and FY2017.

9. VOLUNTARY COMPLIANCE PROGRAM

In addition to the 100% state-funded consultation program and the 21(d) consultation program, Oregon OSHA has a Voluntary Protection Program (VPP) and a Safety and Health Achievement Recognition Program (SHARP) that recognizes and encourages employers with exemplary safety and health programs. The State Plan's policies and procedures for these programs are adequate and there are no concerns with Oregon OSHA's performance in this area. During FY 2017, Oregon OSHA recertified eight

existing VPP sites and one site left the program, bringing its total to 21 VPP sites at the end of the fiscal year.

Oregon OSHA's SHARP program is not identical to the federal program in that they graduate employers and provide for a different enforcement exemption schedule. Moreover, the State Plan works with participants during the first four years to help them become self-sufficient and then "graduates" them from the program during their 5th year. While a site is no longer an active SHARP site after graduating, they are awarded a SHARP graduate plaque and flag and are eligible for full membership in the Oregon SHARP Alliance. New SHARP employers are not exempt from enforcement inspections until their second year in the program. Oregon OSHA then provides an enforcement exemption for the next four years until the site graduates from the program. Upon graduation, the enforcement exemption is extended for three years after which the site is no longer eligible. The State Plan conducts consultation visits with current SHARP employers annually. During FY 2017, there were seven new SHARP employers, 23 current employers, and 157 graduates.

Oregon OSHA continues to form collaborative relationships with industry groups in targeted industry sectors as well as make full use of advisory stakeholder groups to assist in rulemaking resulting from legislative activity. At the end of FY 2017, Oregon OSHA had 38 active partnerships and had developed 5 alliances.

One noteworthy alliance is the Oregon SHARP Alliance. The Oregon SHARP Alliance is a non-profit organization comprised of Oregon employers who currently hold SHARP or VPP status, companies working toward becoming SHARP or VPP certified, and other companies interested in promoting safety and health in the workplace. The Oregon SHARP Alliance is an advocate for excellence in occupational safety and health, continuous growth of the Safety and Health Achievement Recognition Program (SHARP) and the Voluntary Protection Program (VPP), and for a positive relationship with Oregon OSHA. As of 12/1/2017, the Oregon SHARP Alliance was 93 Members strong and growing.

10. STATE AND LOCAL GOVERNMENT 23(g) ON-SITE CONSULTATION PROGRAM

The State of Oregon does not operate a 23(g) funded consultation program. The majority of Oregon OSHA's consultative visits are conducted by 100% state-funded consultants. These consultants provide consultation to both state and local government and private sector employers. Four additional consultants provide private sector consultation under 21(d) of the OSH Act. Oregon OSHA's 21(d) on-site consultation program will be evaluated under a separate report called the Regional Annual Consultation Evaluation Report (RACER), which is issued separately from the FAME

Report. Oregon OSHA's own annual report regarding the 21(d) portion of its on-site consultation program is issued under the State Plan's Consultation Annual Project Report.

11. PRIVATE SECTOR 23(g) ON-SITE CONSULTATION PROGRAM

Not applicable.

Appendix A – New and Continued Findings and Recommendations

FY 2017 Oregon OSHA Comprehensive FAME Report

FY 2017-#	Finding	Recommendation	FY 2016-# or FY 2016-OB-#
FY 2017 -01	Oregon OSHA is not ensuring that BOLI adequately tests all evidence prior to closing a retaliation case and documents justification for case closure. This was found in 14% (six of 42) of retaliation cases during the FY2017 audit.	Oregon OSHA should ensure that BOLI whistleblower protection investigators have adequate training and that sufficient oversight is given to the program to ensure that retaliation cases are handled appropriately.	FY 2016-OB-03

Appendix B – Observations Subject to New and Continued Monitoring

FY 2017 Oregon OSHA Comprehensive FAME Report

Observation # FY 2017-OB-#	Observation# FY 2016-OB-# or FY 2016-#	Observation	Federal Monitoring Plan	Current Status
	FY 2016-OB-01	In FY 2016, Oregon OSHA’s percent of total inspections in state and local government workplaces (SAMM 6) was 2.9%, which was below the State Plan negotiated further review level of 3.4%. In FY 2017, Oregon OSHA exceeded its negotiated goal. Therefore, this observation is now closed.		Closed
FY 2017-OB-01	FY 2016-OB-02	In FY 2017, Oregon OSHA’s average number of serious, willful, and repeat violations per inspection with violations (SAMM 5) was 1.33, which was 9% below the further review level.	OSHA will continue monitoring this observation over the next fiscal year. OSHA may conduct a special study during FY2018.	Continued
	FY 2016-OB-03	Oregon OSHA did not ensure that all evidence was adequately tested by BOLI prior to its dismissal and closure of 11(c) retaliation cases and did not ensure that BOLI document its justification for case closure.		Converted to Finding FY 2017-01
FY 2017-OB-02		Oregon OSHA did not ensure that BOLI adequately addressed cases where workers reported injuries. In 12% of the cases reviewed (five of 42), complainants reported an injury. Reporting an injury is considered a protected activity under Section 11(c) of the OSH Act. However, in those five cases, BOLI did not identify the injury report as a protected activity and BOLI did not inform the complainant of their right to dually file with OSHA.	OSHA will conduct a retaliation case file review in FY 2018 to assess whether or not Oregon OSHA and BOLI have ensured that workers who report that they were retaliated against because they reported an injury are informed of their right to dually file with OSHA.	New

Appendix B – Observations Subject to New and Continued Monitoring

FY 2017 Oregon OSHA Comprehensive FAME Report

FY 2017-OB-03		Case documentation; In 33% (14 of 42) of cases, the case file did not include a telephone/activity log; in 5% (two of 42) of cases, medical records were not sequestered; in 21% (nine of 42) of cases, the report of investigation did not properly assess prima facie elements; in, at least, 24% (10 of 42) of cases, the report of investigation lacked citation to relevant evidence; in 5% (two of 42) of cases, the case files failed to include documentation of the settlement agreements.	OSHA will conduct a retaliation case file review in FY 2018 to assess file documentation.	New
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Appendix C - Status of FY 2016 Findings and Recommendations

FY 2017 Oregon OSHA Comprehensive FAME Report

FY 2016-#	Finding	Recommendation	State Plan Corrective Action	Completion Date (if Applicable)	Current Status (and Date if Item is Not Completed)
N/A	None.				

Appendix D - FY 2017 State Activity Mandated Measures (SAMM) Report

FY 2017 Comprehensive FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: Oregon – OREGON OSHA			FY 2017	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	6.33	5 days for serious hazards; 30 days for other than serious hazards	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of work days to initiate complaint inspections (federal formula)	1.24	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of work days to initiate complaint investigations (state formula)	0.00	10	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	0.00	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to within one workday (imminent danger)	93.75%	100%	The further review level is fixed for all State Plans.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.

Appendix D - FY 2017 State Activity Mandated Measures (SAMM) Report

FY 2017 Comprehensive FAME Report

5	Average number of violations per inspection with violations by violation type	SWRU: 1.33	+/- 20% of SWRU: 1.83	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 1.46 to 2.20 for SWRU and from 0.79 to 1.19 for Other.
		Other: 1.01	+/- 20% of Other: 0.99	
6	Percent of total inspections in state and local government workplaces	3.37%	+/- 5% of 3.35%	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 3.18% to 3.52%.
7	Planned v. actual inspections – safety/health	S: 2,802	+/- 5% of S: 3,400	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 3,230 to 3,570 for safety and from 855 to 945 for health.
		H: 938	+/- 5% of H: 900	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$620.34	+/- 25% of \$2,516.80	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$1,887.60 to \$3,146.00.
	a. Average current serious penalty in private sector (1-25 workers)	\$427.99	+/- 25% of \$1,706.10	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$1,279.58 to \$2,132.63.
	b. Average current serious penalty in private sector (26-100 workers)	\$1,199.65	+/- 25% of \$2,867.94	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$2,150.96 to \$3,584.93.
	c. Average current serious penalty in private sector (101-250 workers)	\$600.27	+/- 25% of \$3,952.26	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$2,964.20 to \$4,940.33.
	d. Average current serious penalty in private sector (greater than 250 workers)	\$756.67	+/- 25% of \$5,063.48	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from \$3,797.61 to \$6,329.35.

Appendix D - FY 2017 State Activity Mandated Measures (SAMM) Report

FY 2017 Comprehensive FAME Report

9	Percent in compliance	S: 30.96%	+/- 20% of S: 29.53%	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 23.62% to 35.44% for safety and from 28.62% to 42.94% for health.
		H: 27.42%	+/- 20% of H: 35.78%	
10	Percent of work-related fatalities responded to in one workday	80.00%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 37.17	+/- 20% of S: 45.29	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 36.23 to 54.35 for safety and from 44.82 to 67.24 for health.
		H: 37.91	+/- 20% of H: 56.03	
12	Percent penalty retained	93.56%	+/- 15% of 67.44%	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 57.32% to 77.56%.
13	Percent of initial inspections with worker walk around representation or worker interview	100%	100%	The further review level is fixed for all State Plans.
14	Percent of 11(c) investigations completed within 90 days	87%	100%	The further review level is fixed for all State Plans.
15	Percent of 11(c) complaints that are meritorious	18%	+/- 20% of 25%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 20% to 30%.
16	Average number of calendar days to complete an 11(c) investigation	91	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	4.15%	+/- 25% of 1.26%	The further review level is based on a two-year national average. The range of acceptable data not requiring further review is from 0.95% to 1.58%.

Appendix D - FY 2017 State Activity Mandated Measures (SAMM) Report

FY 2017 Comprehensive FAME Report

NOTE: Fiscal Year 2017 is the second year since the transition from the NCR (OSHA's legacy data system) began that all State Plan enforcement data has been captured in OSHA's Information System (OIS). As such, the further review levels for SAMMs typically referencing a three-year rolling average will instead rely on a two-year average this year. Unless otherwise noted, the data contained in this Appendix D is pulled from the State Activity Mandated Measures (SAMM) Report in OIS and the State Plan WebIMIS report run on November 13, 2017, as part of OSHA's official end-of-year data runs.

**Oregon Occupational Safety and Health Division
Department of Consumer and Business Services**

FY2017 State OSHA Annual Report

October 1, 2016 - September 30, 2017

January 5, 2018



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I. Summary of Results Related to Annual Performance Plan

**Strategic Goals #(1, 2, 3)
Self-Sufficiency, Outreach, Partnerships**

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

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Performance Goal (1, 2, 3)-1: Recognition Programs or Voluntary Programs or Self-Sufficiency

Maintain the number of SHARP and VPP participants and continue to promote employer self-sufficiency through consultations and by encouraging employers to attain VPP and SHARP status.

FY2016 Performance Goal (1, 2, 3)-1

Oregon OSHA will promote SHARP and VPP through consultation, enforcement, technical services, and education.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Market VPP & SHARP through a variety of methods, including but not limited to working with the SHARP Alliance, news releases, and articles in the Oregon OSHA Resource newsletter.	<p>SHARP and VPP were marketed by the Consultation booth, the Region X VPPPA booth, and SHARP Alliance booth at the Southern Oregon Occupational Safety and Health Conference and were marketed by the consultation booth and SHARP Alliance booth at: the Western Pulp, Paper and Wood Products Conference , Mid-Oregon Safety Summit , the Governors Occupational Safety and Health Conference, the Region IX VPPPA Conference April , the Region X VPPPA Conference in May and at the Blue Mountain Conference in June, Central Oregon Conference in Bend. The SHARP Alliance marketed both programs at two quarterly training sessions, one in Portland and one in Brooks</p> <p>Promoted SHARP at Safety Express on 5/2, Portland SHARP meetings on 4/11,</p>	

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		<p>5/9, & 6/13 and at Alliance General meeting on 6/5.</p> <p>SHARP and VPP were also marketed in the October issue of the Resource newsletter which included a feature article on a VPP site. The December issue of the Resource newsletter featured a SHARP graduate company who had achieved VPP Star status. The April Resource newsletter featured an article covering a Safety Culture Evolution class put on by representatives of 2 SHARP companies and 2 VPP companies.</p>	
Intermediate Outcomes	2. Number of companies working toward SHARP recognition.	At the end of the FFY there were 33 employers working toward SHARP.	
	3. Number of companies indicating an interest in VPP by requesting program information.	Ten Oregon companies requested information about the VPP from the VPP/SHARP Program Manager.	
Primary Outcomes	4. Number of employers who receive SHARP certification.	At the end of FY2017, a total of 213 companies participated in the SHARP program. This total includes 33 employers working toward SHARP. There were 7 new SHARP, 180 certified SHARP, 23 current employers, and 157 graduates. Oregon OSHA had 1 company that became inactive in the SHARP process in FY17.	The number of sites working through the SHARP process has always fluctuated as companies move through the process.

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	<p>5. Number of employers who receive VPP certification.</p>	<p>At the end of FFY2017 a total of 21 Oregon companies were VPP certified. During the FFY, no new VPP sites were added, 8 existing VPP sites were recertified and 1 site left the VPP program:</p> <p>Recertified Sites:</p> <ol style="list-style-type: none"> 1. Roseburg - Coquille Plywood, Coquille 2. Georgia-Pacific - Toledo Operations, Toledo 3. Cintas Corporation, Location #173, Tualatin 4. Owens Corning- Linnton Asphalt Plant, Portland 5. Sherwin-Williams - Purdy Portland, Portland 6. Georgia-Pacific - Philomath Operations (Sawmill), Philomath 7. Roseburg Forest Products- EWP, Riddle - Withdrawal-Recertified from Merit on 10/3/2016 8. Timber Products - Spectrum Division, White City - <p>Remaining 18 Active VPP Sites:</p> <ol style="list-style-type: none"> 1. Duro-Last Roofing, Inc. , Grants Pass 2. NuStar Energy, Shore Terminals LLC , Portland 3. Coca-Cola North America - Portland Syrup Plant , Portland 4. Pacific Klamath Energy - Klamath Cogeneration Project , Klamath Falls 5. Phillips 66 Co. - Portland Terminal , Portland 6. Covanta Marion , Brooks 	<p>As of September 30, 2016, Oregon had the following 22 VPP sites:</p> <ol style="list-style-type: none"> 1. Duro-Last Roofing, Inc. 2. NuStar Energy, Shore Terminals LLC 3. Coca-Cola North America - Portland Syrup Plant, Portland - Star-Recertified from Merit Conditional on 5/24/2016 4. Oldcastle Precast - Utility Vault, Wilsonville - Star-Recertified on 6/16/2016 5. Cintas Corporation, Location 6. Roseburg Forest Products- EWP 7. Pacific Klamath Energy - Klamath Cogeneration Project 8. Phillips 66 Co. - Portland Terminal 9. Roseburg - Coquille Plywood 10. Covanta Marion 11. Sherwin-Williams - Purdy Portland , Portland 12. Boise Packaging and Newsprint LLC 13. Phillips 66 Co. - Portland Lubricants Plant 14. Thermo Fisher Scientific 15. Weyerhaeuser - Coos Bay Timberlands 16. Owens Corning - Linnton Asphalt Plant 17. Linde North America - Medford
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		<p>7. Boise Packaging and Newsprint LLC (a wholly owned subsidiary of PCA) , Salem</p> <p>8. Phillips 66 Co. - Portland Lubricants Plant , Portland</p> <p>9. Thermo Fisher Scientific , Eugene</p> <p>10. Weyerhaeuser - Coos Bay Timberlands , Coos Bay</p> <p>11. Oldcastle Precast - Utility Vault , Wilsonville</p> <p>12. Linde North America - Medford Electronic Materials , White City</p> <p>13. Marvin Wood Products , Baker City</p> <p>14. AmeriTies West - Tie Plant, The Dalles</p> <p>1 site left the VPP program</p> <p>Roseburg Forest Products- EWP, Riddle - Withdrawal-Recertified from Merit on 10/3/2016</p>	<p>Electronic Materials</p> <p>18. Marvin Wood Products</p> <p>19. Timber Products - Spectrum Division</p> <p>20. Georgia-Pacific - Philomath Operations</p> <p>21. Georgia-Pacific - Toledo Operations</p> <p>22. AmeriTies West - Tie Plant</p>
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Performance Goal (1, 2, 3)-2: Outreach

FY2016 Performance Goal (1, 2, 3)-2
 Educate employers and employees, particularly small employers in high hazard industries and vulnerable or hard-to-reach populations regarding the value of occupational safety and health by providing workshops, conferences, educational venues, training, marketing and other outreach activities.

Performance Indicator Type	Indicator	Results	Comments
Outreach	Videos:	In FY2017 we added 32 non-English	

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Efforts	1. Number of new non-English videos created or acquired.	Videos. We have 143 Spanish, Russian, or multilingual video programs in our library.	
	2. Number of non-English videos checked out or viewed.	246 non-English video programs were checked out in FY2017.	We found that the total number of loans of Spanish-language DVDs dropped from 419 in FY 2016 to 246 in FY 2017. Please see the narrative in III Special Accomplishments for more details.
	Publications, On-line APPs: 3. Number of new or substantially revised <i>publications</i> or APPs developed that are targeted to small employers, high hazard industries and vulnerable or hard-to-reach worker populations.	In FY17, 14 new and 12 substantially revised publications were developed: <ul style="list-style-type: none"> ● Excavation safety (New Fact sheet) ● It's the law! (poster) ● ¡Es la ley! (It's the law poster in Spanish) ● Evaluating your computer workspace ● Can it happen here? (Workplace violence) ● Fall protection (New Fact sheet) ● Silica rules for general industry and construction (New Fact sheet) ● Crystalline silica: specified exposure control methods (New Fact sheet) ● Fall protection for construction activities guide ● Lead (New Quick facts) ● Incentive programs (New Fact sheet) ● Post-incident drug and alcohol testing (New Fact sheet) ● ABC's of construction guide ● Digger derricks (New Hazard alert) ● VPP brochure ● Preventing exposure to hazardous chemicals in laboratories 	16 new or substantially revised publications were developed in FY2016: <ul style="list-style-type: none"> ● Fall Protection Trigger Heights For The Construction Industry ● Eyewash and Safety Shower (Fact Sheet) ● Oregon OSHA - A great place to work ● Ag Labor Housing Q&A ● Reporting work-related incidents (Fact Sheet) ● Violence in the workplace - Can it happen where you work? ● Portable ladders: How to use them so they won't let you down ● ATV (Fact Sheet) ● Confined spaces – crawlspaces and attics (Fact Sheet) ● Recording and posting workplace injuries and illnesses (Fact Sheet) ● Cut and burn poster ● Fall protection and tarping – information for truckers (Fact

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		<ul style="list-style-type: none"> ● Aspectos básicos del lugar de trabajo: Información no complicada para empleadores y empleados (Workplace 101: Uncomplicated information for employers and employees from Oregon OSHA in Spanish) (New) ● Escaleras Portátiles (Portable Ladders in Spanish) New ● Using sulfur dioxide to sanitize wine barrels and corks (New Fact sheet) ● Radiofrequency radiation (New Fact sheet) ● Landscaping contractors and tree and shrub services guide ● Asbestos Exposure guide ● Walking-working surfaces: At a glance (New) ● Walking-working surfaces: Designated areas (New) ● Protecting Oregon’s agricultural workers from tractor hazards (New) ● Fall protection for setting and bracing wood trusses and rafters guide 	<p>Sheet)</p> <ul style="list-style-type: none"> • Safety data sheet (Fact Sheet) • English Filbert harvesting machines (Hazard Alert) • Spanish Filbert harvesting machines (Hazard Alert) • Lead and Lead Poisoning (Quick Facts)
	<p>4. Number of current publications evaluated for possible translation to other languages, considering cultural barriers to communication that may necessitate an alternative approach.</p>	<p>In FY17, 27 publications were reviewed for possible translation to another language.</p> <ul style="list-style-type: none"> ● Excavation safety fact sheet ● It’s the law! (poster) ● Evaluating your computer workspace ● Can it happen where you work? (Workplace violence) 	<p>In FY16, 15 publications were reviewed for possible translation to another language. One was translated into Spanish, Filbert harvesting machines (Hazard Alert)</p> <ul style="list-style-type: none"> • Fall Protection Trigger Heights For The Construction Industry • Eyewash and Safety Shower (Fact

Appendix E - FY 2017 State OSHA Annual Report (SOAR)

