

# **FY 2019 Comprehensive Federal Annual Monitoring Evaluation (FAME) Report**

**Oregon Department of Consumer and Business Services**



**Evaluation Period: October 1, 2018 – September 30, 2019**

Initial Approval Date: December 28, 1972  
State Plan Certification Date: September 24, 1982  
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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) 2019 with regard to activities mandated by the Occupational Safety and Health Administration (OSHA) and to gauge the State Plan's progress in resolving an outstanding finding and observations from the previous Federal Annual Monitoring Evaluation (FAME) Report.

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 was timely in response to complaints, referrals, and reports of fatalities. The State Plan had an average lapse time of 41 days for both safety and health cases for issuing citations, both better than the national average, and maintained high levels of worker and union involvement during inspections. Lastly, Oregon OSHA adopted regulations and responded to federal program changes within the required timeframes.

One finding and three observations from FY 2018 were completed or closed. The FY 2019 Comprehensive FAME Report on Oregon OSHA includes one new finding, three new observations and one continued observation. Appendix A describes the new findings and recommendations. Appendix B describes observations subject to new and continued monitoring and the related federal monitoring plans. Appendix C describes the status of the one previous finding with associated completed corrective actions.

## 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 has been revised by Oregon OSHA to meet federal concerns. Oregon OSHA has requested that the limitation on its final approval be removed. The Agricultural Labor Housing standard is currently being reviewed by the Wage and Hour Division Regional Office. Final approval is a significant achievement, confirming that the operation of Oregon OSHA's program is at least as effective as the federal program. 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.

Oregon OSHA has adopted a number of State Plan-initiated rules for which there are no federal equivalent, including forest activity standards, agricultural standards, and specific ladder standards. Oregon OSHA's rules, the Oregon Safe Employment Act, letters of

interpretation, and recent rule activities 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 retaliation investigations.

Oregon OSHA exercises jurisdiction over state and local government workplaces and private sector employers not covered by federal OSHA. OSHA's inspection authority is limited to federal agencies, the United States (U.S.) Postal Service, contractors on U.S. military reservations, private sector 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 2019, funds were allocated for 79 compliance officers, 30 consultants that were 100% state-funded, and four (4) additional consultants who provided private sector consultation under Section 21(d) of the Occupational Safety and Health Act (OSH Act) of 1970. According to the demographic profile provided in the FY 2019 grant application (run date 5/24/2018), there were an estimated 1,901,000 workers in Oregon covered by workers' compensation insurance, working for about 119,600 employers. In FY 2019, the federally approved state OSHA program was funded at \$32,570,536. The state matched the initial federal base award of \$5,124,000. The federal base award was increased by \$101,000 in January. A one-time only award of \$198,918 in July and another one-time only award of \$14,075 in September contributed to the total federal grant of \$5,437,993. The state matched the total federal grant of \$5,437,993 and added an additional \$21,694,550 in 100% state funds.

## **B. 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. The FY 2019 report is a comprehensive year report where OSHA conducted an on-site program evaluation and case file reviews. The enforcement case file review was conducted at the Salem Central Office during the week of November 4, 2019. The retaliation case file review was conducted at the Salem Field Office, with a two-person team during the week of December 2, 2019.

The enforcement case files were randomly selected from a list generated from data in the OSHA Information System (OIS). A total of 197 safety, health, and consultation files were reviewed. The safety and health inspection files were randomly selected from closed inspections conducted during the evaluation period (October 1, 2018 through September 30, 2019). All fatality investigations were selected. The selected population included:

- Twenty-seven (27) fatality case files
- Ninety (90) programed case files
- Fifty (50) un-programed case files
- Five (5) state and local government consultation visit files
- Twenty-five (25) private sector consultation visit files

A total of 108 retaliation investigations were completed and no complaints were administratively closed in FY 2019. The percentage that each category comprised of the total completed cases was determined and applied to the sample size. A total of 59 closed retaliation case files were selected as follows:

- Four (4) litigation/merit
- Fifty-one (51) dismissed
- Four (4) withdrawn
- Zero (0) settled
- Zero (0) administratively closed

The analyses and conclusions described herein are based on information obtained from a variety of monitoring sources including:

- State Activity Mandated Measures (SAMM, Appendix D, dated 11/12/19)
- Mandated Activities Report for Consultation (MARC, dated 11/12/19)
- State Information Report (SIR, dated 11/12/19)
- State OSHA Annual Report (SOAR, Appendix E)
- Oregon OSHA Annual Performance Plan
- State Plan Grant Application
- Quarterly monitoring meetings between OSHA and the State Plan
- Web Integrated Management Information System (WebIMIS)
- Case file reviews of enforcement and retaliation case files

Each SAMM has an agreed-upon Further Review Level (FRL), which can be either a single number, or a range of numbers above and below the national average. SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents the FY 2019 SAMM report and includes the FRL for each measure.

## B. Review of State Plan Performance

This section is an assessment of Oregon OSHA's progress in meeting mandated activities and program elements. The assessment of Oregon OSHA's progress in achieving their annual performance plan goals is addressed in their FY 2019 SOAR (Appendix E).

### 1. PROGRAM ADMINISTRATION

#### a) Training

A total of 290 different courses were offered to the safety and health staff with 91% (109/120) of them receiving at least 48 hours of training in FY 2019. Training opportunities were offered to all professional staff, whenever possible, through webinars, e-learning, and participation in local courses and conferences. Basic training was provided for new workers through the internal training program and follows the approved training directive, SOP 13 *Required Initial Training for Compliance Staff*, which was determined to be equivalent to OSHA's TED 01-00-019 on June 13, 2016.

Oregon OSHA's response to the Mandatory Training Program for OSHA Whistleblower Investigators, with an adoption due date of April 2016, has not yet been approved by OSHA. Oregon OSHA hosted the OSHA Training Institute (OTI) course, "Fundamentals of Whistleblower Training", in October of 2018, for BOLI investigators.

#### b) OSHA Information System (OIS)

Oregon's OSHA Technical Information System (OTIS) interfaces with OIS. 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 impacts monitoring of the state program. Where there are differences in data between the SAMM report and information from OTIS, 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.

BOLI maintains their own information system to track and log retaliation investigations. Every Monday, BOLI sends a list of newly opened retaliation cases from the prior week to the Oregon OSHA contact for input into WebIMIS. In addition, as the retaliation cases are closed, BOLI updates the Oregon OSHA contact who then closes the case in WebIMIS.

#### c) State Internal Evaluation Program Report

A sample of 30% of all case files is reviewed. However, this is not done in a systematic approach in accordance with a written policy. The State Plan is currently working on a scoring system for these reviews, but this has not yet been implemented. All retaliation investigation cases are reviewed on a quarterly basis. Oregon OSHA relies on federal case file review and accompanied visits to audit the program. Progress on their strategic plan and mandated measures are reported quarterly.

#### d) Staffing

According to information in the FY 2019 23(g) grant application, Oregon OSHA had 53 safety compliance officers and 29 health compliance officers as of July 6, 2019. Eighteen

safety and ten health consultants were completely state funded. There were two safety and two health consultants that were federally funded.

## 2. ENFORCEMENT

### a) Complaints

According to SAMM 1a, there were 1,050 complaint inspections in FY 2019. The average number of days to initiate a complaint inspection (state formula) was 5.40 days. There were 806 complaint investigations according to SAMM 2a, and the average number of work days to initiate the investigation (state formula) was 1.69 days. Complaint responses were tracked using a four tiered system.

The four tiers are as follows:

- 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
- Phone/fax, letter response must be initiated within 10 working days in 90% of cases.

The FY 2019 SOAR reported the results, when separated by complaint type, as percent of timely responses as follows:

- 97.9% (47/48) for imminent danger complaints
- 97.6% (742/760) for serious hazard complaints
- 99.5% (405/407) for other-than-serious hazard complaints
- 96.4% (836/867) for phone fax, letter investigations

The goals for timely response for imminent danger, serious, and other-than serious hazard complaints, and timely initiation of phone/fax, letter investigation responses were all met.

According to SAMM 3, the response to imminent danger complaint and referral situations was within one day in 86.67% (39 out of 45) of cases. In contrast, the SOAR stated that 47 out of the 48 imminent danger complaints and referrals were responded to timely. The discrepancy between the SOAR and SAMM imminent danger complaint data was analyzed and concluded that five out of the six imminent danger complaints reported in the SAMM report were attempted in a timely manner. However, a lack of activity at each of the sites prevented the compliance officers from conducting an inspection immediately. The data entry problem was corrected to eliminate this discrepancy. OSHA will continue to monitor the timeliness of imminent danger inspections during quarterly meetings.

There was initially one denial of entry where entry was not obtained (SAMM 4). This

was a programmed inspection where the compliance officer (CO) on October 31, 2018 attempted to conduct an opening conference, but there was no activity at the site. On December 4, 2018, the CO returned to the locations and spoke with the owner and made the determination at the time that there was no jurisdiction. The field manager disagreed with the determination and instructed the CO to return to the site. On January 29, 2019, the CO attempted to open an inspection and was denied entry and returned to the field office. On January 30, 2019, the field office manager made the determination that it was a denial of entry; however, decided to code it as a No Inspection and have the CO move to higher priority program planned inspections. The denial of entry was brought to the attention of the Statewide Safety Enforcement manager several months later. The Statewide Safety Enforcement manager re-established the expectations for all denial of entry events with the field office manager. On June 4, 2019, a different CO returned to the employer location and attempted to open an inspection and was once again denied entry. The CO sought a warrant and returned on June 10, 2019 and opened the inspection. The inspection resulted in citations being issued related to respiratory protection and hand protection. Entry was gained on June 10, 2019.

b) Fatalities

The review of 27 fatality inspection case files found well-documented investigations that explained the events leading to the incident. The documentation supported the findings and citations where appropriate. Initial letters to the family and follow-up letters were provided. The standard procedure to interview the victims' families to give them the opportunity to discuss the circumstances of the injuries and/or illness was followed and documented.

Some fatalities did not result in an inspection because they were due to natural causes, or were not in the jurisdiction of Oregon OSHA. When a motor vehicle accident 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 incident.

Of the 37 fatality investigations conducted, 91.89% (34 out of the 37) were responded to within one day (SAMM 10). A total of 40 fatality inspections related to 37 fatalities were opened. Three of these were secondary investigations related to the fatality. The FRL to open fatality investigations within one workday of receiving notification is 100%. Of the three outliers, only one investigation was determined to be untimely. The manager involved was retrained on the requirement. The other two SAMM outliers were due to Oregon OSHA waiting for law enforcement to release the scene before opening their investigation and were not considered untimely by OSHA. All of the 27 fatality case-files reviewed were initiated timely. Therefore, **Observation FY 2018-OB-03** was closed. A review of Oregon OSHA's policies and procedures also showed that a management system was in place to address this measure. OSHA will continue reviewing fatalities during quarterly meetings.

c) Targeting and Programmed Inspection

Percent of enforcement presence (SAMM 17) describes the number of safety and health inspections conducted compared to the number of employer establishments in the state. The State Plan had a percent enforcement presence of 3.53%, which was higher than the



FRL range of 0.92% to 1.54%. The high enforcement presence indicates that the State Plan is reaching more employers with enforcement activity than the national average.

A total of 3,307 inspections were conducted; 2,524 safety and 783 health inspections. This is 23.1% below the annual performance goal of 4,300. The safety inspections were 21.9% below the low end of the FRL range of 3,230 to 3,570 and health inspections were 8.4% below the low end of the FRL range of 855 to 945 (SAMM 7).

**Observation FY 2019-OB-01 (FY 2018-OB-04):** Oregon OSHA conducted 2,524 of 3,400 safety and 783 of 900 health inspections (SAMM 7), both below the further review level.

**Federal Monitoring Plan FY 2019-OB-01 (FY 2018-OB-04):** OSHA will continue to monitor Oregon OSHA's planned versus actual inspections.

The in-compliance rate was 35.65% for safety inspections, which was within range of the FRL of 24.24% to 36.36% (SAMM 9). The in-compliance rate for health inspections was 26.90%, which is below the FRL of 28.90% to 43.35%, and is not a concern. Of the inspections conducted, 51.13% were related to local and national emphasis programs per the Oregon SOAR.

The average number of serious/willful/repeat/unclassified violations per inspection was 1.39 for FY 2019, which was 0.04 below the FRL range of 1.43 to 2.15 for this metric (SAMM 5). Per OIS data, 2,080 serious/willful/repeat/unclassified violations were issued for 2,898 inspections. The average number of other than serious violations per inspection was 0.88, which was within the FRL range of 0.78 to 1.16.

OSHA 300 logs were not in the case files nor in the database in 14% of the case files reviewed. The OSHA 300 log data was not being transferred from the OTIS to OIS. Therefore, this will be monitored in FY 2020.

**Observation FY 2019-OB-02:** OSHA 300 data was not in the case file nor in the database in 14% (23 of 167) of case files reviewed. In addition, OSHA 300 data is not transferring to OIS.

**Federal Monitoring Plan FY 2019-OB-02:** OSHA will monitor this over the next FY and will evaluate collection and retention of OSHA 300 data in a focused case file review.

#### d) Citations and Penalties

A review of Oregon OSHA's enforcement case files found that there was adequate evidence provided to support violations, and citations were issued for all apparent violations.

**Table 1**

**Average Current Serious Penalty in Private Sector (SAMM 8)**

<b>Number of Workers</b>	<b>OROSHA FY 2019</b>	<b>3 Year National Average</b>	<b>FRL</b>
<b>1-250+</b>	\$594.23	\$2,871.96	\$2,153.97 to \$3,589.95
<b>1-25</b>	\$443.01	\$1,915.86	\$1,436.89 to \$2,394.82
<b>26-100</b>	\$764.62	\$3,390.30	\$2,542.73 to \$4,237.88
<b>101-250</b>	\$928.84	\$4,803.09	\$3,602.31 to \$6,003.86
<b>250+</b>	\$1,024.24	\$5,938.59	\$4,453.94 to \$7,423.23

The average serious penalty for all employers was \$594.23 or 72.4% below the FRL range of \$2,153.97 to \$3,589.95 in FY 2019 (SAMM 8). Of most concern was the assessed penalties for larger employers. For private sector employers with 101-250 workers, the average serious penalty issued was \$928.84 or 74.22% below the range of the FRL of \$3,602.31 to \$6,003.86 (SAMM 8c). For private sector employers with more than 250 workers, the average serious penalty issued was \$1,024.24 or 77.01% below the range of the FRL of \$4,453.94 to \$7,423.23 (SAMM 8d). This remained significantly below the acceptable range for this metric. In FY 2017, legislation was passed that gave Oregon OSHA the authority to modify its penalties. On December 22, 2017, Administrative Order 8-2017, raising both minimum and maximum penalties for alleged violations, was adopted. However, the penalty amounts stayed below the FRL. OSHA will continue to review the penalty amounts and elements that comprise penalties, including adjustments for severity and probability.

**e) Abatement**

Each hazard must be abated and adequate verification of the correction must be included in case files. A review of 167 inspection case files revealed that adequate hazard abatement letters and supporting documentation were included in 159 (95%) of the case files. Citations were issued within an average of about 41.07 work days following the initiation of an inspection for both safety and health cases (SAMM 11). The lapse time for safety inspections was within the FRL of 38.08 to 57.13 work days. The health inspection lapse time was less than the lower end of the FRL of 45.78 work days. A shorter lapse time helps ensure that serious hazards are abated as timely as possible.

**f) Worker and Union Involvement**

In 100% of initial inspections, a worker representative participated in the walk around inspection and/or the compliance officer conducted and documented worker interviews (SAMM 13). The case file review noted that of 4.8% of sites (8 out of 167) were unionized. Four out of the eight case files noted the Union representative being present during the walk around and opening conference.

The identity of employees interviewed or who otherwise participated in protected activities was not withheld under the informant privilege provided in Chapter 3 of Oregon OSHA's Field Inspection Reference Manual (FIRM) corresponding to Chapter 3, Section VII, I, 5c of OSHA's Field Operations Manual (FOM). The ability to interview employees privately is a protection afforded by the OSH Act in Section 8, paragraph A(2) and the corresponding

provision of the Oregon Safe Employment Act under 654.067(b). The only employees who are afforded anonymity by Oregon OSHA are complainants. This has the potential to expose employees who participate in enforcement inspections to retaliation, and have a chilling effect in their willingness to freely answer questions. More concerning is that un-redacted enforcement case files are given to employers, upon request, prior to appeal proceedings. Oregon public records law ORS 192.314(1) states that “every person has a right to inspect any public record of a public body in this state, except as otherwise expressly provided” by specific exemptions. The Oregon public records law, or current interpretation of the law, prohibits Oregon OSHA from protecting information that should be confidential.

**Observation FY 2019-OB-03:** The confidentiality of employees interviewed during inspections was not ensured during the appeal process.

**Federal Monitoring Plan FY 2019-OB-03:** OSHA will monitor the State Plan to determine Oregon OSHA’s ability to protect the identities of employees who participate in enforcement activities.

### **3. REVIEW PROCEDURES**

#### **a) Informal Conferences**

Per Oregon Revised Statute (ORS) 654.078, an employer is given 30 days in which to file a written appeal of a citation notice. Untimely appeals are forwarded to the Oregon Workers’ Compensation Board and Oregon Department of Justice. The informal conference occurs after the notice of appeal.

If an employer appeals a serious violation or the reasonableness of an abatement date issued, the abatement date is not automatically extended. 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.

The retention rate for penalties was 91.43% (SAMM 12), significantly exceeding the upper end of the FRL of 56.42% to 76.33%. The enforcement case file review did not reveal any issues or deficiencies related to informal proceedings.

#### **b) Formal Review of Citations**

For FY 2019, 0% of violations were vacated after a contest was filed, below or above the national average of 14% (SIR 5B), and 0% of violations were reclassified after the contest, below or above the national average of 12% (SIR 6B). The penalty retention rate following a contest was 71% versus the national average of 63% (SIR 7B). The enforcement case file review did not reveal any issues or deficiencies related to formal settlement proceedings.

### **4. STANDARDS AND FEDERAL PROGRAM CHANGE (FPC) ADOPTION**

#### **a) Standards Adoption**

The 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 an update to an

existing rule is needed, the state legislature directs rulemaking, in response to public petitions, or Oregon OSHA staff has indicated a need. The second step is the comparison of the new/updated proposed rule to existing rules and consensus standards by the Oregon OSHA Technical Section. They research technical feasibility, review the fiscal impact of the rule, and form advisory committees, as needed. The opportunity is given to Oregon OSHA staff to provide comments prior to filing of a Notice of Proposal with the Secretary of State for printing in the Oregon Bulletin. 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. In most cases, at least one hearing is scheduled and often there are multiple public hearings. An opportunity is provided for stakeholders and Oregon OSHA staff to make comments at the public hearings or through written comment. Finally, there is a Notice filed with the Secretary of State on Final Rule adoption.

A notice of intent was received timely for all standards and federal program changes. Two of the three federal standards were adopted timely (Table 2). The Final Rule on the Implementation of the 2019 Annual Adjustment to Civil Penalties for Inflation has not yet been adopted and is currently open for public comment. This current rulemaking encompasses the 2019 and 2020 Annual Adjustment to Civil Penalties. The following tables lists the standards, federal program changes, and state initiated changes.

**Table 2**  
**Status of FY 2019 Federal Standards Adoption**  
*(May include any outstanding standards from earlier fiscal years)*

<b>Standard:</b>	<b>Response Due Date:</b>	<b>State Plan Response Date:</b>	<b>Intent to Adopt:</b>	<b>Adopt Identical:</b>	<b>Adoption Due Date:</b>	<b>State Plan Adoption Date:</b>
Final Rule on the Standards Improvement Project - Phase IV 1904,1910,1915,1926 (5/14/2019)	7/13/2019	6/18/2019	Yes	Yes	11/14/2019	6/18/2019
Final Rule on the Implementation of the 2019 Annual Adjustment to Civil Penalties for Inflation 29 CFR 1902,1903 (1/23/2019)	3/23/2019	3/22/2019	Yes	No	7/23/2019	Not yet adopted
Final Rule on Crane Operator Certification Requirements 29 CFR Part 1926 (11/9/2018)	1/9/2019	1/9/2019	Yes	Yes	5/9/2019	5/9/2019

**b) Federal Program Change (FPC) Adoption**

While all Federal Program Changes were adopted within six months of federal promulgation (Table 3), there were two awaiting plan change supplements for OSHA’s review.

**Table 3**  
**Status of FY 2019 Federal Program Change (FPC) Adoption**  
*(May include any outstanding FPCs from earlier fiscal years)*

<b>FPC Directive/Subject:</b>	<b>Response Due Date:</b>	<b>State Plan Response Date:</b>	<b>Intent to Adopt:</b>	<b>Adopt Identical:</b>	<b>Adoption Due Date:</b>	<b>State Plan Adoption Date:</b>
<b><i>Adoption Required</i></b>						
National Emphasis Program on Trenching and Excavation CPL 02-00-161 (10/1/2018)	11/30/2018	11/27/2019	Yes	No	4/1/2019	1/3/2019
<b><i>Equivalency Required</i></b>						
Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment CPL 02-01-061 (5/22/2019)	7/21/2019	7/17/2019	Yes	Yes	11/22/2019	11/21/2019
Shipyard Employment "Tool Bag" Directive CPL 02-00-162 (5/22/2019)	7/21/2019	7/17/2019	Yes	Yes	11/22/2019	11/21/2019
Enforcement Guidance for Personal Protective Equipment in Shipyard Employment CPL 02-01-060	7/21/2019	07/17/2019	Yes	Yes	11/22/2019	11/21/2019
Site-Specific Targeting 2016 (SST-16) CPL 02-18-01 (10/16/2018)	12/15/2018	11/20/2018	Yes	No	4/16/2019	11/20/2018 Pending OSHA Review
Enforcement Procedures and scheduling for exposure WP violence (1/10/2017)	3/10/2017	2/24/2017	Yes	No	4/1/2017	6/13/17 Pending OSHA Review
Whistleblower Investigations Manual CPL 02-03-007 (1/28/2016)	4/27/2016	3/11/2016	Yes	No	7/28/2016	7/7/2016 Pending OSHA Review
Mandatory Training Program for OSHA Whistleblower Investigators TED 01-00-020 (10/8/2015)	12/4/2015	10/15/2015	Yes	No	12/3/2015	12/3/2015 Pending OSHA Review
<b><i>Adoption Encouraged</i></b>						

<b>FPC Directive/Subject:</b>	<b>Response Due Date:</b>	<b>State Plan Response Date:</b>	<b>Intent to Adopt:</b>	<b>Adopt Identical:</b>	<b>Adoption Due Date:</b>	<b>State Plan Adoption Date:</b>
Alternative Dispute Resolution (ADR) Processes for Whistleblower Protection Programs CPL 02-03-008 (2/4/2019)	4/5/2019	3/7/2019	No	No	N/A Adoption not required	3/7/2019

**Table 4  
State Plan Initiated Changes**

<b>Rulemaking (State Plan Initiated Changes)</b>	<b>Effective Date</b>	<b>Concurrence Date</b>
Application Exclusion Zone	1/1/2019	Under OSHA Review
Silica	10/30/2018	Under OSHA Review
Reporting Fatalities and Injuries to Oregon OSHA	8/28/2018	Under OSHA Review
Medical Monitoring	7/13/2018	Under OSHA Review
Toilet Facilities: Reasonable Accessibility	7/3/2018	Under OSHA Review
Ladders: Fixed Ladders used on Outdoor Advertising Structures and Billboards	6/14/2018	Under OSHA Review
Portable Ladders: Manhole Metal Ladders for Telecommunication Activities	5/29/2018	Under OSHA Review
Ladders: Manhole Steps in Manholes	5/29/2018	Under OSHA Review
Rescinded PD-104, Guarding: Open-Sided Metal Pouring Platforms and Runways	4/12/2018	Under OSHA Review

## **5. VARIANCES**

During FY 2019, research variances to Oregon Administrative Rule (OAR) 437-007-0935(1) (b) or (c) were granted to three companies. This supported the use of new technology that could replace dangerous tree falling (felling) and timber transporting operations, by workers on the ground, and with operators in machines with protective cabs which met the requirements of OAR 437-007-0775. The approved research variances will also provide a means of collecting relevant safety data until Division 7 (OAR Chapter 437 Forest Activities), specifically tethered logging, can address these newly introduced technologies.

