

# House Bill 2222

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Consumer and Business Services and Office of Regulatory Streamlining of Department of Consumer and Business Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies requirements for employer safety committees. Requires Director of Department of Consumer and Business Services to adopt rules providing for alternate forms of safety committees and safety meetings to meet special needs of small employers, agricultural employers and employers with mobile worksites.

## A BILL FOR AN ACT

1  
2 Relating to employer safety committees; amending ORS 654.176 and 654.182.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 654.176 is amended to read:

5 654.176. *[(1) In order]* To promote health and safety in places of employment in this state,[:]

6 *[(a) every public or private employer [of more than 10 employees shall establish and administer*  
7 *a safety committee]* **shall**, in accordance with rules adopted pursuant to ORS 654.182, **establish and**  
8 **administer a safety committee or hold safety meetings.**

9 *[(b) Every public or private employer of 10 or fewer employees shall establish and administer a*  
10 *safety committee in accordance with rules adopted pursuant to ORS 654.182 if the Director of the De-*  
11 *partment of Consumer and Business Services finds that:]*

12 *[(A) The employer has a lost workday cases incidence rate in the top 10 percent of all rates for*  
13 *employers in the same industry; or]*

14 *[(B) The employer is not an agricultural employer and the workers' compensation premium classi-*  
15 *fication assigned to the greatest portion of the payroll for the employer has a premium rate in the top*  
16 *25 percent of premium rates for all classes as approved by the director pursuant to ORS 737.320 (3).]*

17 *[(2) In making determinations under subsection (1) of this section, the director shall utilize the most*  
18 *recent departmental statistics regarding occupational injuries and illnesses and workers' compensation*  
19 *loss cost rates approved according to ORS 737.320 (3) for use in this state.]*

20 **SECTION 2.** ORS 654.182 is amended to read:

21 654.182. (1) In carrying out ORS 654.176, the Director of the Department of Consumer and  
22 Business Services shall *[promulgate rules which]* **adopt rules that** include, but are not limited to,  
23 provisions:

24 (a) Prescribing the membership of the committees to *[insure]* **ensure** equal numbers of employ-  
25 ees, who are volunteers or are elected by their peers, and employer representatives and specifying  
26 the frequency of meetings.

27 (b) Requiring employers to make adequate written records of each meeting and to file and  
28 maintain the records subject to inspection by the director.

29 (c) Requiring employers to compensate employee representatives on safety committees at the

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 regular hourly wage while the employees are engaged in safety committee training or are attending  
2 safety committee meetings.

3 (d) Prescribing the duties and functions of safety committees, which include, but are not limited  
4 to:

5 (A) Establishing procedures for workplace safety inspections by the committee.

6 (B) Establishing procedures for investigating all safety incidents, accidents, illnesses and deaths.

7 (C) Evaluating accident and illness prevention programs.

8 (e) Prescribing guidelines for the training of safety committee members.

9 **(f) Prescribing alternate forms of safety committees and safety meetings to meet the**  
10 **special needs of small employers, agricultural employers and employers with mobile**  
11 **worksites.**

12 (2) An employer that is a member of a multiemployer group operating under a collective bar-  
13 gaining agreement that contains provisions regulating the formation and operation of a safety com-  
14 mittee that meets or exceeds the minimum requirements of this section and ORS 654.176 shall be  
15 considered to have met the requirements of this section and ORS 654.176.

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