		<ul style="list-style-type: none"> ● Fall protection fact sheet ● Silica rules for general industry and construction (Fact sheet) ● Crystalline silica: specified exposure control methods (Fact sheet) ● Fall protection for construction activities guide ● Lead (Quick facts) ● Incentive programs (Fact sheet) ● Post-incident drug and alcohol testing (Fact sheet) ● ABC's of construction guide ● Digger derricks (Hazard alert) ● VPP brochure ● Preventing exposure to hazardous chemicals in laboratories ● Aspectos básicos del lugar de trabajo: Información no complicada para empleadores y empleados (Workplace 101: Uncomplicated information for employers and employees from Oregon OSHA in Spanish) ● Escaleras Portátiles (Portable Ladders in English was evaluated for translation in Spanish) ● Using sulfur dioxide to sanitize wine barrels and corks (Fact sheet) ● Radiofrequency radiation (Fact sheet) ● Landscaping contractors and tree and shrub services guide ● Asbestos Exposure guide ● Walking-working surfaces: At a glance ● Walking-working surfaces: Designated areas 	<p>Sheet)</p> <ul style="list-style-type: none"> ● Oregon OSHA - A great place to work ● Ag Labor Housing Q&A ● Reporting work-related incidents (Fact Sheet) ● Violence in the workplace - Can it happen where you work? ● Portable ladders: How to use them so they won't let you down ● ATV (Fact Sheet) ● Confined spaces – crawlspaces and attics (Fact Sheet) ● Recording and posting workplace injuries and illnesses (Fact Sheet) ● Cut and burn poster ● Fall protection and tarping – information for truckers (Fact Sheet) ● Safety data sheet (Fact Sheet) ● English Filbert harvesting machines (Hazard Alert) ● Lead and Lead Poisoning (Quick Facts)
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		<ul style="list-style-type: none"> ● Protecting Oregon’s agricultural workers from tractor hazards ● Fall protection for setting and bracing wood trusses and rafters guide ● Training for Safety & Effect-Logging Card ● Forest Activities Reference Card 	
	<p>On-Line Courses: 5. Continue review and revision of on-line course offerings and expand the number of on-line courses.</p>	<p>In FY2017, 4 online class was deployed and 4 online courses are still under revision.</p> <p>Deployed:</p> <ul style="list-style-type: none"> ● Bloodborne Pathogens ● Hazard Identification and Control ● ATV-Spanish Translation ● Job Hazard Analysis <p>Under Revision/Development:</p> <ul style="list-style-type: none"> ● Fall Protection ● Worker Protection Standard-Classroom ● Accident Investigation-Spanish Translation ● Safety Meetings and Committees-Spanish Translation 	<p>In FY2016, 1 online class was deployed and 4 online courses are still under revision.</p> <p>Deployed:</p> <ul style="list-style-type: none"> ● Record Keeping and Recording (OSHA 300) <p>Under Revision/Development:</p> <ul style="list-style-type: none"> ● Bloodborne Pathogens ● Fall Protection ● Hazard Identification and Control ● Personal Protection Equipment (PPE)
	<p>Conferences: 6. Coordinate with stakeholders to co-sponsor safety and health conferences throughout the state.</p>	<p>Seven conferences were held in FY2017</p> <ul style="list-style-type: none"> ● Southern Oregon Occupational Safety & Health Conference, 10/2016 ● Western Pulp, Paper, & Forest Products Safety & Health Conference, 12/2016 ● Mid-Oregon Construction Safety 	<p>Seven conferences were held in FY2016</p> <ul style="list-style-type: none"> ● Southern Oregon Occupational Safety & Health Conference, 10/2015 ● Western Pulp, Paper, & Forest Products Safety & Health Conference, 12/2015 ● Mid-Oregon Construction Safety

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		<p align="center">Summit, 1/2017</p> <ul style="list-style-type: none"> ● Oregon Governor’s Occupational Safety & Health Conference 3/2017 ● Northwest Safety & Health Summit (by Region X VPPPA), Conference 5/2017 ● Blue Mountain Occupational Safety & Health Conference, 6/2017 ● Central Oregon Occupational Safety & Health Conference, 9/2017 	<p align="center">Summit, 1/2016</p> <ul style="list-style-type: none"> ● Cascade Occupational Safety & Health Conferences, 3/2016 ● Northwest Safety & Health Summit (by Region X VPPPA), Conference 5/2016 ● Blue Mountain Occupational Safety & Health Conference, 6/2016 ● Central Oregon Occupational Safety & Health Conference, 9/2016
	<p>Other Outreach Activities:</p> <p>7. Number and nature of outreach activities provided by technical, consultation and enforcement that include but are not limited to staffed booth at conferences, direct mail marketing, participation in stakeholder events, social media and focused outreach to high hazard industries and vulnerable and hard-to-reach workers.</p>	<p>There were 199 other outreach activities that were provided to high hazard industries and vulnerable and hard-to-reach workers during FYTD 2017.</p> <p>42 Public Relations: 28 Press Releases AND 14 Oregon OSHA Facebook Campaign & posts</p> <p>30 Consultation: 16 speaking requests 14 association meetings</p> <p>9 Public Education: Training Classes in multiple cities</p> <p>118 Technical: A technical specialist’s involvement with the Oregon Cannabis Business Council. A technical specialist met with the Construction Contractor’s Board field enforcement personnel and discussed the new fall protection in construction rule and. answered fall protection and jurisdiction related questions. There were 15 people present. Technical specialist’s held an</p>	<p>There were 229 other outreach activities that were provided to high hazard industries and vulnerable and hard-to-reach workers during FYTD 2016.</p>

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		additional 116 speaking engagements at various locations with various employers, associations, unions or with higher education groups.	
Primary Outcome Measures	Training Sessions: 8. Number of Non English language training sessions.	In FY2017 there were 8 Non English language training sessions.	In FY2016 there were 14 Spanish language training sessions..
	9. Number of attendees at Non English language training sessions.	In FY2017 there were 225 attendees at Spanish language training sessions.	In FY2016 there were 470 attendees at Spanish language training sessions.
	10. Number and percent of participants from small businesses and high hazard industries participating in Oregon OSHA on-line training sessions.	In FY2017, there were 16,037 participants from small businesses and high hazard industries attending on-line training sessions. 7,789 (48.6%) participants were from small businesses and 12,506 (77.9%) participants were from high hazard industries.	In FY2016, there were 14,644 participants from small businesses and high hazard industries attending on-line training sessions. 1,025 (6.99%) participants were from small businesses and 5,716 (39.03%) participants were from high hazard industries.
	11. Number of participants at Oregon OSHA workshop training sessions.	There were 525 attendees at Oregon OSHA workshop training sessions in FY2017.	In FY2016 there were 818 attendees at Oregon OSHA workshop training sessions in FY2016.
	Educational Activities: 12. Number of new or substantially revised <i>educational resources</i> developed that are directed to small employers, high hazard industries and vulnerable or hard-to-reach worker populations.	In FY2017 no new classes were developed and 2 online courses are being substantially revised, as an educational resource that was directed to small employers, high hazard industries, and vulnerable or hard-to-reach worker populations. Classes Under Revision: <ul style="list-style-type: none"> ● Fall Protection – online ● Silica - online 	In FY2016 no new classes were developed and 2 online courses are being substantially and 1 revision is deployed as an educational resource that was directed to small employers, high hazard industries, and vulnerable or hard-to-reach worker populations. Deployed: <ul style="list-style-type: none"> ● Accident Investigations - Workbook Classes Under Revision: <ul style="list-style-type: none"> ● Fall Protection ● Worker Protection Standard
	13. Other educational activities directed	There were 19 educational activities	There were no educational activities

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	to small employers and to high-hazard industries.	directed to small employers and to high-hazard industries in FY2017. Standalone Videos: <ul style="list-style-type: none"> ● 9 Bloodborne Pathogens Online Courses ● 5 Hazard Identification and Control ● 5 Job Hazard Analysis 	directed to small employers and to high-hazard industries in FY2016.
	14. Number of participants at Oregon OSHA conference sessions.	A total of 3,339 participants attended conferences in FY2017. Attendees at all sessions were 16,986. Attendance at the conferences was as follows: <ul style="list-style-type: none"> ● Southern Oregon Occupational Safety & Health Conference: 336 ● Western Pulp, Paper & Forest Products Safety & Health Conference: 457 ● Mid-Oregon Construction Safety Summit: 289 ● Oregon Governor’s Occupational Safety & Health Conference: 1,500 (This conference is held every even fiscal year.) ● Northwest Safety & Health Summit (by Region X VPPPA): 261 ● Blue Mountain Occupational Safety & Health Conference: 254 ● Central Oregon Occupational Safety & Health Conference: 242 	A total of 1,764 participants attended conferences in FY2016. Attendees at all sessions were 9,455. Attendance at the conferences was as follows: <ul style="list-style-type: none"> ● Southern Oregon Occupational Safety & Health Conference: 322 ● Western Pulp, Paper & Forest Products Safety & Health Conference: 442 ● Mid-Oregon Construction Safety Summit: 233 ● Cascade Occupational Safety & Health Conference: 257 (This conference is held every even fiscal year.) ● Northwest Safety & Health Summit (by Region X VPPPA): 246 ● Blue Mountain Occupational Safety & Health Conference: 244 ● Central Oregon Occupational Safety & Health Conference: 264
	Consultations: 15. Number and percentage of	In FY2017, 1599 out of 2486 (64.32%) consultations were provided to small	In FY 2016, 1480 out of 2600 (56.92%) consultations were provided to small

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	consultations provided to small employers.	employers.	employers.
	16. Number and percentage of consultations provided to employers who have not used Oregon OSHA's consultation services during the previous five years.	In FY2017, 1109 out of 2486 (44.61%) consultations were provided to employers who had not used Oregon OSHA's consultation services during the previous five years.	In FY 2016, 1103 out of 2600 (42.42%) consultations were provided to employers who had not used Oregon OSHA's consultation services during the previous five years.

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Performance Goal (1, 2, 3)-3: Partnerships

FY2016 Performance Goal (1, 2, 3)-3

Promote occupational safety and health by maintaining and enhancing the effectiveness of existing partnerships and establishing new partnerships as opportunities present themselves, each with specific safety and/or health awareness improvement objectives. Use existing partnerships to advise Oregon OSHA management on where more specific focus would be fruitful.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Activities undertaken in collaboration with stakeholder groups and partnerships to increase occupational safety and health awareness.	<p><u>Agriculture:</u></p> <p>1) <u>Department of Housing and Community Services (OHCS), Department of Revenue, and Oregon OSHA</u> continue to meet quarterly, along with other members of the</p> <p>2) <u>Small Agricultural Employer Advisory Committee</u> and the</p> <p>3) <u>Agriculture Labor Housing Advisory Committee</u> address issues affecting agricultural employers, operators of housing for Oregon's agricultural labor force, and agricultural workers. Members of the groups include representatives of labor, employers, grower organizations, government, and related non-profit agencies. Members from all the groups continue to work with Oregon OSHA on the Environmental Protection Agency's (EPA) recent modifications to the Worker Protection Standard.</p> <p>4) <u>The Pesticide Analytical Response Center (PARC)</u>: This group with members from</p>	

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Oregon Health Authority, Oregon Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, Oregon Department of Forestry, Oregon Occupational Safety and Health Administration, Oregon State Fire Marshall, Oregon Poison Control Center, and Oregon Department of Agriculture, is tasked statutorily with reviewing pesticide related events in Oregon. The PARC meets quarterly to review pesticide complaints and issue citations, if required. The PARC produces an annual report for the legislature.

5) Pacific Northwest Agriculture Safety and Health (PNASH): PNASH Agriculture safety and health only meets twice per year to share information and network.

6) Deschutes County Farm Bureau: This partner worked with the Central Oregon Occupational Safety and Health Conference for the fall 2017 conference.

Construction:

7) Construction Advisory Committee:

The committee meets monthly and is attended by safety leaders in the construction industry (primarily commercial construction). Accidents and incidents and near misses are reviewed and technical issues are discussed. The committee members participate regularly as stakeholders in various rulemaking activities related to construction such as the recent Silica and Employer Knowledge rulemaking. Members on

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this committee include representatives of the Homebuilders Association, AGC, the Construction Safety Summit, the Oregon Institute of Occupational Safety and Health Sciences, Union Leadership, as well as safety professionals for Oregon construction contractors. Oregon OSHA technical section representatives and Administration attend meetings, support the committee's activities, and work collaboratively on projects such as the recent Governors Occupational Safety and Health Conference.

8) Landscape Contractors Board: Oregon OSHA continues to work with the Board to disseminate information on safety and health as part of their licensing of contractors.

9) Construction Safety Summit: The committee meets monthly. The meetings include trainings on a variety of residential and commercial construction safety and health related topics. Oregon OSHA Enforcement, Consultation, and Technical and Management personnel attend the meetings and regularly provide support such as conducting presentations.

10) SafeBuild Alliance: SafeBuild Alliance meets quarterly to focus on successes, innovations and challenges SafeBuild Alliance is in the final quarter of the Oregon OSHA training and education grant for Lean Best Known Methods. SafeBuild has disseminated the Lean Project all over the state.

11) Oregon Home Builders Association (OHBA): Staff from OHBA shares safety and

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health information from Oregon OSHA in their monthly publications. Oregon OSHA staff is also asked to participate in OHBA conferences and trainings. The quarterly meetings continue with OHBA and Oregon OSHA.

Health, Healthcare, and Ergo:

12) Oregon Coalition for Healthcare

Ergonomics (OCHE): OCHE has changed the meeting format to offer training and education during the quarterly meetings times. This should lead to more participation from members and stakeholders.

13) Oregon OSHA Emergency

Preparedness: Oregon OSHA participates in quarterly federal OSHA emergency preparedness teleconference calls and attends regional emergency preparedness meetings (LEPC, CAER, ECHO) as time and resources permit. Oregon OSHA has attended scheduled meetings of an interagency work group that coordinates the Oregon Wildfire Response Protocol for Severe Smoke Episodes. Oregon OSHA participated in informational teleconferences regarding the wildfire season.

14) Center for Health Protection (OHA):

Nothing to Report.

15) Center for Public Health Practice (OHA):

Nothing to Report.

16) Center for Health Promotion and Prevention

(OHA): Oregon OSHA and the Oregon Health Authority, Public Health Division, Adult Lead and Epidemiology Surveillance, signed an

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interagency agreement allowing Oregon OSHA and OHA to collaborate and identify information on elevated blood lead levels. OHA provides quarterly reports of adult (aged 16 and older) blood levels that are ≥ 10 $\mu\text{g}/\text{dL}$ (micrograms per deciliter) to Oregon OSHA. These data are evaluated to determine places of employment that may be exposing workers to lead in the work place in violation of the Oregon Safe Employment Act.

17) Oregon Occupational Fatality Assessment and Control Evaluation (FACE): FACE staff members continue to reintegrate the importance of the interagency agreement and the important work that FACE has been able to conduct over the past year in partnership with Oregon OSHA. FACE produces annual reports from the fatality investigations.

18) Oregon Institute of Occupational Health Sciences: Oregon OSHA, Oregon Institute of Occupational Health Sciences, and SAIF held the first meeting of the TWH® alliance on June 12, 2017. The alliance can be found on the Oregon OSHA

website: <http://osha.oregon.gov/collaborations/Pages/alliance-twh.aspx>

Oregon OSHA and the Oregon Institute of Occupational Health Sciences work together on many projects. The Institute develops quarterly symposiums based on the employer and employee safety and health needs.

19) SAIF (State Accident Insurance Fund): Oregon OSHA, Oregon Institute of

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Occupational Health Sciences, and SAIF held the first meeting of the TWH® alliance on June 12, 2017. The alliance can be found on the Oregon OSHA

website: <http://osha.oregon.gov/collaborations/Pages/alliance-twh.aspx>

SAIF has new administration and they are a CDC NIOSH TWH Affiliate Program. SAIF is making this a marketing message and working with stakeholders to increase health and wellness, while continuing to lower workers' compensation rates.

20) Total Worker Health Alliance

(TWH®): Oregon OSHA, Oregon Institute of Occupational Health Sciences, and SAIF held the first meeting of the TWH® alliance on June 12, 2017. The alliance can be found on the Oregon OSHA

website: <http://osha.oregon.gov/collaborations/Pages/alliance-twh.aspx>

21) Oregon Home Care Commission: The Oregon Home Care Commission and Oregon OSHA work together to assure home care workers in Oregon are safe in the homes that they are providing services to senior and disabled individuals.

Forestry and Firefighters:

22) Forest Activities Advisory Committee: The committee continues to meet on a quarterly basis. This committee is key to the forest industry in rulemaking procedure and guidance documents.

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	<p>23) <u>Firefighter Advisory Committee</u>: Nothing new to report.</p> <p>24) <u>Fire Chiefs Association</u>: Meetings took place over the FY 2016 to develop a new agreement with the Fire Chiefs Association, however to date the agreement has not been completed.</p> <p>25) <u>Oregon OSHA and Washington Department of Occupational Safety and Health – Radio Control Devices</u>, nothing new to report.</p> <p><u>Other:</u></p> <p>26) <u>Oregon Utility Safety Commission</u>: Oregon OSHA is a partner in the Oregon Utility Safety Commission with the intent of promoting cooperative efforts between OPUC and Oregon OSHA, and effective regulation of the safety, security and reliability of utilities.</p> <p>27) <u>Oregon Public Utility Commission</u>: The Oregon Public Utilities District and Oregon OSHA have developed an interagency agreement for referrals of safety and health complaints, sharing of information, and training and education.</p> <p>28) <u>Oregon Restaurant & Lodging Association (ORLA)</u>: The Oregon Restaurant and Lodging Association continue to share Oregon OSHA safety and health information with their members in a collaborative process. Staff from the ORLA shares safety and health information from Oregon OSHA in their monthly publications. The quarterly meetings continue with ORLA and Oregon OSHA.</p>	<p>Information regarding Oregon OSHA partnerships, alliances and collaborations can be found at this link.</p>
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- 29) Oregon Young Employee Safety, O[yes]: O[yes] Young Worker safety video contest winners can be found at web link <http://youngemployeesafety.org/> The O[yes] online certification training for young workers to receive safety and health training and education is almost complete and will soon be available on the Oregon OSHA website. <http://osha.oregon.gov/edu/grants/Pages/oc/oyes-online-training.aspx>
- 30) Mt. Hood Community College: Nothing new to report.
- 31) Wind Energy: This is not an ongoing stakeholder meeting group. The group meets as needed for discussion of emerging issues.
- 32) Oregon OSHA Partnership Committee: The Oregon OSHA Partnership Committee continues to meet on a quarterly basis. This committee is instrumental in sharing information with key stakeholders and community partners.
- 33) Oregon Wine Board: Oregon OSHA continues outreach and education to the wine industry. Members of the wine community have joined with the agriculture community and Oregon OSHA in the rule writing process for the Worker Protection Standards. Oregon OSHA presented articles on confined space for the newsletters and is planning joint presentations at the annual meetings. The intent is an Alliance with these industries.
- 34) Oregon Wine Association: Oregon OSHA continues outreach and education to the

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		<p>industry during the third quarter.</p> <p>35) <u>Oregon Brewers Guild</u>: Nothing new to report</p> <p>36) <u>Oregon Funeral Directors Association</u>: Nothing new to report.</p> <p>37) <u>EMPLEO</u>: The EMPLIO continues to meet and share information relating to vulnerable migrant workers in Oregon and the tri-state area.</p> <p>38) <u>Oregon Employment Department</u>: Oregon OSHA and the Oregon Employment Department have worked together to develop an MOU relating to H2A housing inspections. The MOU is completed and can be found on the Oregon OSHA website: http://osha.oregon.gov/collaborations/Documents/mous/S-17.pdf</p> <p>The State Monitor for Agriculture Workers, the Foreign Labor Certifier and the Oregon Law Center has developed key partnerships with Oregon OSHA to serve the Migrant Population in the State of Oregon. Oregon OSHA staff is attending Oregon Employment collaborative meetings.</p>	
	<p>2. Identify partnerships and stakeholder groups in high hazard, emerging and existing industry sectors.</p>	<p>Potential partnership in target industries in FY 2017:</p> <ul style="list-style-type: none"> ● Potential partnership opportunities in target industries: The West Coast Chapter of the International Association of Foundation Drilling 	<p>The intent is an Alliance with this industry.</p>
<p>Intermediate Outcome</p>	<p>3. Number of Oregon OSHA stakeholder collaborations and partnerships.</p>	<p>There were a total of 38 Oregon OSHA stakeholder collaborations and partnerships in</p>	<p>FY14 Baseline 32</p>

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Measure		FY2017.	
Primary Outcome Measures	4. Number of alliances developed and status of goals.	<p>There are a total of five current alliances developed, (the status of their goals is included in section 1.)</p> <ul style="list-style-type: none"> ● Oregon Coalition for Healthcare Ergonomics (OCHE) ● Oregon Restaurant & Lodging Association (ORLA) ● Oregon Home Builders Association (OHBA) ● Employment, Education and Outreach (EMPLEO) ● Total Worker Health® <p>These alliances are on our website: http://osha.oregon.gov/collaborations/Pages/alliances.aspx and on the federal OSHA website: https://www.osha.gov/dcsp/alliances/regional/reg10_portland.html</p>	<p>See the narrative in Partnership section (1, 2, 3)-3 for more information on the activities of these alliances.</p> <p>FY14 Baseline 3</p>
	5. Number of partnerships in targeted industry sectors and achievements.	<p>At the end of FY2017, there were 22 partnerships in target industries:</p> <p><u>Agriculture:</u></p> <ul style="list-style-type: none"> ● Department of Housing and Community Services, Department of Revenue, and Oregon OSHA ● Small Agriculture Advisory Committee ● Agriculture Labor Housing Advisory ● Pesticides Analytical and Response Center ● PNASH ● Deschutes County Farm Bureau <p><u>Construction:</u></p>	<p>Please see Partnerships, Activity Measure #1 for individual partnership activities.</p>

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		<ul style="list-style-type: none"> ● Construction Advisory Committee ● Landscape Contractors Board ● SafeBuild Alliance ● Oregon Home Builders Association (OHBA) ● Construction Safety Summit <p><u>Logging:</u></p> <ul style="list-style-type: none"> ● Forest Activities Advisory Committee (FAAC) <p><u>Health Care:</u></p> <ul style="list-style-type: none"> ● Oregon Coalition for Health Care Ergonomics (OCHE) ● Oregon OSHA Emergency Preparedness ● Oregon Health Authority -Center for Health Protection ● Oregon Health Authority - Center for Public Health Practice ● Oregon Health Authority - Center for Health Promotion and Prevention ● Oregon Occupational Fatality Assessment and Control Evaluation (FACE) ● Oregon Institute of Occupational Health Sciences ● SAIF ● Total Worker Health® ● Oregon Home Care Commission
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Strategic Goals #(1, 2)
Workplace Safety and Health, Health Hazards

Strategic Goals #(1, 2, 3)
Emphasis

Strategic Goal #(3)
Fatalities

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.
Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.
Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

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Performance Goal (1, 2)-1: Safety & Health Hazards

Reduce injuries and illnesses by reducing the DART rate from 2.2 to 2.0 (or less) per 100 workers and total case incidence rate TCIR from 4.1 to 3.7 (or less) per 100 workers by the end of year 2020 by focusing on targeted high hazard industries and safety and health hazards.