Two variances were no longer used and therefore revoked in FY 2019. One covered remodeling a house for agricultural workers to provide enough square footage per occupant and the other variance was for using a fixed ladder with inadequate climbing-side clearance.

## **6. STATE AND LOCAL GOVERNMENT WORKER PROGRAM**

The monetary penalty structure applies to state and local government employers as well as to private sector employers. Inspections in state and local government were conducted in 2.60% (86 of the 3,307) of the total inspections (SAMM 6). This was below the negotiated goal of conducting 3.09 (133 of the 4,300) inspections in this sector. This was also below the FRL range of 2.94% to 3.25%. OSHA will continue to review public sector inspections during quarterly meetings.

## **7. WHISTLEBLOWER PROGRAM**

Section 654.062 (5) of the Oregon Safe Employment Act provides for whistleblower protection equivalent to that provided by OSHA. Claims of workplace retaliation for reporting occupational safety and health issues are investigated by the BOLI Civil Right Complaint Division.

The BOLI investigators completed OSHA specific training, and investigated over 35 different protected classes. There is one Oregon OSHA representative who manages the whistleblower protection program and ensures BOLI conducts quality and timely investigations. Based on a case file review, they generally followed OSHA policies and procedures outlined in the Whistleblower Investigations Manual (WIM). Table 4 below shows Oregon OSHA/BOLI's performance over the past three years in regards to SAMM 14, 15, and 16. While SAMM 14 and 16 show improvement, SAMM 15 is below the national average for FY 2019. BOLI completed 92% of investigations within 90 days, which was lower than the FRL of 100% (SAMM 14). However, the average number of calendar days to complete an investigation was 90 days, which met the FRL of 90 days and was significantly better than the national average of 284 days (SAMM 16). The percent of 11(c) complaints that were meritorious was 5%, which was below the FRL range of 18.40% to 27.60% and will be reviewed in quarterly meetings (SAMM 15).

**Table 4**  
**Whistleblower Protection SAMMs (2017-2019)**

<b>Whistleblower Protection SAMMs</b>	<b>FY2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2019 National Average</b>
Completed Within 90 Days (SAMM 14)	87%	87%	92%	34%
Merit Cases (SAMM 15)	18%	18%	5%	23%
Average Number of Calendar Days to Complete Investigation (SAMM 16)	91	97	90	284

In FY 2018, a recurring finding noted that BOLI did not adequately test all evidence prior to closing a retaliation case, nor documented justification of closing the case. Oregon OSHA hosted the OTI course, “Fundamentals of Whistleblower Training”, in October of 2018, and several BOLI investigators attended the class. During the on-site review of retaliation case files, it was verified that this issue was corrected. Therefore, **Finding FY 2018-01** (FY 2017-01) was considered completed.

OSHA reviewed 12 retaliation case files related to work-related injury reports, and found BOLI identified these reports as protected activity and advised complainants of their right to dually file with OSHA. This adequately addressed **Observation FY 2018-OB-01**; therefore, this observation was considered closed.

Additionally, OSHA reviewed 59 retaliation case files and found all cases included appropriate documentation related to telephone/activity logs, medical records sequestered, prima facie elements, citations to relevant evidence, and settlement agreements. This adequately addressed **Observation FY 2018-OB-02** and was considered closed.

When a complainant wishes to voluntarily withdraw their complaint, the complainant must be advised of the consequences, such as, the case will not be re-opened, and they have no appeal rights. In the cases reviewed where the complainant voluntarily withdrew, there was no evidence of this advisement.

**Finding FY 2019-01:** In 100% (4 of 4) of cases withdrawn by the complainant, there was no documentation that BOLI advised the complainant of the consequences of the withdrawal.

**Recommendation FY 2019-01:** Oregon OSHA should ensure BOLI is advising each complainant wishing to withdraw that, by entering a withdrawal, they will be forfeiting all rights to an appeal or objection, and the case will not be reopened.

For dismissed/non-merit cases, there was no evidence BOLI advised complainants of their right to dually file with OSHA to ensure the complainant retains their right to request a federal review within the outlined filing times. BOLI created “companion” retaliation case files when a complainant filed a claim which encompasses an Occupational Safety Health (OSH) Act section 11(c) complaint and an additional protected class BOLI



investigates. The investigation file review with BOLI revealed that they did not maintain letters and documents to show that complainants were advised of their right to dual file in 51% of dismissed/non-merit cases. BOLI is required by Oregon PD 288 to notify complainants of this right and should document the notification in the 11(c) retaliation companion case file.

**Observation FY 2019-OB-04:** In 51% (26 of 51) of Dismissed/Non-merit cases, there was no evidence that complainants were advised of their right to dually file with OSHA. **Federal Monitoring Plan FY 2019-OB-04:** OSHA will monitor quarterly that Oregon OSHA and BOLI are providing information regarding complainant's right to file at the federal level and ensure the notification is documented in the retaliation case file.

## **8. COMPLAINT ABOUT STATE PROGRAM ADMINISTRATION (CASPA)**

There were no CASPAs against Oregon OSHA in FY 2018 and FY 2019.

## **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 encourages and recognizes employers with exemplary safety and health programs. The State Plan's policies and procedures for these programs are adequate, and there were no concerns with Oregon OSHA's performance in this area. During FY 2019, Oregon OSHA recertified four existing VPP sites, one new VPP site was added 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 as they graduate employers and provide for a different enforcement exemption schedule. Participants are provided assistance during the first four years to become self-sufficient and they "graduate" from the program during their fifth year. While the participant is no longer an active SHARP site after graduation, 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. Annual consultation visits are conducted with current SHARP employers. During FY 2019, there were a total of 211 companies participating in the SHARP program, four new SHARP employers, 18 current employers, 164 graduates, and 29 employers working towards SHARP. No companies became inactive in the SHARP program in FY 2019.

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 2019, Oregon OSHA had 40 active partnerships and had developed six 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 SHARP and VPP, and for a positive relationship with Oregon OSHA.

#### **10. STATE AND LOCAL GOVERNMENT 23(G) ON-SITE CONSULTATION PROGRAM**

Oregon OSHA's consultative visits provided to both state and local government and private sector employers is conducted by 100% state-funded consultants. This is unique in that there are no funds used under Section 23(g) of the OSH Act. Four additional consultants provide private sector consultation under Section 21(d) of the OSH Act and services provided are evaluated under the Regional Annual Consultation Evaluation Report (RACER), which is issued separately from the FAME Report.

**Appendix A – New and Continued Findings and Recommendations**  
 FY 2019 Oregon Comprehensive FAME Report

FY 2019-#	Finding	Recommendation	FY 2018-# or FY 2018-OB-#
FY 2019-01	In 100% (4 of 4) of cases withdrawn by the complainant, there was no documentation that BOLI advised the complainant of the consequences of the withdrawal.	Oregon OSHA should ensure BOLI is advising each complainant wishing to withdraw that, by entering a withdrawal, they will be forfeiting all rights to an appeal or objection, and the case will not be reopened.	

## Appendix B – Observations Subject to New and Continued Monitoring

FY 2019 Oregon Comprehensive FAME Report

Observation # FY 2019-OB-#	Observation# FY 2018-OB-# or FY 2018-#	Observation	Federal Monitoring Plan	Current Status
FY 2019-OB-01	FY 2018-OB-04	Oregon OSHA conducted 2,524 of 3,400 safety and 783 of 900 health inspections (SAMM7), both below the further review level.	OSHA will continue to monitor Oregon OSHA’s planned versus actual inspections.	Continued
FY 2019-OB-02		OSHA 300 data was not in the case file nor in the database in 14% (23 of 167) of case files reviewed. In addition, OSHA 300 data is not transferring to OIS.	OSHA will monitor this over the next FY and will evaluate collection and retention of OSHA 300 data in a focused case file review.	New
FY 2019-OB-03		The confidentiality of employees interviewed during inspections was not ensured during the appeal process.	OSHA will monitor the State Plan to determine Oregon OSHA’s ability to protect the identities of employees who participate in enforcement activities.	New
FY 2019-OB-04		In 51% (26 of 51) of Dismissed/Non-merit cases, there was no evidence that complainants were advised of their rights to dually file with OSHA.	OSHA will monitor quarterly that Oregon OSHA and BOLI are providing information regarding complainant’s right to file at the federal level and ensure the notification is documented in the retaliation case file.	New
	FY 2018-OB-01	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		Closed

## Appendix B – Observations Subject to New and Continued Monitoring

FY 2019 Oregon Comprehensive FAME Report

		their right to dually file with OSHA.		
	FY 2018-OB-02	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.		Closed
	FY 2018-OB-03	Per the SAMM report, 4 of 29 (14%) of fatality inspections (SAMM 10) were not initiated timely. Analysis of the SAMM outlier data, OIS one-liner report, Oregon OSHA SOAR, and Oregon OSHA fatality reports revealed that in two cases, fatality investigations were not opened timely and there was not an adequate explanation.		Closed

## Appendix C – Status of FY 2018 Findings and Recommendations

FY 2019 Oregon Comprehensive FAME Report

FY 2018-#	Finding	Recommendation	State Plan Corrective Action	Completion Date	Current Status
FY 2018-01	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.	During ongoing audits of BOLI activity, Oregon OSHA will focus on ensuring that the rationales for determinations made are adequately reflected in the case files.	12/12/2019	Complete

# Appendix D - FY 2019 State Activity Mandated Measures (SAMM) Report

FY 2019 Oregon 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 2019	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
<b>1a</b>	Average number of work days to initiate complaint inspections (state formula)	5.40	5 days for serious hazards; 30 days for other than serious hazards	The further review level is negotiated by OSHA and the State Plan.
<b>1b</b>	Average number of work days to initiate complaint inspections (federal formula)	1.00	N/A	This measure is for informational purposes only and is not a mandated measure.
<b>2a</b>	Average number of work days to initiate complaint investigations (state formula)	1.69	10	The further review level is negotiated by OSHA and the State Plan.
<b>2b</b>	Average number of work days to initiate complaint investigations (federal formula)	1.64	N/A	This measure is for informational purposes only and is not a mandated measure.
<b>3</b>	Percent of complaints and referrals responded to within one workday (imminent danger)	86.67%	100%	The further review level is fixed for all State Plans.
<b>4</b>	Number of denials where entry not obtained	1	0	The further review level is fixed for all State Plans.
<b>5</b>	Average number of violations per inspection with violations by violation type	SWRU: 1.39	+/- 20% of SWRU: 1.79	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.43 to 2.15 for SWRU and from 0.78 to 1.16 for OTS.
		Other: 0.88	+/- 20% of Other: 0.97	

# Appendix D - FY 2019 State Activity Mandated Measures (SAMM) Report

## FY 2019 Oregon Comprehensive FAME Report

<b>6</b>	Percent of total inspections in state and local government workplaces	2.60%	+/- 5% of 3.09%	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 2.94% to 3.25%.
<b>7</b>	Planned v. actual inspections – safety/health	S: 2,524	+/- 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: 783	+/- 5% of H: 900	
<b>8</b>	Average current serious penalty in private sector - total (1 to greater than 250 workers)	\$594.23	+/- 25% of \$2,871.96	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,153.97 to \$3,589.95.
	a. Average current serious penalty in private sector (1-25 workers)	\$443.01	+/- 25% of \$1,915.86	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$1,436.89 to \$2,394.82.
	b. Average current serious penalty in private sector (26-100 workers)	\$764.62	+/- 25% of \$3,390.30	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$2,542.73 to \$4,237.88.
	c. Average current serious penalty in private sector (101-250 workers)	\$928.84	+/- 25% of \$4,803.09	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$3,602.31 to \$6,003.86.
	d. Average current serious penalty in private sector (greater than 250 workers)	\$1,024.24	+/- 25% of \$5,938.59	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from \$4,453.94 to \$7,423.23.
<b>9</b>	Percent in compliance	S: 35.65%	+/- 20% of S: 30.30%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 24.24% to 36.36% for safety and from 28.90% to 43.35% for health.
		H: 26.90%	+/- 20% of H: 36.12%	
<b>10</b>	Percent of work-related fatalities responded to in one workday	91.89%	100%	The further review level is fixed for all State Plans.
<b>11</b>	Average lapse time	S: 41.07	+/- 20% of S: 47.61	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 38.08 to 57.13 for safety and from 45.78 to 68.68 for health.
		H: 41.07	+/- 20% of H: 57.23	



## Appendix D - FY 2019 State Activity Mandated Measures (SAMM) Report

FY 2019 Oregon Comprehensive FAME Report

<b>12</b>	Percent penalty retained	91.43%	+/- 15% of 66.38%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 56.42% to 76.33%.
<b>13</b>	Percent of initial inspections with worker walk around representation or worker interview	100%	100%	The further review level is fixed for all State Plans.
<b>14</b>	Percent of 11(c) investigations completed within 90 days	92%	100%	The further review level is fixed for all State Plans.
<b>15</b>	Percent of 11(c) complaints that are meritorious	5%	+/- 20% of 23%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 18.40% to 27.60%.
<b>16</b>	Average number of calendar days to complete an 11(c) investigation	90	90	The further review level is fixed for all State Plans.
<b>17</b>	Percent of enforcement presence	3.53%	+/- 25% of 1.23%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.92% to 1.54%.

NOTE: The national averages in this report are three-year rolling averages. 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 12, 2019, as part of OSHA's official end-of-year data run.

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

**FY2019 State OSHA Annual Report**

**October 1, 2018 - September 30, 2019**

**December 12, 2019**



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## I. OREGON OSHA Executive Summary:

**Mission:** To advance and improve workplace safety and health for all workers in Oregon.

In 1973, the Oregon Safe Employment Act (OSEAct) was passed into law by the Oregon Legislature to ensure the occupational safety and health of workers in Oregon. The OSEAct states that "...every employer shall furnish employment and a place of employment which are safe and healthful for employees." The Oregon Occupational Safety and Health division (Oregon OSHA) administers the OSEAct and enforces Oregon's occupational safety and health rules. In 1987, the Oregon Legislature passed House Bill 2900, which increased worker protection and defined new areas of responsibility for employers and workers' compensation insurance carriers. The changes also included the establishment of a coordinated program of worker and employer education, health and safety consultative services and research to assist workers and employers in the prevention of occupational injuries and illnesses. In May 1990, the Oregon Legislature passed Senate Bill 1197. This landmark legislation, which was passed during a special session of the Oregon Legislature, made workplace injury and illness prevention a major component of workers' compensation reform. This was accomplished, in part, by requiring joint management-labor safety committees in most places of employment and by a significant increase in Oregon OSHA staff.

Oregon OSHA's primary objective is to improve occupational safety and health in workplaces throughout the state, thus reducing on-the-job injuries, illnesses and fatalities. This is achieved through enforcement of occupational safety and health rules, consultation and training assistance for employers and workers, and by providing adequate resources to effectively address Oregon's loss prevention issues. Strong partnerships with labor groups, trade associations and other governmental agencies also significantly contribute to Oregon OSHA's success.

All Oregon OSHA programs work cooperatively toward meeting the division's mission and strategic objectives. Along with the Public Education and the Conference Section, enforcement officers, technical specialists, and consultants produce technically accurate, high quality training to employers and employees. While the Oregon OSHA professional staff are technically trained in all areas of occupational safety and health, hazard identification, and accident investigation, the division has in-house specialists focusing on specific industry needs. These specialists include staff focusing on construction, logging, and agriculture, as well as trained ergonomists. In addition, we have trained individuals to evaluate facilities that are covered under the Process Safety Management (PSM) standard.

Oregon OSHA is dedicated to assisting employers in achieving self-sufficiency in safety and health program management, including developing and implementing comprehensive safety and health plans. The elements of a successful plan include top management commitment, clearly defined labor and management accountability, employee and supervisor training, employee involvement in safety and health concerns, hazard identification and methods of control, accident and incident investigation procedures, and a periodic review of the plan itself.

Oregon OSHA will implement progressive occupational safety and health strategies as it strives to achieve its mission and the goals of the Strategic Plan. A comprehensive program will be used by Oregon OSHA to continue the declining trend in the rate of occupational injuries, illnesses and fatalities in Oregon.

## II. Summary of the SOAR:

This SOAR is an overview of the progress towards the Annual Performance Plan, and describes how the Oregon Occupational Safety and Health Division (Oregon OSHA) allocated its resources to conduct the activities tied to the specific goals contained in Oregon's 5-year (2016-2020) Strategic Plan.

The specific goals are:

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

Oregon OSHA will continue the reduction in injuries and illnesses as measured by the Bureau of Labor Statistics, with the statewide DART rate being reduced to 2.0 per 100 workers (or less) and the statewide total case incidence rate being reduced to 3.7 per 100 workers (or less).

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

Oregon OSHA will establish a baseline measurement of severe chemical hazards identified and will increase such hazards identified (and therefore corrected) to at least 817 by the final year of the planning period.

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

Oregon OSHA will accelerate the decline in Oregon workers compensation fatality rates, with the final three years of the planning period averaging 1.4 per 100,000 workers (or less), which will be a 10 percent decrease compared to the most recent three-year baseline period.

Oregon OSHA has focused its attention on ten elements to support these three goals, they include:

**Recognition Programs or Voluntary Programs for Self-Sufficiency** - Oregon OSHA will promote SHARP and VPP through consultation, enforcement, technical services, and education.

**Outreach** - 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.

**Partnerships** - Promote occupational safety and health by maintaining and enhancing the effectiveness of existing partnerships and by 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.

**Safety & Health Hazards** - Focus on high hazard industries and safety and health hazards at the following levels: Safety Enforcement 75%, Health Enforcement 60%, and Consultation 50%.

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

**Emphasis** - Implement all state local emphasis programs and appropriate national emphasis programs.

**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.

**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.

**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.

**Staff Development** - Ensure 90% of Safety and Health staff receives at least 48 hours of Safety and Health professional development training over two years.



### **III. 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.

**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
<p><b>Activity Measure</b></p>	<p>1. Market VPP &amp; 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>	<p>October 2018 Resource featured a VPP approval and Going the Distance featured another VPP site. Southern Oregon Occupational Safety &amp; Health Conference. SHARP/VPP Webinar with Convergence Training. VPP Annual Self-Evaluation Webinar VPPPA. Western Pulp, Paper &amp; Forest Products Safety &amp; Health Conference. SHARP Alliance meeting. December 2018 Resource featured a VPP approval and Going the Distance featured another VPP site. February 2019 Resource Advertised the 2019 VPP Conference. GOSH. SHARP Alliance meeting. Mel James Honorary Lecture in Tumwater. April/May 2019 Resource advertised the 2019 VPP Conference and highlighted the approval of 2 VPP Star sites. VPPPA's NW Safety Summit. SHARP Alliance meeting. Blue Mountain Conference in Pendleton . June Resource highlighted the approval ceremony of a VPP Merit site. SHARP and VPP were marketed at the National VPPPA Conference and at the Central Oregon Safety Conference. During the quarter, the SHARP Alliance had 2 meetings marketing both SHARP and VPP. The Resource newsletter highlighted one VPP company and 2 SHARP companies</p>	
	<p>2. Number of companies working toward SHARP recognition.</p>	<p>At the end of FY2019, there were 29 employers working toward SHARP.</p>	

<b>Intermediate Outcomes</b>	3. Number of companies indicating an interest in VPP by requesting program information.	Twelve Oregon companies requested information about the VPP from the VPP/SHARP Program Manager.	
<b>Primary Outcomes</b>	4. Number of employers who receive SHARP certification.	At the end of FY2019, a total of 211 companies participated in the SHARP program. This total includes 29 employers working toward SHARP. There were 4 new SHARP and 182 certified SHARP employers, 18 active employers, and 164 graduates. No companies became inactive in the SHARP program in FY2019.	The number of sites working through the SHARP process has always fluctuated as companies move through the process.

	<p>5. Number of employers who receive VPP certification.</p>	<p>At the end of FY2019, a total of 21 Oregon companies were VPP certified. During the fiscal year, 1 new VPP site was added, 4 existing VPP sites were recertified and 1 site left the VPP program: <b>New Site:</b> Owen Corning Foamular Insulations LLC-Portland</p> <p><b>Recertified Sites:</b></p> <ol style="list-style-type: none"> <li>1. NuStar Energy, Shore Terminals LLC-Portland</li> <li>2. Marvin Wood Products- Baker City</li> <li>3. Linde North America- Medford</li> <li>4. Packaging Corp of America- Salem</li> </ol> <p><b>Remaining 16 Active VPP Sites:</b></p> <ol style="list-style-type: none"> <li>1. Cintas Corporation- Eugene</li> <li>2. Duro-Last Roofing Inc- Grants Pass</li> <li>3. Cintas Corporation- Tualatin</li> <li>4. Coca-Cola North America- Portland</li> <li>5. Klamath Energy LLC- Klamath Falls</li> <li>6. Phillips 66 Co- Portland Terminal-Portland</li> <li>7. Covanta Marion- Brooks</li> <li>8. Sherwin-Williams, Purdy Portland-Portland</li> <li>9. Phillips 66 Co-Portland Lubricants Plant-Portland</li> <li>10. Thermo Fischer Scientific LLC- Eugene</li> <li>11. Owens Corning- Portland</li> <li>12. Oldcastle Infrastructure- Wilsonville</li> <li>13. Timber Products- White City</li> <li>14. Georgia Pacific- Philomath</li> <li>15. Georgia Pacific Toledo</li> <li>16. Ameri Ties West- The Dalles</li> </ol> <p><b>Withdrawal Site:</b> Weyerhaeuser- Coos Bay</p>	<p>As of September 30, 2018, Oregon had the following 21 VPP sites:</p> <ol style="list-style-type: none"> <li>1. Duro-Last Roofing, Inc. , Grants Pass</li> <li>2. NuStar Energy, Shore Terminals LLC , Portland</li> <li>3. Cintas Corporation, Location #173 , Tualatin</li> <li>4. Sherwin-Williams - Purdy Portland , Portland</li> <li>5. Packaging Corp. of America, Salem Full-Line Plant , Salem</li> <li>6. Owens Corning - Linnton Asphalt Plant , Portland</li> <li>7. Oldcastle Infrastructure, DBA Oldcastle Precast , Wilsonville</li> <li>8. Marvin Wood Products , Baker City</li> <li>9. Timber Products - Spectrum Division , White City</li> <li>10. Georgia-Pacific - Philomath Operations , Philomath</li> <li>11. Georgia-Pacific - Toledo Operations , Toledo</li> <li>12. Phillips 66 Co. - Portland Lubricants Plant, Portland</li> <li>13. Phillips 66 Co. - Portland Terminal, Portland</li> <li>14. Weyerhaeuser - Coos Bay Timberlands, Coos Bay</li> <li>15. Linde North America - Medford Electronic &amp; Specialty Gases, White City</li> <li>16. Coca-Cola North America - Portland Syrup Plant, Portland</li> <li>17. Klamath Energy LLC, Klamath Cogeneration, Klamath Falls</li> <li>18. Thermo Fisher Scientific, LLC, Eugene</li> <li>19. AmeriTies West - Tie Plant, The Dalles</li> <li>20. Covanta Marion, Brooks</li> <li>21. Cintas Corporation, Location #172, Eugene</li> </ol>
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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 Efforts	<b>Videos:</b> 1. Number of new non-English videos created or acquired.	In FY2019 we added 2 multilingual videos.	In FY2018 we added 19 non-English Videos.
	2. Number of non-English videos checked out or viewed.	149 non-English video programs were checked out in FY2019.	206 non-English video programs were checked out in FY2018.
	<b>Publications, On-line APPs:</b> 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 FY19, Total 29: 16 new and 13 substantially revised <a href="#">publications</a> were developed: <ul style="list-style-type: none"> <li>• Steel erection in construction: requirements for competent persons (fact sheet *in English)*new</li> <li>• Ergonomics in construction and general industry *new</li> <li>• Application exclusion zone information sheet: steps to take for an AEZ *new</li> <li>• Application exclusion zone information sheet: an overview of the AEZ requirements *new</li> <li>• Hoja de información sobre la zona de exclusión de la aplicación de pesticidas: pasos a tomar para una AEZ *new</li> <li>• Hoja de información sobre la zona de exclusión de la aplicación de pesticidas: una visión general de los requisitos para la AEZ *new</li> <li>• Application Exclusion Zone: Oregon OSHA's Worker Protection Standard-In Spanish*new</li> <li>• Fall protection for setting and bracing wood trusses and rafters-in Spanish*new</li> </ul>	In FY2018, 23 total: 14 substantially revised <a href="#">publications</a> and 9 were developed: <ul style="list-style-type: none"> <li>• Using compressed air for cleaning (Fact sheet) *new</li> <li>• Protección de caídas en la industria de la construcción (Fall protection for the construction industry in Spanish) *new</li> <li>• Guardrail systems, stair rail systems, and handrails in general industry workplaces (Fact sheet)</li> <li>• Portable Ladders</li> <li>• Crane standard for construction activities (Fact sheet)</li> <li>• Hydro-Testing Self Contained Breathing Apparatus (Hazard alert) *new</li> <li>• Rhabdomyolysis (Hazard alert) *new</li> <li>• Agricultural Labor Housing Checklist</li> <li>• Heat illness (Sample program) *new</li> <li>• Fall Protection: requirements for the competent persons in construction *new</li> <li>• Scaffolding: requirements for the competent persons in construction (Fact sheet) *new</li> <li>• Noise exposure (Fact sheet)</li> </ul>

