

Stop the E.P.I.C. Overreach at OR-OSHA

BACKGROUND: On November 16, 2020, after months of stakeholder engagement, OR-OSHA adopted Temporary Rules applicable to all employers in Oregon. The rules aimed to make workplaces safe during COVID, and required employers to perform a risk assessment and infection control plan, provide new employee training, implement new worker protections and make costly workplace modifications. While many employers were already in compliance with OHA, CDC or the Governor's orders relating to workplace safety during the pandemic, these rules reflected a change in current practices and demand (and continue to demand) employers' time, commitment, and financial resources in one of the most challenging times in recent history.

Today, these rules are less than 2-months old; yet OR-OSHA already wants to rewrite them and make new permanent rules (in a new model with new mandates called EPIC, or the "Epidemic, Pandemic, Infection Control Standard").

SOLUTION: If OR-OSHA feels an extension is needed for their Temporary Rules set to expire in May 2021 (which they can't extend due to federal law), then **they should simply make the Temporary Rules permanent and commit to repeal the rules after the COVID emergency.**

- Oregon employers can't afford to change course once again and implement new requirements mere months after having met the timelines of the temporary regulations.
- Oregon employers can't afford the significant investments in new equipment and virus screening technology required in the proposed draft permanent rules.
- Oregon employers can't afford another round of confusing, complicated mandates that seek to not only protect against COVID but any future unknown, unseen pandemic.

Oregon employers need clarity and consistency during these challenging times. OR-OSHA should adopt the Temporary Rules as permanent and regroup employers and labor representatives after Oregon makes it through the current crisis. Then we can all reflect on the lessons learned and how, or even if, we need a standard in place for future public health crises. You don't rebuild the sinking ship during the storm. Nor do you propose new, complex standards with no scientific basis without an understanding of what you are protecting against – or even if those costly precautions make a difference in workplace safety.

OR-OSHA should focus on enforcing the current Temporary Rules and allow employers to continue to rely on the efforts already undertaken, especially as we begin to turn an important corner with the vaccine.