FY2016 Performance Goal (1, 2)-1

Health enforcement will focus on targeting high hazard industries and safety and health hazards at the following levels: Safety Enforcement 75%, Health Enforcement 60%, and Consultation 50%.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	Inspections – Health: 1. Total number of <i>health</i> inspections.	Total <i>health</i> inspections: 963 in FY2017. The FY2017 goal of 900 has been met.	Total <i>health</i> inspections: 821 in FY2016. This is 79 below the FY2016 goal of 900.
	2. Total number of <i>health</i> inspections in high hazard industries.	Total <i>health</i> inspections in high hazard industries: 633 in FY2017.	Total <i>health</i> inspections in high hazard industries: 491 in FY2016.
	3. Percentage of <i>health</i> inspections in high hazard industries compared to target of 60%.	In FY2017, the target was met with 66% (633/963) of health inspections conducted in high hazard industries. (Target = 60%)	In FY2016, the target was met with 60% (491/821) of health inspections conducted in high hazard industries. (Target = 60%)
	4. Total number of serious <i>health</i> hazards identified in enforcement.	There were 880 serious <i>health</i> hazards identified in enforcement in FY2017.	There were 853 serious <i>health</i> hazards identified in enforcement in FY2016.
	Inspections - Safety: 5. Total number of <u>safety</u> inspections.	There were 2,826 <u>safety</u> inspections. This is 574 inspections below the goal of 3,400 in FY2017.	There were 3,127 <u>safety</u> inspections. This is 273 inspections below the goal of 3,400 in FY2016.

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6. Total number of <u>safety</u> inspections in high hazard industries.	There were 2,309 <u>safety</u> inspections in high hazard industries in FY2017.	Total <u>safety</u> inspections in high hazard industries: 2,563 in FY2016.
7. Percentage of <u>safety</u> inspections in high hazard industries compared to target of 75%.	In FY2017 the target was exceeded with 82% (2309/2826) of <u>safety</u> inspections in high hazard industries. (Target = 75%)	In FY2016 the target was exceeded with 82% (2563/3127) of <u>safety</u> inspections in high hazard industries. (Target = 75%)
8. Total number of serious <u>safety</u> hazards identified in enforcement.	In FY2017 there were 2,153 serious <u>safety</u> hazards identified in enforcement.	In FY2016 there were 2,212 serious <u>safety</u> hazards identified in enforcement.
<p>Programmed and Non-Programmed Visits:</p> <p>9. The number and percentage of programmed and non-programmed enforcement visits in high-hazard industries.</p>	<p>In FY2017:</p> <p>Safety – 68.8 % (1590/2309) programmed 31.1% (719/2309) non-programmed</p> <p>Health – 45.8% (290/633) programmed 54.6% (346/633) non-programmed</p> <p>Total – 63.9% (1880/2942) programmed 36.1% (1065/2942) non-programmed</p> <p>Safety – 27 programmed related Health – 3 programmed related Total – 30 programmed related</p> <p>Note: the sum of programmed and non-programmed inspections per discipline in high hazard industries.</p>	<p>In FY2016:</p> <p>Safety – 67.1 % (2099/3127) programmed 32.8% (1028/3127) non-programmed</p> <p>Health – 37.3% (307/821) programmed 62.6% (514/821) non-programmed</p> <p>Total – 60.9% (2406/3948) programmed 39.1% (1542/3948) non-programmed</p> <p>In FY2016:</p> <p>Safety – 24 programmed related Health – 1 programmed related Total – 25 programmed related</p> <p>Note: the sum of programmed, non-programmed and programmed related inspections are included in the total of</p>

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			inspections per discipline.
	Consultation – Health:		
10. Total number of <i>health</i> consultations .	820 health consultations that include Process Safety Management and Ergonomics were conducted in FY2017.	833 health consultations that include Process Safety Management and Ergonomics were conducted in FY2016.	
11. Total number of <i>health</i> consultations in high hazard industries.	379 Health Consultations in High Hazard industries were conducted by consultants in FY2017.	352 Health Consultations in High Hazard industries were conducted by consultants in FY2016.	
12. Percent of <i>health</i> consultations in high hazard industries.	46.22%, 379 of 820 health consultations in high hazard industries in FY2017.	42%, 352 of 833 health consultations in high hazard industries in FY2016.	
13. The number of serious <i>health</i> hazards identified during on-site consultation activities.	3,043 serious health hazards were identified during on-site consultation activities in FY2017.	2,570 serious health hazards were identified during on-site consultation activities in FY2016.	
	Consultation – Safety:		
14. Total number of <i>safety</i> consultations .	1666 Safety consultations were conducted in FY2017.	1767 Safety consultations were conducted in FY2016.	
15. Total number of <i>safety</i> consultations in high hazard industries.	1157 Safety Consultations in high hazard industries were conducted by consultations in FY2017.	1191 Safety Consultations in high hazard industries were conducted by consultations in FY2016.	
16. Percent of <i>safety</i> consultations in high hazard industries.	69.45%, 1157 of 1666 Safety consultations were in high hazard industries in FY2017.	67%, 1191 of 1767 Safety consultations were in high hazard industries in FY2016.	
17. The number of serious <i>safety</i> hazards identified during on-site consultation activities.	8,532 <u>serious</u> safety hazards were identified during on-site consultation activities in FY2017.	6,894 serious safety hazards were identified during on-site consultation activities in FY2016.	
High Hazard Consultations:			
18. The number and percentage of consultation visits in high-hazard industries compared to target of 50%.	61.78%, 1536 of 2486 of all consultation activities were in high hazard industries in FY2017. The target is 50%.	59.34%, 1543 of 2600 of all consultation activities were in high hazard industries in FY2016. The target is 50%.	
Ergonomics Consultations			
19. Total number of safety and health ergonomics consultations.	In FY2017 there were 164 safety and health ergonomics consultations.		

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	20. Total number of safety and health ergonomics consultations in industries with high MSD rates.	There were 115 of 164 safety and health ergonomics consultations with high MSD rates in FY2017.	<i>Please see the Performance Goal: Safety and Health Hazards, Ergonomics narrative for more details.</i>																														
	Workplace Violence 21. Number of inspections where workplace violence was addressed.	In FY2017 there were 7 inspections where workplace violence was addressed.																															
	22. Number and type of workplace violence focused outreach efforts.	FY2017 consultation and enforcement data is not available at this time.																															
	23. Number of consultations where workplace violence was addressed.	There were 66 consultations where workplace violence was addressed in FY2017.																															
	<p>NOTE: High hazard industries for safety is defined by list A-G, construction, logging, and all other emphasis programs not already counted.</p> <p>High hazard industries for health is defined by list A, construction, logging, and all other emphasis programs not already counted.</p> <p>NOTE: The total number of consultations include: safety, health, ergonomics and process safety management consultations.</p>																																
Primary Outcomes Measures	24. Percent change in DART rate (reported annually).	<p>DART rate history</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">(private/private & public)</th> <th style="text-align: right;">percent change</th> </tr> </thead> <tbody> <tr><td>CY2016:2.4/2.3</td><td style="text-align: right;">(9.5%)</td></tr> <tr><td>CY2015:2.1/2.1</td><td style="text-align: right;">(-8.7%)</td></tr> <tr><td>CY2014:2.2/2.3</td><td style="text-align: right;">(4.5%)</td></tr> <tr><td>CY2013: 2.2/2.2</td><td style="text-align: right;">(0.0%)</td></tr> <tr><td>CY2012: 2.2/2.2</td><td style="text-align: right;">(4.8%)</td></tr> <tr><td>CY2011: 2.1/2.1</td><td style="text-align: right;">(-4.5%)</td></tr> <tr><td>CY2010: 2.2/2.2</td><td style="text-align: right;">(-4.3%)</td></tr> <tr><td>CY2009: 2.3/2.3</td><td style="text-align: right;">(-8.0%)</td></tr> <tr><td>CY2008: 2.5/2.5</td><td style="text-align: right;">(-10.7%)</td></tr> <tr><td>CY2007: 2.8/2.8</td><td style="text-align: right;">(0.0%)</td></tr> <tr><td>CY2006: 2.8/2.8</td><td style="text-align: right;">(-3.4%)</td></tr> <tr><td>CY2005: 2.9/2.9</td><td style="text-align: right;">(-3.3%)</td></tr> <tr><td>CY2004: 3.1/3.0</td><td style="text-align: right;">(3.4%)</td></tr> <tr><td>CY2003: 3.1/2.9</td><td style="text-align: right;">(-6.5%)</td></tr> </tbody> </table>	(private/private & public)	percent change	CY2016:2.4/2.3	(9.5%)	CY2015:2.1/2.1	(-8.7%)	CY2014:2.2/2.3	(4.5%)	CY2013: 2.2/2.2	(0.0%)	CY2012: 2.2/2.2	(4.8%)	CY2011: 2.1/2.1	(-4.5%)	CY2010: 2.2/2.2	(-4.3%)	CY2009: 2.3/2.3	(-8.0%)	CY2008: 2.5/2.5	(-10.7%)	CY2007: 2.8/2.8	(0.0%)	CY2006: 2.8/2.8	(-3.4%)	CY2005: 2.9/2.9	(-3.3%)	CY2004: 3.1/3.0	(3.4%)	CY2003: 3.1/2.9	(-6.5%)	CY2016: This reflects a 20.69% reduction in the public/private rate since CY2003.
(private/private & public)	percent change																																
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	<p>25. Percent change in the statewide total case incidence rate, TCIR (reported annually.)</p>	<p>TCIR rate history (private/private & public) percent change</p> <p>CY2016: 4.0/4.0 (5.3) CY2015: 3.7/3.8 (-5.0) CY2014: 3.9/4.0 (-2.4) CY2013: 4.1/4.1 (2.5%) CY2012: 3.9/4.0 (2.6%) CY2011: 3.8/3.9 (-2.5%) CY2010: 3.9/4.0 (-11.1%) CY2009: 4.43/4.5 (-4.3%) CY2008: 4.6/4.7 (-9.6%) CY2007: 5.1/5.2 (0.0%) CY2006: 5.3/5.2 (-3.7%) CY2005: 5.4/5.4 (-6.9%) CY2004: 5.8/5.8 (3.6%) CY2003: 5.6/5.69 (n/a%)</p>	<p>CY2016: This reflects a 28.57% reduction in the public/private rate since CY2003.</p>
	<p>Comments:</p>	<p>Enforcement Statistics are from IMD reports, effective FY11. Reporting before FY11 used NCR local reports.</p>	<p>CY2016 DART and TCIR rates were updated in October 2016 by the Bureau of Labor and Statistics.</p>

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Performance Goal (2)-1: Health Hazards

FY2016 Performance Goal (2)-1

Increase the number of severe chemical hazards identified (and therefore corrected) to at least 817 by the end of 2020.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Severe chemical hazard is defined to mean any chemical that produces a chronic disease outcome.	The count of serious violations, totaled annually, will be averaged over a 5-year period (federal fiscal year) to establish the base indicator. The indicator will be a 5-year rolling average moving forward. The 5-year rolling average will be reported annually.	The base indicator is the FY2014, 5-year rolling average of 743.
Primary Outcomes Measures	2. An increase in the identification and correction of serious hazards, for a 5-year total of at least 817.	The FY2017, 5-year rolling average is 799, which is 7.5% (799/743) above the base indicator.	The FY2016, 5-year rolling average is 793, which is 6.7% (793/743) above the base indicator.

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Performance Goal (1, 2, 3)-4: Emphasis

FY2016 Performance Goal (1, 2, 3)-4

Implement all state local emphasis programs and appropriate national emphasis programs.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of Trenching inspections and consultations in emphasis programs.	There were 174 Trenching inspections and consultations. 69 inspections, 105 consultations	
	2. Total number of Falls In Construction inspections and consultations in emphasis programs.	There were 1058 Falls In Construction inspections and consultations. 600 inspections, 458 consultations	
	3. Total number of Struck-By in Logging inspections and consultations in emphasis programs.	There were 88 Struck-By In Logging inspections and consultations. 61 inspections, 27 consultations	
	4. Total number of Agricultural Labor Housing inspections and consultations in emphasis programs.	There were 156 Agricultural Labor Housing inspections and consultations. 41 inspections, 115 consultations	Consultation comment: Agricultural Labor consultation activities based on site visits as it is not listed as an emphasis program.
	5. Total number of Field Sanitation inspections and consultations in emphasis programs.	There were 38 Field Sanitation inspections and consultations. 7 inspections, 31 consultations	Field sanitation inspections are much lower in FY17, due to on-going fires in Oregon preventing access to certain areas, and staff that normally would conduct field sanitation

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			inspections were either out on medical leave or were assigned other inspections that took priority.
6. Total number of Pesticide inspections and consultations in emphasis programs.	There were 110 Pesticide inspections and consultations. 55 inspections, 55 consultations		
7. Total number of Lead inspections and consultations in emphasis programs.	There were 165 Lead inspections and consultations. 96 inspections, 69 consultations		
8. Total number of Silica inspections and consultations in emphasis programs.	There were 195 Silica inspections and. 36 inspections, 159 consultations		In March 2016 Federal OSHA canceled OSHA Instruction CPL 03-00-007, National Emphasis Program – Crystalline Silica (Silica NEP), dated January 24, 2008. See II Progress Toward Strategic Plan Accomplishment: Emphasis Performance Goal for additional details.
9. Total number of Diisocyanate inspections and consultations in emphasis programs.	There were 19 Diisocyanate inspections and consultations. 19 inspections, 0 consultations		10/1/16 Federal OSHA canceled their NEP-Isocyanate Program. Oregon OSHA revised the program directive A-256 from a NEP to a LEP on Occupational Exposures to Isocyanates
10. Total number of Process Safety Management	There were 1 Process Safety Management inspections and consultations. 1 inspections, 0 consultations		Consultation activities include a count of all employers where PSM was addressed regardless of reportable quantities.
11. Total number of Combustible Dust inspections and consultations in	There were 82 Combustible Dust inspections and consultations.		

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	emphasis programs.	20 inspections, 62 consultations	
12.	Total number of Hexavalent Chromium inspections and consultations in emphasis programs.	There were 60 Hexavalent Chromium inspections and consultations. 20 inspections, 40 consultations	
13.	Total number of Amputation inspections and consultations in emphasis programs.	There were 427 Amputation inspections and consultations. 63 inspections, 364 consultations	
14.	Total number of Nursing and Residential Care Facilities inspections and consultations in emphasis programs.	There were 143 Nursing and Residential Care Facilities inspections and consultations. 100 inspections, 43 consultations	
15.	Total number of Diacetyl inspections and consultations in emphasis programs.	There were 8 Diacetyl inspections and consultations. 0 inspections, 8 consultations	
16.	Total number of Severe Violator Enforcement Program inspections and consultations in emphasis programs.	There were 11 Severe Violator Enforcement Program inspections and consultations. 3 inspections, 8 consultations	
17.	Total number of Tethered Logging inspections and consultations in emphasis programs.	There were 3 Tethered Logging inspections and consultations. 0 inspections, 3 consultations	Oregon OSHA adopted the local emphasis program Tethered Logging A-298, on 10/28/16 that became effective immediately. Consultations and investigations that are conducted in this LEP area will be counted when the data is available.
18.	Preventing Heat Related Illness inspections and consultations in emphasis programs.	There were 109 Preventing Heat Related Illness inspections and consultations.	Oregon OSHA adopted the local emphasis program Preventing Heat Related Illness A-299, on 7/11/17

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		81 inspections, 28 consultations	that became effective immediately. Consultations and investigations that are conducted in this LEP area will be counted when the data is available.
Primary Outcome	19. Percent of all safety and health inspections conducted in local and national emphasis programs.	In FY2017, 34% (1272/3789) of all safety and health inspections conducted in local and national emphasis programs. 33% (942/2826) of all <u>safety</u> inspections were conducted in local and national emphasis programs. 34% (330/963) of all <i>health</i> inspections were conducted in local and national emphasis programs.	
	20. Percent of all consultation conducted in local and national emphasis programs.	In FY2017, 63.35% (1575/2486) of all consultations were conducted in local and national emphasis programs.	
	Comments:	Enforcement Statistics are from IMD reports, effective FY11. Reporting before FY11 used NCR local reports. These totals may exceed total emphasis inspections /consultations due to multiple emphasis areas being addressed in an inspection / consultation.	Consultation activities include a count of all employers where an emphasis program issue was addressed regardless of whether the employer was subject to the emphasis program or not.

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Performance Goal 3-1 : Fatalities

FY2016 Performance Goal 3-1

Reduce the most recent 3-year average rate of workplace fatalities from 1.78 per 100,000 to 1.4 per 100,000 by 2020 through inspections and interventions.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	1. Total number of inspections.	There were 3789 enforcement inspections in FY2017 and this fell short of the FY2017 goal of 4300 by 11.9%.	There were 3948 enforcement inspections in FY2016 and this fell short of the FY2016 goal of 4300 by 8.2%. There were 4186 enforcement inspections in FY2015 and this fell short of the FY2015 goal of 4300 by 2.7%. There were 4243 enforcement inspections in FY2014 and this fell short of the FY2014 goal of 4300 by 1.3%. In FY2013 there were 4190 enforcement inspections. There were 4050 enforcement inspections in FY2012. There were 4588 enforcement inspections in FY2011. There were 5261 enforcement inspections in FY2010.
	2. Total number of <u>consultations</u> .	There were 2486 consultations in FY2017.	The total number of consultations

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			include: safety, ergonomics and process safety management consultations.
	<p>Comprehensive Consultations-Safety and Health-with identified and corrected hazards-Pilot Project</p> <p>3. Oregon OSHA will develop, implement and evaluate a pilot project that will allow for voluntary abatement of serious hazards identified by state funded consultative staff in exchange for one year deferral from scheduled enforcement inspection activities.</p>	In FY2017, consultation has begun contacting employers regarding this project.	
	4. The number of Safety and Health comprehensive consultations with identified and corrected hazards in the Pilot Project.	In FY2017, there were 9 employers with Safety and Health comprehensive consultations with identified and corrected hazards in the Pilot Project.	
Intermediate Outcome Measure	5. The combined average penalty of violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and where the standard was rated and cited as a “death” violation.	In FY2017, there was a combined average penalty of \$1,757 for 1301 violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and 869 where the standard was rated and cited as a “death” violation. Of these, 432 violations were in both categories.	In FY2016, there was a combined average penalty of \$1,169 for 1951 violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and 750 where the standard was rated and cited as a “death” violation. Of these, 650 violations were in both categories.
Primary Outcome Measures	6. Number of compensable fatalities (reported quarterly fiscal year and annual calendar year)	There were 29 accepted compensable fatalities in CY2016.	There were 27 accepted compensable fatalities in CY2015.
	7. Compensable fatality rate (reported annually-calendar year).	Breakout of the CY2016, 29 fatalities: <ul style="list-style-type: none"> ● 1 aircraft accident ● 2 caught in or compressed by ● 7 struck by or against 	For summary of fatalities reported to Oregon OSHA and their compensability status, please refer to the Charts section.

