



Oregon OSHA Update

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Department of Consumer
and Business Services

Oregon OSHA



**Improving
workplace safety
and health for all
Oregon workers**

- No-cost confidential consultations
- Enforcement inspections
- Public education training materials and workshops
- Technical resources
- Resource center and lending library services
- Conferences

Oregon OSHA: Adopted rules

- Heat illness prevention (effective June 15, 2022)
- Protection from wildfire smoke (effective July 1, 2022)
- Penalties and other division 1 rules (effective Jan. 1, 2024)
- Injury Tracking Application (effective Jan. 1, 2024)
- Employer-provided housing (effective March 31, 2025)

Heat Illness Prevention Summary (Effective June 15, 2022)

Scope and application:

Employees who performs work activities, whether in indoor or outdoor environments, where the heat index (apparent temperature) equals or exceeds 80 degrees Fahrenheit.

Full Exemptions:

- Incidental heat exposures less than 15 minutes in any sixty minute period
- Exposures to heat generated from the work process
- Structures that have a mechanical ventilation system that keeps the heat index below 80 degrees Fahrenheit

Heat Illness Prevention Summary (Effective June 15, 2022)

Partial Exemptions:

- Employees who perform either “rest” or “light” workloads are exempt from the *some* of the requirements of sections only when the heat index is less than 90 degrees Fahrenheit. (Exempt from: shade, specified water amounts, rest breaks, specific emergency medical plan, acclimatization plan, prevention plan, and training)
- Associated support activities for wildland firefighters such as fire camp services and fire management are exempt only from acclimatization plan
- Employees who work from home are subject only to the training and documentation of training requirements

Heat Illness Prevention Summary (Effective June 15, 2022)

Rule Requirements:

- Access to shade at heat index above 80 degrees Fahrenheit
- Access to water and quantity requirements at heat index above 80 degrees Fahrenheit
- High heat practices (engineering/admin controls, communication system, identify those with symptoms, designate someone to call emergency services, work rest schedule)
- Emergency medical plan for heat
- Acclimatization plan
- Heat Illness prevention plan
- Training and documentation

Heat Illness Prevention Summary (Effective June 15, 2022)

Work/Rest schedule – Option A:

Table 1: Minimum employer-specific rest break durations and intervals:

Heat index temperature (° F)	Rest break durations
90 or greater	10 minutes every two hours
100 or greater	15 minutes every hour

Must consider:

- The effect of personal protective equipment (PPE) on the body's ability to retain heat;
- The effect of the type of work clothing on the body's ability to retain heat;
- Relative humidity, whether work activities are indoors or outdoors; and
- The intensity of the work being performed.

Heat Illness Prevention Summary (Effective June 15, 2022)

Work/Rest schedule – Option B:

- Implement an effective heat illness prevention work/rest schedule using the information found in section (3) of Informational Appendix A.
- Note that section (3) table data in Appendix A is reproduced from NIOSH [2016]. *NIOSH criteria for a recommended standard: occupational exposure to heat and hot environments*. By Jacklitsch B, Williams WJ, Musolin K, Coca A, Kim J-H, Turner N. Cincinnati, OH: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, DHHS (NIOSH) Publication 2016-106.

Heat Illness Prevention Summary (Effective June 15, 2022)

Work/Rest schedule – Option C:

Table 2. Minimum simplified rest break durations and intervals:

Heat index temperature (° F)	Rest break durations
90 or greater	10 minutes every two hours
95 or greater	20 minutes every hour
100 or greater	30 minutes hour
105 or greater	40 minutes every hour

Heat Illness Prevention Summary (Effective June 15, 2022)

Acclimatization Plan – Option A:

- Employers who develop their own acclimatization plan must consider:
 - Acclimated and unacclimated workers;
 - The effect of clothing/personal protective equipment on adding to the heat burden of workers;
 - The personal and environmental risk factors that put workers at a higher risk of heat-related illness;
 - Re-acclimatizing workers is necessary (either due to changes in the weather or a worker spending more than seven days away from the job);
 - The use and maintenance of auxiliary cooling systems such as water-cooled garments, air-cooled garments, cooling vests, and wetted overgarments.
 - OR follow (7)(b)

Heat Illness Prevention Summary (Effective June 15, 2022)

Acclimatization Plan – Option B:

- Employers that choose not to develop their own acclimatization plan must follow the acclimatization plan developed by the Centers for Disease Control and Prevention and NIOSH; see section(4) in the Informational Appendix A.

Wildfire Smoke Protection Summary (Effective July 1, 2022)

Scope and application:

Employees who are or will be exposed to wildfire smoke where the ambient air concentration for fine particulate matter (PM_{2.5}) is at or above 35.5 µg/m³ (Air Quality Index value of 101 for PM_{2.5}).