		<ul style="list-style-type: none"> <li>• Application Exclusion Zone: Oregon OSHA’s Worker Protection Standard*new</li> <li>• Safety monitoring for roofing work (fact sheet)*new</li> <li>• ¡No se trata solo de polvo! Qué debe saber acerca de la sílice cristalina, la silicosis y las normas sobre sílice de Oregon OSHA (It's not just dust! What you should know about silicosis and crystalline silica)*new</li> <li>• ! Alturas de activación que exigen el uso de protecciones contra caídas para la industria en general (Fall protection trigger heights for general industry)*new</li> <li>• ! Protección contra caídas en la construcción: requisitos para personas competentes (Fall protection in construction: requirements for competent persons)*new</li> <li>• Fighting farmland and rangeland wildfires guide*new</li> <li>• Securing Log Loads hazard alert*new</li> <li>• Alturas de activación para la protección contra caídas en actividades de la construcción (Fall protection trigger heights for the construction industry in Spanish)*new</li> <li>• Storage of agricultural pesticides fact sheet *revised</li> <li>• The control of hazardous energy (Lockout/Tagout) fact sheet *revised</li> <li>• Personal protective equipment: Selecting the right PPE for pesticide use *revised</li> <li>• Lista de verificación para la inspección de vivienda de trabajo agrícola (Agriculture labor housing inspection checklist in Spanish) *revised</li> <li>• Foundations of a safe workplace *revised</li> <li>• Guardrail systems, stair rail systems, and handrails in general industry workplaces *revised</li> <li>• Worker Protection Standard reference guide *revised</li> <li>• PPE Hazard Assessment Guide *revised</li> </ul>	<ul style="list-style-type: none"> <li>• Hearing protection (Fact sheet) *new</li> <li>• Bloodborne Pathogens guide</li> <li>• Workplace 101 guide</li> <li>• Quick guide to protecting your hearing</li> <li>• HAZWOPER guide</li> <li>• Lead in construction quick guide</li> <li>• Lead in construction (fact sheet)</li> <li>• Understanding Table 1 and the specified exposure control methods for silica dust *new</li> <li>• It's not just dust! What you should know about silicosis and crystalline silica</li> <li>• Point of Operation Guarding on Jump Saws and Inverted Cut-Off Saws hazard alert</li> <li>• The Air You Breathe. Oregon OSHA’s respiratory protection guide for agricultural employers</li> </ul>
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		<ul style="list-style-type: none"> <li>• Safe Practices When Working Around Hazardous Agricultural Chemicals *revised</li> <li>• Escaleras portátiles: Como usarlas sin sufrir caídas (Portable ladders in Spanish) *revised</li> <li>• Protección contra caídas para actividades de la construcción -guía condensada (Fall protection for construction activities – condensed guide in Spanish) *revised</li> <li>• Young worker safety in Spanish *revised</li> <li>• Young worker safety in English *revised</li> </ul>	
	<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 FY19, 17 <a href="#">publications</a> were reviewed for possible translation to another language.</p> <ul style="list-style-type: none"> <li>• Steel erection in construction: requirements for competent persons fact sheet *in English *new</li> <li>• Ergonomics in construction and general industry *new</li> <li>• Application exclusion zone information sheet: steps to take for an AEZ *new</li> <li>• Application exclusion zone information sheet: an overview of the AEZ requirements *new</li> <li>• Application Exclusion Zone: Oregon OSHA’s Worker Protection Standard *new</li> <li>• Safety monitoring for roofing work fact sheet *new</li> <li>• Fighting farmland and rangeland wildfires guide *new.</li> <li>• Securing Log Loads hazard alert *new</li> <li>• Storage of agricultural pesticides fact sheet</li> <li>• The control of hazardous energy (Lockout/Tagout) fact sheet</li> <li>• Personal protective equipment: Selecting the right PPE for pesticide use</li> <li>• Foundations of a safe workplace</li> <li>• Guardrail systems, stair rail systems, and handrails in general industry workplaces</li> <li>• Worker Protection Standard reference guide</li> <li>• PPE Hazard Assessment Guide</li> <li>• Safe Practices When Working Around Hazardous Agricultural Chemicals</li> <li>• Young worker safety in English</li> </ul>	<p>In FY18, 22 <a href="#">publications</a> were reviewed for possible translation to another language.</p> <ul style="list-style-type: none"> <li>• Using compressed air for cleaning (Fact sheet) *new</li> <li>• Guardrail systems, stair rail systems, and handrails in general industry workplaces (Fact sheet)</li> <li>• Portable Ladders</li> <li>• Crane standard for construction activities (Fact sheet)</li> <li>• Hydro-Testing Self Contained Breathing Apparatus (Hazard alert) *new</li> <li>• Rhabdomyolysis (Hazard alert) *new</li> <li>• Agricultural Labor Housing Checklist</li> <li>• Heat illness (Sample program) *new</li> <li>• Fall Protection: requirements for the competent persons in construction *new</li> <li>• Scaffolding: requirements for the competent persons in construction (Fact sheet) *new</li> <li>• Noise exposure (Fact sheet)</li> <li>• Hearing protection (Fact sheet) *new</li> <li>• Bloodborne Pathogens guide</li> <li>• Workplace 101 guide</li> <li>• Quick guide to protecting your hearing</li> <li>• HAZWOPER guide</li> <li>• Lead in construction quick guide</li> <li>• Lead in construction (fact sheet)</li> <li>• Understanding Table 1 and the specified exposure control methods for silica dust *new</li> <li>• It's not just dust! What you should know about silicosis and crystalline silica</li> </ul>

			<ul style="list-style-type: none"> <li>• Point of Operation Guarding on Jump Saws and Inverted Cut-Off Saws hazard alert</li> <li>• The Air You Breathe. Oregon OSHA’s respiratory protection guide for agricultural employers</li> </ul>
	<p><b>On-Line Courses:</b> 5. Continue review and revision of on-line course offerings and expand the number of on-line courses.</p>	<p>In FY2019, 9 online class were deployed and 11 online courses are still under revision / development.</p> <p><b>Deployed:</b></p> <ul style="list-style-type: none"> <li>• Job Hazard Analysis – Spanish Translation</li> <li>• Hazard Identification – Spanish Translation</li> <li>• Worker Protection Standard Workbook - Classroom</li> <li>• Application Exclusion Zone (AEZ) Video (English) - Classroom</li> <li>• Application Exclusion Zone (AEZ) Video (Spanish) – Classroom</li> <li>• Fundamentals of Fall Protection (1<sup>st</sup> in the Fall Protection Suite)</li> <li>• Bloodborne Pathogens – English</li> <li>• Ladder Safety (2<sup>nd</sup> in the Fall Protection Suite)</li> <li>• Hazard Communications-Aligned with GHS (English)</li> </ul> <p><b>Under revision/development (List of on-line courses):</b> Fall Protection Suite (3 out of 5 Courses)</p> <ul style="list-style-type: none"> <li>• Fall Protection in Construction</li> <li>• Fall Protection in Roofing</li> <li>• Walking Working Surfaces</li> </ul> <p><b>Bloodborne Pathogen Scenarios – Spanish Translation Completed, awaiting Captivate Development</b></p> <ul style="list-style-type: none"> <li>• Hospitality</li> <li>• Janitorial</li> <li>• Medical</li> </ul> <p><b>Under revision awaiting input into Spanish Course</b></p>	<p>In FY2018, 2 online class was deployed and 12 online courses are still under revision/development.</p> <p><b>Deployed:</b></p> <ul style="list-style-type: none"> <li>• Accident Investigation-Spanish Translation</li> <li>• Safety Meetings and Committees-Spanish Translation</li> </ul> <p><b>Under Revision/Development:</b></p> <ul style="list-style-type: none"> <li>• Fall Protection Suite ( 5 Courses)</li> <li>• Worker Protection Standard – Classroom</li> <li>• Application Exclusion Zone (AEZ) Video - Classroom</li> <li>• Hazard Identification – Spanish Translation Completed, awaiting Captivate Development</li> <li>• Job Hazard Analysis – Spanish Translation Completed, awaiting Captivate Development</li> <li>• Bloodborne Pathogen Scenarios – Spanish Translation Completed, awaiting Captivate Development: <ul style="list-style-type: none"> <li>• Hospitality</li> <li>• Janitorial</li> <li>• Medical</li> </ul> </li> </ul> <p><b>Awaiting Spanish Translation Contract</b></p> <ul style="list-style-type: none"> <li>• Recordkeeping and Reporting</li> <li>• Hazard Communication Aligned with GHS</li> <li>• Bloodborne Pathogens</li> </ul>



		<ul style="list-style-type: none"> <li>• Hazard Communication Aligned with GHS – Spanish Translation completed. Spanish course version being created.</li> <li>• Bloodborne Pathogens – Spanish Translation completed. Awaiting review before Spanish course version is created.</li> <li>• Roofing Interviews translated from Spanish to English. Awaiting input into Spanish course.</li> <li>• Fundamentals of Fall Protection Spanish Translation completed. Awaiting into Spanish course is created.</li> </ul> <p><b><u>Awaiting Spanish Translation Contract (List the on-line courses):</u></b></p> <ul style="list-style-type: none"> <li>• Recordkeeping and Reporting</li> </ul>	
	<p><b>Conferences:</b></p> <p>6. Coordinate with stakeholders to co-sponsor safety and health conferences throughout the state.</p>	<p>Oregon OSHA partnered with 7 stakeholders to co-sponsors conferences throughout the state in FY2019.</p> <ul style="list-style-type: none"> <li>• American Society of Safety Engineers (ASSE) – Southern Oregon Chapter, October 16-18, 2018, Ashland, OR</li> <li>• Association of Western Pulp &amp; Paper Workers (AWPPW) – Oregon Safety Council, November 27-30, 2018, Portland, OR</li> <li>• Central Oregon Safety &amp; Health Association (COSHA), January 28-29, 2019, Bend, OR</li> <li>• American Society of Safety Engineers (ASSE) – Columbia-Willamette Chapter, March 4-7, 2019, Portland, OR</li> <li>• Region X Voluntary Protection Program Participants’ Association (VPPPA), May 14-16, 2019, Portland, OR</li> <li>• Oregon Safety and Health Achievement Recognition Program (SHARP), June 3-4, 2019, Pendleton, OR</li> <li>• Central Oregon Safety &amp; Health Association (COSHA), September 16-17, 2019, Bend, OR</li> </ul>	<p>Seven conferences were held in FY2018.</p> <ul style="list-style-type: none"> <li>• Southern Oregon Occupational Safety &amp; Health Conference, 10/2017</li> <li>• Western Pulp, Paper, &amp; Forest Products Safety &amp; Health Conference, 12/2017</li> <li>• Mid-Oregon Construction Safety Summit, 1/2018</li> <li>• Cascade Occupational Safety &amp; Health Conferences, 3/2018</li> <li>• Northwest Safety &amp; Health Summit (by Region X VPPPA), Conference 5/2018</li> <li>• Blue Mountain Occupational Safety &amp; Health Conference, 6/2018</li> <li>• Central Oregon Occupational Safety &amp; Health Conference, 9/2018</li> </ul>

	<p><b>Other Outreach Activities:</b></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 287 other outreach activities that were provided to high hazard industries and vulnerable and hard-to-reach workers during FYTD 2019.</p> <p><b>54 Public Relations:</b>  20 Press Releases  10 Oregon OSHA Facebook Campaigns and Live Video Segments  18 posts  6 newsletters</p> <p><b>196 Consultation:</b> On-Site Trainings  <b>36 Public Education:</b> On-site training request</p> <p><b>1 Technical:</b> presented information about the SIP IV rulemaking – specific to its effects on the Construction industries at the Construction Advisory Committee meeting</p>	<p>There were 156 other outreach activities that were provided to high hazard industries and vulnerable and hard-to-reach workers during FYTD 2018.</p>
<b>Primary Outcome Measures</b>	<p><b>Training Sessions:</b></p> <p>8. Number of Non English language training sessions.</p>	In FY2019 there were 11 Non English language training sessions.	In FY2018 there were 6 Non English language training sessions.
	9. Number of attendees at Non English language training sessions.	In FY2019 there were 125 attendees at Spanish language training sessions.	In FY2018 there were 103 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 FY2019, there were 25,955 participants from small businesses and high hazard industries attending on-line training sessions. There were 4,087 (16%) participants from small businesses (defined as 20 or fewer employees) and 7,903 (30%) participants from high hazard industries.	In FY2018, there were 25,747 participants from small businesses and high hazard industries attending on-line training sessions. 6,260 (24%) participants were from small businesses (defined as 20 or fewer employees) and 11,735 (46%) participants were from high hazard industries.
	11. Number of participants at Oregon OSHA workshop training sessions.	There were 489 attendees at Oregon OSHA workshop training sessions in FY2019.	There were 499 attendees at Oregon OSHA workshop training sessions in FY2018
	<p><b>Educational Activities:</b></p> <p>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.</p>	In FY2019, 1 set of safety training materials in Spanish and 2 new online courses were created and deployed to the Oregon OSHA public education web site, as an educational resource that was directed to small employers, high hazard industries, and vulnerable or hard-to-reach worker populations.	In FY2018, 6 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.
			<p><b>On-line Classes Under Revision:</b></p> <ul style="list-style-type: none"> <li>Hazard Identification Scenario – Office Environment</li> </ul>

		<p><b>Safety Training Materials and On-line Classes Created and Deployed to the Public Education Web Site:</b></p> <ul style="list-style-type: none"> <li>• PESO Residential Construction safety training materials in Spanish.</li> <li>• PowerPoint for Fundamentals of Fall Protection course</li> <li>• PowerPoint for Ladder Safety course</li> </ul>	<ul style="list-style-type: none"> <li>• Hazard Identification Scenario - Safe Chemical Use</li> <li>• All Terrain Vehicle (ATV) Safety (English) – Converted to responsive format</li> <li>• Safety Meetings and Committees (English) – Converted to responsive format</li> <li>• Whistleblower – Converted to updated template</li> <li>• Portable Ladder Safety – Redesigned and Updated Quiz</li> </ul>
	13. Other educational activities directed to small employers and to high-hazard industries.	There were no other educational activities directed to small employers and to high-hazard industries in FY2019.	There were no other educational activities directed to small employers and to high-hazard industries in FY2018
	14. Number of participants at Oregon OSHA conference sessions.	<p>A total of 3382 participants attended conferences in FY2019. Attendees at all sessions were 16,741.</p> <p>Attendance at the conferences was as follows:</p> <ul style="list-style-type: none"> <li>• Southern Oregon Occupational Safety &amp; Health Conference: 375 attendees, 1999 attendees in all sessions</li> <li>• Western Pulp, Paper, &amp; Forest Products Safety &amp; Health Conference: 446 attendees, 2521 attendees in all sessions</li> <li>• Mid-Oregon Construction Safety Summit: 301 attendees, 957 attendees in all sessions</li> <li>• Oregon Governor’s Occupational Safety &amp; Health Conference: 1455 attendees, 7,890 attendees in all sessions</li> <li>• Northwest Safety &amp; Health Summit (by Region X VPPPA), Conference: 264 attendees, 1241 attendees in all sessions</li> <li>• Blue Mountain Occupational Safety &amp; Health Conference: 300 attendees, 944 attendees in all sessions</li> <li>• Central Oregon Occupational Safety &amp; Health Conference: 241 attendees, 1189 attendees in all sessions</li> </ul>	<p>A total of 2,061 participants attended conferences in FY2018. Attendees at all sessions were 9,115.</p> <p>Attendance at the conferences was as follows:</p> <ul style="list-style-type: none"> <li>• Southern Oregon Occupational Safety &amp; Health Conference: 350 attendees, 1,854 attendees in all sessions</li> <li>• Western Pulp, Paper, &amp; Forest Products Safety &amp; Health Conference: 436 attendees, 2,354 attendees in all sessions</li> <li>• Mid-Oregon Construction Safety Summit: 242 attendees, 739 attendees in all sessions</li> <li>• Cascade Occupational Safety &amp; Health Conference: 251 attendees, 975 attendees in all sessions</li> <li>• Northwest Safety &amp; Health Summit (by Region X VPPPA), Conference: 207 attendees, 987 attendees in all sessions</li> <li>• Blue Mountain Occupational Safety &amp; Health Conference: 295 attendees, 910 attendees in all sessions</li> <li>• Central Oregon Occupational Safety &amp; Health Conference: 280 attendees, 1,296 attendees in all sessions</li> </ul>

	<b>Consultations:</b> 15. Number and percentage of consultations provided to small employers.	In FY2019, 1431 out of 2467 (58%) consultations were provided to small employers.	In FY2018, 1402 out of 2471 (56.73%) consultations were provided to small 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 FY2019, 1034 out of 2467 (41.4%) consultations were provided to employers who had not used Oregon OSHA's consultation services during the previous five years.	In FY2018, 1040 out of 2471 (42.08%) consultations were provided to employers who had not used Oregon OSHA's consultation services during the previous five years.

## 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
<b>Activity Measures</b>	1. Activities undertaken in collaboration with stakeholder groups and partnerships to increase occupational safety and health awareness.	<p>Stakeholder groups and partnership activities during the 4th quarter, FY2019:</p> <p><b><u>Agriculture:</u></b>  <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 Farmworker Housing Task Force, to review the needs of the Farmworker Housing Community. These members are also involved with innovative solutions for worker housing and a tax credit work group to advise about proposed legislation for credits related to farm labor housing.</p> <p><u>Small Agricultural Employer Advisory Committee and the 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. The group is currently meeting to address rulemaking issues related to agriculture.</p> <p><u>The Pesticide Analytical Response Center (PARC):</u> In the 4<sup>th</sup> Quarter there was only one event involving PARC and Oregon OSHA. The event was classified as a concern to PARC rather than a case, because the employees did not experience adverse health effects. Three cement truck drivers waiting outside their trucks for their turn to deliver concrete were drifted on</p>	

by an aerial applicator making a pesticide application to the neighboring hemp farm. Oregon OSHA's involvement was limited as the employer's response was swift – identifying the pesticide, the applicator and contacting the Oregon Department of Agriculture to report and sending the employees home to shower. A phone conversation with the safety director was made to bring to their attention the potential contamination to the employees personal vehicles as a result of not changing clothes prior. Pesticide safety is not a familiar topic to cement companies.

Pacific Northwest Agriculture Safety and Health (PNASH): Q4

Nothing new to report

Deschutes County Farm Bureau: Q4 the Deschutes Farm Bureau is an active partner with the Broken Top ASSP and the Central Oregon Occupational Safety and Health Conference.

**Construction:**

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. Members on 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.

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.

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.

SafeBuild Alliance: SafeBuild Alliance was awarded an Oregon OSHA training and education grant to produce training materials for middle managers in the construction safety field to work with employees to address safety culture in the workplace.

Oregon Home Builders Association (OHBA): Q4 nothing new to report

West Coast Chapter – International Association of Foundation Drilling - Oregon OSHA presented at the WCC-ADSC 2019 convention in cooperation with the Alliance.

**Health, Healthcare, and Ergo:**

Oregon Coalition for Healthcare Ergonomics

(OCHE): OCHE continues to roll out the Oregon Association of Hospitals and Healthcare Association (OAHHS) is providing a comprehensive tool box titled: Workplace Violence Prevention: Implementing Strategies for Safer Healthcare Organizations and has been placed on the Oregon OSHA website. OCHE worked with OAHHS to provide the latest research based best practices for the tool kit.

<https://osha.oregon.gov/edu/grants/train/Documents/oahh-s-workplace-safety-violence-prevention-toolkit.pdf>

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 attends scheduled meetings of an interagency work group that coordinates the Oregon Wildfire Response Protocol for Severe Smoke Episodes.

Center for Health Protection (OHA): In Q4 Oregon OSHA worked with the OHA Radiation Protection Program to investigate worker exposure to radiation.

Center for Public Health Practice (OHA): Q4 Nothing new to report.

Center for Health Promotion and Prevention (OHA): Oregon OSHA and the Oregon Health Authority, Public Health Division, Adult Lead and Epidemiology

Surveillance are collaborating and identify information on elevated blood lead levels. The data collected is instrumental in targeted lead inspection activity. Oregon OSHA and OHA also looked at Cadmium sampling results in employee exposure.

Oregon OSHA Partnership Committee: The Oregon OSHA Partnership Committee did not meet in Q4.

Oregon Institute of Occupational Health Sciences:

Oregon OSHA, Oregon Institute of Occupational Health Sciences, and SAIF continue to meet for the TWH alliance. The TWH presentations on TWH 101 continued at Central Oregon, and Southern Oregon Occupational Safety and health Conference. Survey results from participants evaluations ranked the training as valuable information that can be implemented immediately at my workplace.

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.

Oregon Home Care Commission: Q4 nothing new to report.

SAIF (State Accident Insurance Fund): Oregon OSHA, Oregon Institute of Occupational Health Sciences, and SAIF continue to meet for the TWH alliance. The TWH presentations on TWH 101 continued at Central Oregon, and Southern Oregon Occupational Safety and health Conference. Survey results from participants evaluations ranked the training as valuable information that can be implemented immediately at my workplace.

Total Worker Health Alliance (TWH®): Oregon OSHA, Oregon Institute of Occupational Health Sciences, and SAIF continue to meet for the TWH alliance. The TWH presentations on TWH 101 continued at the GOSH conference during Q3. Survey results from participants evaluations ranked the training as valuable information that can be implemented immediately at my workplace.

**Forestry and Firefighters:**

Forest Activities Advisory Committee (FAAC): The committee held its regularly scheduled quarterly meeting on June 13, 2019. Discussion items included citations and outcomes for accident and fatality investigations;



how to educate the logging industry to help prevent reoccurrence of injuries and fatalities; Washington L & I Logging Initiative Program; review current list of potential Division 7 rulemaking items; using rigging to assist in rescues when time is critical for survival; Tethered Logging Program Directive revision; and third quarter overnight hospitalizations & fatalities.

