



Oregon

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April 9, 2021

The Honorable Senator Lee Beyer, Co-Chair
The Honorable Representative David Gomberg, Co-Chair
Joint Committee on Ways and Means Subcommittee
on Transportation and Economic Development
H-178 State Capitol
Salem, OR 97301-4048

I am writing in response to the questions posed by committee members during the Joint Committee On Ways and Means Subcommittee On Transportation and Economic Development hearing on April 7, 2021, about Oregon OSHA's COVID-19 enforcement.

Accompanying this letter, you will find two documents related to Oregon OSHA's COVID-19 enforcement activity. The "Summary of Complaints Received by Oregon OSHA Related to COVID-19" provides additional information on the nature and location (by county) of the complaint activity since the start of the pandemic. The "List of Oregon OSHA Citations Identified as Related to COVID-19" includes all citations issued that included at least one violation directly related to COVID-19, broken out by county.

The committee also had questions about the appeals process. As Administrator Michael Wood noted, the process can involve both an informal conference and a more formal, quasi-judicial hearing before the Workers' Compensation Board. Although Oregon OSHA's current data system does not provide exact data regarding when cases are resolved, it remains true that the large majority of appeals are resolved during the informal conference, with only a small number of them moving on to the more formal procedure at the board.

To provide some overall context, in recent years, between 80 percent and 90 percent of the penalties issued by Oregon OSHA have become final. Focusing only on the portion of the penalties that were actually appealed, just over 65 percent typically become final, meaning that roughly one-third of the total penalties subject to an appeal are reduced or eliminated at some point during the appeal process.

Of the 646 individual violations appealed during the 12-month period immediately before the pandemic, 60 (9.3 percent) were either withdrawn by the agency or otherwise rescinded during the process, while 281 (43.5 percent) were modified in some fashion (usually a reduction in the penalty), and 305 (47.2 percent) were maintained as originally issued.

Finally, the committee had questions about penalties as a revenue source. As noted, penalties paid by employers under the Oregon Safe Employment Act are deposited into the Premium Assessment Operating Account (PAOA). That fund, with primary funding coming from an assessment on workers' compensation insurance premiums, funds the various workers'

compensation-related activities at DCBS, as well as programs at the Oregon Health and Science University's Institute of Occupational Health Sciences.

The table below shows the Oregon OSHA penalty revenue, compared to the overall PAOA revenue, for the past four fiscal years¹:

Fiscal Year	Oregon OSHA Penalties	Total PAOA Revenue, Including Federal Funding	Penalties as Percentage of Total PAOA Revenue
2018	\$1,895,076	\$72,029,115	2.6%
2019	\$1,973,118	\$80,700,710	2.4%
2020	\$2,117,193	\$80,461,141	2.6%
2021 ²	\$506,680	\$38,625,783	1.3%

Please let us know if you have any further questions on these topics.

Sincerely,



Andrew R. Stolfi
Director

¹This revenue data reflects the year the revenue was collected, not necessarily the year the penalty was issued – Oregon OSHA penalties are not payable until 20 days after the citation becomes a final order.

²The FY 2021 data is current through December 2020.



Summary of Complaints Received by Oregon OSHA Related to COVID-19

Since March 1, 2020, Oregon OSHA has received a total of 27,121 complaints about workplace health and safety in Oregon. Of that total, 22,756 (nearly 84 percent) have included at least one allegation related to COVID-19. This contrasts with a normal annual complaint workload of roughly 2,000 complaints.

The COVID-19 complaints have addressed issues related to workplace disease prevention practices, including physical distancing, use of facial coverings, and sanitation. They also have addressed perceived violations of various directives from the Oregon Health Authority and the governor regarding capacity restrictions and the need to close certain activities for public health reasons at various stages. Finally, they have concerned employer practices in dealing with actual or potential COVID-19 cases that arise in the workplace, particularly around communication with other workers about potential exposure. Since the adoption of the temporary rule, a relatively small number of complaints have been received regarding specific provisions of that rule, such as the need for a risk assessment, and infection control plan, and infection control training – but such complaints have almost always been paired with concerns about actual workplace practices.

Overall, Oregon OSHA has averaged roughly 490 complaints per week since the governor issued the “Stay Home, Stay Safe” order in March of 2020. Complaint volume peaked almost immediately, with a total of 2,574 complaints logged during the two-week period following the order. It reached nearly that level in July following the “statewide mask mandate,” which saw 2,125 complaints logged during a two-week period early in the month. Although average over a two-week period never again broke 1,000, the weekly average over the four-week period between the middle of November and the middle of December reached 780. Since that time, the number of complaints has dropped, with the weekly average for the most recent four-week period coming in just under 230 per week.

Oregon OSHA has been able to resolve more than 78 percent of the COVID-19 complaints to date. With relatively few exceptions (reflected by the separate summary of inspection activity), that resolution has come without the need for any formal enforcement activity.

