



# Southern Oregon Construction Safety & Health Forum

2016 Summer  
1st Edition



It remains our mission for effective Safety & Health Program communication with AGC Members. With everyone's busy schedules it can be difficult to commit to meetings. This forum letter is intended to give us all opportunity to share information on current rules, conditions and changes that effect our Safety Cultures and our Communities. When you have information you are willing to share with Members, please contact me and we will ensure that information gets out for everyone's benefit. John Jean, AGC SMC [johnj@agc-oregon.org](mailto:johnj@agc-oregon.org) (541) 613-6859

## OR-OSHA Construction Fall Protection Changes

Oregon OSHA and federal OSHA have been in conversation about the fall protection issue for some time. During October of 2015, Oregon OSHA received written confirmation from federal OSHA that Oregon OSHA's fall protection requirements for construction activities cannot be considered at least as effective as the Occupational Safety and Health Administration's (OSHA) requirements. Federal OSHA identified two specific items of concern that Oregon OSHA must address:

**1) Oregon's 10-foot general fall protection trigger height for construction activities is inconsistent with federal OSHA's 6-foot trigger height.** A "trigger height" is a specified minimum height at or above which workers must be protected from fall hazards. Oregon's 10-foot general trigger height for construction activities applies to any walking/working surface except for those permitted by another standard. "437-003-1500(7) Walking/working surface means any surface, whether horizontal or vertical on which an employee walks or works, including, but not limited to, floors, roofs, ramps, bridges, runways, formwork, beams, columns, trusses and concrete reinforcing steel but not ladders, vehicles, or trailers, on which employees must be located in order to perform their job duties." Lowering Oregon's 10-foot general trigger height to a 6-foot general fall protection trigger height for construction activities is needed to comply with the State Plan requirements under Section 18 of the OSH Act.

**2) Oregon's allowance of slide guards as an acceptable fall protection system for construction activities is inconsistent with federal OSHA's fall protection requirements.** "437-003-1500(6) Slide guard system means a fall protection system designed to prevent employees from sliding off a sloped roof to a lower level. The system consists of manufactured brackets (roof brackets) used in conjunction with dimensional lumber, or a site built system of similar designed and dimension." They are currently allowed in Oregon on roofs with slopes of 3:12 to 8:12 and ground-to-eave heights of 25 feet or less. Since federal OSHA does not consider slide guard systems as effective as conventional fall protection systems such as guardrails systems, safety net systems, or personal fall arrest systems, prohibiting their use as a sole or primary fall protection system is needed to comply with the State Plan requirements under Section 18 of the OSH Act.

The tentative effective dates of the proposed rule changes are:

- **1) January 1, 2017, for the 6-foot general fall protection trigger height under Subdivision 3/M.**
- **2) October 1, 2017, for prohibiting the use of slide guard systems as a sole or primary fall protection system.**

## OSHA's Final Rule to Protect Workers from Exposure to Respirable Crystalline Silica

### Rule requires engineering controls to keep workers from breathing silica dust

The Occupational Safety and Health Administration (OSHA) has issued a final rule to curb lung cancer, silicosis, chronic obstructive pulmonary disease and kidney disease in America's workers by limiting their exposure to respirable crystalline silica. The rule is comprised of two standards, one for Construction and one for General Industry and Maritime.

About 2.3 million workers are exposed to respirable crystalline silica in their workplaces, including 2 million construction workers who drill, cut, crush, or grind silica-containing materials such as concrete and stone, and 300,000 workers in general industry operations such as brick manufacturing, foundries, and hydraulic fracturing, also known as fracking.

### Key Provisions

Reduces the permissible exposure limit (PEL) for respirable crystalline silica to 50 micrograms per cubic meter of air, averaged over an 8-hour shift.

Requires employers to: use engineering controls (such as water or ventilation) to limit worker exposure to the PEL; provide respirators when engineering controls cannot adequately limit exposure; limit worker access to high exposure areas; develop a written exposure control plan, offer medical exams to highly exposed workers, and train workers on silica risks and how to limit exposures.

Provides medical exams to monitor highly exposed workers and gives them information about their lung health.

- Provides flexibility to help employers — especially small businesses — protect workers from silica exposure.
- **Compliance Schedule**
- Both standards contained in the final rule take effect on June 23, 2016., after which industries have one to five years to comply with most requirements, based on the following schedule:
- **Construction** - June 23, 2017, one year after the effective date.
- **General Industry and Maritime** - June 23, 2018, two years after the effective date.