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		<ul style="list-style-type: none"> ● 3 homicides ● 2 non-roadway accidents ● 8 roadway accidents ● 1 rail accident ● 1 fires and explosions ● 2 fall to lower level ● 1 pedestrian accident ● 1 contact with electrical current <p>History: CY2016 rate: 1.56 (29 fatalities) CY2015 rate: 1.50 (27 fatalities) CY2014 rate: 1.78 (31 fatalities) CY2013 rate: 1.77 (30 fatalities) CY2012 rate: 1.80 (30 fatalities) CY2011 rate: 1.71 (28 fatalities) CY2010 rate: 1.05 (17 fatalities) CY2009 rate: 1.89 (31 fatalities) CY2008 rate: 2.63 (46 fatalities) CY2007 rate: 1.99 (35 fatalities) CY2006 rate: 2.13 (37 fatalities) CY2005 rate: 1.85 (31 fatalities) CY2004 rate: 2.76 (45 fatalities) CY2003 rate: 2.59 (41 fatalities) CY2002 rate: 3.26 (52 fatalities) CY2001 rate: 2.10 (34 fatalities)</p>	<p>Baseline is 1.78 (CY2012-14)</p> <p>Note that all fatality rates are calculated on a calendar year basis. Rates for earlier years may get updated due to new reported information (either count or employment numbers).</p> <ul style="list-style-type: none"> ● The CY2015 rate: 1.50 is the rate for the 1st year of the 5-yr strategic plan FY16-FY20. <p>See FY2014 SOAR, (3-1) 5- Year Performance Goal: Fatality narrative notes.</p> <p>Note: On 6/17/15 the following portion of the Fatalities Performance goal was updated from “8% by CY2012” to “16% by CY2013”</p>
	<p>Comments:</p>	<p>Fatality statistics in #4 and #5 are from IMD/RA reports.</p>	

Strategic Goal #1, 2, 3

Excellence: Timely Response, Customer Service, Staff Development

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

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Performance Goal (1, 2, 3)-5: Timely Response

FY2016 Performance Goal (1, 2, 3)-5

Investigations/inspections will be initiated timely in 95% of all reported fatalities and hazard complaints; complainant responses will be timely in 90% of all cases; family members will be notified 100% timely, and; discrimination cases will be processed 80% timely.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Document and follow-up on untimely openings of fatality and imminent danger complaint inspections.	There were 2 untimely openings of fatality inspections and 0 untimely opening of an imminent danger complaint inspection in FY2017.	There was no untimely opening of a fatality and 1 untimely opening of an imminent danger complaint inspection in FY2016.
Primary Outcomes	2. Percent of timely responses. <u>Fatalities</u> : Attempt within 24 hours of notification. (Data reflects Oregon OSHA attempt from time of notification. Note this may not be consistent with OIS data).	FY2017 Response Times: Timely Response to Fatalities: 92% (23 of 25) ➤ 317714858: Untimely, initially evaluated as no further action, was re-evaluated 2 days later, changed to inspection. ➤ 317718370: Untimely, Employer reported fatality on Friday 9/22, incident took place on Monday 9/18, due to staff resources, fatality was assigned following Monday 9/25. Compliance Officer opened Tuesday 9/26. OROSHA considers timely:	FY2016 Response Times: Timely Response to Fatalities: 100% (20 of 20) ➤ 317710241: Timely, Initial investigation/inspection was opened timely. Three subsequent inspections 317710203, 317710238, and 317710769 were opened later, but are considered timely, since the initial inspection was opened timely. ➤ 317710284: Timely, reported after hours Friday, opened Monday ➤ 317711149: Timely, Inspection began as accident investigation;

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	<p><u>Imminent Danger Complaint Inspections:</u> Attempt within 24 hours of notification. (Data reflects Oregon OSHA attempt from time of notification. Note this may not be consistent with OIS data).</p> <p><u>Serious Complaint Inspections:</u> Attempt within 5 working days</p> <p><u>Other-than-Serious Complaint Inspections:</u> Attempt within 30 working days</p> <p><u>Complainant Response:</u> Send letter within 10 working days</p> <p><u>Investigations</u> (phone/fax, letter): Respond within 10 working days</p> <p><u>Family Letter:</u> Send within 10 days of fatality notification</p>	<ul style="list-style-type: none"> ➤ 317716685: Employer reported on Friday 4/21/17, Inspection began Monday 4/24/17. ➤ 317716968: Employer reported on 5/16/17, Inspection began 5/17/17. ➤ 317717304: Employee passed away 7 days after the event of 6/6/17. Employer reported to OROSHA on 6/13/17. Inspection began on 6/16/17 following an Oregon State Police investigation. ➤ 317717706: Employer reported to OROSHA 7/24/17. Inspection began 7/24/17. <p>FY2017 Timely Response to Complaints:</p> <p>Imminent Danger: 100% (11 of 11) OROSHA considers timely:</p> <ul style="list-style-type: none"> ➤ 317717235: complaint reported 6/13, opening attempted 6/14, no one on job site, unable to determine employer name, opening conference 6/15/17. ➤ 317717588: reported 7/14, opening attempted 7/14, no one on job site, opening conference 7/18/17. <p>Serious: 98.9% (725 of 736) Other-Than-Serious: 99.7% (417 of 418)</p>	<p>employee passed 3 days after opening conference.</p> <ul style="list-style-type: none"> ➤ 317712713: Timely, Inspection began as accident investigation; employee passed away 4 days after opening conference. ➤ 317711927: Timely, Inspection began as accident investigation; employee passed away 24 days after opening conference. ➤ 317713407: Timely, Inspection began as accident investigation; employee passed away 5 days after accident date.. <p>FY2016 Timely Response to Complaints:</p> <p>Imminent Danger: 95% (19 of 20)</p> <ul style="list-style-type: none"> ➤ 317710190: Untimely: The compliance officer was not available in the Bend field office, so a compliance officer was assigned from the Eugene field office. <p>Serious: 98.6% (634 of 643)</p>
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	<p><u>Alleged Discrimination Complaints:</u> Process through determination level within 90 calendar days</p>	<p>Complainants: 97.8% (601 of 614)</p> <p>Investigation: Investigations: 91.2% (839 of 919)</p> <p>Family Letter: Investigated: 100% (23 of 25) see explanation below. All Family letters sent: 97.1% (67 of 69) Investigations with Untimely letters sent: ➤ 317714620: No letter sent, unable to contact NOK out of country, unknown address, 1 investigation ➤ 317717706: No letter sent, unable to contact NOK out of country, unknown address, 1 investigation</p> <p>Discrimination Complaints – 113 out of 130 (87%) of the alleged discrimination were processed within the statutorily required 90 calendar days. FY2017: 1st Quarter – 81% 2nd Quarter – 93% 3rd Quarter – 83% 4th Quarter – 97% FY17 Annual – 87%</p>	<p>Other-Than-Serious: 99.2% (377 of 380) Complainants: 93.6% (771 of 824)</p> <p>Investigation: Investigations: 98.7% (529 of 536)</p> <p>Family Letter: Investigated 94.7% (18 of 19) All 95.08% (58 of 59) (Untimely: One of the 19 investigated fatalities 202616388 had no next of kin information available. The victim was a Mexican citizen.)</p> <p>Discrimination Complaints – 85 out of 96 (88%) of the alleged discrimination were processed within the statutorily required 90 calendar days. FY2016: 1st Quarter – 73% 2nd Quarter – 76% 3rd Quarter – 80% 4th Quarter – 83% FY16 Annual – 88%</p>
	<p>Comments:</p>	<p><u>Discrimination Complaints:</u></p>	<p>Reported and investigated natural</p>

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		<p>Oregon OSHA exceeded the annual goal of 80% in processing discrimination cases timely.</p> <p>*ORS 654.062(6)(b) Within 90 days after receipt of complaint filed under this subsection, the commission shall notify the complainant of the commissioner's determination.</p>	<p>cause fatalities were previously omitted from quarterly reports. These fatalities are now included in the totals.</p>
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Performance Goal (1, 2, 3)-6: Customer Service

FY2016 Performance Goal (1, 2, 3)-6

Achieve and maintain customer satisfaction in the delivery of Oregon OSHA programs and services as evidenced by a survey rating of 90% or above on each program survey.

Performance Indicator Type	Indicator	Results	Comments																												
Activity Measure	1. Analyze stakeholder survey results and take corrective actions as necessary to address results falling below 90%.	In FY2017, all but 1 of the survey results met the 90% minimum benchmark. Please refer to the comment section for additional information.																													
Primary Outcome	2. Percent of positive responses on customer surveys in the following areas: <ul style="list-style-type: none"> - Conferences - Public Education - Audio-visual library - Consultation - Enforcement - Appeals - Lab 	FY2017 survey results – percent satisfaction: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Conferences:</td> <td style="text-align: right;">93%</td> </tr> <tr> <td>Public Education:</td> <td style="text-align: right;">98%</td> </tr> <tr> <td>AV Library:</td> <td style="text-align: right;">98%</td> </tr> <tr> <td>Consultation:</td> <td style="text-align: right;">98%</td> </tr> <tr> <td>Enforcement:</td> <td style="text-align: right;">96%</td> </tr> <tr> <td>Appeals:</td> <td style="text-align: right;">99%</td> </tr> <tr> <td>Lab: Annual FYTD 2017:</td> <td style="text-align: right;">81%</td> </tr> </table>	Conferences:	93%	Public Education:	98%	AV Library:	98%	Consultation:	98%	Enforcement:	96%	Appeals:	99%	Lab: Annual FYTD 2017:	81%	FY2016 survey results – percent satisfaction: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Conferences:</td> <td style="text-align: right;">92%</td> </tr> <tr> <td>Public Education:</td> <td style="text-align: right;">97%</td> </tr> <tr> <td>AV Library:</td> <td style="text-align: right;">100%</td> </tr> <tr> <td>Consultation:</td> <td style="text-align: right;">97%</td> </tr> <tr> <td>Enforcement:</td> <td style="text-align: right;">92%</td> </tr> <tr> <td>Appeals:</td> <td style="text-align: right;">88%</td> </tr> <tr> <td>Lab: Annual CY2016:</td> <td style="text-align: right;">93%</td> </tr> </table>	Conferences:	92%	Public Education:	97%	AV Library:	100%	Consultation:	97%	Enforcement:	92%	Appeals:	88%	Lab: Annual CY2016:	93%
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Public Education:	98%																														
AV Library:	98%																														
Consultation:	98%																														
Enforcement:	96%																														
Appeals:	99%																														
Lab: Annual FYTD 2017:	81%																														
Conferences:	92%																														
Public Education:	97%																														
AV Library:	100%																														
Consultation:	97%																														
Enforcement:	92%																														
Appeals:	88%																														
Lab: Annual CY2016:	93%																														
Comments:		<u>Public Education</u> : Reporting of industry type and size of business are voluntary and will not equal total attendance. Public Education is using the number of small	Annual Survey results.																												

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		<p>business and high hazard industry participation in <u>online & workshop</u> training sessions as an indicator of <u>all</u> these employees training participation, since this is the only data that is available at this time</p> <p><u>Appeals</u>: Response rate is approximately 25%. The informal conference responses can be biased based on the outcome of the employer's appeal.</p> <p><u>Lab</u>: Overall, industrial hygiene staff were satisfied with the Lab's services. However, satisfaction with field equipment calibrations and repairs drew considerable negative responses from staff due to longer turnaround times and delays in getting equipment returned to the field offices. Annual equipment calibrations are the highest priority to get caught up. Equipment in need of repair will be sent to manufacturers. The lab manager is working with lab staff and visiting field offices to make improvements with these field equipment issues.</p> <p><i>Please see the Performance Goal: Customer Service narrative for more details.</i></p>	
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Performance Goal (1, 2, 3)-7: Staff Development

FY2016 Performance Goal (1, 2, 3)-7

Ensure 90% of Safety and Health staff receives 48 hours of Safety and Health professional development training over two years.

Performance Indicator Type	Indicator	Results	Comments
Activity Measure	1. Classes offered to Safety and Health staff.	<p>During FY2017, the following 248 classes were developed and implemented:</p> <p>Developed and Presented by Oregon OSHA (Basic Training Class)</p> <ul style="list-style-type: none"> BTC – Fall Protection BTC – Excavation/Trenching Awareness BTC – Recordkeeping and Reporting BTC – Confined Space Safety BTC – Safety Committees BTC – Personal Protective Equipment (PPE) BTC – Hazard Communication BTC – Documenting Violations BTC – Overview of Standards BTC – Machine Safeguarding BTC – Meet & Greet BTC – OSHA History/Administrator’s Message BTC – Ergonomics Overview BTC – Lockout/Tagout BTC – Opening & Closing Conferences 	

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		<p>BTC – Interviewing Basics BTC – Compressed Gases/Propane/Acetylene BTC – IH for Safety BTC – Lab Tour for Safety BTC – Forklifts and Material Handling</p> <p>Oregon OSHA’s Preventing Heat-Related Illness (7/24) – Webinar Div. 2/D Walking-Working Surfaces Rule Review (8/15) PFO = 22 FFY17 Total = 75</p> <p>Other Training Offered to Oregon OSHA Staff</p> <p>BLR – Slips, Trips, and Falls for Healthcare Workers (7/5) Timber Products – Job Hazard Analysis / Root Cause Analysis (7/13 - 7/14) – Medford IASHEP – Certified Machine Guarding Specialist course (9/11 - 9/15) – AZ UofW Pacific Northwest OSHA Ed Center Upcoming Courses (July - August) BLR – Intersection of OSHA and ADA Compliance (7/20) UofW Pacific Northwest OSHA Ed Center – Practical Applications for Assessing Workplace (Chemical & Biological) Risks (7/28) – Seattle OTI 4th Q Webinar Schedule and List of Archived Webinars AgriSafe – Protecting Young Adults in the Agricultural Workforce (8/9)</p>
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	<p>UofW Pacific Northwest OSHA Ed Center – #2055 Cranes in Construction (7/17 - 7/19) – Portland OTI #0125 – 2-Part Respirable Crystalline Silica Final Rule Enforcement (8/14 & 8/28) Webinar NSC – Welding Safety: Insight from the Inside (7/26) Campbell Institute – Serious Injury & Fatality Prevention: Lessons from Mosaic (8/2) AIHA – Ethics for the EHS Professional (LIVE) Webinar – Wilsonville (7/25) OTI #0124 – Active Personal Fall Arrest Systems (7/31) Webinar UL EHS – Learning Through Operational Experience (8/23) AgriSafe – Safe & Healthy Recovery After Farm Floods (8/30) D2000 – Fall Protection: Competent Person TP (8/17 - 8/18) – Medford AgriSafe – Engaging Guestworkers in Occupational Safety Research in Forestry (8/16) EHS – What Changed in ANSI/ISEA 107? (8/16) NSC – Proactive Safety Programs: How to Measure and Improve Contractor Safety Performance (8/10) CDC – Public Health Grand Rounds Presents “New Frontiers in Workplace Health (8/15) RMP – Ammonia Accidents: The Importance of RMP/PSM Prevention</p>	
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	<p>Elements in Mitigating Hazardous Releases (8/29) SAIF – State Agency Office ergonomic assessor training (9/20) – Salem AgriSafe – Accessing and Using Free Resources for Teaching Fall and Electrical Safety (9/13) OTI #0127 – Consumer Financial Protection Act "CFPA Refresher" Webinar (9/11) AgriSafe – National Farm Safety and Health Week (Daily Webinars 9/17 - 9/23) GovLoop – Public Speaking Online Courses OTI #0128 – OSHA's Role in Emergency Response (9/18) Webinar Portland Fire Bureau – High Angle Rescue Drills Observation (9/27, 28, & 29) AgriSafe – Staying Cool in Your Region's Heat (9/18) i-Sight – Learn How to Get Better Results in Investigation Interviews Through Strategic Use of Evidence (SUE) (9/20) AgriSafe – Respiratory Protection and On-Farm Fit Testing for Agricultural Workers (9/19) NSC – New Live Monitoring Tools for Gas Detection (9/20) AgriSafe – Prevention Strategies to Reduce Respiratory Exposures and Illnesses in Agriculture (9/22) OTI #0129 – OSHA Enforcement Guidance for Upstream Oil and Gas (9/25) NIOSH/AAOHN – Respiratory Protection</p>	
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		<p>for Occupational Health Nurses (open) = 36 FFY17 Total = 159</p> <p>OTI to Managers (Out of State Training) OTI #3430 – Advanced PSM in the Chemical Industries (9/12 - 9/22) – Illinois OTI #1500 – Introduction to On-site Consultation (8/22 - 8/30) – Illinois OSHA #7005 – Public Warehousing & Storage (9/18) – Tacoma OSHA #7210 – Pandemic Influenza and Workplace Preparedness (8/31) – Seattle RETA National Conference 2017 (9/26 - 9/29) Hershey, PA = 5 FFY17 Total = 14</p> <p>FFY17 TOTAL ALL = 248</p>	
<p>Primary Outcome Measure</p>	<p>2. Number of Safety and Health staff members receiving 48 hours of Safety and Health professional development training over two years.</p>	<p>113 out of 118 Safety and Health staff members received 48 hours training during FY2017, the first year of the two year period FY2016-FY2017.</p>	
	<p>3. Percentage of Safety and Health staff members receiving 48 hours of Safety and Health professional development training over two years.</p>	<p>96% of Safety and Health staff received 48 hours of professional training during FY2017, the first year of the two year period FY2016-FY2017.</p>	<p>See addition information in the Staff Development narrative section.</p>

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	Comments:	The Safety and Health staff's professional development training data is cumulative. * <i>The number of Active Employees</i> and <i>number of Trained</i> are fluid numbers as they may not include employees that are new hires, promoted, or have resigned, etc.	
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II. Progress Toward Strategic Plan Accomplishment

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Strategic Goal # (1, 2, 3)-1, -2, -3 Self-Sufficiency, Outreach, Partnerships

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

Goal (1, 2, 3)-1: Recognition Programs or Voluntary Programs or Self-Sufficiency

(1, 2, 3)-1 5-Year Performance Goal: Maintain the number of SHARP and VPP participants and continue to promote employer self-sufficiency through consultations and by encouraging employers to attain VPP and SHARP status. Oregon OSHA will promote SHARP and VPP through consultation, enforcement, technical services, and education.

In FY2017, an additional 7 employers received initial SHARP certification, bringing the total number of employers in the program to 213, including 23 current employers, 33 working towards SHARP, and 157 graduates.

The VPP program recertified 8 existing VPP sites in FY2017. At the end of FY2017, Oregon OSHA had 21 VPP sites. One site left the VPP program during this fiscal year.

The continued success of these programs is somewhat dependent on the economy. We do not anticipate large increases of SHARP and VPP participants during the next 5 years.

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Goal (1, 2, 3)-2: Outreach

(1, 2, 3)-2 5-Year Performance Goal: Educate employers and employees, particularly small employers in high hazard industries and vulnerable or hard-to-reach populations regarding the value of occupational safety and health by providing workshops, conferences, educational venues, training, marketing and other outreach activities.

This year the public education section hired an intern to begin working on translating existing online course materials into Spanish. The first course that was undertaken was All Terrain Vehicle (ATV) Safety. The Public Education section has since hired a temporary worker to continue work on developing all of our online courses into Spanish. The Slide Guards online course (available in English and Spanish) were removed from the Public Education site, and the Slide Guard module was removed from the Fall Protection course due to the rule change in Fall Protection. “On July 1st we re-established our partnership with the CCB, resulting in a significant increase of online course participants.”

Oregon OSHA has had a long history of partnering with labor, business, and associations to coordinate occupational safety and health conferences throughout the state. These one day and multi-day conferences offer concurrent educational sessions and workshops designed for a region’s industries and some, such as the Mid-Oregon Construction Safety Summit and the Western Pulp, Paper, and Forest Products Safety & Health Conference, focus on specific industries. This year Oregon OSHA held the Oregon Governor’s Occupational Safety & Health three day Conference. For federal fiscal year 2017, Oregon OSHA conducted seven conferences.

Oregon OSHA has continued its outreach to non-English speaking workers by making training and outreach materials available to the multicultural workforce. Two of the twenty seven publications reviewed for translation were translated into the Spanish language in FY2017. Twenty six, 14 new and 12 revised publications were developed to target small employers and vulnerable or hard-to-reach worker populations.

The Resource Center lends programs on DVD and in streaming video to accommodate small employers using various levels of technology. There are now 317 programs available in DVD and 24 streaming video formats. New materials are continually being added to the library and outdated VHS tapes are now phased out. Responses from borrowers are very positive.

Thirty two new non-English language videos were added to our collection and 143 non-English videos in FY2017. We found that the total number of loans of Spanish-language DVDs dropped from 419 in FY 2016 to 246 in FY 2017. One possible reason for the Spanish-language count downward trend is the replacement of individual program DVD’s in Spanish with English/Spanish multilingual DVDs. We also intend to do additional outreach to small business and employers to promote library resources to our Spanish-speaking customers and will research other possible causes for this discrepancy.

Oregon OSHA initiated 199 focused outreach activities with high hazard industries and vulnerable and hard-to-reach workers. We issued 28 news releases to the public and 14 Oregon OSHA Facebook campaigns and posts that reached thousands of workers and employers. Our consultation efforts included accepting 30 requests from employers or associations to speak about safety and health in their businesses and 9 opportunities to

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provide training sessions in multiple Oregon cities and in San Diego, CA. Our technical specialist's were involved with the Oregon Cannabis Business Council to discuss rules that effect their industry, spoke with the Construction Contractor's Board field enforcement personnel about the new fall protection in construction rule and answer fall protection and jurisdiction related questions, and held 116 additional specking engagements with various employers, associations, unions, or with higher education institutions.

Goal (1, 2, 3)-3: Partnerships

(1, 2, 3)-3 5-Year Performance Goal: Promote occupational safety and health by maintaining and enhancing the effectiveness of existing partnerships and establishing new partnerships as opportunities present themselves, each with specific safety and/or health awareness improvement objectives. Use existing partnerships to advise Oregon OSHA management on where more specific focus would be fruitful.

Oregon OSHA continued to form collaborative relationships with industry groups in targeted industry sectors as well as making full use of advisory stakeholder groups to assist in rulemaking. Many of the partnerships have produced tangible and well-received products and developed strong working relationships with employers.

At the end of FY2017, Oregon OSHA had 38 active stakeholder collaborations and partnerships and 5 current Alliances. Twenty two partnerships were in targeted industry sectors, agriculture, construction, logging or health care. Oregon OSHA continues to have large participation from stakeholders and community participants in the areas of construction and agriculture. Oregon OSHA has a long history of working collaboratively with stakeholders and developing partnerships for all of our work.

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Strategic Goal # (1, 2)
Workplace Safety and Health, Health Hazards

Strategic Goals #(1, 2, 3)
Emphasis

Strategic Goal #(3)
Fatalities

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

(1, 2)-1 5-Year Performance Goal: Safety and Health Hazards

Reduce injuries and illnesses by reducing the DART rate from 2.2 to 2.0 (or less) per 100 workers and total case incidence rate TCIR from 4.1 to 3.7 (or less) per 100 workers by the end of year 2020 by focusing on targeted high hazard industries and safety and health hazards.

The DART rate for CY2016, the most recent year available, was 2.4 for the private sector and 2.3 for all industries, a slight up tick from CY2015 of 2.1. The data shows that the TCIR rate has been slowly decreasing each year from 5.6 in CY2003, to 3.9 in CY2011 and decreased again in CY2015 to 3.8 in all industries. There was a slight up tick or slight down tick in the TCIR rates between CY2012 and CY2016 with the current CY2016 rate of 4.0.

In FY2017, Oregon OSHA continued its focus on inspections in high hazard industries. Oregon OSHA exceeded the goal of 75% of safety inspections in high hazard industries. Safety enforcement completed 2,826 inspections. There were 2,309 (82%) safety inspections in high hazard industries.

In FY2017, health enforcement completed 963 inspections. Oregon OSHA exceeded the goal of 60% of health inspections in high hazard industries. There were 633 (66%) health inspections conducted in high hazard industries.

In FY2016, consultation completed 1536 high hazard consultation (61.78%) out of 2486 consultations to exceed the goal of 50%.

