



Oregon OSHA Appeals Affected by SB592 (2023)

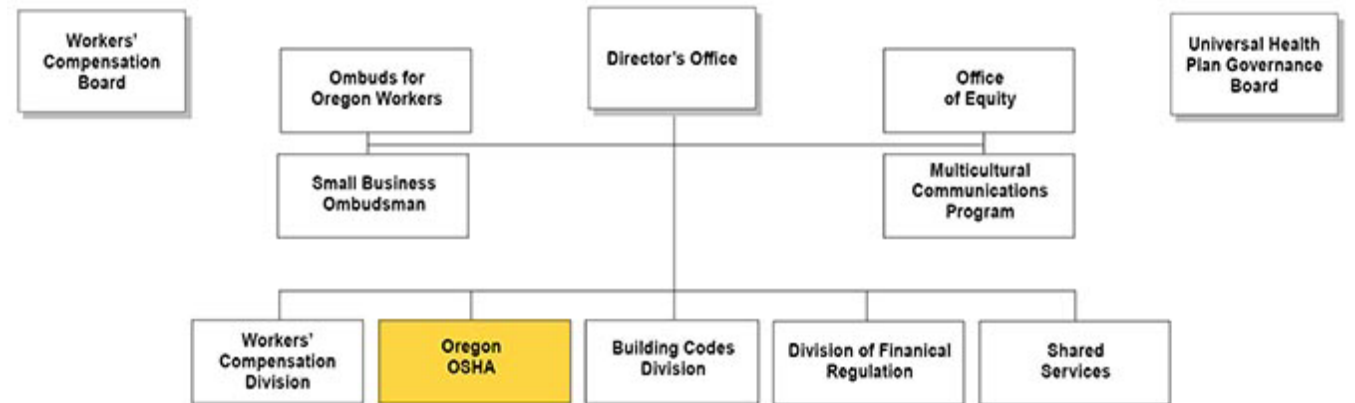
Presenter:

Renée Stapleton, Oregon OSHA Administrator



Oregon OSHA Mission

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



Oregon OSHA – Who we are

The Occupational Safety and Health Division of DCBS:

- Inspects places of employment
- Helps employers identify and eliminate hazards
- Investigates workplace fatalities/accidents/complaints
- Provides technical resources and training to workers and employers through outreach and public education

Key division stats:

- Oregon OSHA serves:
 - Workers (2025): Nearly 2 million
 - Business and government establishments (2025): 192,214
- Ranking of highest inspection rate in the nation (2025): Third

Oregon OSHA

SB592 (2023):

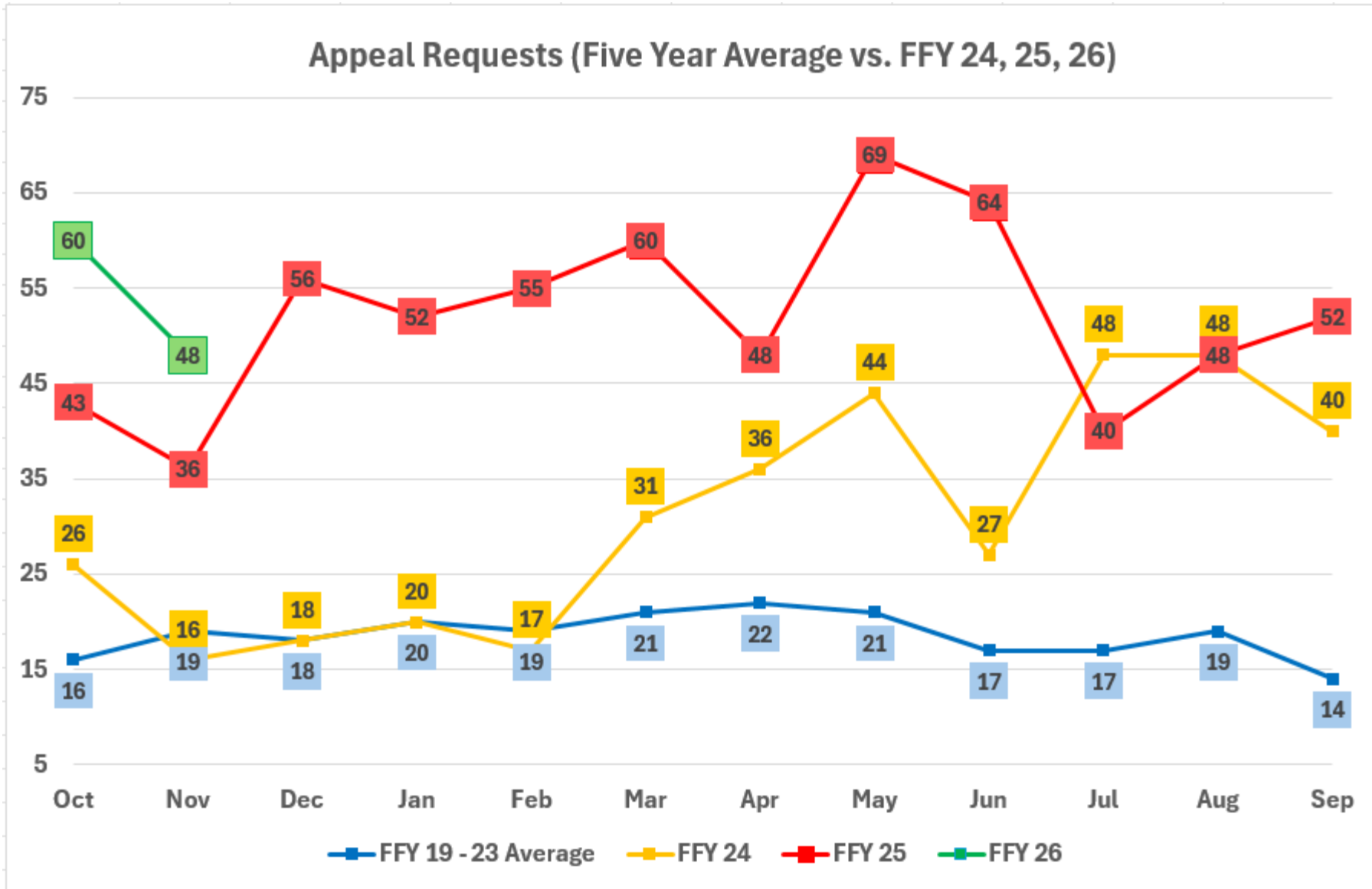
- Comprehensive Inspections required when:
 - Violation caused or contributed to work-related fatality
 - Three repeat violations within 12 months
 - Three willful violations within 12 months
 - Non-compliance history, deemed necessary to protect workers
- Penalties increase, with annual penalty adjustment (Western CPI):
 - Serious and Death Rated Violations
 - Repeat Violations (including other-than-serious)
 - Willful Violations
 - Caused or Contributed to Work-Related Fatality
 - Willful or Repeat - Caused or Contributed to Work-Related Fatality