Full exemptions:

- Enclosed buildings with filtered air by mechanical ventilation
- Enclosed vehicles with filtered air by maintained cabin air filter – Excludes public transit
- Suspension of operations above AQI 101
- Working from home

Wildfire Smoke Protection Summary (Effective July 1, 2022)

Partial exemptions – provide training and filtering facepiece respirators only:

- Emergency operations *directly* involved protection of life and property
- Wildland firefighting and support activities
- Intermittent employee exposure of less than 15 minutes in an hour over AQI 101 for a total exposure of less than one hour in a single 24-hour period.

Wildfire Smoke Protection Summary (Effective July 1, 2022)

Rules Requirements:

- Exposure assessment
- Information and training
- Training documentation
- Employer two-way communication
- Exposure controls (engineering and administrative)
- Voluntary use respirators at AQI of ~~101-250~~ **101 - 276**
- Required use respirators at AQI ~~251-500~~ **277 – 848** without medical eval/fit test
- Required use respirators at AQI ~~501~~ **849** with full respirator program (1910.134)

Red AQI is the new EPA calculation, there is no increase to worker exposure

Senate Bill 592 (2023) (Effective Jan. 1, 2024)

- SB592:
 - Comprehensive Inspections required when:
 - Violation caused or contributed to work-related fatality, within 12 months
 - Three repeat violations within 12 months
 - Three willful violations within 12 months
 - Non-compliance history, deemed necessary to protect workers
 - Penalties increased:
 - Serious and Death Rated Violations - \$1,116-\$15,625*
 - Repeat Violations (including other-than-serious) - \$11,162-\$156,259*
 - Willful Violations: \$11,162-\$156,259*
 - Caused or Contributed to Work-Related Fatality: \$20,000-\$50,000*
 - Willful or Repeat - Caused or Contributed to Work-Related Fatality: \$50,000-\$250,000
 - Annual Penalty Adjustments:
 - Western CPI annual adjustment

*Penalties displayed are in the legislation before the 2024 and 2025 Annual Adjustments

Senate Bill 907 (2023) (Effective Jan. 1, 2024)

- SB907 Amends the Oregon Safe Employment Act:
 - It is an unlawful employment practice to bar, discharge or discriminate against any employee or prospective employee who has:
 - *“With no reasonable alternative and in good faith, refused to expose the employee or prospective employee to serious injury or death arising from a hazardous condition at a place of employment.”*
 - Oregon OSHA shall adopt rules in accord with the federal Occupational Safety and Health Act of 1970 (29 U.S.C 651 et seq.).

Injury Tracking Application (Effective Jan. 1, 2024)

Electronic submission of injury and illness records to Federal OSHA:

- 250 or more employees at any time during the previous calendar year, and you are required to maintain an OSHA 300 log
 - Submit 300A by March 2
- 20 or more but fewer than 250 employees at any time during the previous calendar year, and listed on Table 7
 - Submit 300A by March 2
- 100 or more employees in high-hazard industries (a subset of those who are already required to submit their OSHA Form 300A data)
 - Submit 300 and DCBS Form 801 for case-specific data by March 2

Employer Provided Housing (Effective March 31, 2025)

Includes updates to:

- Registration
 - Facility Grounds
 - Laundry
 - Water
 - Bathing Facilities
 - Toilets
 - Cooking and Eating Facilities
 - Sleeping Rooms
-
- Many provisions have delayed effectives into 2028

Pre-proposal rulemaking and emphasis programs

- **Pre-proposal rulemaking:**
 - Lead
 - Hazard communication
 - Consultation
 - Confidentiality
 - 21d funded consultants
 - Public entities
- **Emphasis program highlights:**
 - Falls in All Industries ([A-239](#)) revised Nov. 2023
 - Programmed Inspections for Cause ([A-304](#)) Jan. 2024
 - Process Safety Management ([A-177](#)) revised July 2024
 - Cannabis Processing ([A-307](#)) adopted December 2024
 - Severe Violator Emphasis Program ([A-277](#)) revised March 2025

Oregon OSHA: Legislative activity

- More than 3400 introduced bills
- 1st Chamber Deadline – April 9, 2025
- Following specific to Oregon OSHA:
 - Home and community-based services workforce standards board
 - Agriculture workforce standards Board
 - Behavioral Health Protections
 - Agriculture Labor Housing Exclusions

Questions?

Ask our experts

Location: Salem central office

Phone: 503-378-3272

Toll free: 800-922-2689 (inside Oregon only)

Email: tech.web@dcbs.oregon.gov

Website: Online contact form

Consultations and evaluations

Location: Salem central office

Phone: 503-378-3272

Toll free: 800-922-2689 (inside Oregon only)

Email: consult.web@dcbs.oregon.gov

Website: Online request form

Conference information

Location: Salem central office

Phone: 503-378-3272

Toll free: 888-292-5247, Option 1

Email: oregon.conferences@dcbs.oregon.gov

Education and training

Location: Salem central office

Phone: 503-947-7443

Toll free: 888-292-5247, Option 2

Email: ed.web@dcbs.oregon.gov

Resource Center and AV Library

Location: Salem central office

Phone: 503-947-7453

Toll free: 800-922-2689 (inside Oregon only)

Email: osha.resource@dcbs.oregon.gov

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