The following breaks down the COVID-19 complaints received by county.

OREGON OSHA COMPLAINTS RELATED TO COVID-19³:

BAKER COUNTY:	96	0.4 percent of total
BENTON COUNTY:	278	1.23 percent of total
CLACKAMAS COUNTY:	1,853	8.18 percent of total
CLATSOP COUNTY:	230	1.0 percent of total
COLUMBIA COUNTY:	196	0.9 percent of total
COOS COUNTY:	525	2.3 percent of total
CROOK COUNTY:	220	1.0 percent of total
CURRY COUNTY:	168	0.7 percent of total

³A small number of complaints are intended to apply statewide or for some other reason do not specify a county, so the total of the complaints broken down by county is somewhat smaller than the total number of complaints overall.

DESCHUTES COUNTY:	1,556	6.9 percent of total
DOUGLAS COUNTY:	978	4.3 percent of total
GILLIAM COUNTY:	9	0.04 percent of total
GRANT COUNTY:	45	0.2 percent of total
HARNEY COUNTY:	59	0.3 percent of total
HOOD RIVER COUNTY:	83	0.4 percent of total
JACKSON COUNTY:	1,631	7.2 percent of total
JEFFERSON COUNTY:	121	0.5 percent of total
JOSEPHINE COUNTY:	790	3.5 percent of total
KLAMATH COUNTY:	619	2.7 percent of total
LAKE COUNTY:	74	0.3 percent of total
LANE COUNTY:	1,722	7.6 percent of total
LINCOLN COUNTY:	243	1.1 percent of total
LINN COUNTY:	543	2.4 percent of total
MALHEUR COUNTY:	143	0.6 percent of total
MARION COUNTY:	2,024	8.9 percent of total
MORROW COUNTY:	40	0.2 percent of total
MULTNOMAH COUNTY:	3,972	17.5 percent of total
POLK COUNTY:	388	1.7 percent of total
SHERMAN COUNTY:	18	0.1 percent of total
TILLAMOOK COUNTY:	182	0.8 percent of total
UMATILLA COUNTY:	330	1.5 percent of total
UNION COUNTY:	213	0.9 percent of total
WALLOWA COUNTY:	52	0.2 percent of total
WASCO COUNTY:	164	0.7 percent of total
WASHINGTON COUNTY:	2,041	9.0 percent of total
WHEELER COUNTY:	6	0.03 percent of total
YAMHILL COUNTY:	428	1.9 percent of total



List of Oregon OSHA Citations Identified as Related to COVID-19

Since the beginning of the pandemic, Oregon OSHA has issued *at least*⁴ 125 citations to employers for violating requirements to protect workers from COVID-19 (these are the result of roughly 370 formal enforcement actions that were largely based on the nearly 23,000 complaints received by the agency).

Penalties for non-willful serious violations have ranged from the minimum of \$100 to \$4,200 (well under the maximum penalty for a serious violation of \$12,750), while penalties for willful violations have ranged from the minimum of \$8,900 to the maximum of \$126,749.

Some citations involve multiple violations.

Please note: Additional citations are pending (the list includes descriptions of only those citations that Oregon OSHA has issued and has confirmed were received by the employer).

CITATIONS INVOLVING WILLFUL VIOLATIONS⁵:

Coos County

- Dalin LLP (Kozy Kitchen) – North Bend – restaurant willfully failed to follow prohibition of on-premises consumption of food or drink.
 - June 2020
 - Total penalty: \$8,900 (*citation was appealed and a settlement has been reached; awaiting the Administrative Law Judge’s approval; the settlement changes the classification from willful to a medium serious and reduces the penalty to \$4,000*)

Deschutes County

- Laui Life Coffee LLC (Kevista Coffee) – Bend – willfully failed to implement face coverings per sector-specific guidance for bars and restaurants.
 - July 2020
 - Total penalty: \$8,900 (*citation has been appealed*)
- Laui Life Coffee LLC (Kevista Coffee) – Bend – restaurant willfully failed to follow prohibition of on-premises consumption of food or drink. Also cited for a serious violation for failing to implement an Infection Control Plan and a serious violation for failing to conduct an Exposure Risk Assessment.
 - March 2021
 - Total penalty: \$27,470 (*citation has not yet been appealed, but order is not final*)

⁴Citations related to COVID-19 restrictions must be identified and tracked manually, at least in part, making the number less exact than would otherwise be the case; it is possible that some citations have been inadvertently omitted from both the count and the list.

⁵A willful violation exists when an employer has demonstrated either an intentional or purposeful disregard for the requirements of the Oregon Safe Employment Act or a plain indifference to employee safety and health.