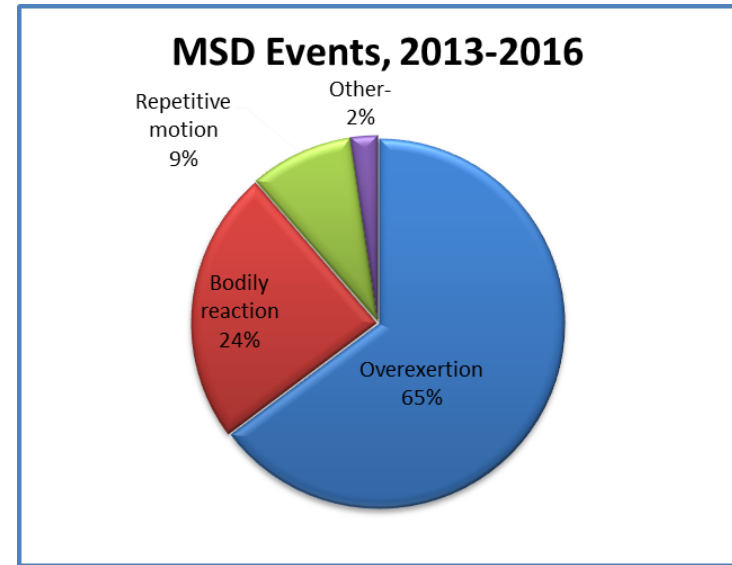
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Ergonomics:

Workers' Compensation Claims data and Accepted Disabling Claims data between 2013 and 2016 have remained relatively stable. Events involving overexertion comprised over half of all ADC's from 2013-2016 (65%). These are events involving exertion against an outside object, such as lifting a box, pushing a cart, or pulling on a rope. Bodily reaction came in second, accounting for nearly a fourth (24%).

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Oregon accepted disabling workers' compensation MSD claims by industry and event, for calendar years 2013-2016										
Industry (NAICS)	All Events	Event								
		Overexertion		Bodily reaction		Repetitive motion		Other-		
		Total	%	Total	%	Total	%	Total	%	
Total	32,924	21,326	100	7,860	100	2,965	100	773	100	
11 Agriculture, forestry, fishing	1273	775	3.6	373	4.7	86	2.9	39	5	
21 Mining	28	14	0.1	8	0.1	4	0.1	2	0.3	
22 Utilities	275	151	0.7	93	1.2	27	0.9	4	0.5	
23 Construction	2482	1,582	7.4	686	8.7	152	5.1	62	8	
31-33 Manufacturing	4399	2,643	12.4	906	11.5	747	25.2	103	13.3	
42 Wholesale trade	1772	1,202	5.6	399	5.1	128	4.3	43	5.6	
44-45 Retail trade	4443	2,897	13.6	982	12.5	462	15.6	102	13.2	
48-49 Transportation and warehousing	3158	2,124	10	770	9.8	162	5.5	102	13.2	
51 Information	330	157	0.7	120	1.5	48	1.6	5	0.6	
52 Finance and insurance	142	63	0.3	32	0.4	46	1.6	1	0.1	
53 Real estate, rental, leasing	377	262	1.2	86	1.1	19	0.6	10	1.3	
54 Professional and technical services	370	182	0.9	111	1.4	70	2.4	7	0.9	
55 Management of companies	70	39	0.2	16	0.2	13	0.4	2	0.3	
56 Administrative and waste services	2132	1,432	6.7	461	5.9	180	6.1	59	7.6	
61 Educational services	1193	707	3.3	373	4.7	82	2.8	31	4	
62 Health care and social assistance	6156	4,585	21.5	1,107	14.1	367	12.4	97	12.5	
71 Arts, entertainment, recreation	291	146	0.7	121	1.5	17	0.6	7	0.9	
72 Accommodation and food services	1627	1,042	4.9	390	5	154	5.2	41	5.3	
81 Other services	750	453	2.1	187	2.4	93	3.1	17	2.2	
92-93 Public admin	1509	773	3.6	604	7.7	98	3.3	34	4.4	
99 Industry unknown	147	97	0.5	35	0.4	10	0.3	5	0.6	



There were 8,308 accepted disabling claims (ADC's) for musculoskeletal disorders (MSD's) in 2016. Four different industries accounted for over half of those claims. Health Care and Social Assistance (19%), Manufacturing and Retail Trade (14% each), and Transportation and Warehousing (10%).

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Accepted disabling claims for Musculoskeletal disorders (MSD) and workers' compensation (WC) covered employment by industry (NAICS), Oregon CY 2013-2016																
Industry (NAICS)	Acceptance year															
	2013				2014				2015				2016			
	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²	MSD Claims	%	Employment ¹	MSD rate ²
All MSD Claims	8,114	100.0	1,697.6	0.5	8,336	100.0	1,748.4	0.5	8,166	100.0	1,800.3	0.5	8,308	100.0	1,859.3	0.4
11 Agriculture, forestry, fishing	319	3.9	69.8	0.5	322	3.9	69.5	0.5	341	4.2	62.1	0.5	291	3.5	68.3	0.4
21 Mining	8	0.1	1.5	0.5	4	0.0	1.5	0.3	5	0.1	1.7	0.3	11	0.1	1.7	0.6
22 Utilities	73	0.9	4.5	1.6	67	0.8	4.5	1.5	67	0.8	4.5	1.5	68	0.8	4.6	1.5
23 Construction	588	7.2	73.6	0.8	639	7.7	80.1	0.8	623	7.6	83.3	0.7	632	7.6	90.2	0.7
31-33 Manufacturing	1,068	13.2	174.7	0.6	1,126	13.5	179.6	0.6	1,071	13.1	186.2	0.6	1,134	13.6	188.0	0.6
42 Wholesale trade	428	5.3	71.3	0.6	437	5.2	72.6	0.6	450	5.5	74.0	0.6	457	5.5	75.7	0.6
44-45 Retail trade	1,066	13.1	191.3	0.6	1,141	13.7	196.3	0.6	1,064	13.0	202.4	0.5	1,172	14.1	205.6	0.6
48-49 Transportation and warehousing	776	9.6	47.1	1.6	780	9.4	49.1	1.6	766	9.4	51.3	1.5	836	10.1	52.9	1.6
51 Information	83	1.0	32.2	0.3	76	0.9	32.2	0.2	89	1.1	32.9	0.3	82	1.0	33.4	0.2
52 Finance and insurance	58	0.7	56.2	0.1	26	0.3	55.9	0.0	32	0.4	56.2	0.1	26	0.3	56.4	0.0
53 Real estate, rental, leasing	93	1.1	35.1	0.3	101	1.2	36.6	0.3	86	1.1	38.6	0.2	97	1.2	40.2	0.2
54 Professional and technical services	93	1.1	80.1	0.1	93	1.1	84.4	0.1	94	1.2	87.9	0.1	90	1.1	92.2	0.1
55 Management of companies	20	0.2	38.0	0.1	14	0.2	40.3	0.0	24	0.3	43.1	0.1	12	0.1	45.4	0.0
56 Administrative and waste services	523	6.4	90.8	0.6	523	6.3	95.1	0.5	565	6.9	98.3	0.6	521	6.3	100.9	0.5
61 Educational services	281	3.5	34.1	0.8	325	3.9	34.7	0.9	284	3.5	35.3	0.8	303	3.6	35.7	0.8
62 Health care and social assistance	1,545	19.0	208.4	0.7	1,530	18.4	213.7	0.7	1,548	19.0	222.5	0.7	1,533	18.5	230.9	0.7
71 Arts, entertainment, recreation	83	1.0	22.5	0.4	70	0.8	23.2	0.3	60	0.7	23.9	0.3	78	0.9	25.5	0.3
72 Accommodation and food services	388	4.8	153.9	0.3	454	5.4	159.7	0.3	392	4.8	167.7	0.2	393	4.7	174.1	0.2
81 Other services	187	2.3	57.9	0.3	179	2.2	59.2	0.3	207	2.5	60.9	0.3	177	2.1	63.7	0.3
92-93 Public administration	399	4.9	254.6	0.2	398	4.8	260.1	0.2	359	4.4	267.5	0.1	353	4.2	273.9	0.1
99 Industry unknown	35	0.4	0.0	0.0	31	0.4	0.0	0.0	39	0.5	0.0	0.0	42	0.5	0.0	0.0

¹ Employment counts are in thousands ² MSD rates are per 100 workers.

- ❖ Accepted disabling claims are occupational injuries or illness claims, accepted by insurers, that entitle workers to compensation for disability or death.
- ❖ Industry is classified according to the North American Classification System (NAICS).
- ❖ Data are based on the date the department received notification that the disabling claim was accepted, which may be different than the date of injury or illness.
- ❖ Source data are continually updated to be as accurate as possible.

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- ❖ Musculoskeletal disorders (MSDs) are cases resulting from overexertion, bodily motion, or vibration that result in at least one of the following conditions: pinched nerve; herniated disc; meniscus tear; sprains, strains, tears; hernias; pain, swelling, and numbness; carpal or tarsal tunnel syndrome; Raynaud’s syndrome or musculoskeletal system and connective tissue disorders.

Oregon OSHA performs ergonomic consultations for employers to help them evaluate the work environment and develop ways to reduce common musculoskeletal type disorders such as overexertion injuries resulting in carpal tunnel syndrome and strains. In FY2017 the total number of safety and health ergonomics consultations in industries with high MSD rates were 70 percent, 115 out of 164.

In CY2016, 42 percent, 1059 of 2510 consultations were conducted in industries with high MSD claims, Health Care and Social Assistance, Manufacturing, Retail Trade and Transportation and Warehousing.

In FY2016, 30 percent, 1190 of 3948 inspections were conducted in local and national emphasis programs.

In CY2016, 38 percent, 1516 of 4031 inspections were conducted in industries with high MSD claims, Health Care and Social Assistance, Manufacturing, Retail Trade and Transportation and Warehousing.

Consultations opened CY 2014-2016 by NAICS and intake date, Oregon OSHA Inspections opened CY 2014-2016 by NAICS and open date, Oregon OSHA

PPB NAICS	Calendar year			3 year total
	2014	2015	2016	
Manufacturing (31-33)	522	621	608	1,751
Retail trade (44-45)	131	154	126	411
Transportation (48-49)	59	70	69	198
Health care and social assistance (62)	307	226	256	789
All other industries	1,308	1,382	1,451	4,141
Total consultations	2,327	2,453	2,510	7,290

Inspected NAICS	Calendar year			3 year total
	2014	2015	2016	
Manufacturing (31-33)	644	655	662	1,961
Retail trade (44-45)	345	296	306	947
Transportation (48-49)	217	212	146	575
Health care and social assistance (62)	327	367	402	1,096
All other industries	2,506	2,668	2,515	7,689
Total inspections	4,039	4,198	4,031	12,268

The two charts above include open Consultation and Inspections that are now closed.

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(2)-1 5-Year Performance Goal: Health Hazards

Increase the number of severe chemical hazards identified (and therefore corrected) to at least 817 by the end of 2020.

For FY2013, a new measure focusing on severe chemical hazards was developed. This measure is intended to describe meaningful progress in reducing occupational illnesses and diseases by identifying and correcting chemical hazards, rated as serious violations, which contribute to chronic disease outcomes. The count of serious violations, totaled annually, will be averaged over a 5-year period (federal fiscal year) to establish the base indicator. The indicator will be a 5-year rolling average moving forward. This will be reported annually:

- The base indicator for FY 2015, 5-year rolling average is 743.
- The 5-year rolling average for FY2015 was 778. 4.7% above base indicator.
- The 5-year rolling average for FY2016 is 793. 6.7% above base indicator.
- The 5-year rolling average for FY2016 is 799. 7.5% above base indicator.

Our inspection priorities and resources are targeted in high hazard industries with our inspection scheduling system and emphasis programs.

(1, 2, 3)-4 5-Year Performance Goal: Emphasis

Implement all state local emphasis programs and appropriate national emphasis programs.

On 10/28/16, Oregon OSHA adopted the local emphasis program Tethered Logging A-298. On 7/11/17, Oregon OSHA adopted the local emphasis program Preventing Heat Related Illness A-299. In March 2016 Federal OSHA canceled OSHA Instruction CPL 03-00-007, National Emphasis Program – Crystalline Silica (Silica NEP), dated January 24, 2008. The 2008 Silica NEP is no longer applicable, and the Agency will determine at a later date if a revised NEP for respirable crystalline silica, under the new standards is warranted. OSHA posted on their website relevant inspection procedures for general industry and maritime inspections for internal OSHA and State Plans use, and a newly –added OIS code for use in silica-related inspections that should be used until further notice. Oregon OSHA will revise their program directive A-253 Local Emphasis Program (LEP): Silicosis to come in line with the Federal OSHA change.

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(3-1) 5-Year Performance Goal: Fatalities

Reduce the most recent 3-year average rate of workplace fatalities from 1.78 per 100,000 to 1.4 per 100,000 by 2020 through inspections and interventions.

In this fiscal year, inspections in trenching, falls in construction, and struck by hazards in logging accounted for 19% (730 of 3,789) of our total enforcement inspections.

The compensable fatality count for CY2016 is 29. This is the fourth lowest number of fatalities ever recorded and lower than the 10-year average of 30.4 fatalities. The lowest accepted compensable fatalities was 17 in CY2010.

The CY2016 compensable fatality rate of 1.56 continues to be a clear reduction over the baseline rate of 1.78 (CY2012-2014, 3 year average rate). The fatality rates for the past years are CY2015 (1.50), CY2014 (1.78), CY2013 (1.77), CY2012 (1.80), CY2011 (1.71), CY2010 (1.05), CY2009 (1.89), CY2008 (2.63), CY2007 (1.99), and CY2006 (2.13). The 3 year average fatality rate reduction from CY2014 - CY2016 is 10%.

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Strategic Goal #1, 2, 3

Excellence: Timely Response, Customer Service, Staff Development

Strategic Goal 1: Reduce serious workplace injuries and the risks that lead to them.

Strategic Goal 2: Reduce serious workplace illnesses and the risks that lead to them.

Strategic Goal 3: Reduce workplace deaths and the risks that lead to them.

(1, 2, 3)-5 5-Year Performance Goal: Timely Response

Investigations/inspections will be initiated timely in 95% of all reported fatalities and hazard complaints; complainant responses will be timely in 90% of all cases; family members will be notified 100% timely, and discrimination cases will be processed 80% timely.

Timely response to imminent danger complaints and complainant response goals were met. Oregon OSHA attempted to contact the employer with two imminent danger investigations within the 24 hours of notification, but no one was at either of the job sites. Both employers were reached at a later time.

Timely response to fatalities was 92% (23 of 25). Untimely: One fatality was re-evaluated to an accident investigation two days after the incident took place. Untimely: An employer reported a fatality on a Friday and due to a staff shortage the employer opening conference was on the following Tuesday.

The yearly complaint response goal of 90% to send a letter within 10 working days was met.

The yearly family member notification of 100% timely was met. An attempt was made to locate two families of workers who were out of the country. Twenty three family letters were sent out of 25 investigated fatalities because of a lack of next of kin information.

Oregon OSHA, through an interagency agreement with the Bureau of Labor and Industry (BOLI) processed 130 discrimination cases during FFY 2017. Of the 130 cases, 113 cases were timely or 87%, which exceeded the annual goal. Twenty of the cases were merit cases, 3 cases were settled and 8 cases were withdrawn.

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(1, 2, 3)-6 5-Year Performance Goal: Customer Service

Achieve and maintain customer satisfaction in the delivery of Oregon OSHA programs and services as evidenced by a survey rating of 90% or above on each program survey.

Six of the seven different program areas in Oregon OSHA administered individual customer satisfaction surveys resulted in ratings of 90% or better.

This year's lab survey was 81%, down from 93% in FY2016. The survey assesses industrial hygiene staff satisfaction with the internal lab website, timely provision of sample media, chemists' technical support and expertise, sampling and analytics, sample results, and field equipment. Staff rated the lab very favorably in all areas except equipment. Field equipment calibrations and repair turnaround times have been delayed, leading to some equipment shortages among the field offices. To get caught up, equipment calibrations are the highest priority to remove any shortages and return equipment that's been in the lab the longest. Broken equipment is going out to manufacturers for repair. The lab manager is working with lab staff and visiting field offices to make improvements with these field equipment issues.

The Appeal customer satisfaction service survey result is 99%. The survey response is approximately 25%. The informal conference responses can be biased based on the outcome of the employer's appeal. Oregon OSHA strives for neutrality and unbiased conclusions related to the citation. Oregon OSHA reviews comments that are submitted to see if there is a common comment element that needs to be addressed.

(1, 2, 3)-7 5-Year Performance Goal: Staff Development

Ensure ninety percent of safety and health staff receives 48 hours of Safety and Health professional development training over a two years.

Oregon OSHA exceeded the 90% goal with 96 percent of the "safety and health" staff receiving professional development training during the first two year cycle FY2016 through FY2017.

It should be noted that Oregon OSHA has adopted a two-year cycle to include an all-staff training symposium that occurs in each even fiscal year. The first two-year cycle included fiscal years 2014 and 2015.

In addition, webinars and outside classes continue to be offered. In this fiscal year staff were able to choose training that was offered to them from a list of 248 options.

III. Special Accomplishments

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Alliance activity:

Oregon OSHA is working on a new agreement with The West Coast Chapter of the International Association of Foundation Drilling.

Oregon OSHA renewed its alliance with the **Oregon Home Builders Association (OHBA)** on September 2, 2013, with a goal to increase awareness of fall and motor vehicle safety hazards and, ultimately, to reduce accidents and fatalities in residential construction. In order to continue to keep these Alliances up to date, Oregon OSHA staff meets with OHBA Safety Consultants quarterly to go over the Alliance and share information. OHBA continues to provide best practices to their members in the field of construction, especially to the small business owners. OHBA has started the process of incorporating health and wellness into their newsletters, working with local insurers to promote wellness.

Oregon OSHA renewed its alliance with the **Oregon Coalition for Healthcare Ergonomics (OCHE)** on August 13, 2013. In order to continue to keep these Alliances up to date, Oregon OSHA staff meets with OCHE Co-Chairs quarterly to go over the Alliance and share information. OCHE continues to provide best practices for the field of Safe Patient Handling and Mobility. The OCHE website is currently going through a re-design which will allow community partners better and easier access to the wealth of resources available on the website.

Oregon OSHA and the **Oregon Restaurant and Lodging Association (ORLA)** established a collaborative relationship to foster safe workplaces in Oregon by signing a new alliance on January 15, 2016. This alliance seeks to increase outreach efforts to affected employers and employees in this industry. The primary goal is to reduce illness and injury rates among employees in the restaurant industry. In order to achieve this goal, this alliance will increase awareness surrounding hazard communications, electrical contacts, ergonomic issues, personal protective equipment (PPE), and slips and falls. In addition, this alliance will contribute to the statewide dialogue on workplace safety and health with a focus on the young and mobile work force indigenous to the industry. Staff from the ORLA shares safety and health information from Oregon OSHA in their monthly publications. ORLA and Oregon OSHA will continue to meet quarterly.

Oregon OSHA joined the **Employment, Education and Outreach (EMPLEO)** federal, state and local advocacy Alliance during 2015. The new Alliance will be instrumental in the outreach, education and advocacy of Hispanic workers in Oregon and also promotes the coordination and cooperation of the Alliance members to better serve the population.

Oregon OSHA, Oregon Institute of Occupational Health Sciences at Oregon Health & Sciences University, and SAIF formed an Alliance on February 23, 2017, to expand the knowledge and application of **Total Worker Health®** principles by leveraging the strengths of each organization. The Alliance collaboration will provide expertise and guidance, along with training and education that will help protect the occupational health, safety and well-being of workers, particularly by reducing and preventing exposure to hazards and addressing issues. In addition, the collaboration will provide knowledge and skills for workers to help in understanding their rights and the responsibilities of employers. The partners held their first meeting of the TWH® alliance on June 12, 2017.

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Interagency Agreements:

Oregon Employment Department (OED) and the Department of Consumer and Business Services (DCBS), Oregon Occupational Safety and Health Division (Oregon OSHA) entered into an agreement on March 3, 2017, for services related to H2A Agricultural Labor Housing. The H-2A program allows U.S. employers or U.S. agents who meet specific regulatory requirements to bring foreign nationals to the United States to fill temporary agricultural jobs. The Oregon Employment Department, Division of Workforce Operations provides oversight to the Oregon H-2A program as it relates to Temporary Agricultural Workers. The Department of Consumer and Business Services (DCBS), Occupational Safety and Health Division (Oregon OSHA), administers the Oregon Safe Employment Act (ORS 654) and enforces the Oregon Occupational Safety and Health rules which establish minimum safety and health standards for all industries. The purpose of this MOU is to outline the roles and responsibilities of each party to better serve common internal and external customers while avoiding duplication of effort by State agencies.

More details are available on our website at <http://www.osha.oregon.gov/>

Publications:

Oregon OSHA developed fourteen new publications that provide information about how to protect workers from work-related injury or illness. They are: Excavation Safety, Can It Happen Where You Work? (workplace violence), Silica rules for General Industry and Construction, Crystalline Silica: specified exposure control methods, Lead, Incentive Programs, Post-Incident Drug and Alcohol Testing, Digger Derricks, Using Sulfur Dioxide to Sanitize Wine Barrels and Corks, Radiofrequency Radiation, Walking-Working Surfaces: At a glance, Walking-Working Surfaces: Designated areas, and Protecting Oregon's Agricultural Workers from Tractor Hazards. Additional information can be found at <http://www.osha.oregon.gov/>.

Newsletters:

Oregon OSHA publishes three newsletters: The "Resource" (a general interest publication) published every two months, the "Construction Depot" (for the construction industry) published monthly and the "Forest Activities News" (for the logging and forest industry) published when significant and or interesting logging/forest activities arise. The most recent was February 2015, which focused on Oregon OSHA's exemption to 437-007-0780 (Protective Structures for Operators). Additional details regarding these publications can be found at <http://www.osha.oregon.gov/>.

