

OR-OSHA needs to hear from concerned employers and workers about the proposed scope COVID-19 workplace rules. **Please use the talking points below and send your comments via email ([tech.web@oregon.gov](mailto:tech.web@oregon.gov)) or snail mail to Administrator Michael Wood by April 2, 2021.**

Department of Consumer and Business Services/Oregon OSHA  
PO BOX 14480  
Salem, OR 97309

**Use the below talking points to craft your comment letter to Oregon OSHA by April 2, 2021.** Consider copying your [state senator and representative](#) so that they are aware that the OR-OSHA rules need changes before they are adopted.

If you own a small business, make sure you say that. If you're an employee, please make that clear. OR-OSHA needs to know that they need to reset their approach to this pandemic.

**Suggested Talking Points:**

- Oregon has required a lot of employers over the last 12-months and without any acknowledgement of the significant cost to local businesses. Many businesses in my community have permanently closed their doors due to unforeseen costs of responding to this pandemic, including state mandated closures.
- I care about the health and safety of workers, but I am strongly opposed to OR-OSHA adding new, more onerous regulations on local businesses 14-months into this pandemic.
- The proposed permanent workplace rules unfairly burden local businesses with new mandates. Not only is this inappropriate, given that by May 1<sup>st</sup>, every Oregonian 16 years and older will be eligible for vaccination, but OR-OSHA is also contributing to vaccine hesitancy among Oregonians. Some workers are asking why they should take the vaccine if the state's response to COVID-19 is not going to change as a result.
- Perhaps most important, OR-OSHA's Permanent COVID-19 Rules must expire when the Governor's declaration of a public health emergency is rescinded. Employers and workers have raised concerns with the agency's discretion to leave the COVID-19 Workplace Standard (masks, sanitation, transportation, distancing, etc.) in place after the vaccination is available to all Oregonians.
- The proposed ventilation requirements will burden small businesses. It can be very expensive to get service providers out annually, let alone quarterly. This should be revised.

- OR-OSHA should eliminate the requirement that employers keep records for 30-years of possible COVID-19 exposure in the workplace. This mandate will only burden employers with excessively long recordkeeping requirements, and I am not sure how that requirement adds to employee safety, which is where OR-OSHA's jurisdiction is.
- OR-OSHA must eliminate the requirement that employers record whenever a worker declines a vaccine. Not only do employers lack access to this personal medical information, but what constitutes a denial in this instance (e.g. an employee taking only one of two Pfizer or Moderna doses)? This requirement doesn't provide any value to OR-OSHA's enforcement activities and should be removed.
- Also, OR-OSHA doesn't have the authority to direct employers to hand over their private property to the government for vaccination events. While employers may volunteer to host an onsite vaccination clinic, the agency should remember that its authority is limited to worker safety.
- OR-OSHA does not have the authority to require employers to provide written notices of all potential available paid time off or sick time under local, state or federal law. There are already existing laws administered by BOLI relating to wage and hour law that include requirements for notification. This requirement is clearly outside the authority of your agency.
- OR-OSHA's rules must align current scientific understanding and the latest CDC guidelines related to 10-day quarantine, distancing, and classroom safety. Also, rules should be written to acknowledge that the agency's authority is limited to worker safety and does not extend beyond that. Without these changes, I am worried that OR-OSHA will adopt an inflexible rule that ends up harming our efforts to control the virus and reopen safely.
- Thank you for addressing the concerns I've raised today.