Fire Service Advisory Committee: Fire Service Advisory Committee continues to meet and discuss ongoing rulemaking related to Manganese/Welding, SIP IV and non-entry firefighting.

Fire Chiefs Association: Nothing new to report.

Oregon OSHA and Washington Department of Occupational Safety and Health: Nothing new to report.

**Other:**

Oregon Utility Safety Commission: 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.

Oregon Public Utility Commission: 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.

Oregon Restaurant & Lodging Association (ORLA): The Oregon Restaurant and Lodging Association continue to meet with Oregon OSHA on a quarterly basis.

Oregon Young Employee Safety, O[yes]: O[yes] Young Worker Employee Safety Coalition website can be found at <http://youngemployeesafety.org/> O[yes] held their annual strategic planning meeting during Q4, setting priorities for next year. The O[yes] online certification training for young workers to receive safety and health training and education complete is available on the O[yes] and Oregon OSHA website <https://osha.oregon.gov/edu/grants/train/Pages/oyes-online-training.aspx>

ASSP is working with O[yes] and Oregon OSHA on updating the young worker training for a national audience. This project is still in process.

Mt. Hood Community College: Nothing new to report.

Information regarding Oregon OSHA partnerships, alliances and collaborations can be found at [this link](#).

		<p><u>Wind Energy</u>: Nothing new to report.</p> <p><u>Oregon Occupational Fatality Assessment and Control Evaluation (FACE)</u>: Oregon OSHA and 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.  <a href="https://osha.oregon.gov/collaborations/Pages/loa/FACE.aspx">https://osha.oregon.gov/collaborations/Pages/loa/FACE.aspx</a></p> <p><u>Oregon Wine Board</u>: 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.</p> <p><u>Oregon Wine Association</u>: Nothing new to report.</p> <p><u>Oregon Brewers Guild</u>: Nothing new to report.</p> <p><u>Oregon Funeral Directors Association</u>: Nothing new to report.</p> <p><u>EMPLEO</u>: The EMLEO group met during Q4 and continues to provide outreach and education to ensure worker protections for vulnerable populations.</p> <p><u>Oregon Employment Department</u>: The MOU has been in place for two years and Oregon OSHA and the Oregon Employment Department are updating the MOU based on strengths and weaknesses from the prior year. 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>	
	2. Identify partnerships and stakeholder groups in high hazard, emerging and existing industry sectors.	<p>Potential partnership in target industries in FY2019:</p> <ul style="list-style-type: none"> <li>• There are no new potential partnership opportunities in target industries at this time.</li> </ul>	
<b>Intermediate Outcome Measure</b>	3. Number of Oregon OSHA stakeholder collaborations and partnerships.	There were a total of 40 Oregon OSHA stakeholder collaborations and partnerships in FY2019.	FY14 Baseline 32

<p><b>Primary Outcome Measures</b></p>	<p>4. Number of alliances developed and status of goals.</p>	<p>There are a total of six current alliances developed, (the status of their goals is included in section 1.)</p> <ul style="list-style-type: none"> <li>• Oregon Coalition for Healthcare Ergonomics (OCHE)</li> <li>• Oregon Restaurant &amp; Lodging Association (ORLA)</li> <li>• Oregon Home Builders Association (OHBA)</li> <li>• Employment, Education and Outreach (EMPLEO)</li> <li>• Total Worker Health®</li> <li>• West Coast Chapter-International Association of Foundation Drilling</li> </ul> <p>These alliances are on our website:  <a href="http://osha.oregon.gov/collaborations/Pages/alliances.aspx">http://osha.oregon.gov/collaborations/Pages/alliances.aspx</a> and on the federal OSHA website:  <a href="https://www.osha.gov/dcsp/alliances/regional/reg10_portland.html">https://www.osha.gov/dcsp/alliances/regional/reg10_portland.html</a></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>
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	<p>5. Number of partnerships in targeted industry sectors and achievements.</p>	<p>At the end of FY2019, there were 23 partnerships in target industries:</p> <p><b><u>Agriculture:</u></b></p> <ul style="list-style-type: none"> <li>• Department of Housing and Community Services, Department of Revenue, and Oregon OSHA</li> <li>• Small Agriculture Advisory Committee</li> <li>• Agriculture Labor Housing Advisory</li> <li>• Farm Worker Housing Committee</li> <li>• Pesticides Analytical and Response Center</li> <li>• Pacific Northwest Safety and Health (PNASH)</li> <li>• Deschutes County Farm Bureau</li> </ul> <p><b><u>Construction:</u></b></p> <ul style="list-style-type: none"> <li>• Construction Advisory Committee</li> <li>• Landscape Contractors Board</li> <li>• SafeBuild Alliance</li> <li>• Oregon Home Builders Association (OHBA)</li> <li>• Construction Safety Summit</li> <li>• West Coast Chapter-International Association of Foundation Drilling</li> </ul> <p><b><u>Logging:</u></b></p> <ul style="list-style-type: none"> <li>• Forest Activities Advisory Committee (FAAC)</li> </ul> <p><b><u>Health Care:</u></b></p> <ul style="list-style-type: none"> <li>• Oregon Coalition for Health Care Ergonomics (OCHE)</li> <li>• Oregon Home Care Commission</li> <li>• Oregon OSHA Health Authority (OHA) <ul style="list-style-type: none"> <li>○ Center for Health Protection</li> <li>○ Center for Public Health Practice</li> <li>○ Center for Health Promotion and Prevention</li> </ul> </li> <li>• Oregon Institute of Occupational Health Sciences</li> <li>• SAIF</li> <li>• Total Worker Health®</li> </ul>	<p>Please see Partnerships, Activity Measure #1 for individual partnership activities.</p>
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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.

### 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	<b>Inspections – Health:</b> 1. Total number of <i>health</i> inspections.	Total <i>health</i> inspections: 809 in FY2019. This is 91 inspections less than the FY2019 goal of 900.	Total <i>health</i> inspections: 815 in FY2018. This is 85 inspections less than the FY2018 goal of 900.
	2. Total number of <i>health</i> inspections in high hazard industries.	Total <i>health</i> inspections in high hazard industries: 545 in FY2019.	Total <i>health</i> inspections in high hazard industries: 571 in FY2018.
	3. Percentage of <i>health</i> inspections in high hazard industries compared to target of 60%.	In FY2019, the target was met with 67% (545/809) of health inspections conducted in high hazard industries. (Target = 60%)	In FY2018, the target was met with 70% (571/815) of health inspections conducted in high hazard industries. (Target = 60%)
	4. Total number of serious <i>health</i> hazards identified in enforcement.	There were 741 serious <i>health</i> hazards identified in enforcement in FY2019.	There were 742 serious <i>health</i> hazards identified in enforcement in FY2018.
	<b>Inspections - Safety:</b> 5. Total number of <u>safety</u> inspections.	There were 2570 <u>safety</u> inspections. This is 830 inspections below the goal of 3,400 in FY2019.	There were 2,479 <u>safety</u> inspections. This is 921 inspections below the goal of 3,400 in FY2018.
	6. Total number of <u>safety</u> inspections in high hazard industries.	There were 2201 <u>safety</u> inspections in high hazard industries in FY2019.	There were 2,029 <u>safety</u> inspections in high hazard industries in FY2018.
	7. Percentage of <u>safety</u> inspections in high hazard industries compared to target of 75%.	In FY2019 the target was exceeded with 86% (2201/2570) of <u>safety</u> inspections in high hazard industries. (Target = 75%)	In FY2018 the target was exceeded with 82% (2029/2479) of <u>safety</u> inspections in high hazard industries. (Target = 75%)
	8. Total number of serious <u>safety</u> hazards identified in enforcement.	In FY2019 there were 1726 serious <u>safety</u> hazards identified in enforcement.	In FY2018 there were 1,819 serious <u>safety</u> hazards identified in enforcement.

	<p><b>Programmed and Non-Programmed Visits:</b></p> <p>9. The number and percentage of programmed and non-programmed enforcement visits in high-hazard industries.</p>	<p>In FY2019:</p> <p>Safety – 52.7 % (1355/2570) programmed 32.9% (846/2570) non-programmed</p> <p>Health – 23.4% (190/809) programmed 43.8% (355/809) non-programmed</p> <p>Total – 45.7% (1545/3379) programmed 35.5% (1201/3379) non-programmed</p> <p>Safety – 36 programmed related Health – 0 programmed related Total – 36 programmed related</p> <p>Note: the sum of programmed and non-programmed inspections per discipline in high hazard industries.</p>	<p>In FY2018:</p> <p>Safety – 50.1 % (1242/2479) programmed 31.7% (787/2479) non-programmed</p> <p>Health – 27.1% (221/815) programmed 43.6% (351/815) non-programmed</p> <p>Total – 44.4% (1463/3294) programmed 34.5% (1138/3294) non-programmed</p> <p>Safety – 39 programmed related Health – 1 programmed related Total – 40 programmed related</p> <p>Note: the sum of programmed and non-programmed inspections per discipline in high hazard industries.</p>
	<p><b>Consultation – Health:</b></p> <p>10. Total number of <i>health consultations</i>.</p>	<p>840 health consultations that include Process Safety Management and Ergonomics were conducted in FY2019.</p>	<p>796 health consultations that include Process Safety Management and Ergonomics were conducted in FY2018.</p>
	<p>11. Total number of <i>health consultations</i> in high hazard industries.</p>	<p>368 Health Consultations in High Hazard industries were conducted by consultants in FY2019.</p>	<p>384 Health Consultations in High Hazard industries were conducted by consultants in FY2018.</p>
	<p>12. Percent of <i>health consultations</i> in high hazard industries.</p>	<p>43.8%, 368 of 840 health consultations in high hazard industries in FY2019.</p>	<p>48.24%, 384 of 796 health consultations in high hazard industries in FY2018.</p>
	<p>13. The number of serious <i>health hazards</i> identified during on-site <i>consultation</i> activities.</p>	<p>4328 serious health hazards were identified during on-site consultation activities in FY2019.</p>	<p>3,626 serious health hazards were identified during on-site consultation activities in FY2018.</p>
	<p><b>Consultation – Safety:</b></p> <p>14. Total number of <i>safety consultations</i>.</p>	<p>1627 Safety consultations were conducted in FY2019.</p>	<p>1675 Safety consultations were conducted in FY2018.</p>
	<p>15. Total number of <i>safety consultations</i> in high hazard industries.</p>	<p>1083 Safety Consultations in high hazard industries were conducted by consultation in FY2019.</p>	<p>1145 Safety Consultations in high hazard industries were conducted by consultations in FY2018.</p>
	<p>16. Percent of <i>safety consultations</i> in high hazard industries.</p>	<p>66.56%, 1083 of 1627 Safety consultations were in high hazard industries in FY2019.</p>	<p>69.35%, 1145 of 1675 Safety consultations were in high hazard industries in FY2018.</p>
	<p>17. The number of <i>serious safety hazards</i> identified during on-site <i>consultation</i> activities.</p>	<p>9214 <i>serious safety hazards</i> were identified during on-site consultation activities in FY2019.</p>	<p>7590 <i>serious safety hazards</i> were identified during on-site consultation activities in FY2018.</p>

	<p><b>High Hazard Consultations:</b> 18. The number and percentage of <u>consultation</u> visits in high-hazard industries compared to target of 50%.</p>	<p>58.81%, 1451 of 2467 of all consultation activities were in high hazard industries in FY2019. The target is 50%.</p>	<p>61.88%, 1529 of 2471 of all consultation activities were in high hazard industries in FY2018. The target is 50%.</p>
	<p><b>Ergonomics Consultations</b> 19. Total number of safety and health ergonomics consultations.</p>	<p>In FY2019 there were 117 safety and health ergonomics consultations.</p>	
	<p>20. Total number of safety and health ergonomics consultations in industries with high MSD rates.</p>	<p>There were 85 safety and health ergonomics consultations in industries with high MSD rates in FY2019.</p>	<p><i>Please see the Performance Goal: Safety and Health Hazards, Ergonomics narrative for more details.</i></p>
	<p><b>Workplace Violence</b> 21. Number of inspections where workplace violence was addressed.</p>	<p>In FY2019 there were 28 inspections where workplace violence was addressed.</p>	<p>In FY2018 there were 24 inspections where workplace violence was addressed.</p>
	<p>22. Number and type of workplace violence focused outreach efforts.</p>	<p>FY2019 there were 1286 workplace violence focused outreach efforts these types, Consultations, Public Education on-line courses and Inspections.</p> <ul style="list-style-type: none"> <li>• 361 Consultations</li> <li>• 897 Public Education</li> <li>• 28 Enforcement inspections.</li> </ul>	<p>FY2018 there were 980 workplace violence focused outreach efforts these types, Consultations, Public Education on-line courses, Inspections, Conference sessions, Special Interest Group Meetings, and On-Site Training Requests.</p> <ul style="list-style-type: none"> <li>• 165 Consultations</li> <li>• 24 Enforcement inspections</li> <li>• 778 students completing the Violence Prevention Program on-line course</li> <li>• 9 sessions related to workplace violence at four Oregon OSHA conferences</li> <li>• 3 participation in a Workplace Violence Prevention interest group meeting</li> <li>• 1 on-site training request on Workplace Violence Prevention</li> </ul>
	<p>23. Number of consultations where workplace violence was addressed.</p>	<p>There were 361 consultations where workplace violence was addressed in FY2019.</p>	
<p>NOTE: High hazard industries for safety is defined by list A-G, construction, logging, and all other emphasis programs not already counted. High hazard industries for health is defined by list A, construction, logging, and all other emphasis programs not already counted. 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> <p>(private/private &amp; public) percent change</p> <p>CY2018: 2.2/2.2.....(0.0%)</p> <p>CY2017: 2.2/2.2 (-4.3%)</p> <p>CY2016: 2.4/2.3 (9.5%)</p> <p>CY2015: 2.1/2.1 (-8.7%)</p> <p>CY2014: 2.2/2.3 (4.5%)</p> <p>CY2013: 2.2/2.2 (0.0%)</p> <p>CY2012: 2.2/2.2 (4.8%)</p> <p>CY2011: 2.1/2.1 (-4.5%)</p> <p>CY2010: 2.2/2.2 (-4.3%)</p> <p>CY2009: 2.3/2.3 (-8.0%)</p> <p>CY2008: 2.5/2.5 (-10.7%)</p> <p>CY2007: 2.8/2.8 (0.0%)</p> <p>CY2006: 2.8/2.8 (-3.4%)</p> <p>CY2005: 2.9/2.9 (-3.3%)</p> <p>CY2004: 3.1/3.0 (3.4%)</p> <p>CY2003: 3.1/2.9 (-6.5%)</p>	CY2018: This reflects a 24.14% reduction in the public/private rate since CY2003.
	25. Percent change in the statewide total case incidence rate, TCIR (reported annually.)	<p>TCIR rate history</p> <p>(private/private &amp; public) percent change</p> <p>CY2018: 3.6/3.7 (-2.6)</p> <p>CY2017: 3.8/3.8.....(-5.0)</p> <p>CY2016: 4.0/4.0 (5.3)</p> <p>CY2015: 3.7/3.8 (-5.0)</p> <p>CY2014: 3.9/4.0 (-2.4)</p> <p>CY2013: 4.1/4.1 (2.5%)</p> <p>CY2012: 3.9/4.0 (2.6%)</p> <p>CY2011: 3.8/3.9 (-2.5%)</p> <p>CY2010: 3.9/4.0 (-11.1%)</p> <p>CY2009: 4.43/4.5 (-4.3%)</p> <p>CY2008: 4.6/4.7 (-9.6%)</p> <p>CY2007: 5.1/5.2 (0.0%)</p> <p>CY2006: 5.3/5.2 (-3.7%)</p> <p>CY2005: 5.4/5.4 (-6.9%)</p> <p>CY2004: 5.8/5.8 (3.6%)</p> <p>CY2003: 5.6/5.69 (n/a%)</p>	CY2018: This reflects a 33.93% reduction in the private & public rate since CY2003.
	<b>Comments:</b>	<b>Enforcement Statistics are from IMD reports, effective FY11. Reporting before FY11 used NCR local reports.</b>	CY2017 DART and TCIR rates were updated in October 2018 by the Bureau of Labor and Statistics.

## 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
<b>Activity Measures</b>	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.
<b>Primary Outcomes Measures</b>	2. An increase in the identification and correction of serious hazards, for a 5-year total of at least 817.	The FY2019 5-year rolling average is 818, which is 10.1% (818/743) above the base indicator.	The FY2018, 5-year rolling average is 801, which is 7.8% (801/743) above the base indicator.

## 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 192 Trenching inspections and consultations.  63 inspections, 129 consultations	
	2. Total number of Falls In Construction inspections and consultations in emphasis programs.	There were 1151 Falls In Construction inspections and consultations.  548 inspections, 603 consultations	
	3. Total number of Struck-By in Logging inspections and consultations in emphasis programs.	There were 45 Struck-By In Logging inspections and consultations.  23 inspections, 22 consultations	
	4. Total number of Agricultural Labor Housing inspections and consultations in emphasis programs.	There were 98 Agricultural Labor Housing inspections and consultations.  48 inspections, 50 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 73 Field Sanitation inspections and consultations.  29 inspections, 44 consultations	
	6. Total number of Pesticide inspections and consultations in emphasis programs.	There were 120 Pesticide inspections and consultations.  45 inspections, 75 consultations	
	7. Total number of Lead inspections and consultations in emphasis programs.	There were 125 Lead inspections and consultations.  65 inspections, 60 consultations	

8. Total number of Silica inspections and consultations in emphasis programs.	There were 243 Silica inspections and. 59 inspections, 184 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 59 Diisocyanate inspections and consultations. 41 inspections, 18 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 14 Process Safety Management inspections and consultations. 6 inspections, 8 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 emphasis programs.	There were 75 Combustible Dust inspections and consultations. 17 inspections, 58 consultations	
12. Total number of Hexavalent Chromium inspections and consultations in emphasis programs.	There were 78 Hexavalent Chromium inspections and consultations. 20 inspections, 58 consultations	
13. Total number of Amputation inspections and consultations in emphasis programs.	There were 471 Amputation inspections and consultations. 75 inspections, 396 consultations	
14. Total number of Nursing and Residential Care Facilities inspections and consultations in emphasis programs.	There were 117 Nursing and Residential Care Facilities inspections and consultations. 68 inspections, 49 consultations	
15. Total number of Diacetyl inspections and consultations in emphasis programs.	There were 0 Diacetyl inspections and consultations. 0 inspections, 0 consultations	
16. Total number of Severe Violator Enforcement Program inspections and consultations in emphasis programs.	There were 2 Severe Violator Enforcement Program inspections and consultations. 2 inspections, 0 consultations	

	17. Total number of Tethered Logging inspections and consultations in emphasis programs.	There were 2 Tethered Logging inspections and consultations.  1 inspections, 1 consultations	
	18. Preventing Heat Related Illness inspections and consultations in emphasis programs.	There were 1059 Preventing Heat Related Illness inspections and consultations.  618 inspections, 441 consultations	
<b>Primary Outcome</b>	19. Percent of all safety and health inspections conducted in local and national emphasis programs.	In FY2019, 51% (1728/3379) of all safety and health inspections conducted in local and national emphasis programs.  48% (1240/2570) of all <u>safety</u> inspections were conducted in local and national emphasis programs. 60% (488/809) of all <i>health</i> inspections were conducted in local and national emphasis programs.	
	20. Percent of all <b>consultation</b> conducted in local and national emphasis programs.	In FY2019, 89% (2196/2467) of all consultations were conducted in local and national emphasis programs.	
	<b>Comments:</b>	<b>Enforcement Statistics are from IMD reports, effective FY11. Reporting before FY11 used NCR local reports.</b> 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.

## 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 3379 enforcement inspections in FY2019 and this fell short of the FY2019 goal of 4300 by 21.4%.	There were 3294 enforcement inspections in FY2018 and this fell short of the FY2018 goal of 4300 by 23.3%. 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 2467 consultations in FY2019.	The total number of consultations include: safety, ergonomics and process safety management consultations.

	<p><b>Comprehensive Consultations-Safety and Health-with identified and corrected hazards-Pilot Project</b></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 FY2019, Oregon OSHA Consultation continued to market the Pilot Project to Oregon Employers.	
	<p>4. The number of Safety and Health comprehensive consultations with identified and corrected hazards in the Pilot Project.</p>	In FY2019, there were 4 employers with Safety and Health comprehensive consultations with identified and corrected hazards in the Pilot Project.	
<b>Intermediate Outcome Measure</b>	<p>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.</p>	In FY2019, there was a combined average penalty of \$2515 for 1395 violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and 701 where the standard was rated and cited as a “death” violation. Of these, 324 violations were in both categories.	In FY2018, there was a combined average penalty of \$1,565 for 1765 violations where the standard cited suggests that the violation will normally create a meaningful increase in the risk of workplace death and 864 where the standard was rated and cited as a “death” violation. Of these, 445 violations were in both categories.
<b>Primary Outcome Measures</b>	<p>6. Number of compensable fatalities (reported quarterly fiscal year and annual calendar year)</p>	There were 35 accepted compensable fatalities in CY2018.	There were 35 accepted compensable fatalities in CY2017.
	<p>7. Compensable fatality rate (reported annually – calendar year)</p>	The compensable fatality rate report in CY2018 is 1.81.	The compensable fatality rate report in CY2017 is 1.84.

	<p>7. Compensable fatality rate (reported annually-calendar year).</p>	<p>Breakout of the CY2018, 35 fatalities:</p> <p>14 – Roadway accidents  2– Slip, trip, or fall accident  8 – Struck by or against objects  1 –Illness  5 – Caught in machinery accident  3 – Exposure to harmful substance or environment  1 – Non-roadway accident  1–Fire or explosion</p> <p>History:  CY2018 rate: 1.81 (35 fatalities)  CY2017 rate: 1.84 (35 fatalities)  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>For summary of fatalities reported to Oregon OSHA and their compensability status, please refer to the Charts section.</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"> <li>• The CY2015 rate: 1.50 is the rate for the 1<sup>st</sup> year of the 5-yr strategic plan FY16-FY20.</li> </ul> <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><b>Comments:</b></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.