Special Accomplishments:

Workers' Memorial Scholarship Program:

Three Oregon high school graduates were recipients of the Worker Memorial Scholarship in 2017. Oregon OSHA presents the awards annually to help in the postsecondary education of spouses or children of permanently and totally disabled or fatally injured workers. Award recommendations are made by Oregon OSHA's Safe Employment Education and Training Advisory Committee, an advisory group with members from business, organized labor, and government. The 1991 Legislature established the Workers' Memorial Scholarship at the request of the Oregon AFL-CIO, with support from Associated Oregon Industries.

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Workers Memorial Day:

Government, labor, and religious leaders gathered on April 28, 2017 at the Fallen Workers Memorial outside the Labor and Industries Building to remember Oregon workers who died on the job in 2016 and to renew the call to maintain safe and healthy workplaces. The ceremony included the reading of the names of 66 Oregon workers who died on the job in 2016. Oregon AFL-CIO coordinated the event.

Oregon OSHA Safety Break:

Oregon OSHA Safety Break was held on Wednesday, May 10, 2017. Now in its 14th year. The annual one-day event was intended to raise awareness among employers and employees about workplace safety and its importance in preventing on-the-job injuries. Participating employers determined what activities to do. Examples include safety training, toolbox talks, and hands-on demonstrations. Participating companies were entered to win one of three \$100 pizza luncheons. The Oregon SHARP Alliance sponsored the contest.

Training Grant activity:

The Oregon Occupational Safety and Health Division (Oregon OSHA) has awarded three grants totaling more than \$92,000 to help develop workplace safety and health education and training programs for forest workers, firefighters, and construction workers.

Oregon GOSH Conference in Portland, Oregon:

The 2017 Oregon Governor's Occupational Safety and Health (GOSH) Conference in Portland attracted 1,500 attendees. The March 6-9 event at the Convention Center is the largest of its kind in the Northwest. It featured 150 workshops and sessions, an awards luncheon, and safety and health exhibits from more than 125 organizations.

National and regional speakers addressed numerous ways to improve workplace safety and health in the state. Keynote speaker Todd Conklin presented "Thinking Differently About Safety," focusing on the human performance theory of safety, where investigations are conducted before accidents happen. "Safety is not the absence of events," he said. "Safety is the presence of defenses."

Nine leaders in safety and health were honored with awards at the conference. A panel of industry professionals judges the awards, which honor extraordinary contributions to the field of workplace safety and health. The categories include outstanding employers, individuals, associations, and teams. For more information about the conference, visit: <http://osha.oregon.gov/news/2017/Pages/nr2017-09.aspx>. For more information about the honorees, visit: <http://osha.oregon.gov/news/2017/Pages/nr2017-08.aspx>

Oregon Young Worker Health and Safety Coalition: - Oregon Young Employee Safety, O[yes] 2017 video contest:

Students at Parkrose High School in Portland won \$500 for their first-place video titled "Rewind" in an annual safety video contest that promotes young worker safety and the importance of speaking up. The video takes a page from the Mannequin Challenge, a viral Internet trend, with young workers frozen in various scenes of workplace accidents. It imagines reversing time to eliminate hazards by wearing protective gloves, using a ladder safely, and handling electrical equipment properly.

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Second- and third-place prizes also were awarded. Sponsored by the Oregon Young Employee Safety Coalition (O[yes]), the annual video contest focuses on teen workers, who are twice as likely to be injured on the job, according to federal studies. All of the winning videos, as well as the other finalists, are available for viewing on YouTube. For more information about the winners, contest, and sponsors visit: <http://osha.oregon.gov/news/2017/Pages/nr2017-14.aspx>.

On-Line Courses:

Oregon OSHA created an online course that includes videos, interactive scenarios, and a quiz to help employers protect workers from bloodborne pathogens in health care, emergency response, housekeeping, and other industries. It can also help employers build an effective exposure-control plan, refresh their knowledge of the topic, or check whether their existing plans meet current rules.

Ergonomics activity

Since Marijuana became legal in Oregon, Oregon OSHA Consultation has reached out to the Cannabis industry and have conducted 45 consultations for this industry. Oregon OSHA also tracks the use of Diacetyl as part of the emphasis program. In FFY 2017 Oregon OSHA has conducted 5 consultations for the coffee roasting industry, 1 consultation for the alcohol industry , 2 trainings regarding Diacetyl.

Oregon OSHA assisted multiple independent contractors with lead clean-up in a large complex facility that held multiple businesses. It was unknown to the business owners that the facility had high levels of lead in the building, and they were forced to close their businesses until the lead clean-up was completed. Consultative staff worked to assist the contractor in this large project. Within this team effort they were able to mobilize on the site to provide sampling support to the clean up efforts. Approximately 318 air, wipe, and bulk samples were collected by three Oregon OSHA industrial hygienists.

There were 8,308 accepted disabling claims (ADC's) for musculoskeletal disorders (MSD's) in CY2016. The majority of the MSD claims were from overexertion (65%). These are events involving exertion against an outside object, such as lifting a box, pushing a cart, or pulling on a rope. The second most common MSD claim was for bodily reaction, accounting for nearly a fourth of all MSD claims (24%). Four different industries accounted for over half of those claims. Health Care and Social Assistance (19%), Manufacturing and Retail Trade (14% each), and Transportation and Warehousing (10%).

Oregon OSHA Resource Center

The Resource Center has phased out the VHS tapes from our library. We've added 100+ programs on DVD and an additional 11 Streaming videos to our website for a total of 24 streaming videos to accommodate employers using various levels of technology. Topics include: A Practical Approach to Ladder Safety (English & Spanish), The Respiratory Protection Program: Employee Training (English & Spanish), Surviving the Fall: Proper Use of Fall Arrest Equipment (English & Spanish), To the Point about Bloodborne Pathogens (English & Spanish), To the Point about Confined Space Entry (English & Spanish), To the Point about Ergonomics (English & Spanish), To the Point about Lockout/Tagout (English &

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Spanish), To the Point about Personal Protective Equipment (English & Spanish), To the Point about The Hazard Communication Program & The GHS (English & Spanish), To the Point about Safe Forklift Operation (English & Spanish), To the Point about Preventing Eye Injuries (English & Spanish) and To the Point about Preventing Back Injuries (English & Spanish). Also, we continue to consistently add new material to our library as needed. The response from borrowers has been very positive.

IV. Adjustments and Other Issues

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Occupational Injury and Workers' Compensation Premium

Oregon's workers' compensation costs will decrease an average 14 percent in 2018, marking the fifth straight year in which the pure premium has declined. Altogether, the rate has decreased by an average of 33 percent since 2013.

The decrease in the pure premium is primarily due to the success of Oregon's commitment to primary prevention – to avoiding the cost of workers compensation claims in large measure by preventing the injuries and illnesses that generate those claims in the first place.

DCBS approved the average decrease in "pure premium," which is the portion of the premium employers pay insurers to cover anticipated claims costs for job-related injuries and deaths. Workers' compensation pays injured workers for lost wages as well as for medical care for job-related injuries. The decrease is based on a recommendation from the National Council on Compensation Insurance Inc. (NCCI), which analyzes industry trends and prepares rate recommendations for the majority of states.

Pure premium reflects only a portion of workers' compensation costs but is the key factor behind annual cost changes. Because the decrease is an average, individual employers may see a larger decrease, no change, or even an increase depending on their industry, claims experience, and payroll. Also, pure premium doesn't take into account the varying expenses and profit of insurance companies.

The rate decrease is effective Jan. 1, 2018, but employers will see the changes when they renew their policies in 2018.

Oregon's workers' compensation premium rates have ranked low nationally for many years. Oregon had the seventh least expensive rates in 2016, according to a biennial study conducted by DCBS. That was an improvement from Oregon's ranking as the ninth least expensive state the last time the study was done, in 2014.

In contrast to changes made in some other states, Oregon has seen no meaningful reduction in worker benefits since at least the early 1990s.

In addition to any change in pure premium, other workers' compensation costs reviewed annually by the department include:

- An assessment on workers' compensation premiums to fund the state costs of running workers' compensation and safety and health programs.
- An assessment on hours worked to fund Oregon's highly successful return-to-work programs that help injured workers return to work quickly and earn close to their pre-injury wages. This assessment also provides increased benefits over time for workers who are permanently and totally disabled, and gives benefits to families of workers who die from workplace injuries or diseases.

After reviewing those costs, DCBS made the following assessment decisions for 2018:

- An increase in the premium assessment from 6.8 percent to 7.4 percent. The increase of 0.6 percentage points is needed to support worker protection and related programs to keep pace with an expanding economy.
- No change in the payroll assessment, which supports the Workers' Benefit Fund. The fund pays for highly successful return-to-work and other special injured-worker programs. The assessment will remain unchanged at 2.8 cents per hour worked.

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The premium assessment decision translates into the following rates:

- 7.4 percent of premiums for insured employers, up from 6.8 percent in 2017
- 7.6 percent for self-insured employers, up from 7.0 percent in 2017
- 7.6 percent for public-sector self-insured groups, up from 7.0 percent in 2017
- 8.4 percent for private-sector self-insured employer groups, up from 7.8 percent in 2017

Self-insured employers and self-insured employer groups pay an additional amount to fund reserves that ensure prompt payment of claims in the event of insolvencies.

FY2016 FAME Recommendations

Oregon Report Recommendations for Fiscal Year 2016.

There was one completed finding, one new observation, and two continued observations in the FY2016 Federal Annual Monitoring and Evaluation report made by OSHA.

Finding FY 2015-01- Completed: OSHA reviewed Oregon OSHA's retaliation case files and found that appeal rights were given to complainants, when required, in 36 of 37 case files reviewed, or in 97% of case files.

Status: Oregon OSHA worked to address Finding FY 2015-01, which related to appeal rights not being provided for all retaliation complaint investigations. Oregon OSHA worked with BOLI to ensure that appeal rights were included in letters given to complainants upon closure of complaints. During quarterly audits of BOLI, Oregon OSHA reviewed closing letters to ensure that appeal language is included in order to assure compliance. A review by OSHA of retaliation case files in FY 2016 revealed that in 97% (36/37) of reviewed case files, the appeal language was included, when appropriate. Therefore, OSHA considers this finding and recommendation to be completed.

Observations:

Observation FY 2016-OB-01 (New): Oregon OSHA's percent of total inspections in state and local government workplaces (SAMM 6) is 2.86%, which is below the State Plan negotiated further review level of 3.4%.

Status: OSHA will monitor Oregon OSHA during FY 2017 to identify possible causes of this disparity to ensure state and local government workplaces inspections are conducted.

Observation FY 2016-OB-02 (Continued from FY 2015-OB-01): Oregon OSHA's average number of serious, willful, and repeat violations per inspection with violations (SAMM 5) is 1.26, which is below the further review level of 1.5.

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Status: This is the third year in a row that the rate has been below the national average. OSHA will continue to monitor this issue.

Observation FY 2016-OB-03 (Continued from FY 2015-OB-02): In the FY 2015 FAME report, OSHA found that Oregon OSHA did not ensure that BOLI was adequately testing all of the evidence prior to dismissing or closing retaliation cases and that BOLI was not documenting justification for case closure.

Status: The limited case file review of retaliation cases in FY 2016 did not focus on this issue. Therefore, this observation will continue to be monitored for the FY 2017 FAME, and be a focus of the onsite case file review in the FY 2017 comprehensive FAME.

State-Specific Employer Variance

During FY2017, Oregon OSHA granted to four companies new research variances from 437-007-0935(1)(b) or (c) to support the use of new technology that could replace dangerous tree falling and timber transporting operations by workers on the ground with operators in machines with protective cabs meeting the requirements of 437-007-0775. The approved research variances will also provide a means of collecting relevant safety data until Division 7 (Forest Activities) rules that can address these newly introduced technologies.

Oregon OSHA granted one variance authorizing a company to continue daily operations without conforming to the safety and health rule(s), if they followed alternative methods or safeguards listed in the variance, while accessing a hatch to the waste water sump pump in their pump house.

One variance was denied due to a lack of information in their application and attempts to contact the company were unsuccessful. No variances were rescinded during FY2017.

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Timely Response to Federal OSHA with Oregon OSHA State Initiated Changes:

In FY2017, Oregon OSHA sent 10 State Initiated changes to Federal OSHA in a timely fashion. Additional information regarding the changes listed below can be found in the Federal OSHA SPA data base and <http://www.osha.oregon.gov/> .

Record number	Program	Directive or Rule	Description
2016-10	AO5-2017	8/1/17 new	OROSHA Remove Certain Schools and Education Support From the Recordkeeping Exempt List in Division 1 Rule
2016-9	PD, A-299	7/11/17 new	LEP: Preventing Heat Related Illness
2016-8	n/a	6/20/17 revised	Consultation Reference Guide
2017-7	PD, A-177	6/6/17 revised	PSM Covered Chemical Facilities NEP
2017-6	PD, A-185	5/9/17 revised	Inorganic Arsenic
2017-5	PD, A-89	1/24/17 revised	Vehicles: Positive Means of Support for Vehicles with Dump Bodies, OSHA APPROVED 5/16/17
2017-4	AO1-2017	1/14/17 new	Worker Protection Standard Agriculture-Pesticides Rule, OSHA APPROVED 7/2/17
2017-3	PD, A-186	2/2/17 revised	Compressed Gas: Securing Gas Cylinders, OSHA APPROVED 7/2/17
2017-2	PD, A-256	1/20/17 revised	LEP: Occupational Exposures to Isocyanates, OSHA APPROVED 7/2/17
2017-1	PD, A-298	10/28/16 new	LEP: Tethered Logging, OSHA APPROVED 11/10/16

V. 21(d) Consultation Activities

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Executive Summary

The Oregon OSHA consultation program is a large, highly successful program consisting of 40 (an increase from FFY2016 at 39) consultation positions (27 state-funded consultants, 1 SHARP VPP coordinator, 4 managers, 4 consultation support staff, and 4 - 21(d) funded consultation positions). The staffing levels for the 21(d) program (4) were maintained throughout the year.

The agency's safety and health program assistance goal is to increase self sufficiency among Oregon employers. The FFY2017 goal for Oregon OSHA's entire consultation program was to work with all employers to improve their understanding of a comprehensive safety and health management system during consultations.

Oregon OSHA's Consultative program conducted a total of 2486 consultative activities identifying a total of 11,575 serious hazards in FFY2017. Many of our consultations (64.32%) were provided to small employers, and 44.66% of our consultations were provided to employers who had not used our services during the previous five years. Oregon OSHA's SHARP program included 213 companies involved in various stages of our SHARP program. Our Public Education section provided training to over 16,562 participants either online or in person workshops, and is continuing to develop our online training presence.

During FFY2017, 21(d) consultants opened a total of 294 consultations. Health consultants conducted 111 initial visits, 12 follow-ups, and 2 training and assistance visit, for a total of 125 consultations. Safety consultants conducted 154 initial visits, 9 follow-ups, 6 training and assistance visits, for a total of 169 consultations. Overall, the 21(d) consultative staff conducted 19% above of the projected 248 visits.

Training

Oregon OSHA is committed to providing field staff with the most up-to-date training on occupational safety and health. Training hours for the 21(d) staff are: Fran Clark – 20.25, Joe Goldsby – 6.50, Jennifer Ekdahl – 184, Dianna Gray- 37.

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Other Issues or Adjustments

Consultation OIS Data Base Initiative

This process is still ongoing as we are currently working to ensure the data is being transferred accurately as we are finding that there are small discrepancies in the data that is being transferred.

Oregon OSHA Consultation Process Improvement Project Continuation

Our process improvement project has continued and is being monitored to help continue to determine how best to reduce the time required for the assigning and scheduling of on-site consultations. The redesign project included the time period from the employer's request for consultation services until the initial visit took place.

Call the employer within 7 days from the time the employer places the request for the consultation. We currently make contact with the employer on average within 11.3 days.

Schedule the initial visit by the consultant within a few weeks. We started tracking this date July 11, 2016, and do not have a report process at this time.

Provide the report 10 days within the opening of the conference. The current average is now 10 days.

Oregon OSHA Consultation customer satisfaction survey

A web based survey that is linked directly to the electronic delivery of the consultation report continues to be refined. Currently the parameters used are as follows. Seven days after the electronic report is emailed to the employer an email with a link to the survey is sent to the employer. If the employer completes the survey at that time or within seven days, notification is sent to the consultant who conducted the consultation and their manager that a survey has been completed. If the employer does not respond, two more reminder emails are sent until the survey is completed or there is no response. The survey response rate is now at 47% with this survey system. We have begun tracking employers who we never replied to our survey with the intent of reaching out to those employers to see where we can further improve. Oregon OSHA consultation managers and staff have direct access to survey data, and the data will directly feed DCBS key measures.

Quality Assurance Program

Quality Assurance is achieved through effective guidelines and policies that include a set of core competencies for all consultants, linkage of those core competencies to annual performance evaluations, a consultation evaluation process, mandated activity reports, and data reports that track progress toward strategic goals.

Customer satisfaction surveys offered after every consultation gather feedback from employers regarding the quality and usefulness of the consultation service. Consultation Managers meetings are held on a regular basis throughout the year, as are field office staff meetings. In addition, every report is reviewed by the manager for technical accuracy, consistency, and quality assurance.

Quarterly file reviews were conducted during 2017 for additional quality control. These reviews resulted in timely identification and, if needed, correction of any issues. No major issues were identified during the file reviews.

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All Consultants were accompanied on consultation visits by their supervisor during the fiscal year. No negative or unusual situations were noted during these reviews. In 2017, Region X conducted an audit of the 21(d) consultation activities. The official notification of the outcome of the audit was received on October 25, 2017. Oregon OSHA is currently working on the response to the three findings and one recommendation that were identified.

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Appendix

Charts

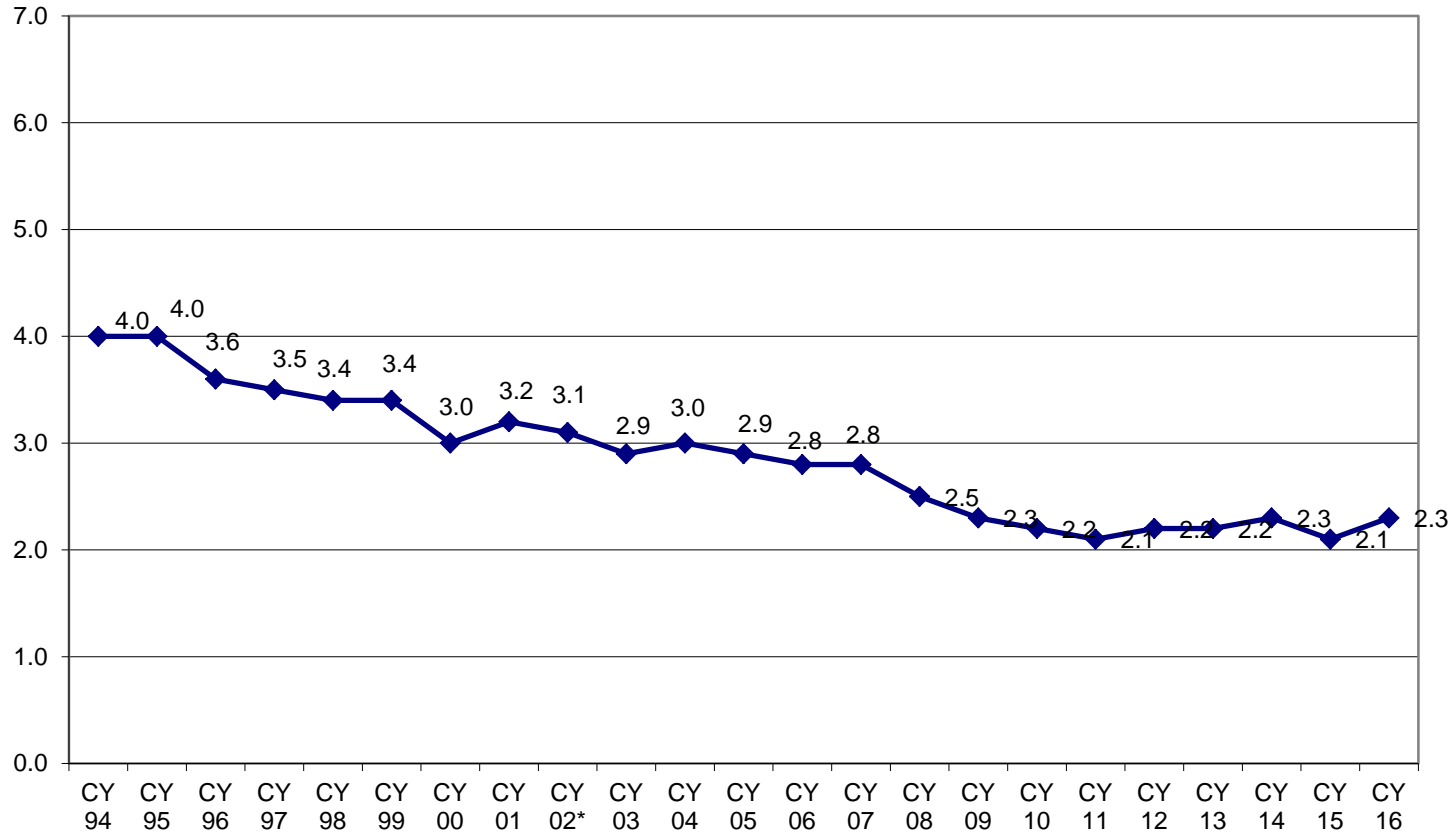
Note to chart readers: data now reflects corrections (if any) to prior year's data.

Notice of Change: Beginning with calendar year 2003, industry data is classified according to a North American Industry Classification System (NAICS) instead of the Standard Industrial Classification (SIC) System. The final year using the Standard Industrial Classification (SIC) System was CY2002.

Rolled up data between 2001 and 2002 is not *strictly* comparable because of changes in the recordkeeping rules.