- Sno Cap Drive In #2 LLC) – Redmond – restaurant willfully failed to follow prohibition of on-premises consumption of food or drink.
 - March 2021
 - Total penalty: \$8,900 (*citation has not yet been appealed, but order is not final*)

Douglas County

- Mounts Enterprises (Casey's Restaurant) – Roseburg – willfully failed to follow prohibition of on-premises consumption of food or drink; employer also cited for serious violation of Red Warning Notice.
 - May 2020
 - Total penalty: \$13,900 (*citation has been appealed*)

Jackson County

- Forage Coffee Company LLC – Medford – restaurant willfully failed to follow prohibition of on-premises consumption of food or drink. Also cited for a serious violation for failing to ensure facial coverings were utilized and a serious violation for failing to ensure physical distancing was maintained.
 - March 2021
 - Total penalty: \$9,250 (*citation has been appealed*)

Josephine County

- Gold Miner Restaurant LLC – Grants Pass – restaurant willfully failed to follow prohibition of on-premises consumption of food or drink. Also cited for a serious violation for failing to ensure face coverings were worn inside the establishment.
 - April 2021
 - Total penalty: \$8,900 (*citation has not yet been appealed, but the order is not final*)

Klamath County

- Annie J Patzke, Patricia A. Barney, Michael Patzke (Casey's Restaurant) – Klamath Falls – willfully allowed on-premises consumption of food and drink against applicable OHA restrictions, as required by Oregon OSHA's temporary rule.
 - December 2020
 - Total penalty: \$8,900 (*citation has been appealed*)

Lake County

- Howard's Pharmacy – Lakeview – willfully failed to implement health hazard controls such as face coverings and physical distancing; employer also cited for serious violation of Red Warning Notice.
 - September 2020
 - Total penalty: \$9,400 (*citation has been appealed*)

Lane County

- Along Came Trudy – Springfield – willfully chose to disregard capacity limitations imposed by public health order for restaurants in an extreme-risk county. Also cited for a serious violation for failing to ensure face coverings were worn inside the establishment.
 - February 2021
 - Total penalty: \$9,215 (*citation has been appealed*)
- The New Blue Hen (Little Brown Hen) – Florence – willfully chose to disregard capacity limitations imposed by public health order for restaurants in an extreme-risk county.
 - February 2021
 - Total penalty: \$17,800 (*citation has been appealed*)
- McKenzie Brown Corp. (The Firehouse Restaurant) – Florence – willfully chose to disregard capacity limitations imposed by public health order for restaurants in an extreme-risk county.
 - February 2021
 - Total penalty: \$18,150 (*citation has been appealed*)

Linn County

- Lowe's Home Improvement – Albany – willfully did not ensure face coverings were worn inside the establishment.
 - March 2021
 - Total penalty: \$17,500 (*citation has not yet been appealed, but order is not final*)

Marion County

- Glamour Salon – Salem – willfully failed to follow executive order prohibiting operation of barber shops and hair salons.
 - May 2020
 - Total penalty: \$14,000 (*citation has been appealed*)
- Capitol Racquet Sports Inc. (Courthouse Fitness Center – Battle Creek) – Salem – willfully continued to operate fitness center following executive order to close to the public; employer also cited for serious violation of Red Warning Notice.
 - November 2020
 - Total penalty: \$22,500 (*citation has been appealed*)
- Capitol Racquet Sports Inc. (Courthouse Fitness Center – Lancaster) – Salem – willfully continued to operate fitness center following executive order to close to the public; employer also cited for serious violation of Red Warning Notice.
 - November 2020
 - Total penalty: \$22,500 (*citation has been appealed*)
- Capitol Racquet Sports Inc. (Courthouse Fitness Center – West Salem) – Salem – willfully continued to operate fitness center following executive order to close to the public; employer also cited for serious violation of Red Warning Notice.
 - November 2020
 - Total penalty: \$22,500 (*citation has been appealed*)

- Capitol Racquet Sports Inc. (Courthouse Fitness Center – Keizer) – Keizer – willfully continued to operate fitness center following executive order to close to the public; employer also cited for serious violation of Red Warning Notice.
 - November 2020
 - Total penalty: \$22,500 (*citation has been appealed*)
- Capitol Racquet Sports Inc. (Courthouse Fitness Center – Battle Creek) – Salem – willfully continued to operate fitness center following executive order to close to the public and following previous citation.
 - January 2021
 - Total penalty: \$126,749 (*citation has been appealed*)

Polk County

- Café 22 West – Salem – willfully failed to implement health hazard controls – such as face coverings and physical distancing; employer also cited for serious violation of Red Warning Notice.
 - September 2020
 - Total penalty: \$13,900 (*citation has been appealed*)
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CITATIONS WITH NO WILLFUL VIOLATIONS

Baker County

- Trail Enterprises – (DBA Oregon Trail and Restaurant) Baker City – failed to follow prohibition of on-premises consumption of food or drink.
 - March 2021
 - Total penalty: \$100 (*citation has been appealed*)
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Clackamas County