## 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
<b>Activity Measure</b>	1. Document and follow-up on untimely openings of fatality and imminent danger complaint inspections.	There were no untimely openings of fatality inspections and 1 untimely opening of an imminent danger complaint inspection in FY2019.	There were 5 untimely openings of fatality inspections and 0 untimely opening of an imminent danger complaint inspection in FY2018.
<b>Primary Outcomes</b>	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).	<p>FY2019 Response Times: Timely Response to Fatalities: 97.5% (39 of 40) Oregon OSHA has reviewed the following inspection/investigations and consider them timely as explained.</p> <ul style="list-style-type: none"> <li>➤ 317722596: Oregon law enforcement controlled site and initiated the initial investigation that preceded Oregon OSHA's inspection.</li> <li>➤ 317724667 Oregon law enforcement conducting investigation. WCD conducting non-complying employer investigation prior to Oregon OSHA investigation.</li> <li>➤ 317724736: Originally an accident opened 4 working days after reported. Victim passed away same day as opened. Accident switched to fatality.</li> </ul> <p>OSHA reports 34 of 37 Oregon OSHA inspection/investigations as timely on their FY19 MAM report, Measure 10. OSHA's 37 count excludes the 3 inspection/investigations above from Oregon OSHA's count of 40.</p>	<p>FY2018 Response Times: Timely Response to Fatalities: 86% (31 of 36)</p> <ul style="list-style-type: none"> <li>➤ 317720496: Untimely. Employer reported fatality via OERs on Saturday, information was not evaluated by field office manager until Tuesday.</li> <li>➤ 317720779: Untimely. Enforcement manager was in route from the Salem Central Office to the Bend office which delayed he information evaluation and inspection assignment. Federal OSHA considers this untimely.</li> <li>➤ 317721480: Untimely. Field Office Manager did not evaluate fatality within 24hrs.</li> <li>➤ 317721615: Untimely. Initially evaluated as NFA, was re-evaluated 4 days later, changed to inspection.</li> <li>➤ 317721984: Untimely. Accident occurred 5/17/18. Reported to OSHA 9/19/18 by DCBS research section. Opened on 9/26/18.</li> <li>➤ 317719166: Oregon OSHA considers this inspection <u>timely</u>. Oregon Law Enforcement controlled the site and initiated the initial investigation that preceded the employer's investigation and the following Oregon</li> </ul>

	<p><u>Imminent Danger Complaint Inspections:</u> Attempt within 24 hours of notification. (Data reflects Oregon OSHA attempt from time of notification. Note report separately Imminent Danger Referral count, as needed by Fed OSHA.).</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>	<p>OSHA’s 34 count results in 3 secondary employer fatality inspection/investigations that are excluded from the Federal OSHA, SAMM report, Measure 10, 37 count. The employer related secondary investigations are 317723967, 317723869, and 317725232</p> <p>FY2019 Timely Response to Complaints: Oregon OSHA Imminent Danger Complaints: 97.9% (47 of 48) 317722528: mis-understanding of required open inspection date.</p> <p>OSHA reports 39 of 45 Oregon OSHA imminent danger complaint inspections as timely on their FY19 MAM report, Measure 3. Oregon OSHA has reviewed the following imminent danger complaint inspections and considers them timely, since inspections were attempted but there was no activity at the site for 317724359, 317725115, 317723154, 317723741, and 317725557. Oregon OSHA agrees that imminent danger complaint inspection 317722528 is untimely.</p> <p>Imminent Danger Referral inspections attempted within 24 hours of notification were: (5 of 5) 100%.</p> <p><u>Imminent Danger Complaint Inspections:</u>      Serious: 97.6% (742 of 760)      Other-Than-Serious: 99.5% (405 of 407)      Complainants: 94.1% (1052 of 1119)</p> <p><b>Investigation:</b>      Investigations: 96.4% (836 of 867)</p> <p><b>Family Letter:</b>      Investigated: 98.5% (69 of 70) see explanation below.      All Family letters sent: 70</p>	<p>OSHA inspection/investigation. Federal OSHA considers this untimely.</p> <ul style="list-style-type: none"> <li>➤ 317718891: Oregon OSHA considers this inspection <u>timely</u>. Oregon Law Enforcement controlled the site and initiated the initial investigation that preceded the Oregon OSHA inspection/investigation. Federal OSHA considers this untimely.</li> <li>➤ 317719870: Oregon OSHA considers this inspection <u>timely</u>. Employer reported fatality end of day on Friday, CO attempted to open with employer on Monday, unable to make contact with employer until Tuesday. Federal OSHA considers this untimely.</li> <li>➤ 317721885: Oregon OSHA considers this inspection <u>timely</u>. Media referral on 9/11/18 after 5pm, evaluated and assigned 9/12/18 opened on 9/13/18.</li> </ul> <p>OSHA Considers Untimely: 25 out of 29      Untimely Investigations: 317719166, 317719870, 317720779, 317718891</p> <p>FY2018 Timely Response to Complaints:      Imminent Danger Complaints: 100% (39 of 39)</p> <p>Imminent Danger Referral inspections attempted within 24 hours of notification were: (17 of 17) 100%.</p> <p>Serious: 97.7% (741 of 758)      Other-Than-Serious: 99.7% (319 of 320)      Complainants: 92.4% (792 of 857)</p> <p><b>Investigation:</b>      Investigations: 97.7% (745 of 762)</p> <p><b>Family Letter:</b>      Investigated: 98.8% (84 of 85) see explanation below.      All Family letters sent: 98.8% (84 of 85)      Investigations with Untimely letters sent:</p>
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	<p><u>Alleged Discrimination Complaints</u>: Process through determination level within 90 calendar days</p>	<p>Investigations with Untimely letters sent:  ➤ 317725398: Media referral, employer did not report the fatality.</p> <p><b>Discrimination Complaints</b> – In FY2019, 88 out of 108 (81%) of the alleged discrimination complaints were processed within the statutorily required 90 calendar days.</p> <p>FY2019 cumulative:  1st Quarter – 86%  2nd Quarter – 83%  3rd Quarter – 84%  4<sup>th</sup> Quarter – 81%</p>	<p>➤ 317718835: Employee had no living relatives/spouse/child</p> <p><b>Discrimination Complaints</b> – 84 out of 98 (86%) of the alleged discrimination were processed within the statutorily required 90 calendar days.</p> <p>FY2018:  1st Quarter – 100%  2nd Quarter – 95%  3rd Quarter – 93%  4<sup>th</sup> Quarter – 63%  FY17 Annual – 86%</p>
	<p><b>Comments:</b></p>	<p><u>Discrimination Complaints:</u>  Oregon OSHA exceeded the FY2019 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>FY2019 cumulative quarterly percentages reflect Oregon OSHA’s hand count of the alleged discrimination complaints since problems have been discovered with the accuracy of the OSHA IMIS report counts.</p>	<p><u>Discrimination Complaints:</u>  Oregon OSHA exceeded the FY2018 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><b>Reported and investigated natural cause fatalities were previously omitted from quarterly reports. These fatalities are now included in the totals.</b></p>

## 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
<b>Activity Measure</b>	1. Analyze stakeholder survey results and take corrective actions as necessary to address results falling below 90%.	In FY2019, all but 2 of the survey results met the 90% minimum benchmark. Please refer to the comment section for additional information.	
<b>Primary Outcome</b>	2. Percent of positive responses on customer surveys in the following areas: <ul style="list-style-type: none"> <li>- Conferences</li> <li>- Public Education</li> <li>- Audio-visual library</li> <li>- Consultation</li> <li>- Enforcement</li> <li>- Appeals</li> <li>- Lab</li> </ul>	FY2019 survey results – percent satisfaction:  Conferences: 93% Public Education: 98% AV Library: 92% Consultation: 98% Enforcement: 96% Appeals: 88% Lab: Annual FYTD 2019: 89%	FY2018 survey results – percent satisfaction:  Conferences: 93% Public Education: 98% AV Library: 98% Consultation: 98% Enforcement: 94% Appeals: 88% Lab: Annual FYTD 2018: 89%
<b>Comments:</b>		<p><u>AV Library:</u> Customer service is very important to our division and we will continue to look for ways to better our processes.</p> <p><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 business and high hazard industry participation in <u>online &amp; 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 20%. The informal conference responses can be biased based on the outcome of the employer's appeal.</p>	Annual Survey results.

		<p><u>Lab:</u> Based on concerns brought forth from the Oregon OSHA Laboratory’s annual customer service survey, the manager/staff plans to:</p> <ul style="list-style-type: none"> <li>(a) continue to focus to improve turn around time of equipment submitted for calibration check and/or service,</li> <li>(b) conduct regular review of inventory in each field office to assess equipment deficiencies, and</li> <li>(c) visit each field office to address field equipment needs.</li> <li>(d) have the chemist lab technician spend one day a week assisting with field equipment service.</li> </ul> <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
<p><b>Activity Measure</b></p>	<p>1. Classes offered to Safety and Health staff.</p>	<p>During FY2019, the following 290 classes were developed and implemented: Fiscal year 2019, fourth quarter classes listed with annual FY2019 counts.</p> <p><b>Developed and Presented by Oregon OSHA Required Initial Training</b> RIT General Industry Tract #2 Fire Protection/Emergency Action Plan/Means of Egress (8/12) Safety &amp; Health Management (8/13) Safety Committees (8/13) RIT Chemical Week Flammable Liquids (9/9) Spray Finishing (9/9) Respiratory Protection (9/10) Compressed Gases/Propane/Acetylene (9/11)</p> <p>OTIS Overview for New Hires (7/1)</p> <p>FY19 Q4 = 8 FFYTD 2019 = 73 (2 OTIS classes missed Q3)</p> <p>Other Training Offered to Oregon OSHA Staff Evergreen – Traffic Control Supervisor (Re)Certification (7/8 &amp; 7/9) OTI – CAS Best Practices: Reaching Temporary/Hispanic Workers (pre-recorded webinars) UofW OSHA Ed Center – #2055 Cranes in Construction (7/8-10) Portland</p>	

		<p>UofW OSHA Ed Center – #3095 Electrical Standards (7/15-18) Portland</p> <p>IRC &amp; OTI – Ammonia Refrigeration Systems Distance Learning Series</p> <p>SAIF – Safety Basics: Hazard Identification (7/24)</p> <p>PCC Climb – Professional Development Training Courses: including Business Writing (July - Aug) Online &amp; Portland</p> <p>DAS – Introduction to Business Analysis &amp; Techniques (7/16 &amp; 17) Salem</p> <p>AgriSafe – Safety Sensitivity of Opioid Use in High Hazardous Industries Such as Agriculture (7/23)</p> <p>OCP – How to Deal with Employees with Psychiatric Illness Legally (7/24)</p> <p>SAIF – How to include Safety in Job Descriptions in 30 Minutes (8/8)</p> <p>UofW OSHA Ed Center – #7215 Silica in Construction, Maritime, &amp; General Industry (7/19) Portland</p> <p>UofW OSHA Ed Center – Emergency Safety Officer Training (7/22-24) Portland</p> <p>UofW OSHA Ed Center – #521 OSHA Guide to Industrial Hygiene (8/5-8) Portland</p> <p>UofW OSHA Ed Center – #2264 Permit-Required Confined Space Entry (8/12-14) Portland</p> <p>OCP – Practical Tips for Turning Bad Behaviors into Positive Results (7/25)</p> <p>PCC Climb - Professional Development Courses for Managers (July - Aug) Online &amp; Portland</p> <p>SAIF – Office Ergonomic Assessor Training (7/29) Lake Oswego</p> <p>SAIF – Office Ergonomic Assessor Training (8/7) Salem</p> <p>UofW OSHA Ed Center – #7500 Introduction to Safety &amp; Health Management (8/16) Portland</p> <p>AgriSafe – Ergonomic Safety for Farm Women (7/25)</p> <p>AgriSafe – Talking to Farmers About Their Pain (7/31)</p> <p>AgriSafe – Proactive &amp; Reactive Society: Focus on Rural Mental Health (8/12)</p>	
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OCP – How to Identify and Handle Ethical Issues in the Workplace (8/14)  
 BLR – Best Practices for Confined Space Rescue (8/13)  
 AgriSafe – Hazard Communications Standards (8/15)  
 OHS – Managing Respiratory Protection Programs (8/29)  
 BLR – Workplace Violence: Beyond “Run, Hide, Fight” (8/15)  
 BLR – Safety Culture Assessment (8/27)  
 BLR – Active Shooter Response Training (8/15)  
 OTI – #0150 High Temperature Insulation Wool (HTIW): Product Stewardship Program (PSP 2017) 8/26  
 BLR – Respiratory Protection Programs (8/20)  
 BLR – Preventing Fatalities & Serious Injuries (9/12)  
 OTI – #0151 Tank Gauging (9/9)  
 AgriSafe – Understanding the Tractor Factor (9/16)  
 EHS – Essentials for Ensuring a Safe Multiemployer Worksite (9/17)  
 COEH – Fatigue Failure Approach for Ergonomic Assessment (9/18)  
 OTI – #0152 Respirable Crystalline Silica: Compliance Directive and NEP (9/16)  
 BLR – LOTO or Machine Guarding? How to conduct a task-based analysis (9/26)  
 OTI – #0153 Combustible Dust Hazard Awareness (with Live Q&A Session on 9/23)  
 OH&S – High-grading Personal Safety: Simultaneously Preventing Slips/Trips/Falls and Soft-Tissue Injuries - Advanced Level (9/26)  
 EHS – 2019 Workplace Disasters & Risks (9/26)  
 STRIVE – Infection Control training courses (anytime)  
 OSHA – Trenching Safety in English and Spanish online videos (anytime)  
 ACS – Lab Safety for Researchers pre-recorded webinar (anytime)

FY19 Q4 = 45

		<p><b>Out of State Training (Sent to Managers for distribution as appropriate)</b>  OTI – #2220 Respiratory Protection (9/17 - 9/19)  Illinois  FY19 Q4 = 11</p> <p>FY19 Fourth Quarter, total = 54  FY19 Third Quarter, total = 85  FY19 Second Quarter, total= 80  FY19 First Quarter, total= <u>71</u>  FFYTD 2019 TOTALS = <b>290</b></p>	
<b>Primary Outcome Measure</b>	2. Number of Safety and Health staff members receiving 48 hours of Safety and Health professional development training over two years.	109 out of 120 Safety and Health staff members received 48 hours training during the two year period FY2018-FY2019.	
	3. Percentage of Safety and Health staff members receiving 48 hours of Safety and Health professional development training over two years.	91% of Safety and Health staff received 48 hours of professional training during the two year period FY2018-FY2019.	See addition information in the Staff Development narrative section.
	<b>Comments:</b>	The Safety and Health staff's professional development training data is cumulative. * <i>The number of Active Employees and number of Trained</i> are fluid numbers as they may not include employees that are new hires, promoted, or have resigned, etc.	

## **IV. Progress Toward Strategic Plan Accomplishment**

**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 FY2019, 4 additional employers received initial SHARP certification, bringing the total number of employers in the program to 211, including 18 active employers, 29 working towards SHARP, and 164 graduates. No employers withdrew from the SHARP program.

The VPP program added 1 employer and recertified 4 existing VPP sites in FY2019. At the end of FY2019, 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.**

The public education section launched their new free on-line Safety Committee Suite and Spanish version in 2019. Employers across Oregon now have a more comprehensive and efficient way to train safety committee members. The agency has translated into Spanish three courses – Safety Meetings and Committees, Accident Investigation, and Hazard Identification – and housed all of them in a central location: the new [Safety Committee Suite web page](#). Oregon OSHA urges employers to blend the training offered by the [Safety Committee Suite](#) with policies and practices that are specific to their workplaces. This will increase the effectiveness of the training and help ensure all requirements are met.

This year the Public Education section launched the first two of five online courses in the Fall Protection suite. These online courses are designed to help employers and workers across the state meet the agency’s requirements to eliminate fall hazards and prevent falls. “[Fundamentals of Fall Protection](#),” is a two-hour online course which includes six parts with 28 videos. “[Ladder Safety](#),” is a one-hour online course which includes five parts with 16 videos. Both are designed to supplement employer’s training programs. They summarize the rules, feature interviews with experts, and provide links to additional information. A total of 965 participants have completed these courses since launching the first one in June 2019. One video also brings into sharp focus the broken lives that result from failing to address fall hazards.

Oregon OSHA successfully contracted with a translation company to translate Public Education materials into Spanish. We have continued to work on the Spanish translation of our publications and online course materials. We expect to launch four translated online courses by the second quarter of FY 2020. Our successful partnership with the Construction Contractor’s Board CCB continues with 9,707 online course completions. A CCB license holder may complete multiple online courses.

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 Governor’s Occupational Safety & Health three day Conference for federal fiscal year 2019, which alternates every other year with the Cascade Occupational Safety & Health. 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. Six of the sixteen new publications were developed in the Spanish language in FY2019. Twenty nine, 16 new and 13 revised publications were developed to target small employers and vulnerable or hard-to-reach worker populations.

The Resource Center lends programs both in English and Spanish on DVD and in streaming video to accommodate small employers using various levels of technology. There are now 361 programs available in DVD and 24 streaming video formats We found that the total number of loans of

Spanish-language DVDs dropped from 206 in FY 2018 to 149 in FY 2019. 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 continue to add new material to the Resource Center depending on the demand. To increase the visibility of the Resource Center, we attended several conferences to market our products to attendees. We will continue this strategy through 2020.

Oregon OSHA initiated 287 focused outreach activities with high hazard industries and vulnerable and hard-to-reach workers. We issued 20 news releases to the public, published 6 newsletters, 7 Oregon OSHA Facebook campaigns, 3 live video segments and 18 posts that reached thousands of workers and employers.

### **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 FY2019, Oregon OSHA had 40 active stakeholder collaborations and partnerships and 6 current Alliances. Twenty three 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.

**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 CY2018, the most recent year available, was 2.2 for the private sector and 2.2 for all industries, the same as CY2017, and a slight down tick from CY2016 of 2.3. The data shows that the TCIR rate has been slowly decreasing each year from 5.6 in CY2003, to 3.9 in CY2011, 3.8 in CY2015, and decreased again to 3.7 in CY2018, in all industries.

In FY2019, 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 2,570 inspections. There were 2,201 (86%) safety inspections in high hazard industries.

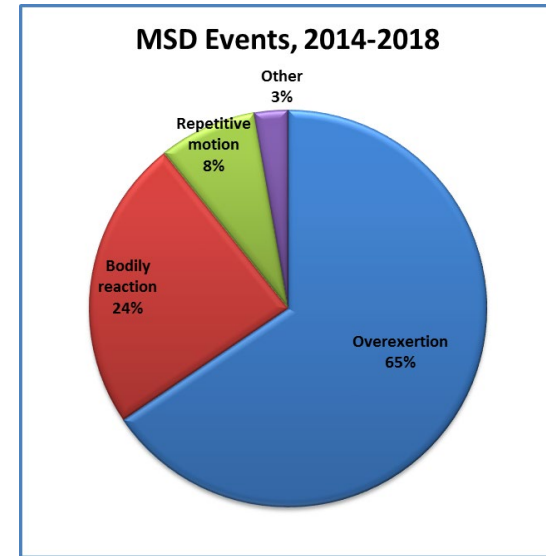
In FY2019, health enforcement completed 809 inspections. Oregon OSHA exceeded the goal of 60% of health inspections in high hazard industries. There were 545 (67%) health inspections conducted in high hazard industries.

In FY2019, consultation completed 1451 high hazard consultation (58.81%) out of 2467 consultations to exceed the goal of 50%.

## Ergonomics:

Workers' Compensation Claims data and Accepted Disabling Claims data between 2014 and 2018 have remained relatively stable. Events involving overexertion comprised over half of all ADC's from 2014-2018 (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%).

Oregon accepted disabling workers' compensation MSD claims by industry and event, for calendar years 2014-2018									
Industry (NAICS)	All Events	Event							
		Overexertion		Bodily reaction		Repetitive motion		Other	
		Total	%	Total	%	Total	%	Total	%
<b>Total</b>	<b>40,846</b>	<b>26,564</b>	<b>100</b>	<b>9,637</b>	<b>100</b>	<b>3,237</b>	<b>100</b>	<b>1,105</b>	<b>100</b>
11 Agriculture, forestry, fishing	1476	897	3.4	420	4.4	104	3.2	52	4.7
21 Mining	37	22	0.1	9	0.1	3	0.1	2	0.2
22 Utilities	315	177	0.7	98	1.0	33	1.0	7	0.6
23 Construction	3085	1,940	7.3	863	9.0	188	5.8	89	8.1
31-33 Manufacturing	5515	3,336	12.6	1,121	11.6	846	26.1	153	13.8
42 Wholesale trade	2204	1,513	5.7	477	4.9	158	4.9	57	5.2
44-45 Retail trade	5772	3,771	14.2	1,277	13.3	491	15.2	165	14.9
48-49 Transportation and warehousing	4117	2,768	10.4	1014	10.5	163	5.0	145	13.1
51 Information	423	190	0.7	165	1.7	49	1.5	10	0.9
52 Finance and insurance	141	53	0.2	32	0.3	42	1.3	2	0.2
53 Real estate, rental, leasing	507	349	1.3	119	1.2	21	0.6	16	1.4
54 Professional and technical services	465	244	0.9	125	1.3	77	2.4	13	1.2
55 Management of companies	71	40	0.2	15	0.2	13	0.4	1	0.1
56 Administrative and waste services	2686	1,819	6.8	569	5.9	193	6.0	87	7.9
61 Educational services	1366	805	3.0	430	4.5	101	3.1	33	3.0
62 Health care and social assistance	7467	5,599	21.1	1,317	13.7	366	11.3	134	12.1
71 Arts, entertainment, recreation	332	164	0.6	144	1.5	15	0.5	7	0.6
72 Accommodation and food services	2080	1,318	5.0	525	5.4	171	5.3	53	4.8
81 Other services	949	583	2.2	230	2.4	102	3.2	20	1.8
92-93 Public admin	1772	926	3.5	680	7.1	94	2.9	55	5.0
99 Industry unknown	66	50	0.2	7	0.1	7	0.2	4	0.4



\* 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.

\* 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 Department of Consumer and Business Services, Central Services Division, Information Technology and Research, 10/17/19.



There were 8,006 accepted disabling claims (ADC's) for musculoskeletal disorders (MSD's) in 2018. Four different industries accounted for over half of those claims. Health Care and Social Assistance (18%), Manufacturing and Retail Trade (both 14%), and Transportation and Warehousing (11%).

Accepted disabling claims for Musculoskeletal disorders (MSD) and workers' compensation (WC) covered employment by industry (NAICS), Oregon CY 2014-2018

Industry (NAICS)	Acceptance year																			
	2014				2015				2016				2017				2018			
	MSD Claims	%	Employment <sup>1</sup>	MSD rate <sup>2</sup>	MSD Claims	%	Employment <sup>1</sup>	MSD rate <sup>2</sup>	MSD Claims	%	Employment <sup>1</sup>	MSD rate <sup>2</sup>	MSD Claims	%	Employment <sup>1</sup>	MSD rate <sup>2</sup>	MSD Claims	%	Employment <sup>1</sup>	MSD rate <sup>2</sup>
All MSD Claims	8,336.0	100.0	1,745.0	0.5	8,169.0	100.0	1,796.4	0.5	8,312.0	100.0	1,855.6	0.4	7,720.0	100.0	1,899.4	0.4	8,006.0	100.0	1,936.6	0.4
11 Agriculture, forestry, fishing	323.0	3.9	69.5	0.5	339.0	4.1	62.1	0.5	295.0	3.5	68.3	0.4	278.0	3.6	70.1	0.4	238.0	3.0	71.0	0.3
21 Mining	5.0	0.1	1.5	0.3	6.0	0.1	1.7	0.4	11.0	0.1	1.7	0.6	8.0	0.1	1.8	0.4	6.0	0.1	1.9	0.3
22 Utilities	67.0	0.8	4.5	1.5	67.0	0.8	4.5	1.5	68.0	0.8	4.6	1.5	52.0	0.7	4.7	1.1	61.0	0.8	4.8	1.3
23 Construction	644.0	7.7	80.1	0.8	632.0	7.7	83.3	0.8	645.0	7.8	90.4	0.7	589.0	7.6	97.9	0.6	570.0	7.1	105.2	0.5
31-33 Manufacturing	1,131.0	13.6	179.6	0.6	1,081.0	13.2	186.2	0.6	1,140.0	13.7	188.1	0.6	1,022.0	13.2	190.0	0.5	1,082.0	13.5	195.0	0.6
42 Wholesale trade	439.0	5.3	72.6	0.6	453.0	5.5	74.0	0.6	461.0	5.5	75.5	0.6	442.0	5.7	75.0	0.6	410.0	5.1	75.5	0.5
44-45 Retail trade	1,140.0	13.7	196.3	0.6	1,068.0	13.1	202.4	0.5	1,176.0	14.1	206.9	0.6	1,182.0	15.3	210.9	0.6	1,138.0	14.2	211.6	0.5
48-49 Transportation and warehousing	791.0	9.5	49.1	1.6	771.0	9.4	51.3	1.5	843.0	10.1	53.5	1.6	772.0	10.0	55.5	1.4	913.0	11.4	57.8	1.6
51 Information	77.0	0.9	32.2	0.2	88.0	1.1	32.9	0.3	82.0	1.0	33.6	0.2	93.0	1.2	34.2	0.3	74.0	0.9	34.2	0.2
52 Finance and insurance	26.0	0.3	55.9	0.0	29.0	0.4	56.2	0.1	26.0	0.3	56.5	0.0	27.0	0.3	57.7	0.0	21.0	0.3	57.5	0.0
53 Real estate, rental, leasing	103.0	1.2	36.6	0.3	89.0	1.1	38.6	0.2	99.0	1.2	40.3	0.2	104.0	1.3	42.3	0.2	110.0	1.4	44.6	0.2
54 Professional and technical services	97.0	1.2	84.4	0.1	94.0	1.2	87.9	0.1	92.0	1.1	92.3	0.1	91.0	1.2	95.7	0.1	85.0	1.1	97.6	0.1
55 Management of companies	14.0	0.2	40.3	0.0	22.0	0.3	43.1	0.1	12.0	0.1	45.5	0.0	9.0	0.1	47.3	0.0	12.0	0.1	48.5	0.0
56 Administrative and waste services	524.0	6.3	95.1	0.6	564.0	6.9	98.3	0.6	517.0	6.2	100.6	0.5	493.0	6.4	101.7	0.5	570.0	7.1	103.3	0.6
61 Educational services	325.0	3.9	34.7	0.9	284.0	3.5	35.3	0.8	303.0	3.6	35.7	0.8	213.0	2.8	36.0	0.6	244.0	3.0	36.4	0.7
62 Health care and social assistance	1,527.0	18.3	213.7	0.7	1,554.0	19.0	222.5	0.7	1,541.0	18.5	229.5	0.7	1,321.0	17.1	236.8	0.6	1,473.0	18.4	258.9	0.6
71 Arts, entertainment, recreation	70.0	0.8	23.2	0.3	59.0	0.7	23.9	0.2	77.0	0.9	25.7	0.3	64.0	0.8	26.8	0.2	60.0	0.7	27.5	0.2
72 Accommodation and food services	454.0	5.4	159.7	0.3	396.0	4.8	167.7	0.2	393.0	4.7	174.2	0.2	423.0	5.5	179.6	0.2	401.0	5.0	183.6	0.2
81 Other services	179.0	2.1	59.2	0.3	209.0	2.6	60.9	0.3	179.0	2.2	63.9	0.3	189.0	2.4	63.5	0.3	179.0	2.2	64.4	0.3
92-93 Public administration	398.0	4.8	256.7	0.2	356.0	4.4	263.6	0.1	350.0	4.2	268.8	0.1	329.0	4.3	272.0	0.1	322.0	4.0	257.3	0.1
99 Industry unknown	2.0	0.0	0.0	0.0	8.0	0.1	0.0	0.0	2.0	0.0	0.0	0.0	19.0	0.2	0.0	0.0	37.0	0.5	0.0	0.0

<sup>1</sup> Employment counts are in thousands

<sup>2</sup> 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 and may vary slightly from other report counts.
- ❖ 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 FY2019, the total number of safety and health ergonomics consultations in industries with high MSD rates Health Care and Social Assistance, Manufacturing, Retail Trade, and Transportation and Warehousing were 73 percent, 85 out of 117.