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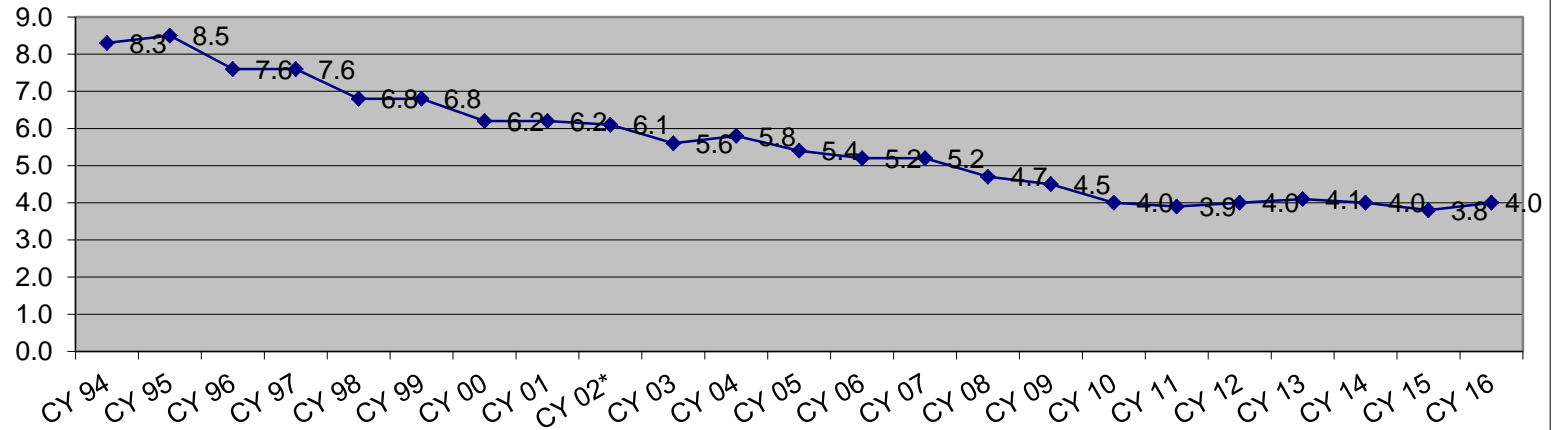
Oregon Lost Workday Cases Incidence Rate/DART rate (all sectors)
Calendar Years 1994 - 2016



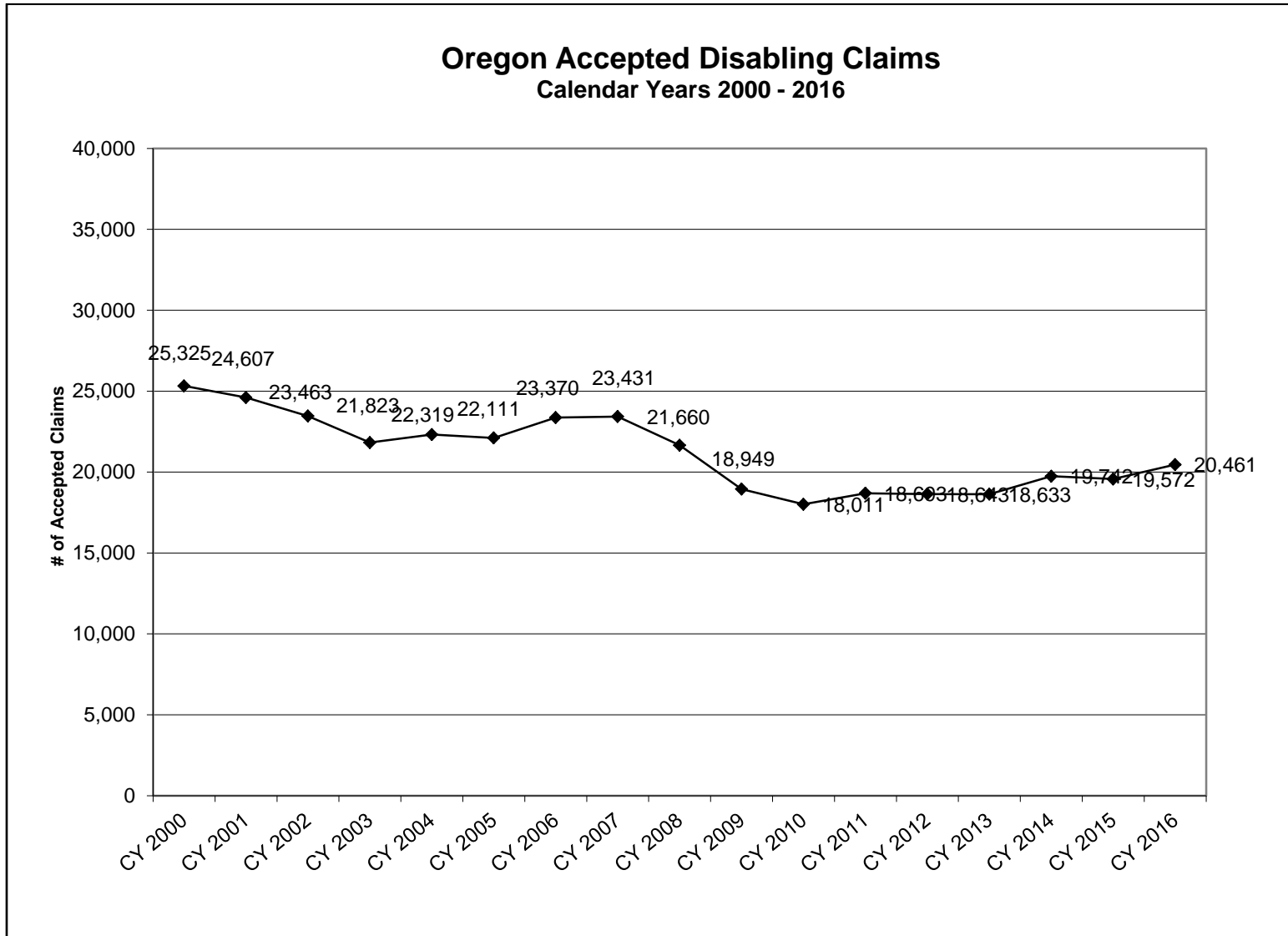
*Data from 2002 on is based on revised recordkeeping requirements and is not comparable with rates from earlier years.

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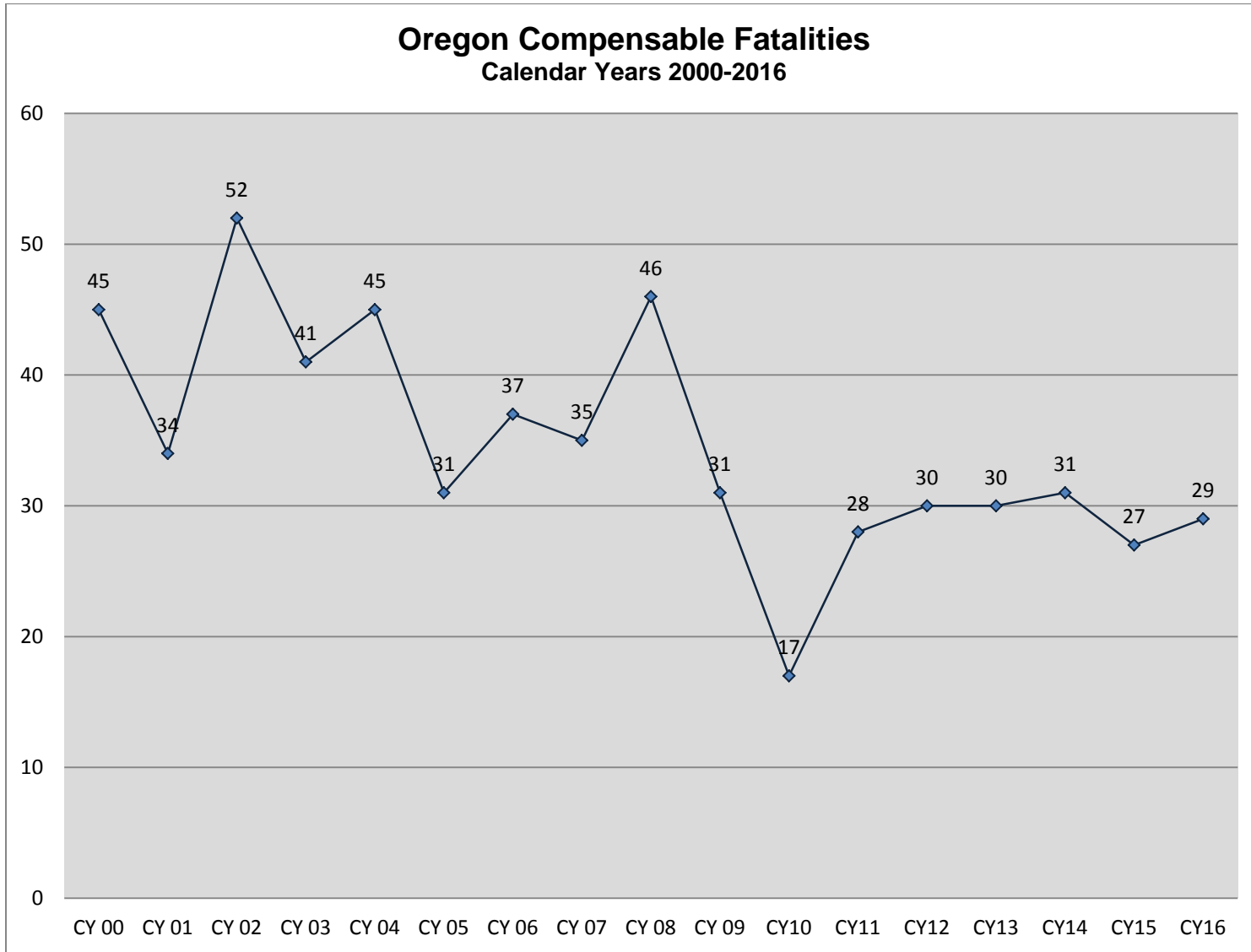
Total Case Incidence Rate (all sectors)



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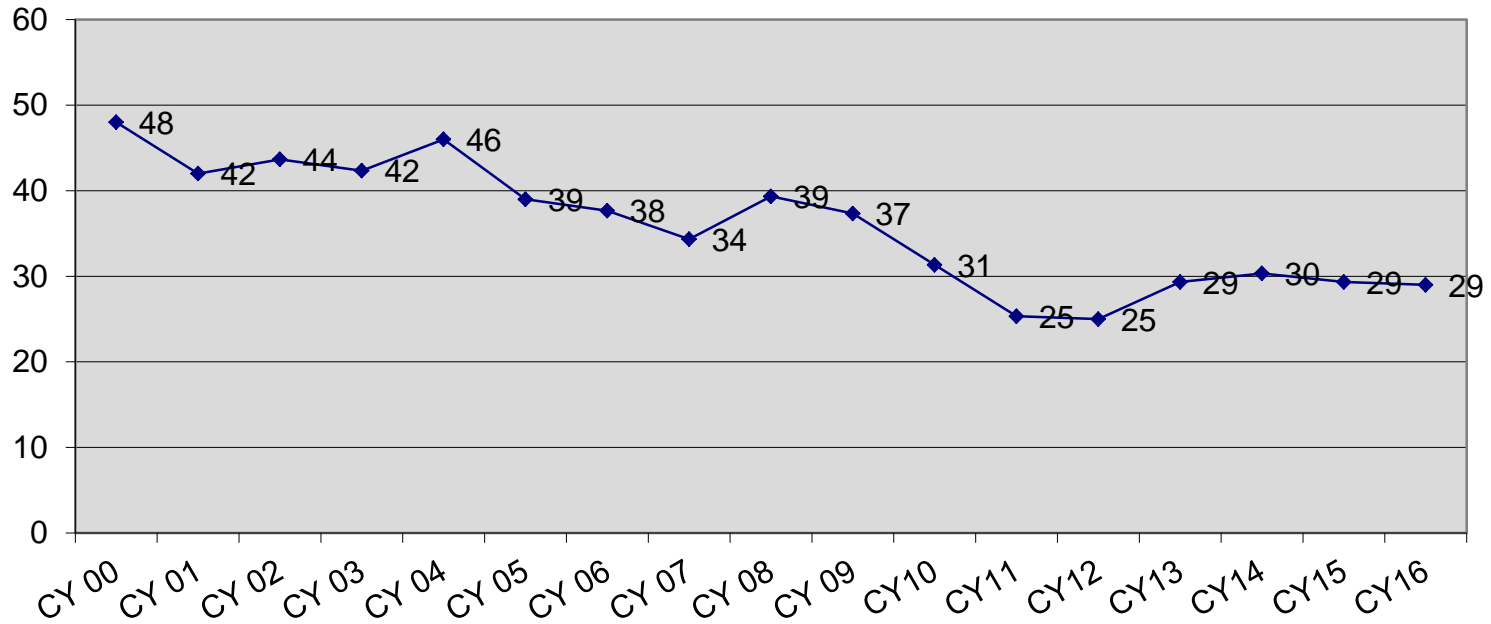


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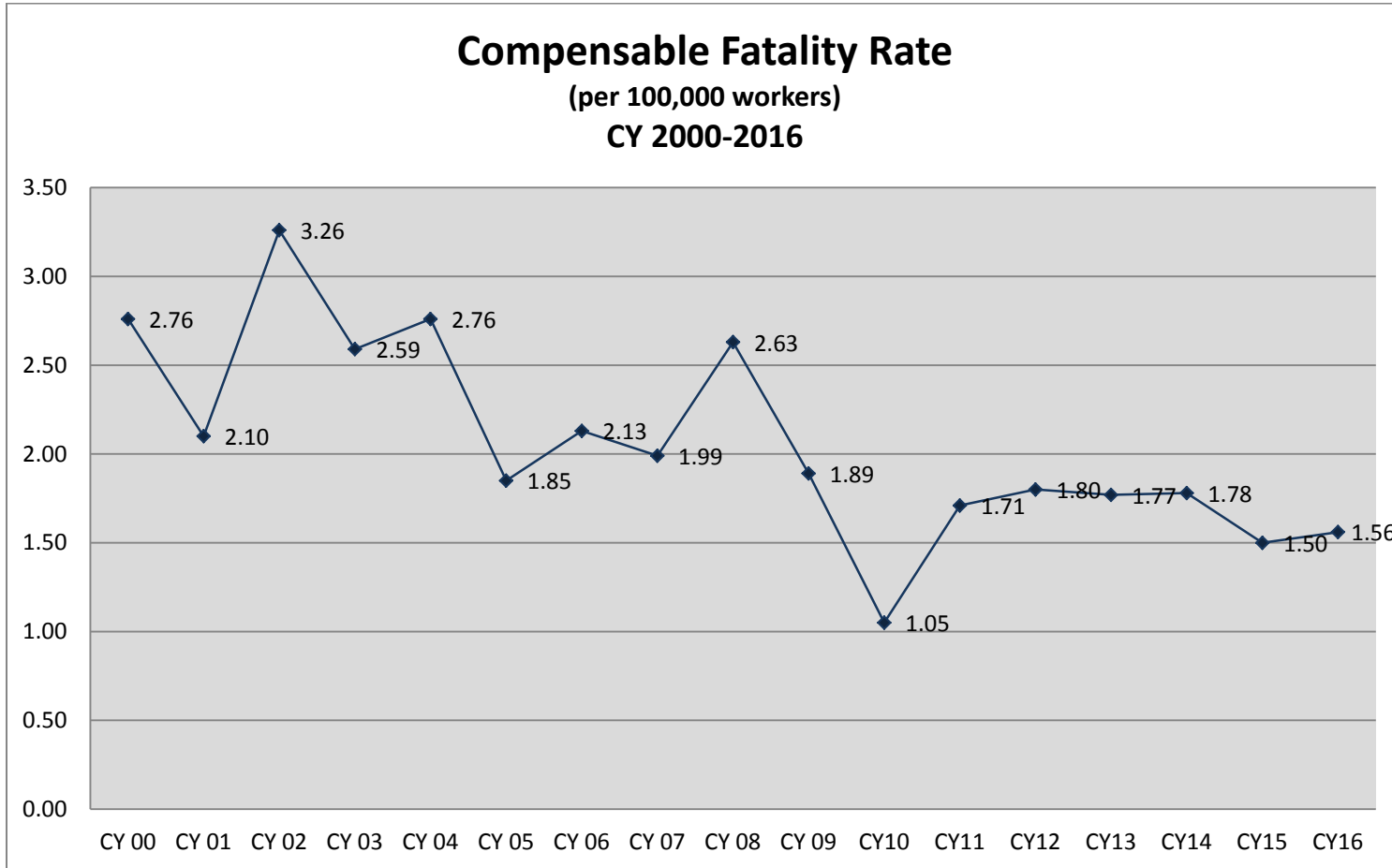
Oregon Compensable Fatalities

Calendar Years 2000 - 2016

3-year rolling average



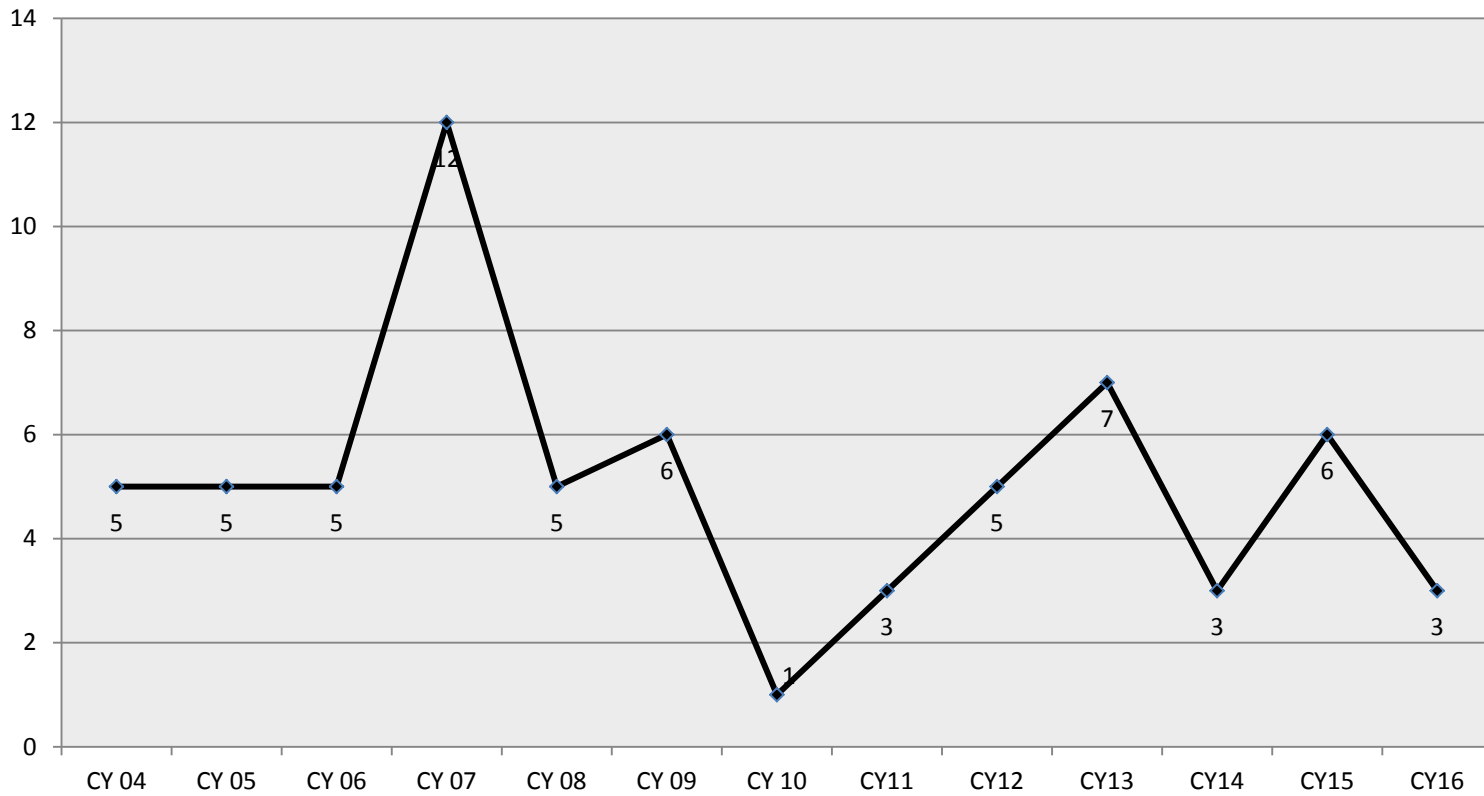
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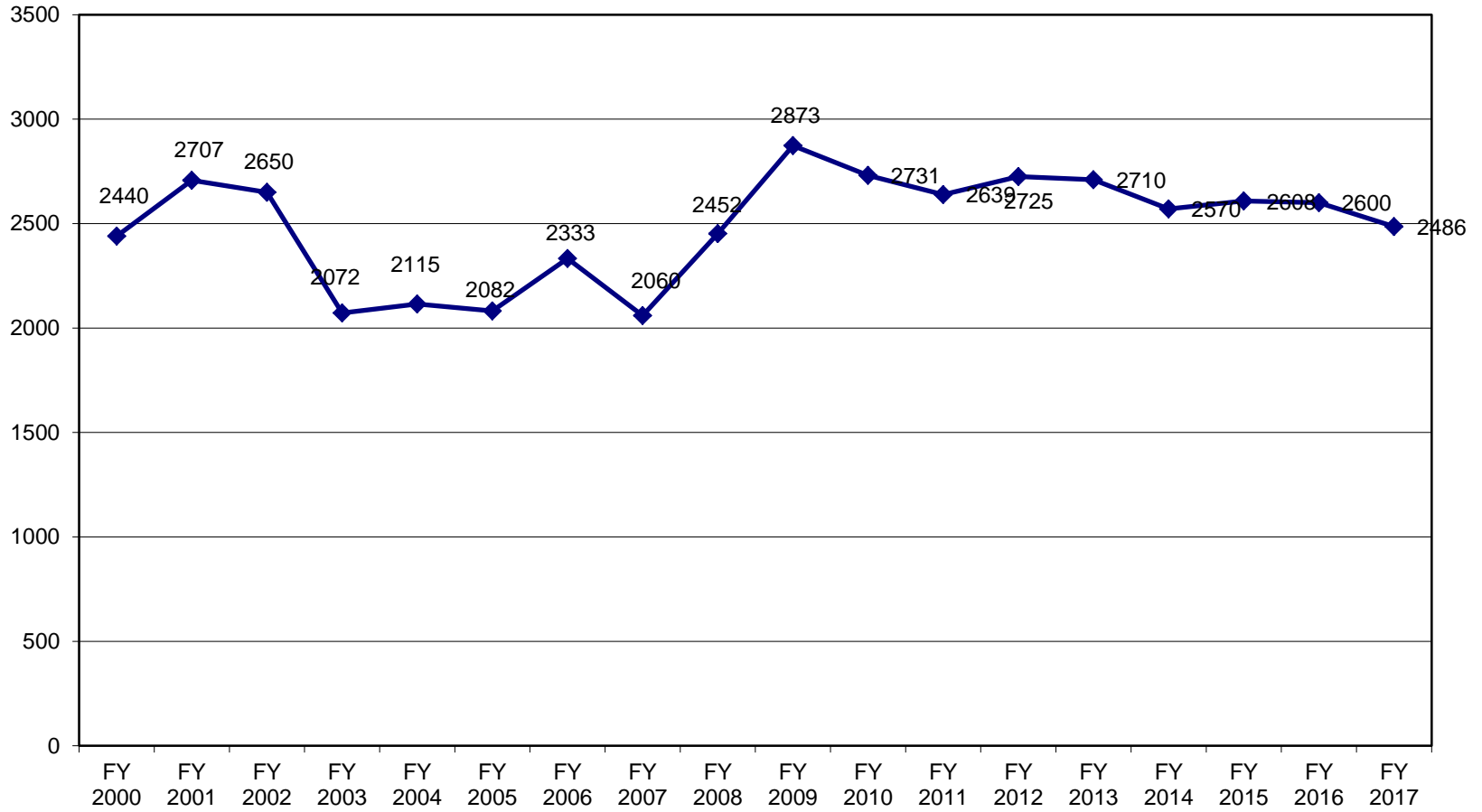
Oregon Compensable Construction Fatalities

