



DEPARTMENT OF
CONSUMER
& BUSINESS
SERVICES

Occupational Safety and Health Division (Oregon OSHA)

Agenda
Advisory Group on Fixed Site Enforcement Scheduling
Salem L&I Building, Conference Room B
9 a.m. to noon, July 7, 2008

- I. Introductions**
- II. Overview of Scope of Current Rulemaking Discussions**
- III. Current Scheduling**
- IV. Overview of Requirements of ORS 654.035(1)(d)**

Fix standards for routine, periodic or area inspections of places of employment that are reasonably necessary in order to determine compliance with all occupational safety and health laws and the regulations, rules and standards adopted under occupational safety and health laws. Except for complaint inspections, follow-up inspections, imminent danger inspections, referral inspections and inspections to determine the cause of an occupational death, injury or illness, all inspections shall be based on written neutral administrative standards. The standards shall include a prioritized scheduling system for inspections that predominantly focuses enforcement activities upon places of employment that the director reasonably believes to be the most unsafe. The standards shall be accessible to employers under ORS 192.410 to 192.505 for at least 36 months from the last date the standards are in effect. The director shall notify in writing each employer whose place of employment is rated by the director as one of the most unsafe places of employment in the state of the increased likelihood of inspection of the employer's place of employment and of the availability of consultative services. The director may by rule offer incentives to employers that elect consultative services before an inspection is conducted. Nothing in this paragraph prevents the director from conducting a random inspection of a place of employment as long as the inspection is scheduled and conducted pursuant to written neutral administrative standards.

- V. Problems with current approach**

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VI. Discussion of Tentative Safety Proposal

- A. Rank industries by (aggregate) injury data from multiple sources
- B. Group industries into four categories by those rankings
- C. Using random lists (excluding only those places of employment subject to a comprehensive inspection in previous 3 years), inspect 30 percent of places of employment in first group, 10 percent in second group, 5 percent in third group.
- D. Question: Should fourth (lowest) group be subject to very infrequent random inspection?
- E. Question: Is 3 years the right exclusion for “recency”?
- F. Question: Should inspection results affect scheduling (either to leave an employer on the list because of violations or to exclude an employer because of “in compliance” inspections)?
- G. Question: Should other factors be used to trigger programmed inspections?
- H. Question: Other issues?

VII. Discussion of Tentative Health Proposal

- A. Rank industries by risk factors identified through claims data, literature, enforcement/exposure history and expert opinion of technical advisory group
- B. Group industries into two categories by those rankings
- C. Using random list (excluding only those places of employment subject to a comprehensive inspection in previous 3 years), inspect 5 percent of places of employment in first group.
- D. Questions: Same as above

VIII. Next Steps

IX. Next Meeting

**Salem L&I Building, Conference Room A
9 a.m. to noon, July 14, 2008**