In CY2018, 37 percent, 870 of 2327 of all consultations were conducted in industries with high MSD claims, Health Care and Social Assistance, Manufacturing, Retail Trade, and Transportation and Warehousing.

In FY2019, 51 percent, 1723 of 3375 inspections were conducted in local and national emphasis programs.

In CY2018, 36 percent, 1225 of 3448 inspections were conducted in industries with high MSD claims, Health Care and Social Assistance, Manufacturing, Retail Trade, and Transportation and Warehousing.

**Ergonomic consultations, opened FFY 2017-2019 by NAICS and intake date, Oregon OSHA**

NAICS	Federal fiscal year			3 year total
	2017	2018	2019	
Manufacturing (31-33)	37	29	37	103
Retail trade (44-45)	7	5	6	18
Transportation (48-49)	5	1	2	8
Health care and social assistance (62)	24	24	40	88
All other industries	45	49	32	126
<b>Total consultations</b>	<b>118</b>	<b>108</b>	<b>117</b>	<b>343</b>

Includes all consultations where the discipline is ergonomic  
 Source: Tasha Chapman, Information Technology and Research, Central Services Division, December 2019

**Inspections opened CY 2016-2018 by NAICS and open date, Oregon OSHA**

Inspected NAICS	Calendar year			3 year total
	2016	2017	2018	
Manufacturing (31-33)	662	550	544	1,756
Retail trade (44-45)	306	267	224	797
Transportation (48-49)	146	142	163	451
Health care and social assistance (62)	402	352	294	1,048
All other industries	2,515	2,180	2,223	6,918
<b>Total inspections</b>	<b>4,031</b>	<b>3,491</b>	<b>3,448</b>	<b>10,970</b>

Source: Ed Vawter, Information Technology and Research, Central Services Division, October 2019

**Consultations opened CY 2016-2018 by NAICS and intake date, Oregon**

PPB NAICS	Calendar year			3 year total
	2016	2017	2018	
Manufacturing (31-33)	610	516	470	1,596
Retail trade (44-45)	132	81	124	337
Transportation (48-49)	66	46	63	175
Health care and social assistance (62)	255	176	213	644
All other industries	1,453	1,514	1,457	4,424
<b>Total consultations</b>	<b>2,516</b>	<b>2,333</b>	<b>2,327</b>	<b>7,176</b>

Source: Ed Vawter, Information Technology and Research, Central Services Division, October 2019

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

**(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 5-year rolling average for FY2019 is 818, 10.1% above base indicator
- The 5-year rolling average for FY2018 is 801. 7.8% above base indicator.
- The 5-year rolling average for FY2017 is 799. 7.5% above base indicator
- The 5-year rolling average for FY2016 is 793. 6.7% above base indicator.
- The 5-year rolling average for FY2015 is 778. 4.7% above base indicator.
- The base indicator for FY 2015, 5-year rolling average is 743.

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.**

In this fiscal year, 1151 falls in construction, 1059 preventing heat related illness, and 471 amputations accounted for 68% (2681 of 3919) of the total consultations and enforcement inspections.

**(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 FY 2018 there were 3379 enforcement inspections and 2467 consultations.

The compensable fatality count for CY2018 is 35. This is the ninth lowest number of fatalities ever recorded. The lowest accepted compensable fatalities was 17 in CY2010.

The CY2018 compensable fatality rate of 1.81 compared to the baseline rate of 1.78 (CY2012-2014, 3 year average rate). The fatality rates for the past years are CY2017 (1.84), CY2016 (1.56), 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 CY2016 - CY2018 of 1.74 compared to the baseline rate of 1.78 is 2%.

### **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, referrals, and complainant response goals were met.

Timely response to fatalities were 100% (40 of 40).

The yearly family member notification was 99 percent timely. Sixty nine family letters out of 70 were sent out timely.

Oregon OSHA, through an interagency agreement with the Bureau of Labor and Industry (BOLI) processed 98 discrimination cases during FFY 2019. Of the 108 cases, 88 cases were timely or 81%, which exceeded the annual goal. Five of the cases were merit cases and 6 cases were withdrawn.

**(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.**

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

The Appeal customer service satisfaction survey was 88%. The survey response was approximately 20%.

This year's lab survey was 88.9%, up slightly from 88.7% in FY2018. 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.

**(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.**

During FY2019, 91 percent of the Oregon OSHA "safety and health" staff completed their professional development training during the two year cycle FY2018 through FY2019.

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 290 options.

## **V. Special Accomplishments**

### Alliance activity:

Oregon OSHA renewed its alliance with the **Oregon Home Builders Association (OHBA)** on June 7, 2018. Their primary goal is 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, share information and work together to achieve outreach communications goals. OHBA continues to provide best practices to their members in the field of construction, especially to the small business owners. OHBA is incorporating health and wellness into their newsletters and 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. OCHE is providing a comprehensive tool box titled: Workplace Violence Prevention: Implementing Strategies for Safer Healthcare Organizations. It shows health care organizations how to access risks, review best practices, collect baseline incident/injury and cost data related to workplace violence and identify hazards and risks that need to be addressed. The focus is on violence perpetrated by patients against workers. The Joint Commission, one of the national accrediting bodies for hospitals, highlighted the toolkit on its website as a recommended source.

Oregon OSHA and the **Oregon Restaurant and Lodging Association (ORLA)** established a collaborative relationship to foster safe workplaces in Oregon by signing an alliance on January 15, 2016. This alliance seeks to increase outreach efforts to affected employers and employees in this industry. Their primary goal is to reduce illness and injury rates among employees in the restaurant industry. In order to achieve this goal, this alliance increases awareness surrounding hazard communications, electrical contacts, ergonomic issues, personal protective equipment (PPE), and slips and falls. In addition, this alliance contributes 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 continue to meet quarterly.

Oregon OSHA joined the **Employment, Education and Outreach (EMPLEO)** federal, state and local advocacy Alliance on September 24, 2015. The Alliance is 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. The EMPLEO continues to meet and share information relating to vulnerable migrant workers in Oregon and the tri-state area.

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 provides expertise and guidance, along with training and education that helps 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 provides knowledge and skills for workers to help in understanding their rights and the responsibilities of employers. Oregon OSHA, Oregon Institute of Occupational Health Sciences, and SAIF continue to meet with Total Worker Health alliance partners. The TWH alliance is currently working on a



curriculum designed for safety and health professionals. The alliance partners presented a TWH 101 workshop for a national audience at the NIOSH 2<sup>nd</sup> TWH international conference in Washington DC in May 2018. More presentations on the TWH 101 curriculum are scheduled for the ASSP/Oregon OSHA conferences for 2018-2019.

Oregon OSHA and the **West Coast Chapter - International Association of Foundation Drilling** signed a new alliance on October 17, 2018. The alliance seeks to increase outreach efforts to affected employers and employees in this industry. The primary goals are to increase awareness surrounding drilled shaft and foundation drilling operations, and the installation of micropiles and earth retention systems, and ultimately, to reduce illness and injury rates among employers and employees in construction and demolition industries. In addition, this alliance contributes to the statewide dialogue on workplace safety and health. Oregon OSHA continues to meet with this alliance quarterly and is arranging with the alliance to provide Oregon OSHA conference presenters at their upcoming 2019 convention.

#### *Publications:*

Oregon OSHA developed sixteen new publications eight of which were in Spanish. Thirteen publications were revised and seventeen publications were reviewed for translation into another language. These publications provide information about how to protect workers from work-related injury or illness. Additional information can be found at <http://www.osha.oregon.gov/>.

#### *Newsletters:*

Oregon OSHA publishes two newsletters: The “Resource” (a general interest publication which includes construction) is published every two months, and the “Forest Activities News” (for the logging and forest industry) is an occasional newsletter from Oregon OSHA covering topics of interest to the logging and forest activities employers. Additional details regarding these publications can be found at <http://www.osha.oregon.gov/>.

### **Special Accomplishments:**

#### *Workers’ Memorial Scholarship Program:*

Eight Oregon high school graduates were recipients of the Worker Memorial Scholarship in FY2019. 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. A total of \$25,000 was awarded in varying amounts to the eight recipients. 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.

#### *Workers Memorial Day:*

Government, labor, and religious leaders gathered on April 26, 2019 at the Fallen Workers Memorial outside the Labor and Industries Building to remember Oregon workers who died on the job in 2018 and to renew the call to maintain safe and healthy workplaces. The ceremony included State Rep. Tiffany Mitchell and Labor Commissioner Val Hoyle reading the names of the Oregon workers who died on the job in 2018. Oregon AFL-CIO coordinated the event. Remarks were made from Oregon Gov. Kate Brown, Oregon OSHA Administrator Michael Wood, and Oregon AFL-CIO President Tom Chamberlain.

*Oregon OSHA Safety Break:*

Oregon OSHA Safety Break was held on Wednesday, May 8, 2019. Now in its 16th year, the one-day event focused on raising awareness and promoting the value of keeping people safe and healthy while on the job. 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:*

In FY2019, Oregon Occupational Safety and Health Division (Oregon OSHA) awarded three grants totaling nearly \$120,000 to help develop workplace safety and health education and training programs. Grants were awarded to the following groups.

- **Northwest Forest Worker Center:** The nonprofit group will produce a training program to help Latino forest workers in southern Oregon prevent musculoskeletal disorders.
- **Oregon Restaurant & Lodging Association:** The association will develop an employee handbook designed for Spanish-speaking restaurant and hospitality employees and make it available in both print and digital formats. The project is intended to address the lack of such handbooks, which are often designed for workers who learned English as a first language. By creating a culturally and linguistically appropriate employee handbook – accompanied by training – the association intends to increase communication and trust, and help Latino workers become more effective in their workplaces and reduce work-related injuries.
- **SafeBuild Alliance:** The nonprofit group will develop a training and outreach project that will engage construction companies and labor organizations in identifying and cultivating front-line leaders who are capable of improving workplace safety.

*Oregon Governor’s Occupational Safety & Health Conference (GOSH):* The conference is a joint effort of the American Society of Safety Professionals - Columbia-Willamette Chapter, Oregon OSHA, and labor and businesses in Oregon and southwest Washington. The Oregon Governor’s Occupational Safety & Health Conference (GOSH), the largest safety and health conference in the Northwest and one of the largest in the United States was held at the Oregon Convention Center in Portland, March 4-7, 2019. The event attracts nationally known speakers, offering 160 workshops and sessions and more than 125 booths showing the latest safety and health products and services. An awards ceremony and luncheon to acknowledge safety and health leaders in Oregon marks the conclusion of the conference. Past conference attendance has exceeded 2,500 people.

*Oregon Young Worker Health and Safety Coalition:* - Oregon Young Employee Safety, O[yes] 2018 video contest winners were announced in 2019: First-place was awarded to the contestants featuring a video titled “The Safety Bros” that garnered them \$500, with a matching amount for their school. Bouncing with music, energy, and humor, the video features a duo of workplace safety and health bros who rally a group of workers to the cause of speaking up and working safe by spurring them to join “a most excellent song and dance number.” The hip-hop-infused bros, clad in leather jackets and shades, lead the dancing, clapping, and singing while rapping about on-the-job hazards, including old equipment, faulty wires, messy floors, and a lack of training.

A second-place prize of \$400 was awarded to the contestants featuring a video titled “Safety Joe” and the third place award of \$300 went to the contestants submitting the video titled “Anytime, Any Place”. All of the winning videos, as well as the other finalists, are available for viewing on YouTube.

#### *Consultation activity*

Oregon OSHA Consultation has continued to reach out to the Cannabis and hemp industry and have conducted 60 consultations for this industry. Oregon OSHA has also conducted 3 trainings during conference activities, all related to helping attendees understand the hazards associated with this industry.

The Oregon OSHA Consultation section has further developed its relationship with the Construction Contractors Board by offering contractors a yearlong safety and health program to assist them in further developing a safety and health management system. A total of 7 contractors participated in this program, as well as 3 for our Challenge Program. In addition, consultation coordinated CEU credits for those that completed online courses and in-person workshops that Oregon OSHA offers.

The consultation section has addressed heat illness 441 times and workplace violence 361 times during this fiscal year. The programs total emphasis programs addressed was 2196 during this fiscal year.

Oregon OSHA’s consultation program has been involved with two work groups, one in revising the Form 33 Evaluation, and the other in the revision of the Basic 1500 Course.

#### *Ergonomics activity*

There were 8,006 accepted disabling claims (ADC’s) for musculoskeletal disorders (MSD’s) in CY2018. 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 nearly half of those claims. Manufacturing and Retail Trade (25%), Transportation and Warehousing (11%), and Health Care and Social Assistance (14%).

## **VI. Adjustments and Other Issues**

## **Occupational Injury and Workers' Compensation Premium**

Oregon's workers' compensation rates remain among the lowest in the nation, according to an analysis released today by the Oregon Department of Consumer and Business Services (DCBS). This reflects the state's ongoing success in making workplaces safer and keeping costs under control.

The biennial study ranks all 50 states and Washington, D.C., based on premium rates that were in effect Jan. 1, 2018.

Oregon had the sixth least expensive rates in 2018, an improvement from its ranking as the seventh least expensive state the last time the study was done, in 2016. DCBS recently announced that Oregon workers' compensation rates would decline further – an average 9.7 percent – in 2019. Workers' compensation pays injured workers for lost wages and medical care for job-related injuries. “Oregon continues to demonstrate that it's possible to maintain low employer costs while providing strong support to workers,” Governor Kate Brown said. “We must remain committed to working together to balance employer rates and worker benefits, and to help injured workers heal and return to work quickly.”

The study shows New York had the most expensive rates, followed by California. Meanwhile, North Dakota had the least expensive rates. In the Northwest, Washington's rates were the 16th most expensive and Idaho was the 21st most expensive.

Oregon researchers also compared each state's rates to the national median (the 26th ranked state) rate of \$1.70 per \$100 of payroll. Oregon's rate of \$1.15 is 68 percent of the median. To produce a valid comparison of states, which have various mixes of industries, the study calculates rates for each state using the same mix of the 50 industries with the highest workers' compensation claims costs in Oregon.

A summary of the study was posted today; the full report will be published later this year.

Oregon has conducted these studies in even-numbered years since 1986, when Oregon's rates were among the highest in the nation. The department reports the results to the Oregon Legislature as a performance measure. Oregon's relatively low rate today underscores the success of the state's workers' compensation system reforms and its improvements in workplace safety and health.

Oregon has long taken a comprehensive approach to making workplaces safer, keeping business costs low, and providing strong worker benefits. This approach includes enforcing requirements that employers carry insurance for their workers, keeping medical costs under control, and helping injured workers return to work sooner and minimize the impact on their wages. It also includes efforts to prevent on-the-job injuries by enforcing workplace safety and health rules, and advising employers about how to improve worker safety and health. “Oregon employers and employees understand the importance of keeping workplaces safe,” said Cameron Smith, DCBS director. “That commitment continues to be a major factor in keeping costs down.”

Here are some key links for the study/workers' compensation costs:

- To read a summary of the study, go to <https://www.oregon.gov/dcbs/reports/Documents/general/prem-sum/18-2082.pdf>
- Prior years' summaries and full reports with details of study methods can be found at <https://www.oregon.gov/dcbs/reports/protection/Pages/general-wc-system.aspx>

• Information on workers’ compensation costs in Oregon, including a map with these state rate rankings, is at <https://www.oregon.gov/dcbs/cost/Pages/index.aspx>

Learn about Oregon’s return-to-work programs, workers’ compensation insurance requirements, and more at <https://wcd.oregon.gov/Pages/index.aspx>

Effective Jan. 1, 2019, the department determined an assessment rate of 7.8 percent of direct earned premium is necessary for the department to carry out its statutory responsibility to regulate, administer, and enforce the workers’ compensation and occupational safety and health laws of the state of Oregon (see ORS 656.612 and OAR 440-045-0020). This rate is an increase of 0.4 percentage points from the 2018 rate. This assessment funds the operations of the Workers’ Compensation Division, the Workers’ Compensation Board, most of Oregon-OSHA, a portion of the Division of Financial Regulation, and other parts of the Department of Consumer and Business Services that support these activities.

An additional assessment of 0.2 percent for self-insured employers and public-sector self-insured employer groups, and 1.0 percent for private-sector self-insured employer groups is required to fund the Self-Insured Employer Adjustment Reserve and the Self-Insured Employer Group Adjustment Reserve (ORS 656.614 and OAR 440-045-0025).

These rates apply to all premium earned on or after Jan. 1, 2019. Insurers should refer to Bulletin 144 for payment instructions. Self-insured employers and self-insured employer groups should refer to Bulletin 378. These bulletins are available on our website: <http://wcd.oregon.gov/forms/Pages/bulletins.aspx>.

Assessment rates for 2019 and rates for Prior four years are:

<u>Year</u>	<u>Insurers</u>	<u>Self-insured employers</u>	<u>Self-insured employer groups</u>
<b>2019</b>	<b>7.8 percent</b>	<b>8.0 percent</b>	<b>8.0 percent – public groups</b> <b>8.8 percent – private groups</b>
2018	7.4 percent	7.6 percent	7.6 percent – public groups 8.4 percent – private groups
2017	6.8 percent	7.0 percent	7.0 percent – public groups 7.8 percent – private groups
2016	6.2 percent	6.4 percent	6.4 percent – public groups 7.2 percent – private groups
2015	6.2 percent	6.4 percent	6.4 percent – public groups 7.2 percent – private groups



## **FY2018 FAME Recommendations**

### ***Oregon Report Recommendations for Fiscal Year 2018.***

There was one continued finding and recommendation that is completed and is awaiting Federal OSHA verification, two continuing observations, two new observations, and one observation closed in the FY2018 Federal Annual Monitoring and Evaluation report made by OSHA.

**Finding FY2018-01- Continued from FY2017-01- Continued – converted from FY2016-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 audit.

**Recommendation:** 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. Corrective action Awaiting verification

**Finding FY2017-01:**

**Status: State Plan Corrective Action:** During our ongoing audits of BOLI activity, Oregon OSHA will focus on ensuring that the rationales for determinations made are adequately reflected in the case files. Completion date 8/15/18

**Status:** Corrective action Awaiting verification 8/15/18

**Observation FY2017-OB-01 continued from FY2016-OB-02 Closed:** 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

**Observation FY2018-OB-01 continued from 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.

**Status:** OSHA will conduct a retaliation case file review in FY 2019 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 FY2018-OB-02 continued from 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.

**Status:** OSHA will conduct a retaliation case file review in FY 2019 to assess file documentation.

**Observation FY2018-OB-03 New:** Per the SAMM report, 4 of 29 (14%) of fatality inspections (SAMM 10) were not initiated timely. Analysis of the SAMM outlier data, OIS one-liner report, Oregon OSHA SOAR, and Oregon OSHA fatality reports revealed that in two cases, fatality investigations were not opened timely and there was not an adequate explanation.

**Status:** OSHA will monitor Oregon OSHA’s fatality data during FY 2019 to ensure that fatality inspections are conducted timely.



**Observation FY2018-OB-04 New:** Oregon OSHA conducted 2,443 of 3,400 safety and 800 of 900 health inspections (SAMM7), both below the further review level.

**Status:** OSHA will continue to monitor Oregon OSHA's planned versus actual inspections.

### **State-Specific Employer Variance**

During FY2019, Oregon OSHA granted to three 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.

Two variances were revoked in FY2019. One was due to remodeling a house for agricultural labors to provide enough square footage per occupant so the variance is no longer needed and a second variance was revoked because a fixed ladder with inadequate climbing-side clearance is no longer used.

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

In FY2019, Oregon OSHA sent one 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

2019-1	A-300	10/30/18 new	Silica
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## **VII. 21(d) Consultation Activities**

## **Executive Summary**

The Oregon OSHA consultation program is a large, highly successful program consisting of 43 consultation positions (30 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 FFY2019 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 2467 consultative activities identifying a total of 13,542 serious hazards in FFY2019. Many of our consultations (58%) were provided to small employers, and 41.47% of our consultations were provided to employers who had not used our services during the previous five years. Oregon OSHA's SHARP program included 211 companies involved in various stages of our SHARP program. Our Public Education section provided training to over 26,580 participants either online or in person workshops, and is continuing to develop our online training presence.

During FFY2019, 21(d) consultants opened a total of 221 consultations. Health consultants conducted 68 initial visits, 3 follow-ups, and 4 training and assistance visits, for a total of 75 consultations. Safety consultants conducted 120 initial visits, 13 follow-ups, 13 training and assistance visits, for a total of 146 consultations. Overall, the 21(d) consultative staff conducted 27 % below the projected 290 visits. The change in health staff and an extended unforeseen medical leave were the reasons for not meeting our estimated total activities for the 21(d) program.

## **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: Joe Goldsby – 24.55, Dianna Gray- 25.70, Chris James - 2, Philip Grunke – 72.50.

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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.

- q 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 5.9 days.
- q 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.
- q Provide the report 10 days within the opening of the conference. The current average is now 11.9 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 46% 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.

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Ø 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 2019 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.

All Consultants were accompanied on consultation visits by their supervisor during the fiscal year. No negative or unusual situations were noted during these reviews.