- 24/7 Properties LLC – West Linn – failure to require employees facial coverings, failure to provide training to employees on COVID19, and failure to clean a frequently as the rule requires.
 - March 2021
 - Total penalty: \$630 (*citation was not appealed and penalty has been paid*)
- Black Rock Store Operations LLC – Gladstone – failure to provide the required signage, complete a Exposure Risk Assessment, and provide for written Infection Control Plan.
 - March 2021
 - Total penalty: \$630 (*citation has not yet been appealed, but order is not final*)
- Cal Farms Inc. – Oregon City – did not follow the requirement of the temporary emergency rule in agriculture to provide field sanitation information for workers (other than serious).
 - July 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)

- Guru Kirpa Inc - Wilsonville – failure to post required signage.
 - March 2021
 - Total penalty: \$0 (*citation has not yet been appealed, but the order is not final*)
- Hot Bikini Brew 2 LLC – Portland – failure to post required signs in the drive thru, and failure to conduct Exposure Risk Assessment.
 - March 2021
 - Total penalty: \$100 (*citation was not appealed, and penalty is paid*)
- Northwest Nutrition Service – Portland – COVID-19 violations included failing to ensure all individuals at the workplace wore a mask, face covering, or face shield; not regularly cleaning or sanitizing common areas, high-touch surfaces, and shared equipment; and not conducting an exposure risk assessment.
 - February 2021
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- Siri and Son Farms Inc. – Clackamas – did not follow requirements of the temporary emergency rule in agriculture, including those related to maintenance and field sanitation notice.
 - September 2020
 - Total penalty: \$240 (*citation was not appealed and penalty has been paid*)
- Space Age Fuel Inc. – Clackamas – failure to provide health hazard controls, including requiring customers to wear face coverings.
 - October 2020
 - Total penalty: \$270 (*citation was not appealed and penalty has been paid*)
- Vitamin Cottage Natural Food Markets Inc. (Natural Grocers) – Happy Valley – failure to provide health hazard controls, including ensuring face coverings were worn by customers while inside the retail establishment.
 - January 2021
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)

Clatsop County

- Bon Esprits Ltd – Seaside – liquor store did not ensure employees were wearing face coverings.
 - August 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- Vitamin Cottage Natural Food Markets Inc. (Natural Grocers) – Warrenton – failure to provide health hazard controls, including ensuring face coverings were worn by customers while inside the retail establishment.
 - January 2021
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)

Crook County

- KR Jules LLC (dba Pack, Ship & More) – Prineville – failure to provide health hazard controls to protect employees at retail establishment, including ensuring customers and employees wore face coverings, and implementing physical distancing measures.
 - January 2021
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- Phil's Hardware – Prineville – failure to ensure customers and employees wore face coverings, and implementing physical distancing measures, failure to post required signage, conduct the written Exposure Risk Assessment, failure to implement the written Infection Control Plan, and provide information and training to employee relating to COVID19.
 - January 2021
 - Total penalty: \$520 (*citation has not yet been appealed, but order is not final*)
- Preppers Up Inc – Prineville – did not ensure customers and staff wore facial coverings, and did not implement physical distancing.
 - March 2021
 - Total penalty: \$175 (*citation has not yet been appealed, but order is not final*).

Deschutes County

- Alfalfa Store Inc. – Bend – failure to provide health hazard control measures for employees, including ensuring customers and employees wore face coverings inside and outside the retail establishment; ensuring physical distancing; and posting COVID-19 health information.
 - October 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- Axis Salon LLC – Redmond – failure to implement health hazard controls, including ensuring employees and customers wear face coverings.
 - September 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- BoXiT Fitness Studios LLC – Bend – failure to implement health hazard controls, including ensuring staff and customers wore face coverings.
 - September 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- Cascade Sundowners LLC (Ferguson's Market) – Terrebonne – failure to implement health hazard controls, including requiring customers to wear face coverings and ensuring employees engage in physical distancing (employer was also cited for other violations unrelated to COVID-19).
 - October 2020
 - Total penalty: \$480 (*citation was not appealed and penalty has been paid*)
- Fred Meyer Stores Inc. – Redmond – failure to protect employees from potential exposure to COVID-19, including not providing them – and ensuring they used – health hazard controls such as face coverings.
 - September 2020
 - Total penalty: \$700 (*citation was not appealed and penalty has been paid*)

- Honey & Pine Coffee Co. – Redmond – did not provide health hazard control measures, including ensuring employees wore face coverings
 - December 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- Scott Wyke (Hammer Down Firearms) – Bend – failure to provide health hazard control measures, including ensuring customers and employees wore face coverings; implementing physical distancing; and posting health information.
 - November 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- T and M Bolken Enterprises LLC (Tumalo Country Store) – Bend – did not post clear educational signs, as required, including information about face coverings, physical distancing, maximum occupancy, and COVID-19 symptoms (other than serious).
 - September 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)

Douglas County

- Mounts Enterprises (Casey's Restaurant) – Roseburg – did not provide health hazard control measures, including ensuring employees wore face coverings; and ensuring customers do not sit at the counter when six feet of distance cannot be maintained between them and employees behind the counter.
 - November 2020
 - Total penalty: \$280 (*citation has been appealed*)

