

**OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

PROGRAM DIRECTIVE

Program Directive: A-152
Issued: December 15, 1987
Revised: February 27, 2006

SUBJECT: Safety and Health Program Review

AFFECTED CODES/

DIRECTIVES: OAR 437-003-1926.20, 1926.21, 1926.23 and OAR 437-001-0700 through 0742. Federal reference STD 3-1.1

PURPOSE: This directive clarifies the citation policy and provides a checklist for evaluating OAR 437-003-1926.20, General Safety and Health Provisions; OAR 437-003-1926.21, Safety Training and Education; OAR 437-003-1926.23, First Aid and Medical Attention; and OAR 437-001-0700 through 0742, Recordkeeping and Reporting.

BACKGROUND: Due to OR-OSHA's increasing emphasis on preventing construction injuries and illnesses, OR-OSHA is reemphasizing the review of the contractor's safety and health program and its citation policy regarding OAR 437-003-1926.20, 1926.21, 1926.23 and OAR 437-001-0700 through 0742. There is a need to provide uniform field procedures and a checklist for evaluation of safety and health programs in the construction industry.

ACTION: When a construction inspection is performed, the following guidelines will be followed:

- A. An evaluation of the safety and health program will be completed. (See sample guidelines in Appendix A.) These guidelines will be modified, based on the OSS/OHSs professional judgment, to account for size and type of construction. A key indicator of an effective program will be the degree of knowledge which employees have of potential site specific safety and health hazards. This knowledge requires training (site familiarization) of skilled as well as nonskilled crafts in hazard recognition based on the employee's specific work environment and job related hazards.

- B. Discuss with the employer program deficiencies such as lack of management policy, safety and health rules, inadequate assignment of responsibility, or poor employee awareness/participation.
- C. Cite the appropriate sections of OAR 437-003-1926.20, 1926.21, 1926.23, or OAR 437-001-0700 through 0742 for violations of the requirements for instruction, first aid, recordkeeping, and identification and control of hazards.
- D. Where the conditions warrant a citation for violation of OAR 437-003-1926.20, 1926.21, 1926.23, it may be issued even if additional OAR 437, Division 3 alleged violations were not documented. Note that OAR 437-003-1926. 21(b)(2) requires only safety and health instructions. Employers are required to implement a safety and health program in accordance with the above mentioned rules. However, employers should be encouraged to implement a formal safety and health training program with the guidelines in Appendix A.
- E. Violations for OAR 437-003-1926.20(b)(1)-(4) in a routine inspection may be cited as other-than-serious or serious as circumstances warrant.
- F. Recordkeeping violations OAR 437-001-0700 through 0742 shall be cited where records are not available for the individual site. Where construction employees are subject to common supervision, but do not report or work at a fixed establishment on a regular basis or where employees are engaged in physically dispersed activities, records for such employees must be maintained as follows:
 - 1. Records must be maintained either at the field office or at the mobile base of operations.
 - 2. Records may also be maintained at an established central location. If records are maintained centrally:
 - a. The address and telephone number of the place where the records are kept must be available at the worksite, and
 - b. There must be personnel available at the central location during normal business hours to provide information from the records.

NOTE: The sections above describe the proper location of OR-OSHA records. Although the supplementary record and the summary must be maintained according to the above criteria, it is possible to prepare and maintain the log at an alternate location or by means of data processing equipment, or both. Two criteria must be met:

- (1) Sufficient information must be available at a central location to complete the log within 7 calendar days after receipt of information that a recordable case has occurred, and
- (2) Produce and send the records from the central location to the establishment within the time frames required by OAR 737-001-0700(20) and OAR 437-001-0700(22).

**EFFECTIVE
DATE:**

This directive is effective immediately and will remain in effect until cancelled or superseded.

APPENDIX A

EMPLOYER'S SAFETY AND HEALTH PROGRAM

<u>A. Management Commitment and Leadership.</u>	<u>YES / NO</u>	
1. Policy statement: goals established, issued, and communicated to employees.	<input type="checkbox"/>	<input type="checkbox"/>
2. Program revised annually.	<input type="checkbox"/>	<input type="checkbox"/>
3. Participation in safety meetings, inspections; agenda item in meetings.	<input type="checkbox"/>	<input type="checkbox"/>
4. Commitment of resources is adequate.	<input type="checkbox"/>	<input type="checkbox"/>
5. Safety rules and procedures incorporated into site operations.	<input type="checkbox"/>	<input type="checkbox"/>
6. Management observes safety rules.	<input type="checkbox"/>	<input type="checkbox"/>
 <u>B. Assignment of Responsibility.</u>		
1. Safety designee on site, knowledgeable, and accountable.	<input type="checkbox"/>	<input type="checkbox"/>
2. Supervisors (including foremen) safety and health responsibilities understood.	<input type="checkbox"/>	<input type="checkbox"/>
3. Employees adhere to safety rules.	<input type="checkbox"/>	<input type="checkbox"/>
 <u>C. Identification and Control of Hazards.</u>		
1. Periodic site safety inspection program involves supervisors.	<input type="checkbox"/>	<input type="checkbox"/>
2. Preventative controls in place (PPE, maintenance, engineering controls).	<input type="checkbox"/>	<input type="checkbox"/>
3. Action taken to address hazards.	<input type="checkbox"/>	<input type="checkbox"/>
4. Safety Committee, where appropriate.	<input type="checkbox"/>	<input type="checkbox"/>
5. Technical references available.	<input type="checkbox"/>	<input type="checkbox"/>
6. Enforcement procedures by management.	<input type="checkbox"/>	<input type="checkbox"/>
 <u>D. Training and Education.</u>		
1. Supervisors receive basic training.	<input type="checkbox"/>	<input type="checkbox"/>
2. Specialized training taken when needed.	<input type="checkbox"/>	<input type="checkbox"/>
3. Employee training program exists, is ongoing, and is effective.	<input type="checkbox"/>	<input type="checkbox"/>
 <u>E. Recordkeeping and Hazard Analysis.</u>		
1. Records maintained of employee illnesses/injuries, and posted.	<input type="checkbox"/>	<input type="checkbox"/>
2. Supervisors perform accident investigations, determine causes and propose corrective action.	<input type="checkbox"/>	<input type="checkbox"/>
3. Injuries, near misses, and illnesses are evaluated for trends, similar causes; corrective action initiated.	<input type="checkbox"/>	<input type="checkbox"/>

F.First Aid and Medical Assistance.

- | | | |
|--|--------------------------|--------------------------|
| 1. First aid supplies and medical service available. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Employees informed of medical results. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Emergency procedures and training, where necessary. | <input type="checkbox"/> | <input type="checkbox"/> |