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### Appendix

#### *Charts*

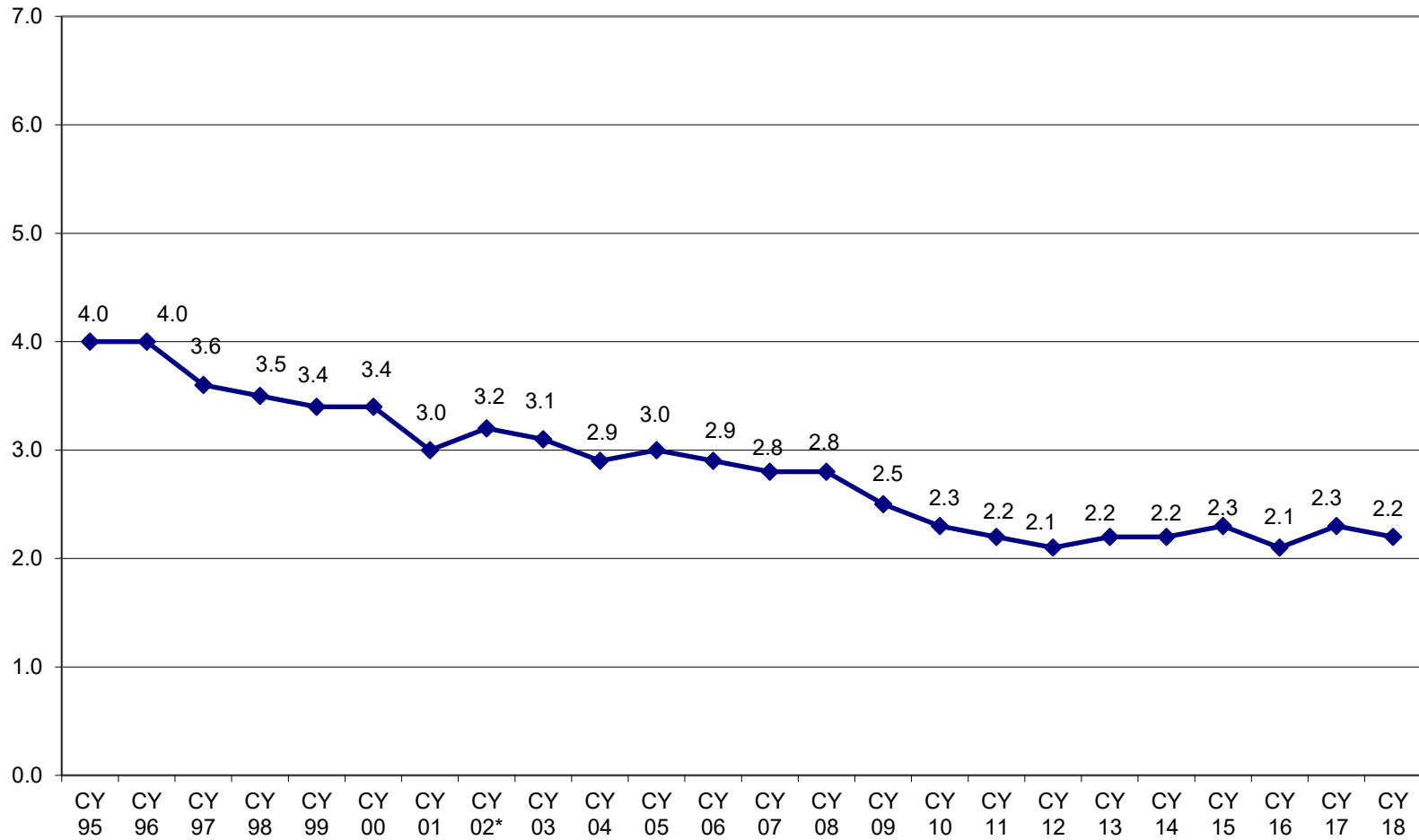
*Note to chart readers: data now reflects corrections (if any) to prior year's data.*

**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 1995 - 2018

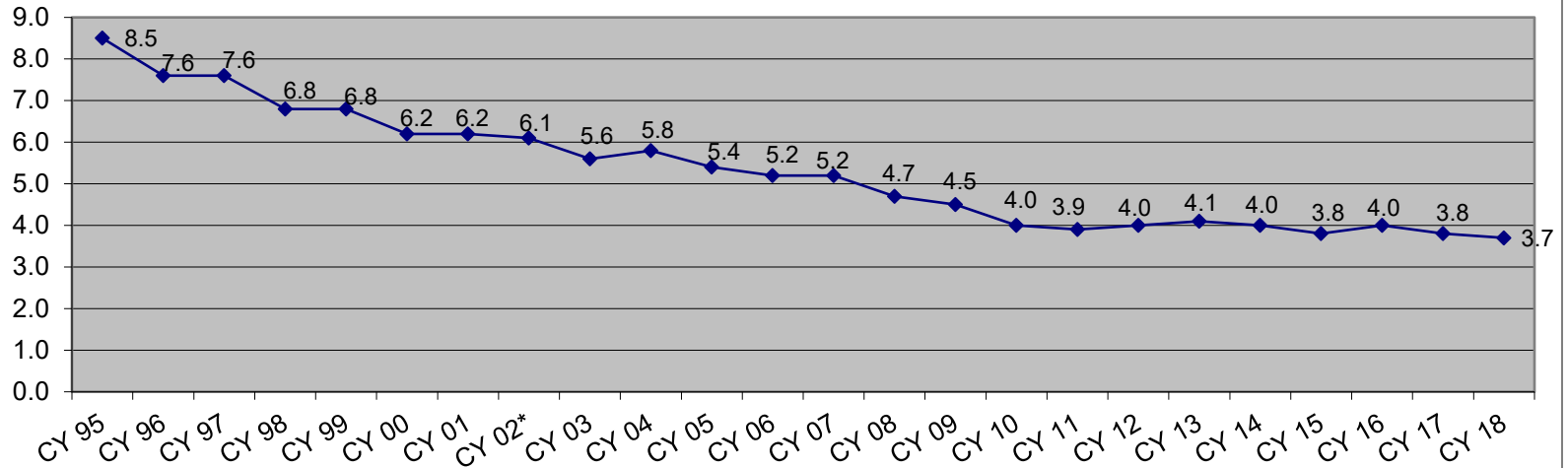


\*Data from 2002 on is based on revised recordkeeping requirements and is not comparable with rates from earlier years.



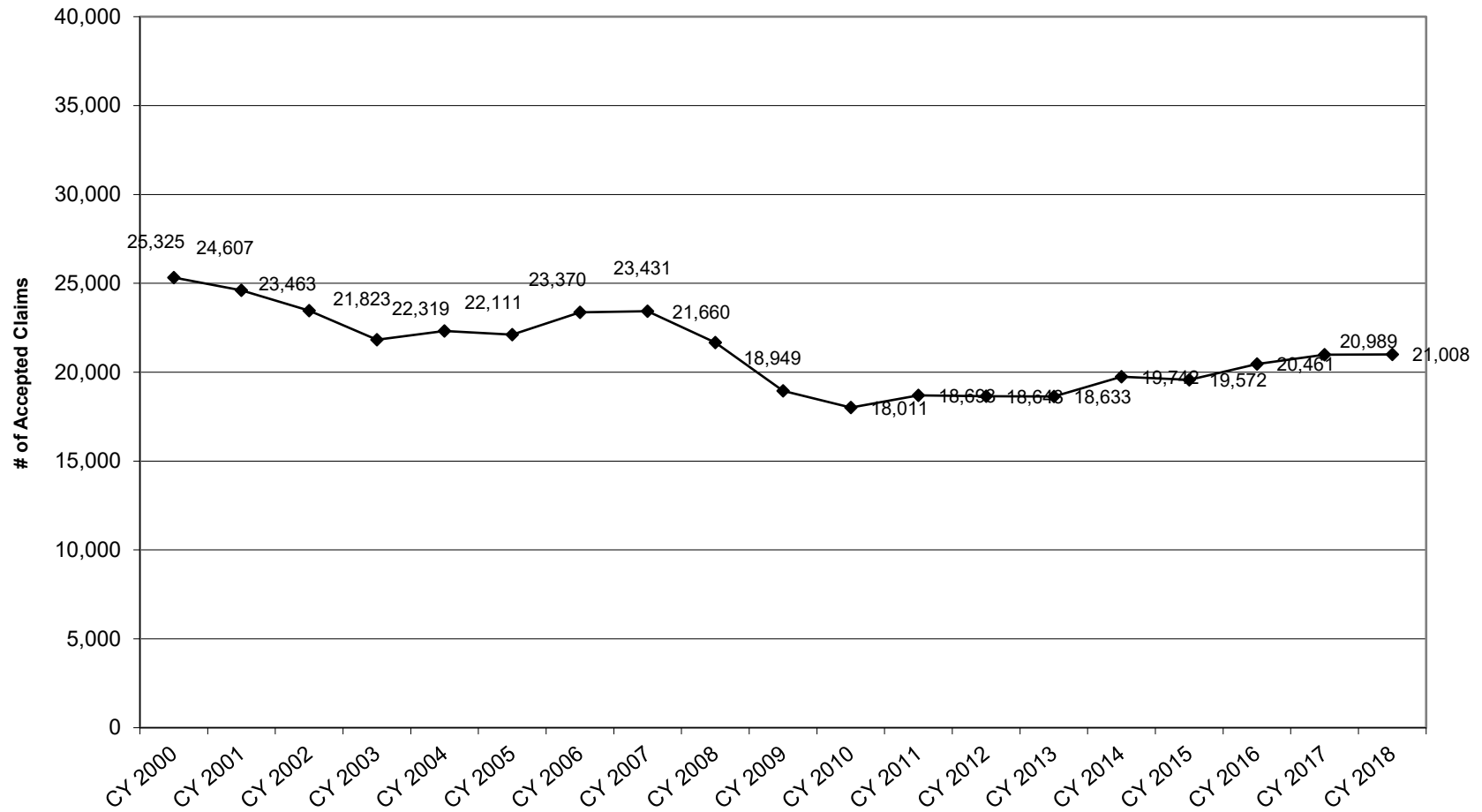
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### Total Case Incidence Rate (all sectors)

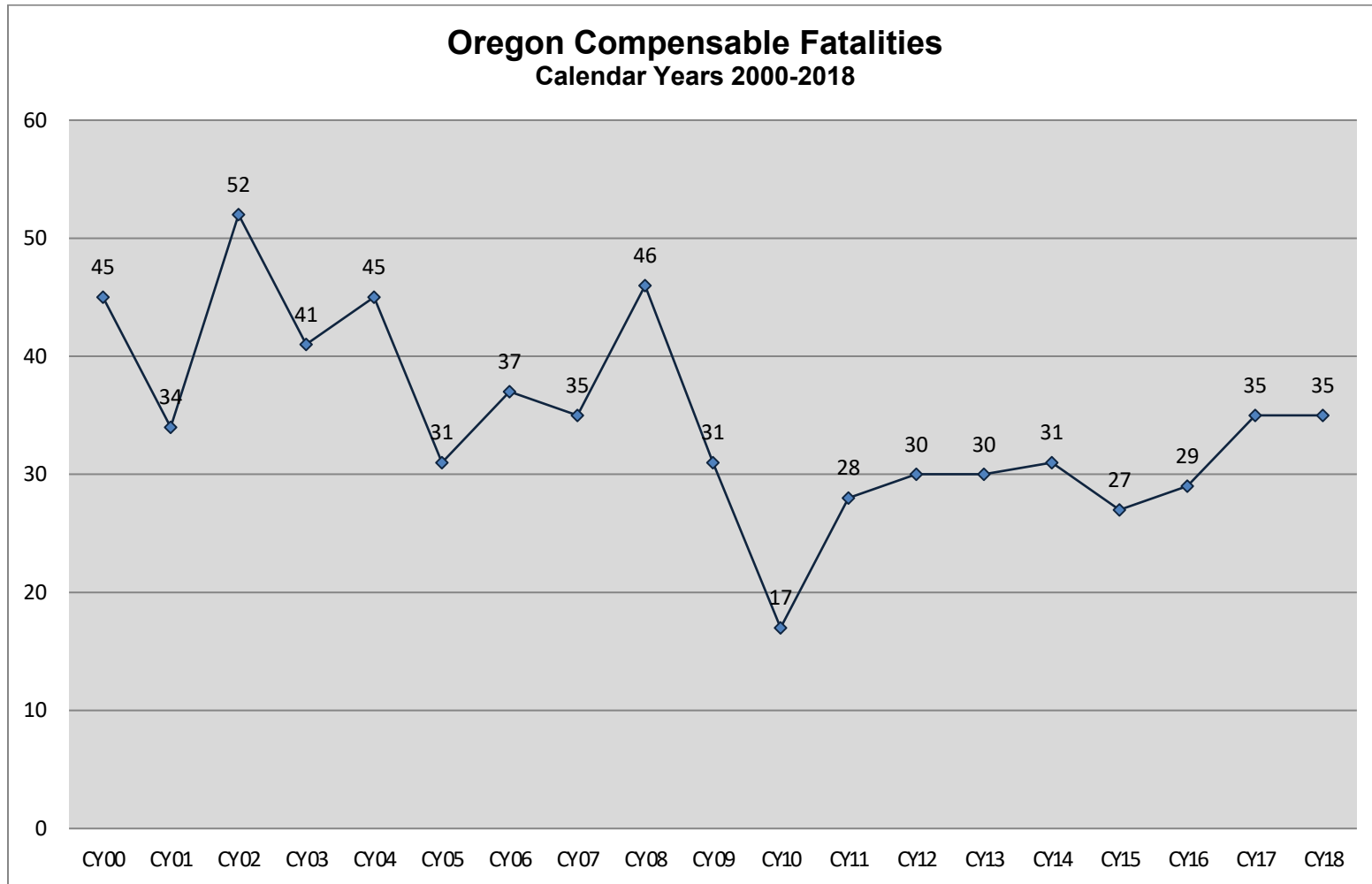


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### Oregon Accepted Disabling Claims Calendar Years 2000 - 2018



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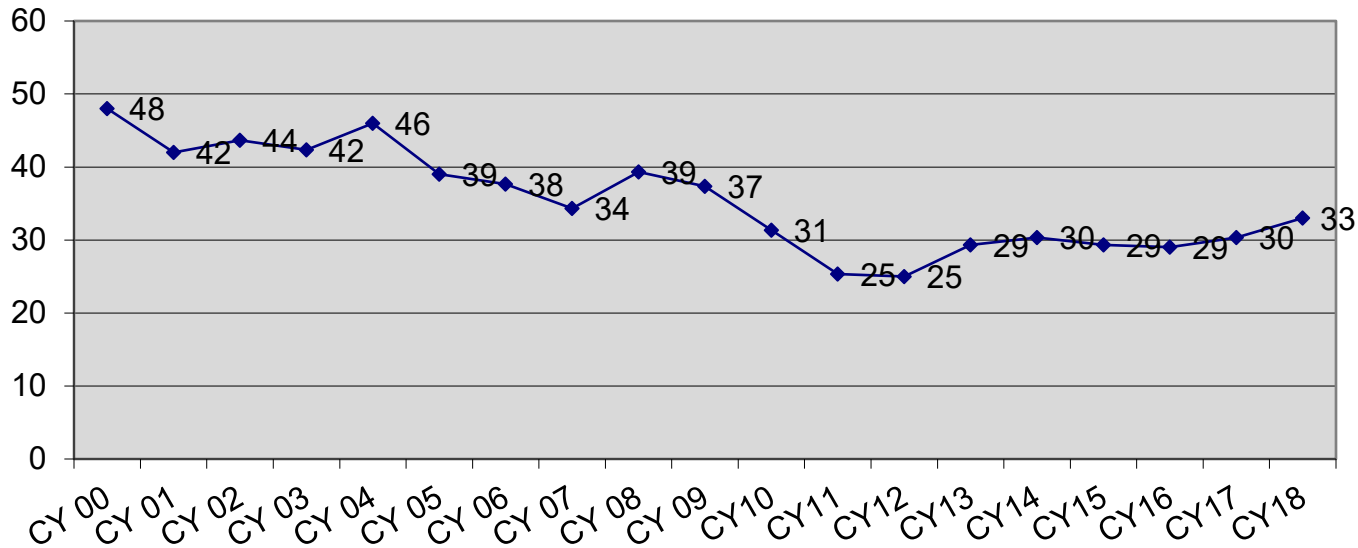


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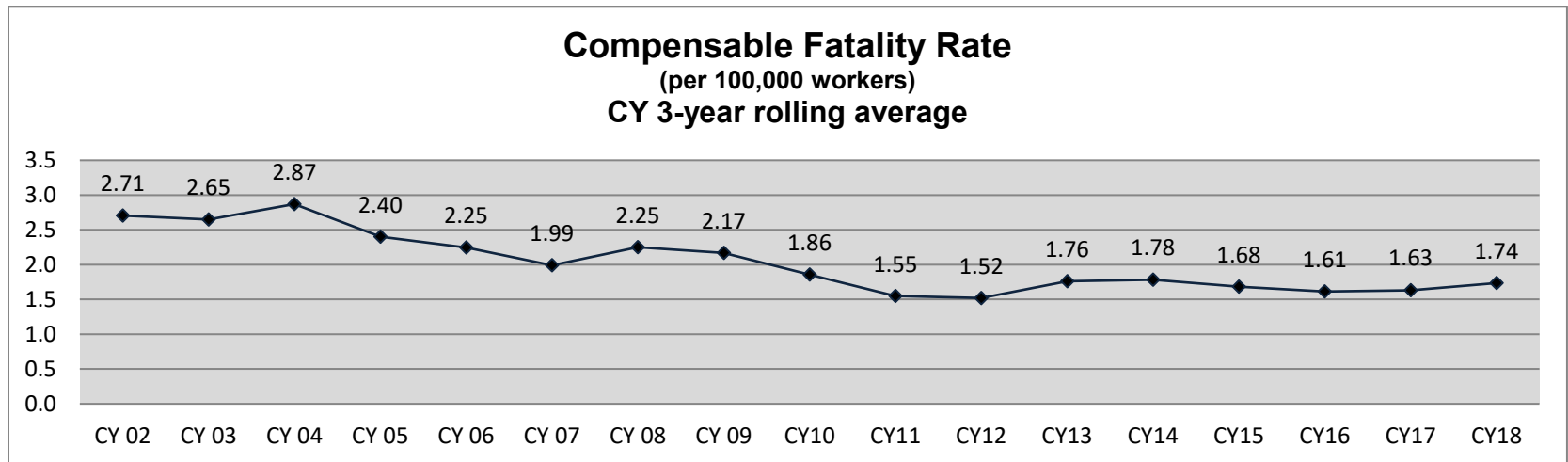
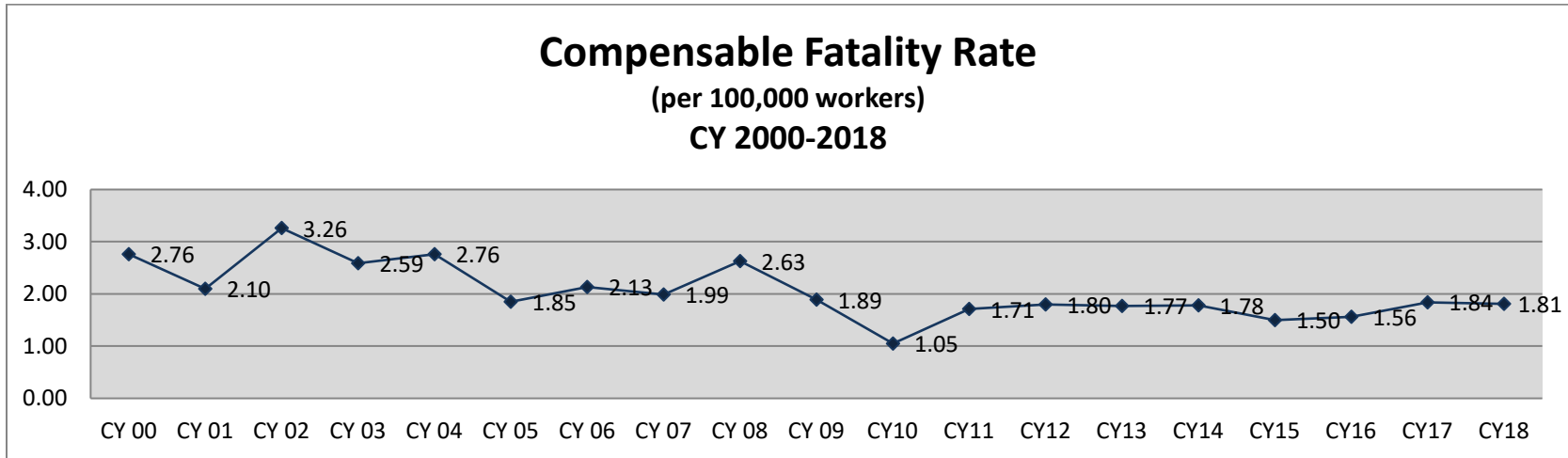
### Oregon Compensable Fatalities