Grant County

- Chester's Market Inc. – John Day – failure to implement health hazard control measures to protect employees – working inside and outside the retail outlet – by ensuring customers wore face coverings and posting COVID-19 health information for customers and employees.
 - October 2020
 - Total penalty: \$490 (*citation was not appealed and penalty has been paid*)
- John Day Auto Parts Inc. – John Day – did not provide health hazard controls to protect employees inside retail establishment, including ensuring customers and employees wore face coverings; ensuring customers maintained six feet of physical space from employees; and posting health information related to COVID-19.
 - December 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)

Hood River County

- Swyers Orchards Inc – Hood River – failure to provide health hazard control measures to protect employees at employer-provided housing. Such measures included ensuring that high-touch and high-contact surfaces were sanitized at least two times daily.
 - December 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)

Jackson County

- 5012 Colver Road LLC – Talent – did not follow requirements of the temporary emergency rule in agriculture, including those related to maintenance, physical distancing, toilet and handwashing facilities, and field sanitation notice.
 - October 2020
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)
- Ashland Auto Parts Inc – Ashland – did not ensure customers and staff wore facial coverings, and did not implement physical distancing.
 - March 2021
 - Total penalty: \$200 (*citation was not appealed; penalty has not been paid*)
- Grace Cascade Christian High School – Medford – operated in-person education against restrictions outlined by Oregon Department of Education and did not ensure all individuals wore face coverings while in classrooms.
 - December 2020
 - Total penalty: \$360 (*citation was appealed and a settlement has been reached; awaiting the Administrative Law Judge's approval; the settlement upholds the violations as issued but reduces the penalty for each of the two violations from \$180 to \$100 each*)
- Gold Standard Investment Group LLC – Central Point – did not follow requirements of the temporary emergency rule in agriculture, including adjacent toilet and handwashing facilities; sanitation schedule; and field sanitation information for workers.
 - July 2020
 - Total penalty: \$200 (*citation was not appealed and penalty has been paid*)
- Humbug Hospitality LLC – Jacksonville – did not follow requirements of the temporary emergency rule in agriculture, including those related to toilet and handwashing facilities, maintenance, and drinking water.
 - September 2020
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)
- Kelli Bieber – Central Point – did not follow requirements of the temporary emergency rule in agriculture, including adjacent toilet and handwashing facilities; sanitation schedule; and field sanitation information for workers.
 - July 2020
 - Total penalty: \$390 (*citation was not appealed and penalty has been paid*)
- LP Farms LLC – Central Point – did not follow requirements of the temporary emergency rule in agriculture, including those related to toilet and handwashing facilities, and maintenance.
 - October 2020
 - Total penalty: \$200 (*citation was not appealed and penalty has been paid*)
- Magu Maiden Farms LLC – Ashland – did not follow requirements of the temporary emergency rule in agriculture, relating to the sanitation schedule.
 - August 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)

- NV Farms LLC – Central Point - did not follow the maintenance requirement of the temporary emergency rule in agriculture, mandating regular sanitation of toilet facilities to mitigate the potential spread of COVID-19.
 - October 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- Pacific Crest Vineyard Services LLC – Medford – did not follow the requirement of the temporary emergency rule in agriculture to provide field sanitation information, including about the rule’s requirements and where workers may file complaints (other than serious).
 - October 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)
- ProPack&Ship LLC – Medford – failure to ensure facial coverings were utilized by employees.
 - March 2021
 - Total penalty: \$120 (*citation was not appealed and penalty has been paid*)
- Rogue Valley Hemp LLC – Medford – did not follow requirements of the temporary emergency rule in agriculture, including those related to toilet and handwashing facilities, and maintenance.
 - September 2020
 - Total penalty: \$200 (*citation was not appealed and penalty has been paid*)
- Walker Lang & Associates LLC – Medford – failure to implement health hazard controls, including communicating and implementing a physical distancing policy.
 - August 2020
 - Total penalty: \$120 (*citation was not appealed and penalty has been paid*)

Josephine County

- Dimmick Farms LLC – Merlin – did not follow requirements of the temporary emergency rule in agriculture, including those related to physical distancing officer, maintenance, and field sanitation notice.
 - September 2020
 - Total penalty: \$600 (*citation was not appealed and penalty has been paid*)
- Masterbrand Cabinets – Grants Pass – forest products manufacturer did not provide health hazard controls, including physical distancing and face coverings.
 - May 2020
 - Total penalty: \$630 (*citation was appealed and a settlement agreement was reached that affirmed the violation but reduced the penalty to \$270, which has been paid*)
- Rogue Valley Door Inc. – Grants Pass – did not ensure all individuals in the workplace wore a face covering as source control to protect against potential exposure to COVID-19. The employer was also cited for two other non-COVID-19 workplace safety violations.
 - January 2021
 - Total penalty: \$2,930, of which \$330 was COVID-related (*citation was not appealed and penalty has been paid*)