Oregon OSHA – Appeal Process

If a citation is issued:

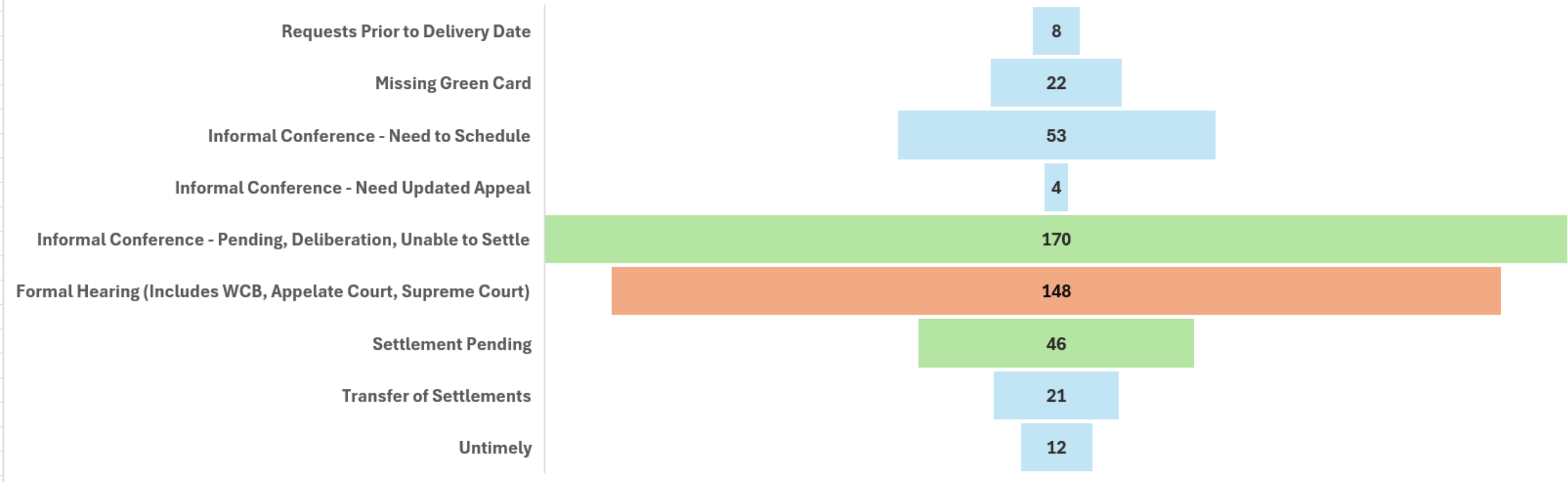
- Must appeal within 30 days of receipt of citation
 - When requested, provide a copy of inspection file to employer
- Often conduct informal discussions that could result in settlements
- Transfer to the Worker's Compensation Board
 - Oregon OSHA is represented by Department of Justice
 - Pre-hearing conferences with Administrative Law Judge (ALJ)
 - Depositions
 - Hearing on inspection
 - ALJ issues an Opinion and Order
- Appeal to Oregon Court of Appeals
- Appeal to the Oregon Supreme Court

Appeals by Year Since SB 592 (2023)



Oregon OSHA Appeals Active Status

Current Status for all 484 Active Appeals



Blue – Workload for Administrative Specialist and Public Records Specialist
Green – Workload for Appeals Specialist and Appeals Manager
Orange – Workload for DOJ and Appeals Manager

Oregon OSHA Request

- Resources requested:
 - Establish four positions (2.37 FTE)
 - One permanent Public Records Specialist (OS2 – SR15: 0.63 FTE)
 - One permanent Appeals Administrative Specialist (AS2 – SR20: 0.58 FTE)
 - One permanent Appeals Specialist (OPA3 – SR30: 0.58 FTE)
 - One permanent Appeals Manager (OHSM1 – SR31X: 0.58 FTE)
 - Increase DOJ expenditure limitation
- **Total Request: \$2,606,149 Other Funds**



Questions?