Calendar Years 2000 - 2018

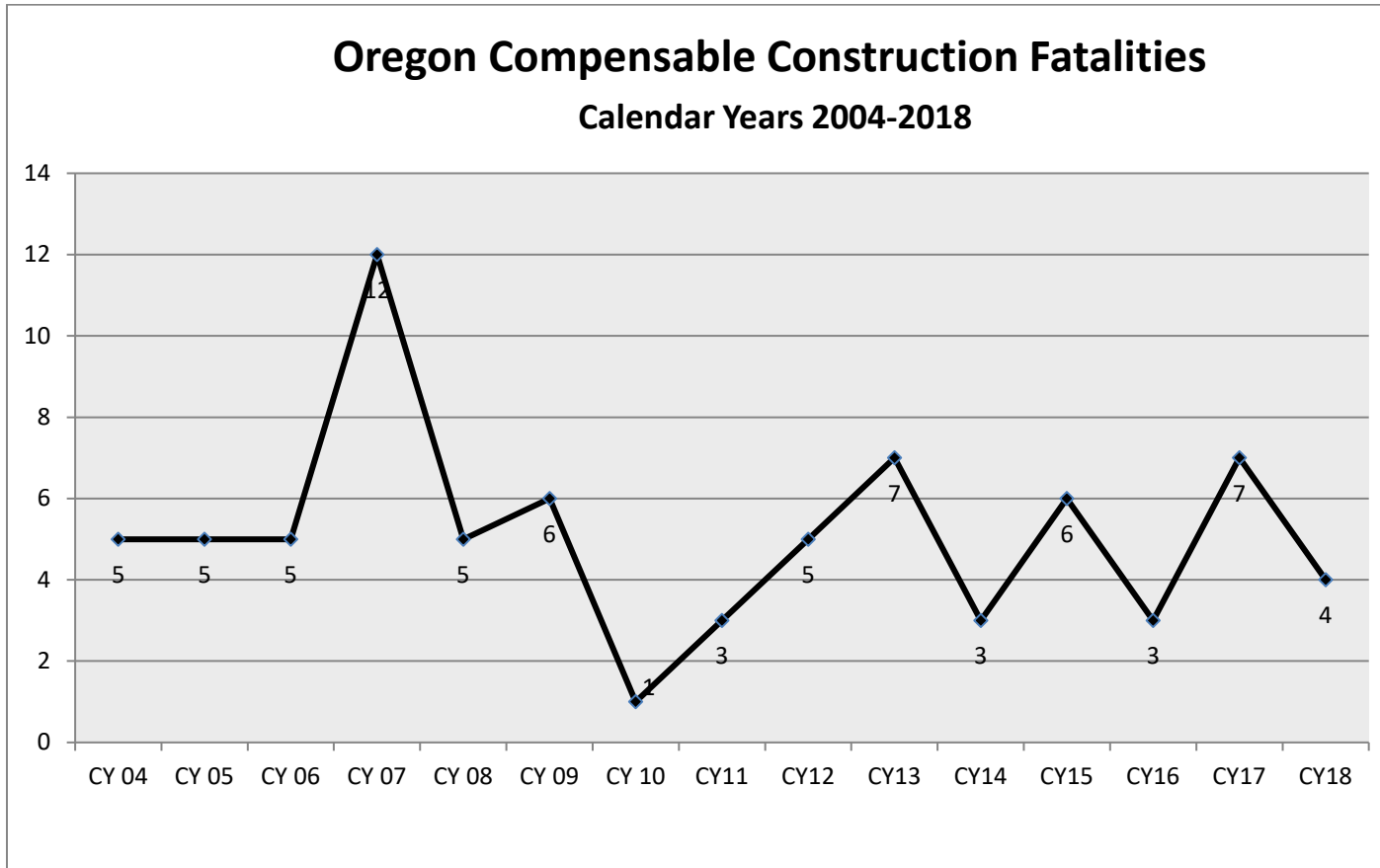
3-year rolling average



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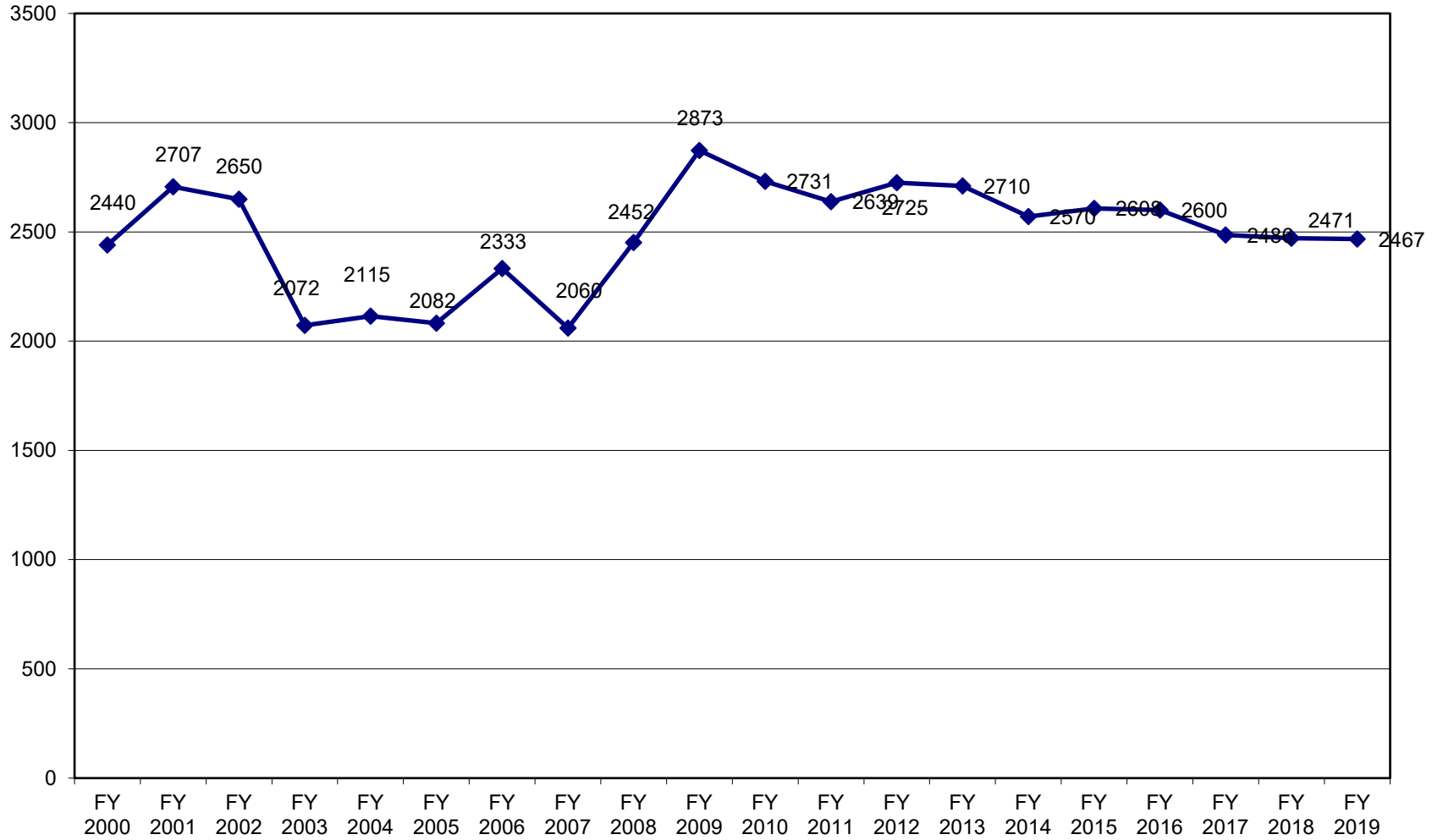


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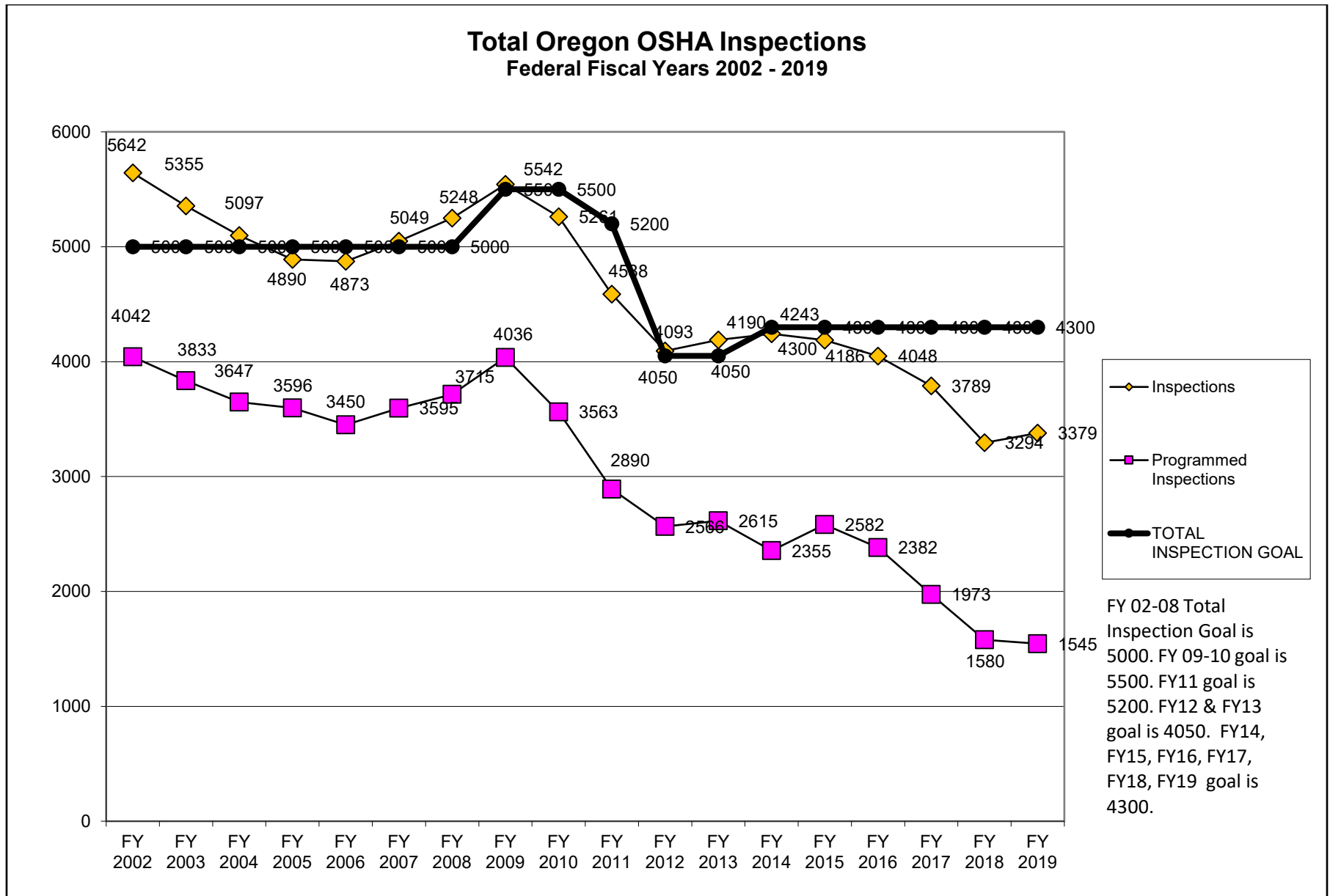


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**Total OR-OSHA Consultations**  
Federal Fiscal Years 2000 - 2019

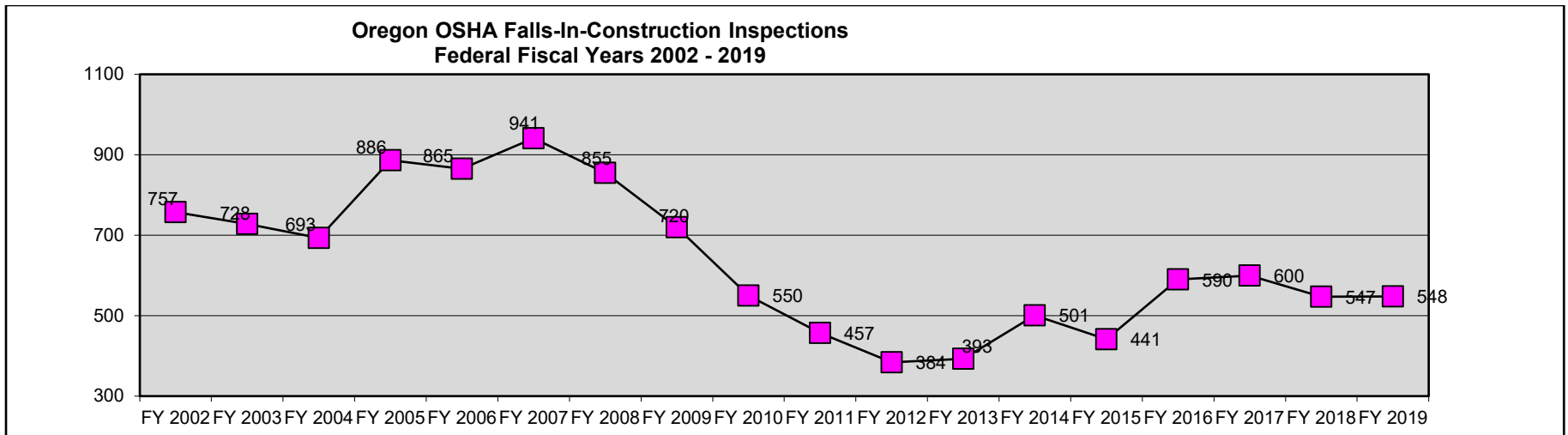
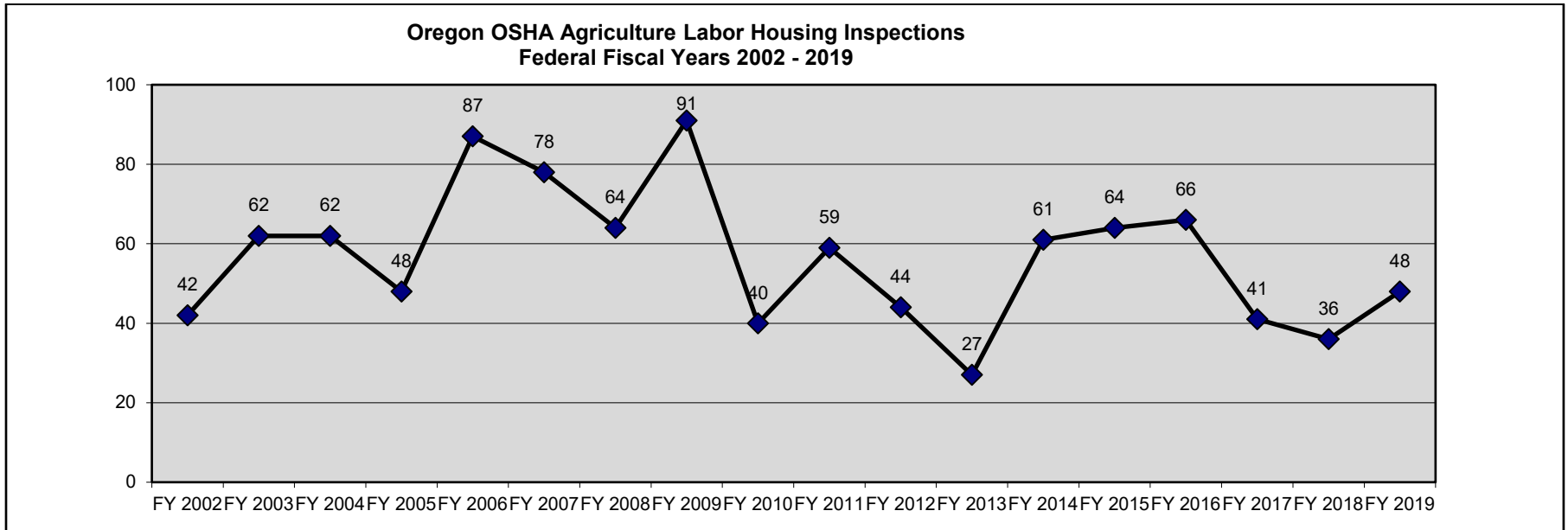


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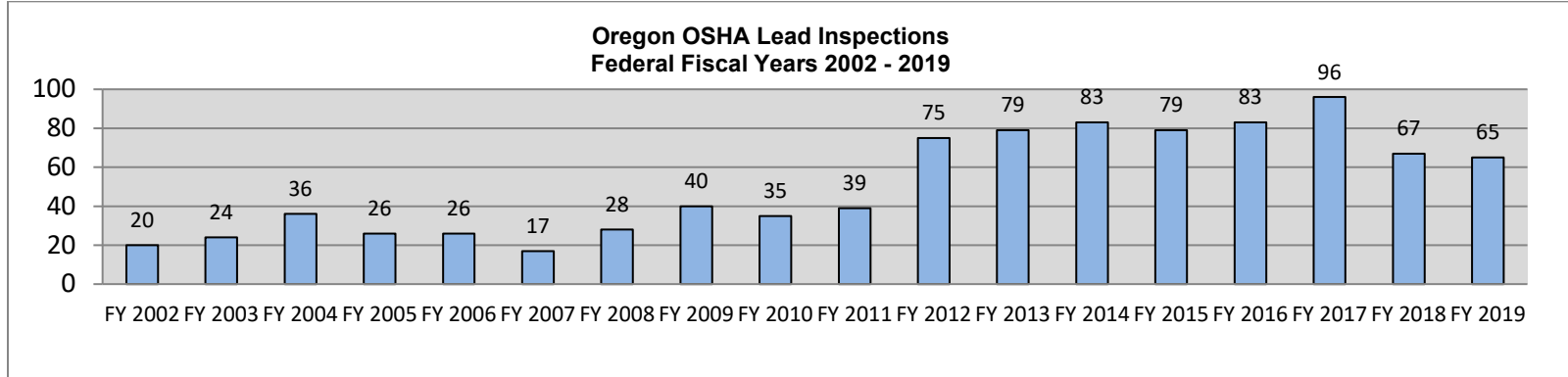
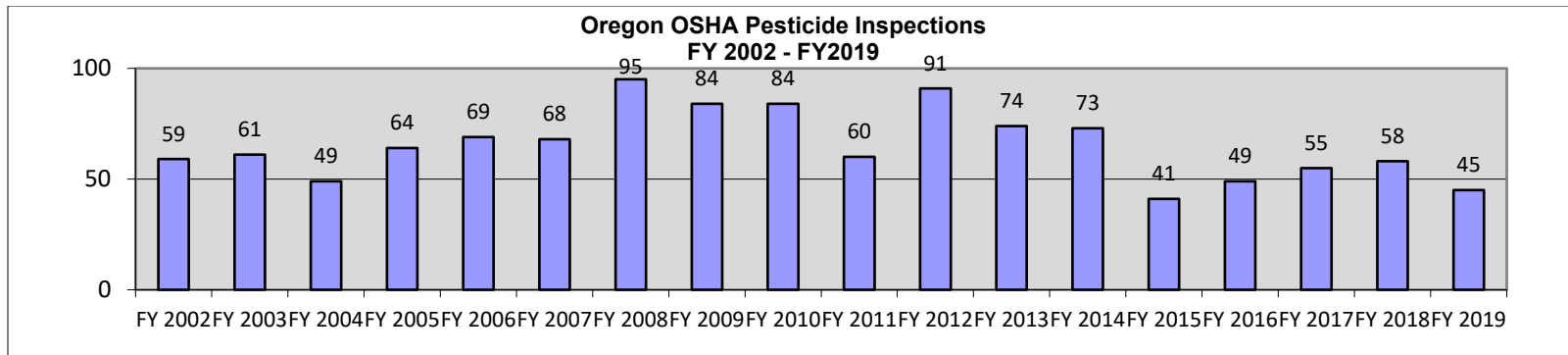




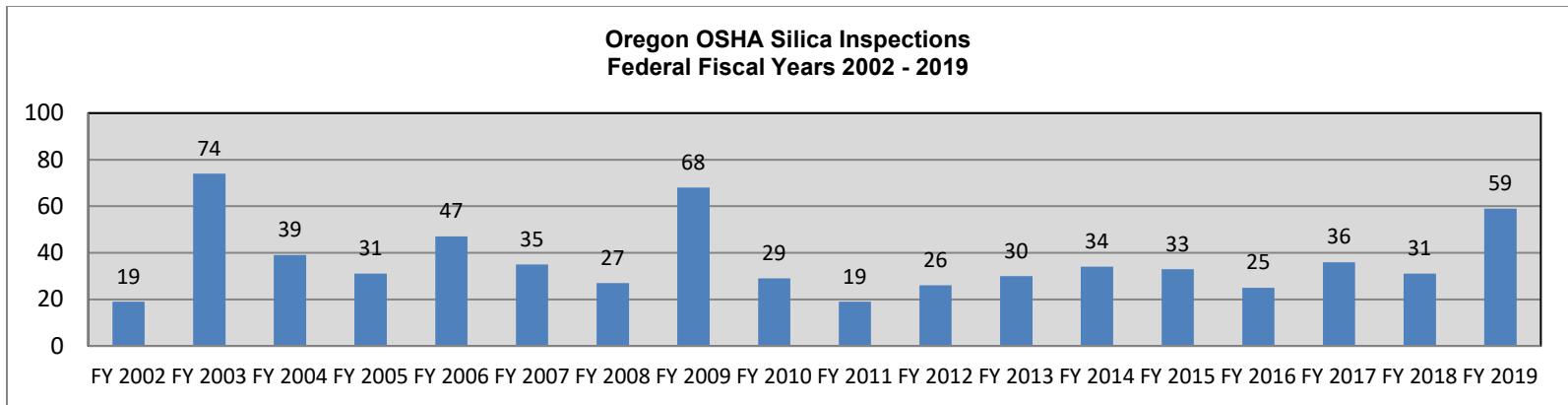
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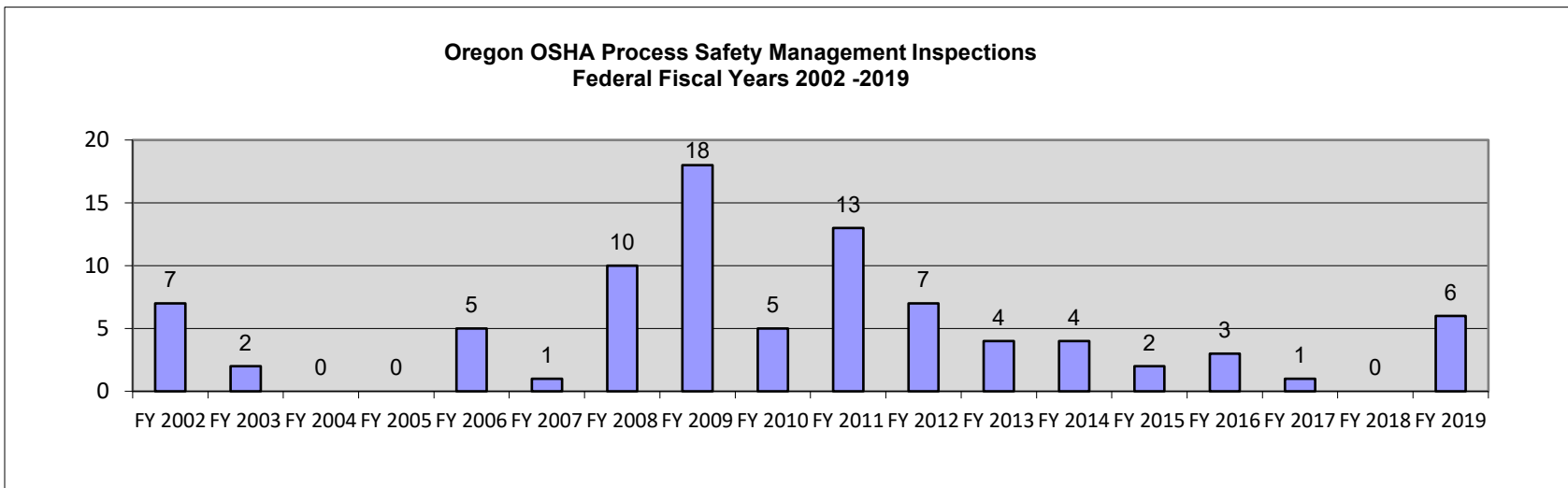
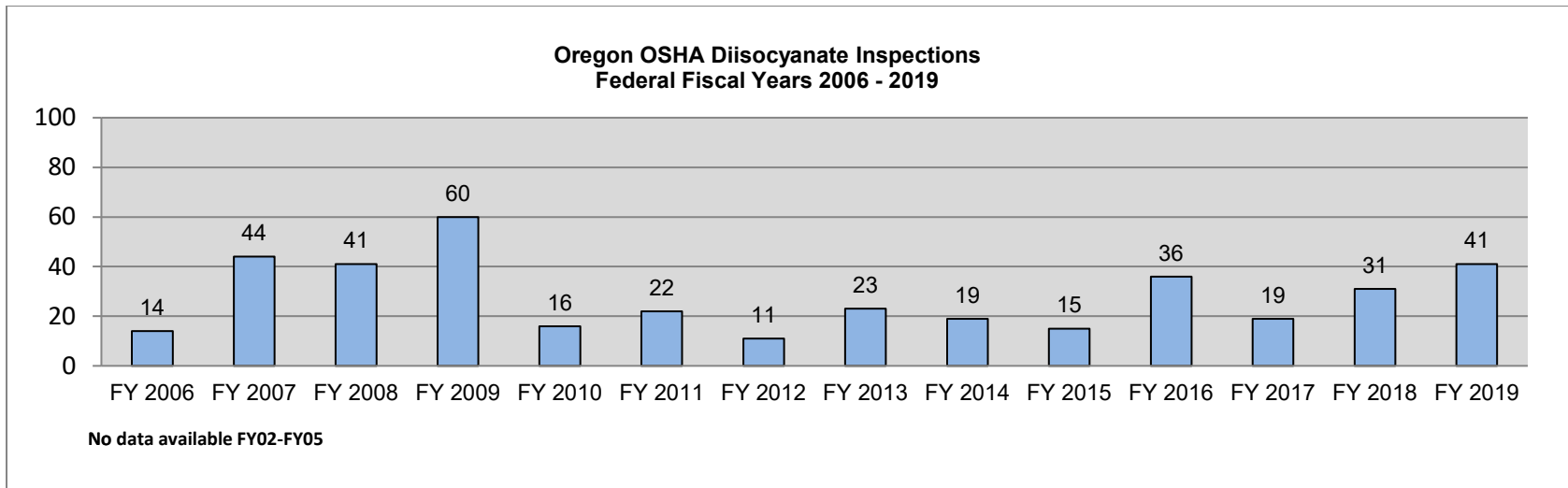
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