Klamath County

- AMA Brothers and Sons Inc. (AMA Mini Mart) – Klamath Falls – did not provide health hazard control measures, including ensuring customers and employees wore face coverings and that at least six feet of physical distancing was maintained.
 - January 2021
 - Total penalty: \$280 (*citation was not appealed; penalty has not yet been paid*)
- Red Zone Sports Bar – Klamath Falls – failure to provide health hazard control measures, including ensuring customers and employees wore face coverings and that at least six feet of physical distancing was maintained.
 - February 2021
 - Total penalty: \$175 (*citation has been appealed*)

Lake County

- Fast Break of Oregon LLC – Christmas Valley – failure to provide health hazard control measures, including ensuring customers inside retail establishment wore face coverings and posting health information for customers and employees.
 - January 2021
 - Total penalty: \$300 (*citation has been appealed*)
- JW Kerns Inc. – Christmas Valley – failure to provide health hazard control measures, including ensuring customers and employees wore face coverings while inside and outside the retail establishment; ensuring physical distancing; and posting COVID-19 health information.
 - October 2020
 - Total penalty: \$150 (*citation was not appealed and penalty has been paid*)
- Kathi Renee Wenick (Farmhouse Café) – Christmas Valley – failure to ensure all individuals wore a face covering to protect employees from potential exposure to the coronavirus. provide health hazard control measures, including ensuring customers and employees wore face coverings while inside and outside the retail establishment; ensuring physical distancing; and posting COVID-19 health information.
 - January 2021
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)

Lane County

- Cabela's Wholesale LLC – Springfield – did not provide health hazard controls such as physical distancing.
 - June 2020
 - Total penalty: \$2,400 (*citation was not appealed and penalty has been paid*)
- I&N Inc. – Veneta – gas station and minimart did not use health hazard control measures such as physical distancing and face coverings.
 - August 2020
 - Total penalty: \$600 (*citation was not appealed and penalty has been paid*)

- Lowe's Home Centers LLC – Eugene – did not protect employees from potential exposure to COVID-19 by ensuring customers wore face coverings.
 - November 2020
 - Total penalty: \$700 (*citation has been appealed*)
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Lincoln County

- Muggly's LLC – Toledo – bowling alley was open against requirements of Lincoln County's Phase One status – related to protections against the potential spread of coronavirus – as part of Oregon's re-opening process.
 - October 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
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Linn County

- Barenbrug USA Inc. – Tangent – did not provide health hazard controls such as physical distancing.
 - July 2020
 - Total penalty: \$210 (*citation was not appealed and penalty has been paid*)
 - National Frozen Foods Corporation – Albany – did not provide health hazard controls such as physical distancing.
 - May 2020
 - Total penalty: \$2,000 (*citation has been appealed*)
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Malheur County

- Jimmy Simpson and Janice Simpson (Owyhee Grocery Store) – Nyssa – did not provide health hazard controls, including ensuring customers and employees wore face coverings indoors; limiting the number of customers indoors while focusing on physical distancing; and posting COVID-19 health information.
 - October 2020
 - Total penalty: \$105 (*citation was not appealed and penalty has been paid*)
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Marion County

- C & H Management Inc. (Ace Hardware) – Stayton – hardware store did not provide health hazard controls to protect an estimated 15 employees, working inside and outside store, from COVID-19. Controls such as facial coverings for customers and employees, and physical distancing were not implemented.
 - November 2020
 - Total penalty: \$280 (*citation was not appealed and penalty has been paid*)
- Silver Creek Auto Parts Inc. – Silverton – failure to implement health hazard controls for employees working inside and outside the retail store, including ensuring customers and employees wore face coverings and increasing physical distancing between employees, as well as between customers and employees.
 - September 2020
 - Total penalty: \$280 (*citation was not appealed and penalty has been paid*)

Multnomah County

- Aspen Lodging Group LLC – Portland – employer did not ensure employees wore face coverings.
 - February 2021
 - Total penalty: \$490 (*citation was not appealed and penalty has not yet been paid*)
- Castro and Cantu LLC – Gresham – failure to provide outdoor employer was did not provide outdoor dining that meet the requirements.
 - March 2021
 - Total penalty: \$120 (*citation was not appealed; penalty has not been paid*)
- City Liquidators Inc. – Portland – furniture store was not closed to the public per executive order.
 - June 2020
 - Total penalty: \$280 (*citation was not appealed and penalty has been paid*)
- Craft Coffee House LLC – Wood Village – failed to follow prohibition of on-premises consumption of food or drink.
 - March 2021
 - Total penalty: \$100 (*citation was not appealed, and penalty was paid*)
- Crossfit X-Facto LLC - Portland – failure to adhere to occupancy requirements for indoor fitness organizations.
 - March 2021
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid, although order is not yet final*)
- D & H Holding Corp - Portland – failure to post required signage.
 - February 2021
 - Total penalty: \$0 (*citation was not appealed*)
- Dillon & Associates (NW Office Liquidations) – Portland – furniture store was not closed to the public per executive order.
 - April 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- Emily Elizabeth Home Inc – Portland – employer did not ensure facial coverings were worn by staff.
 - March 2021
 - Total penalty: \$175 (*citation has not yet been appealed, but order is not final*)
- Etz Hayim Holdings SPC – Portland – failure to implement health hazard controls, such as physical distancing or face coverings (employer was cited for other violations unrelated to COVID-19).
 - October 2020
 - Total penalty: \$1,050 -- \$210 related to COVID (*citation was not appealed and penalty has been paid*)