Calendar Years 2004-2016

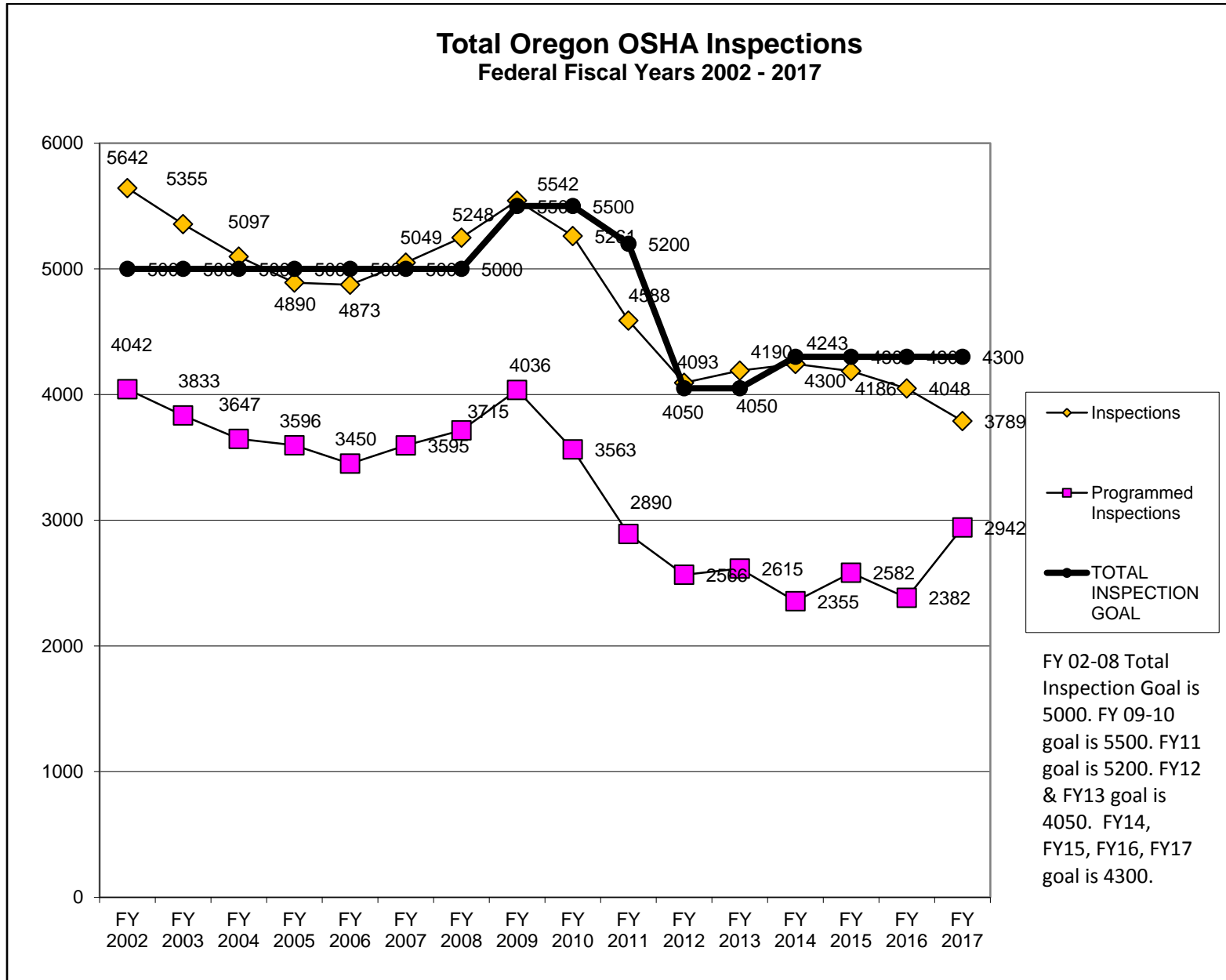


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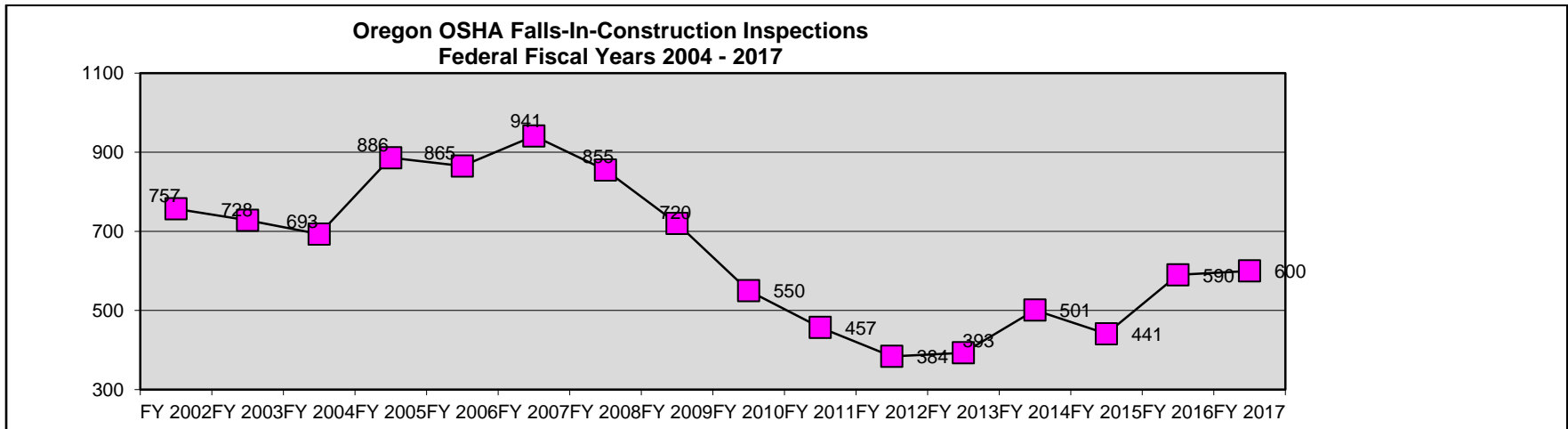
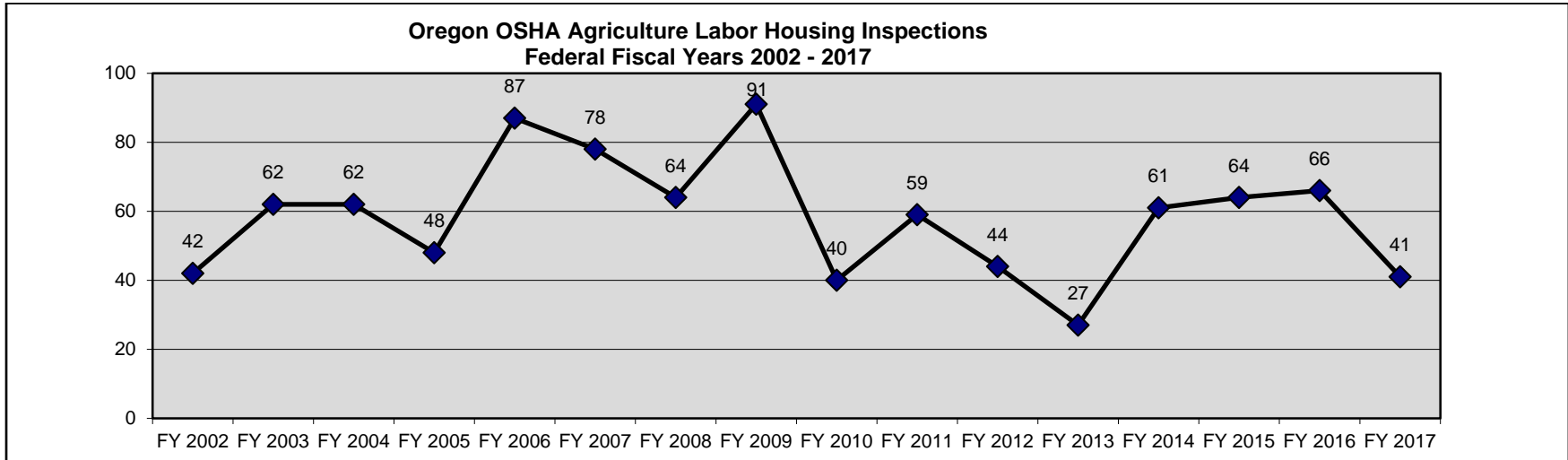
Total OR-OSHA Consultations
Federal Fiscal Years 2000 - 2017



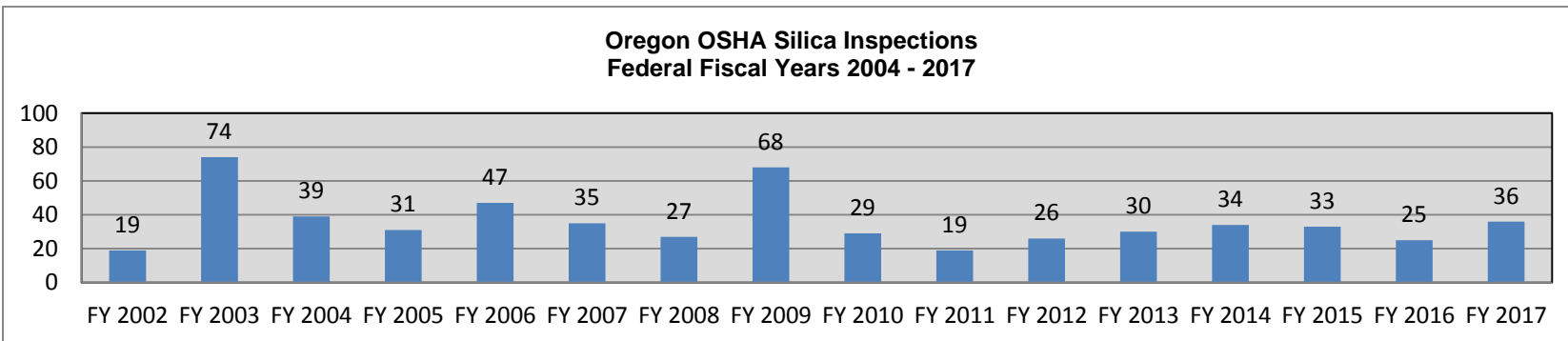
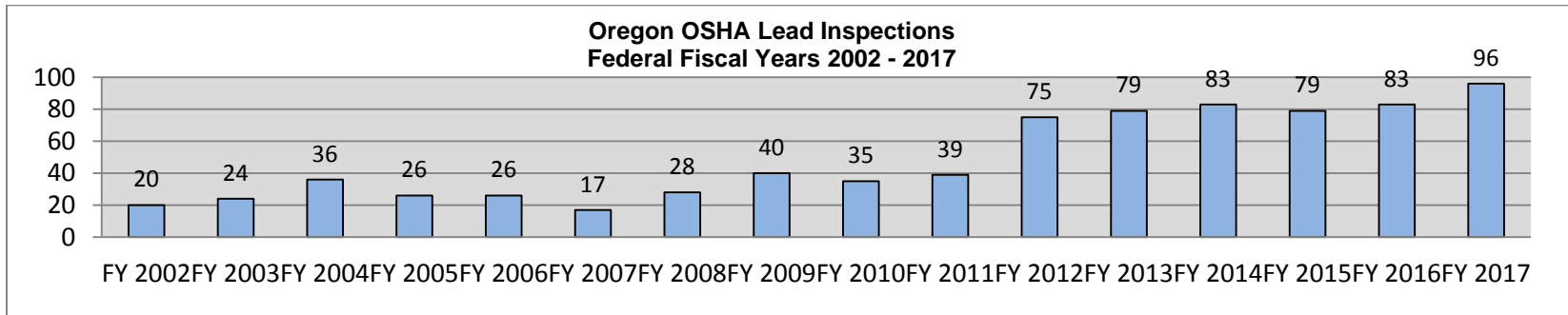
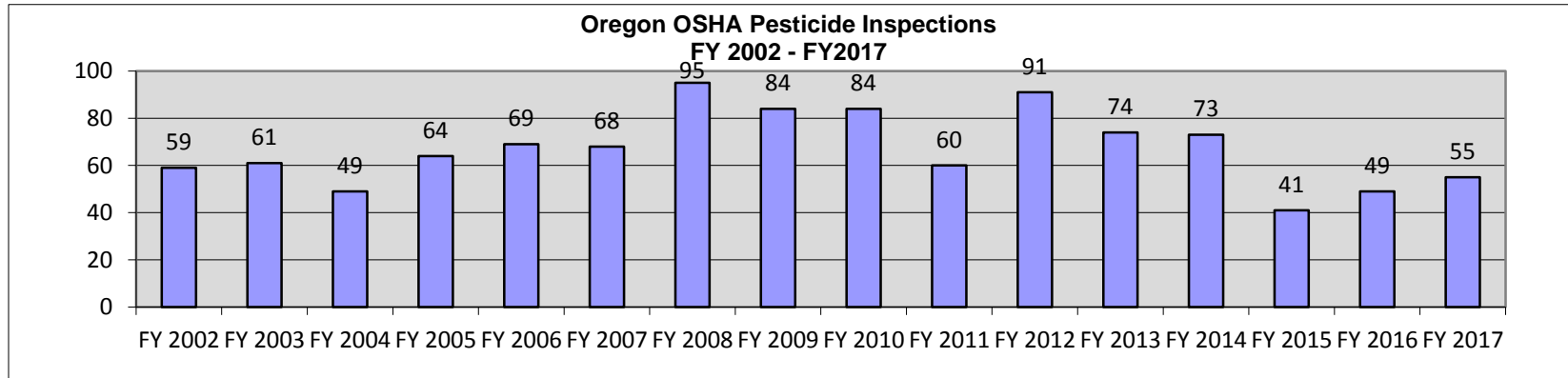
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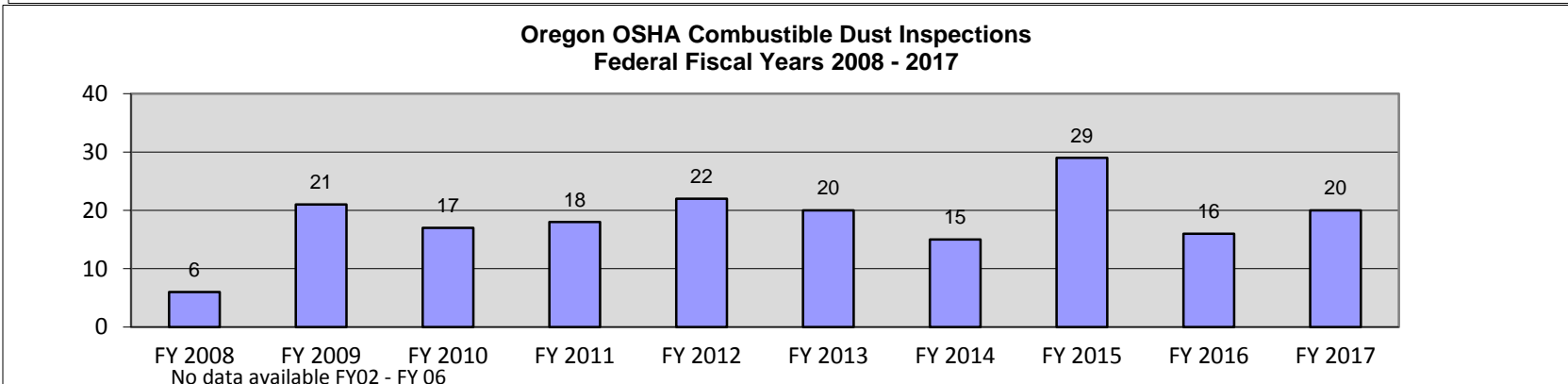
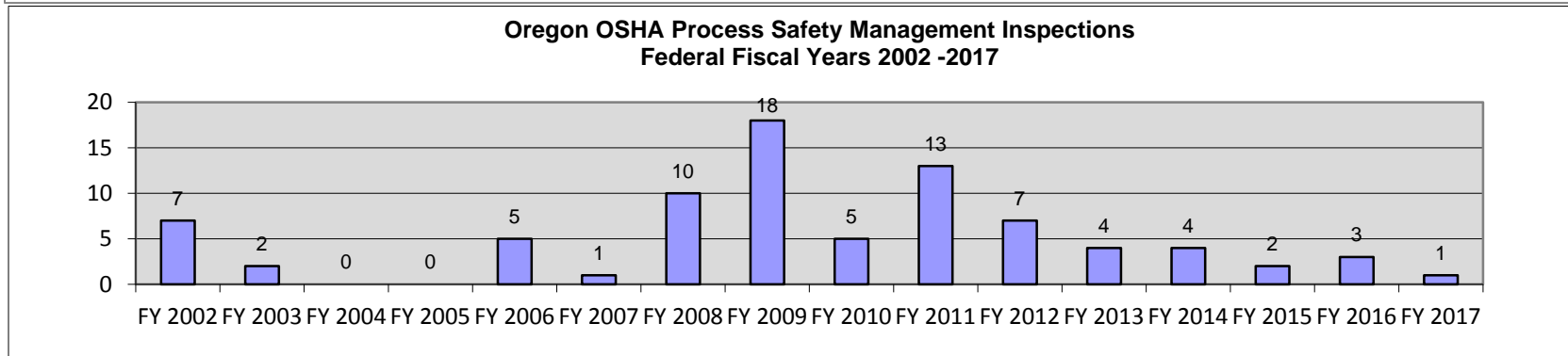
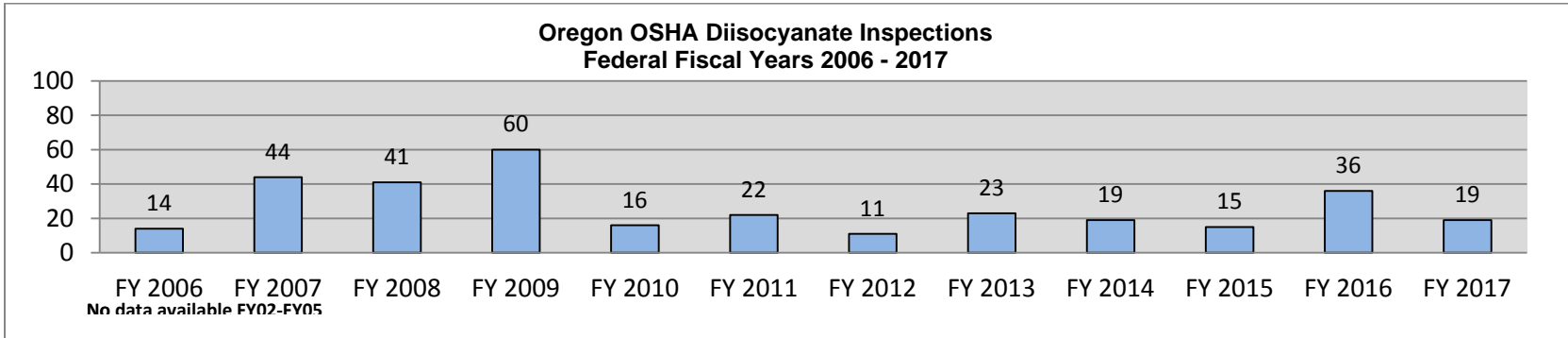
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