



Department of Consumer & Business Services

Issued December 7, 2020

Oregon OSHA COVID-19 Workplace Advisory Memo (12.07)

“Enforcement of Oregon OSHA’s COVID-19 Rule Assessment, Planning, and Training Deadlines”

The recently adopted [Oregon OSHA Temporary COVID-19 rule](#) includes a series of deadlines, including three inter-related requirements. Under the rule, employers must complete both the required Risk Assessment and the Infection Control Plan based on that Risk Assessment by December 7, 2020 and must complete the required Infection Control Training (based in part on the Infection Control Plan) by December 21, 2020.

This memo addresses an implementation delay for certain employers – those whose business operations have been most directly affected by the recent “freeze” and by the newly adopted risk levels. It also acknowledges a *de facto* “grace period” for employers who have been working to comply but have not yet completed that work, reflecting Oregon OSHA’s general enforcement approach concerning COVID-19 requirements.

- Those businesses who were addressed by *and in substantial compliance with 4.a and 4.b* of the governor’s Executive Order 20-65, who have therefore experienced significant modifications to their immediate business activities, will not be cited for violations of the Risk Assessment or Infection Control Plan provisions of the rule that occur before December 28, 2020.
- Those businesses who were addressed by *and in substantial compliance with 4.a and 4.b* of the governor’s Executive Order 20-65 (or their successor provisions in the revised county risk model), who have therefore experienced significant modifications to their immediate business activities, will not be cited for violations of the Risk Assessment or Infection Control Plan provisions of the rule that occur before January 11, 2021.
- Employers not addressed by or not in substantial compliance with 4.a or 4.b (or their successor provisions in the revised county risk model) are required to comply with the requirements under the deadlines reflected in the rule. However, Oregon OSHA will address any compliance issues that arise under these requirements beginning with a telephone inquiry. *If* the employer provides a response that indicates they are working to comply and providing a reasonable time frame to complete the work, no inspections will be conducted based on the Risk Assessment and Infection Control Plan requirements before December 14, 2020, and no inspections will be conducted on the Infection Control training requirements before December 28, 2020.
- However, if satisfactory progress does not appear to be taking place based on the telephone inquiry, worksites may be scheduled for inspection based on those issues at any time after those provisions of the rule take effect.