- Indian Ladle LLC – Portland – did not provide health hazard control measures to protect employees, including ensuring employees and customers wore face coverings, and posting health information about COVID-19.
 - December 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- LMBP LLC – Portland – employer did not ensure facial coverings were worn by staff.
 - March 2021
 - Total penalty: \$180 (*citation was not appealed, and penalty has not been paid*)
- Mai Floral LLC – Portland – employer did not ensure facial coverings were worn by staff and customers.
 - March 2021
 - Total penalty: \$175 (*citation has not yet been appealed, but order is not final*)
- Mod Super Fast Pizza LLC – Portland – did not implement health hazard controls, including ensuring customers who were not eating or drinking wore face coverings.
 - September 2020
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)
- Mt Scott Fuel Co – Portland – employer did not ensure individuals inside the building wore face coverings.
 - March 2021
 - Total penalty: \$120 (*citation was not appealed and penalty has been paid*)
- PetSmart Inc. – Portland – failed to protect employees from potential exposure to COVID-19 by ensuring customers wore face coverings.
 - October 2020
 - Total penalty: \$700 (*citation has been appealed*)
- Pizzicato Inc. – Portland – did not ensure proper supervision of the correct use of facial coverings to protect employees from potential exposure to COVID-19.
 - January 2021
 - Total penalty: \$270 (*citation was not appealed; penalty has not yet been paid*)
- Pavlov Enterprise LLC (dba Postal Annex) – Portland – did not provide health hazard control measures, including ensuring face coverings were worn by employees of retail establishment while serving customers.
 - November 2020
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- Punjab 45 LLC – Portland – failure to conduct Exposure Risk Assessment, and failure to establish Infection Control Plan.
 - March 2021
 - Total penalty: \$100 (*citation was not appealed; penalty has not yet been paid*)
- Rigert Elite Gymnastics – Troutdale – failure to adhere to occupancy requirements for indoor fitness organizations.
 - February 2021
 - Total penalty: \$280 (*citation was not appealed and penalty has been paid*)

- Riverview Restaurant LLC – Troutdale – failure to establish an effective safety committee or hold effective safety meetings (this is a non-COVID requirement but the specific issue that prompted the inspection and justified the classification as serious related to COVID-19).
 - September 2020
 - Total penalty: \$120 (*citation was not appealed and penalty has been paid*)
- S&J Entertainment LLC – Portland – adult entertainment club was not closed to the public per executive order.
 - May 2020
 - Total penalty: \$100 (*citation was not appealed; penalty has not yet been paid*)
- Speedy Novus Glass – Portland – did not provide health hazard controls to protect employees against potential exposure to COVID-19 (face coverings and distancing).
 - December 2020
 - Total penalty: \$120 (*citation was not appealed and penalty has been paid*)
- Steeler Inc. – Portland – did not provide health hazard controls, including ensuring health information, physical distancing signs, and maximum occupancy signs are posted for customers and employees near entrances, as well as posting the “COVID-19 Hazards Poster” in a conspicuous manner as required by Oregon OSHA’s temporary rule.
 - December 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- Sugar Cube Coffee – Portland – employer did not ensure facial coverings were worn by staff.
 - March 2021
 - Total penalty: \$175 (*citation was appealed*)
- The Farm on Sauvie Island LLC – Portland – did not follow the requirement of the temporary emergency rule in agriculture to provide field sanitation information for workers (other than serious).
 - September 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)
- US Market #325 LLC – Gresham – written Risk Exposure Assessment was not completed, and Infection Control Plan was not completed.
 - February 2021
 - Total penalty: \$490 (*citation was not appealed; penalty has not yet been paid*)
- Vitamin Cottage Natural Food Markets Inc. (dba Natural Grocers) – Portland – failure to provide health hazard controls, including ensuring face coverings were worn by customers while inside the retail establishment.
 - January 2021
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)

Tillamook County

- Terry Phillips (Killer Coffee) – Tillamook – did not implement health hazard control measures including providing face coverings to employees and ensuring they wore them.
 - November 2020
 - Total penalty: \$280 (*citation was not appealed and penalty has been paid*)

