

Open Meeting
May 14, 2015
9:05 – 9:20 am

Commission Personnel Attending:

Jaceson Maughan, Deputy
Commissioner
Sara Danielson, Administration
Chris Hill, Utah OSHA Division
Director
Sherrie Hayashi, Commissioner

Others Attending:

Garth Toone
James Farrell
Jason Robinson
Lisa Cook
Levi Clegg
Joe McAllister
Rich Thorn
Joey Gilbert
Robert Bergman

Open Meeting Convened:

Deputy Commissioner Maughan convened the meeting at 9:05 am.

Business Items:

R602-2-4 Attorney Fees in Workers Compensation Cases

Deputy Commissioner Maughan explained that this rule change would raise the maximum attorney fees in workers compensation cases. This change is based on the increase in disability benefits to injured workers.

There was no public comment made regarding this rule change. Deputy Commissioner Maughan stated that the rule change would proceed.

R614-1-7 Inspections, Citations and Proposed Penalties (Multi-Employer Worksites)

Deputy Commissioner Maughan explained that the Utah Supreme Court had invalidated Utah OSHA's authority to enforce the multi-employer worksite doctrine, in 2014. During the 2015 Legislative Session a bill was passed to change the state law to mirror the federal regulation. This rule change is a result of that legislative change. Both the legislative change and the rule were the result of a collaborative effort between the Commission and industry groups involved in multi-employer worksites. He explained that the rule defines the four categories of employers found on multi-employer worksites, and establishes each type of employer's duty regarding hazards around the worksite.

Rich Thorn expressed appreciation for the efforts of those involved in creating the legislation and the rule.

Joe McAllister expressed appreciation for the solution. He stated that he hoped that this solution would not discourage the Commission from looking at new ideas to protect employees and ways to work together to solve safety issues. He expressed his concern that the investigators need to be trained on how to implement this rule and not just be allowed to return to the seemingly punitive enforcement measures of the past.

Commissioner Hayashi stated that if areas of concern arise, employers should not hesitate to contact Chris Hill or Jackson Maughan. She further stated that the Commission cannot correct a problem unless it is aware of the problem.

No further public comment was made.

Meeting Adjourned at 9:20 a.m.