

Action Alert: Comment on Oregon OSHA's Proposed Heat & Smoke Rules

Over the last two years, OR-OSHA has announced an unprecedented number of regulations in response to the COVID-19 pandemic and natural disasters. Now, OR-OSHA is proposing the most aggressive wildfire smoke and heat illness prevention rules in the country, resulting in work stoppages for many employers across the state. The Oregon State Chamber of Commerce (OSCC) maintains, smoke and heat are environmental risks, not occupational hazards, and it is inappropriate for the agency to propose rules that will shut down small businesses who cannot afford to comply.

Worker advocates are mobilizing to demand paid time off to deal with smoke and heat and other environmental hazards and local businesses need to weigh in! **Please send your personalized comments to OR-OSHA at OSHA.rulemaking@dcbs.oregon.gov by 5:00 PM on March 18.**

It's important the agency hears about how these overreaching rules will further burden local businesses in Oregon. The OSCC has prepared [suggested comments here](#). We encourage you to personalize these comments for your business.

Wildfire Smoke Rules (See [proposed rules](#))

The basics:

- When the air quality index (AQI) is 101, employees can choose to wear N95 respirator masks to protect themselves from wildfire smoke particulate. Employers are required provide these masks to employees.
- When the AQI is 251, employees who are exposed to wildfire smoke are required to wear an N95 respirator, and employers are required to enforce that requirement, but employers are NOT required to implement a full respiratory protection program.
- When AQI is above 500, respirators must be worn by all employees, but the respiratory protection rule is also triggered, meaning that all employees must undergo medical evaluations and fit testing (*many employers will be forced to stop work because a company-wide respiratory protection program is not cost effective*).

Heat Illness Prevention Rules (See [proposed rules](#))

The basics:

- The heat prevention rules apply in both indoor and outdoor environments.
- At a heat index of 80 degrees: shade is required; sufficient water is required.
- At a heat index of 90 degrees: shade and water are required; 10-minute cool down breaks are required every 2 hours; employees must be monitored for heat illness; communication with employees must be maintained; employers must have an emergency medical plan; employers must have an acclimatization plan in place for employees.
- At and above a heat index of 95 degrees, the rules require paid rest breaks of between 15-45 mins per hour, depending on a variety of factors including work type and employee attire (*many employers will be forced to stop work because the paid work-rest break schedule is cost prohibitive*).

Deadline to Purchase Tickets for Chamber's Annual Awards Dinner is March 18!

To purchase tickets for the March 24 annual awards dinner and meeting of the membership, [CLICK HERE!](#) The dinner will be held at the Douglas County fairgrounds, from 5:45 to 8:00 p.m. in the Community Conference Hall. DEADLINE to purchase tickets is Friday, March 18 at 5:00 p.m. For more details, check out the chamber's [March/April issue of Business Perspectives newsletter](#).

OR-OSHA Releases Changes to COVID-19 Workplace Rules

On Monday, Oregon OSHA released changes to COVID-19 workplace requirements that align with the updated public health guidance from the Oregon Health Authority.

[You can read the full Workplace Advisory Memo here.](#)

OR-OSHA will modify enforcement to the following:

General Workplaces

Employers in general workplaces, which are defined as all workplaces other than exceptional risk workplaces, must:

- Allow workers to voluntarily use facial coverings and provide facial coverings at no cost to workers.
- Facilitate COVID-19 testing for workers if such testing is conducted at the employer's direction by ensuring the employer covers the costs associated with that testing, including employee time and travel.

In addition to those requirements, employers in general workplaces should:

- Continue to optimize the use of ventilation systems to help reduce the risk of COVID-19 transmission.
- Follow OHA, public health, or medical provider recommendations for isolation or quarantine of employees for COVID-19.
- Provide notice to workers who have had a potential work-related exposure to COVID-19 within 24 hours.

Exceptional Risk Workplaces

Requirements for exceptional risk workplaces, primarily where direct patient care is provided, will generally remain in place.

Industry-Specific Appendices

Remaining industry-specific and activity-specific workplace guidance will be repealed, with the exception of the appendix for *Emergency Medical Services: First Responders, Firefighters, Emergency Medical Services and Non-Emergency Medical Transport*.

Please support our local businesses! Many local businesses and organizations are still experiencing staffing shortages.

Please be patient. Please be kind.

Debbie

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Roseburg Area Chamber of Commerce

