

437-002-1139 Working Over or In Water.

(1) Scope and Application.

This rule applies to employees not covered by Division 3, Construction; Division 4, Agriculture or Division 6, Forest Practices.

These rules apply where the danger of drowning exists and the water is more than 5 feet deep. These rules do not apply to law enforcement or emergency services workers nor to any workers protected by general or personal fall protection nor to employees covered by OAR 437-002-1910.401 through 1910.441, Commercial Diving Operations.

(2) Definition.

(a) Rescue device – *A ring buoy and line, gaff pole, throwable rescue device or other device that serves as a means to rescue somebody from the water without requiring the rescuer to enter the water.*

(3)

(a) *Workers in water must wear a Coast Guard approved or equivalent, wearable personal flotation device (PFD).*

(b) *Workers over water on floating or unstable surfaces must wear a Coast Guard approved or equivalent, wearable personal flotation device (PFD).*

(c) *Piers, docks, wharves and work sites along developed shorelines must have rescue devices available within 200 feet of the water or shoreline work area.*

Stat. Authority: ORS 654.025(2) and 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: OR-OSHA Admin. Order 1-2001, f. 1/18/01, ef. 3/1/01.

Effective 7/1/04, §1910.139 is removed. OR-OSHA Admin. Order 1-2004, f. 3/26/04, ef. 7/1/04.

Effective 7/1/04, OAR 437-002-0133 is repealed. OR-OSHA Admin. Order 1-2004, f. 3/26/04, ef. 7/1/04.