Washington County

- Cross the Line Inc – Hillsboro – failure to comply with health and safety requirements by not complying with indoor recreation requirements related to indoor entertainment facilities, failure to conduct a Exposure Risk Assessment, and failure to establish an Infection Control Plan.
 - March 2021
 - Total penalty: \$175 (*citation was not appealed and penalty has been paid*)
- Four Ridge Orchard Inc – Hillsboro – hazelnut farm was cited for several violations – including non-Covid violations – including failing to ensure common areas were sanitized at least once every 24 hours to mitigate the spread of COVID-19.
 - January 2021
 - Total penalty: \$950 -- \$175 related to COVID-19 (*citation was not appealed and penalty has been paid*)
- Gaston Nursery LLC – Gaston – did not follow requirements of the temporary emergency rule in agriculture, including those related to maintenance; disease prevention; toilet and handwashing facilities; physical distancing officer; and field sanitation notice.
 - October 2020
 - Total penalty: \$360 (*citation was not appealed and penalty has been paid*)
- Gaston Nursery LLC – Hillsboro – failed to ensure toilet facilities were cleaned when necessary and sanitized at least three times daily to mitigate the spread of COVID-19.
 - November 2020
 - Total penalty: \$180 (*citation was not appealed and penalty has been paid*)
- K1 Speed Inc. – Hillsboro – employer did not comply with restrictions – under the governor’s executive order 20-27 – that required it to prohibit activities related to its indoor entertainment facility.
 - January 2021
 - Total penalty: \$4,200 (*citation was appealed and a settlement has been reached; awaiting the Administrative Law Judge’s approval; the agreement upholds the violation as issued but provides a 6 month payment plan*)
- Krueger’s Tree Farm Inc. – North Plains – did not follow requirements of the temporary emergency rule in agriculture, including those related to physical distancing officer and general physical distancing (employer was also cited for violations unrelated to COVID-19).
 - November 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)

- Margarita Factory Beaverton LLC – Beaverton – did not have a written COVID-19 exposure risk assessment and did not have a written COVID-19 infection control plan.
 - February 2021
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)
- Mod Super Fast Pizza LLC – Sherwood – did not implement health hazard controls, including ensuring customers who were not eating or drinking wore face coverings.
 - September 2020
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)
- Navir LLC (Virundhu South Indian Cuisine) – Hillsboro – restaurant did not provide health hazard control measures, including posting signs about mask, face covering, and face shield requirements and disinfecting salt and pepper shakers between uses.
 - December 2020
 - Total penalty: \$100 (*citation was not appealed and penalty has been paid*)
- Old Trapper Smoked Products Inc. – Forest Grove – did not provide health hazard controls, including physical distancing; face coverings; or barriers.
 - June 2020
 - Total penalty: \$700 (*citation was not appealed and penalty has been paid*)
- Oregon Berry Packing Inc. – Hillsboro – did not follow the requirement of the temporary emergency rule in agriculture to provide field sanitation information for workers (other than serious).
 - August 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)
- Unger Farms Inc. – Cornelius – did not provide one handwashing facility per 10 employees per the temporary emergency rule in agriculture (other than serious).
 - July 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)
- Unger Farms Inc. – Cornelius – did not follow requirements of the temporary emergency rule in agriculture, including general physical distancing (and several related requirements not specific to COVID-19).
 - November 2020
 - Total penalty: \$800 -- \$420 related to COVID-19 (*citation was not appealed and penalty has been paid*)
- Villasport LLC – Beaverton – fitness organization failed to comply with governor's executive order 20-65 by not closing or prohibiting activities, which potentially exposed employees to COVID-19. Employees were interacting with customers at the outdoor pool area and outdoor turf areas for fitness activities.
 - December 2020
 - Total penalty: \$280 (*citation was not appealed and penalty has been paid*)

- Vitamin Cottage Natural Food Markets Inc. (dba Natural Grocers) – Tigard – failure to provide health hazard controls, including ensuring face coverings were worn by customers while inside the retail establishment.
 - January 2021
 - Total penalty: \$300 (*citation was not appealed and penalty has been paid*)
 - West Union Gardens Inc. – Hillsboro – did not follow requirements of the temporary emergency rule in agriculture, including those related to drinking water; toilet and handwashing facilities; field sanitation notice; physical distancing officer; and disease prevention.
 - August 2020
 - Total penalty: \$350 (*citation was not appealed and penalty has been paid*)
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Umatilla County

- D&B Supply – Pendleton – employer did not ensure customers wore face coverings.
 - March 2021
 - Total penalty: \$490 (*citation was not appealed and penalty has been paid, but order is not yet final*)
 - Jack Baker Enterprises Inc – Hermiston – failure to provide outdoor employer was did not provide outdoor dining that meet the requirements, and ensure facial coverings were utilized by employees and customers
 - March 2021
 - Total penalty: \$200 (*citation has not yet been appealed, but order is not final*)
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Yamhill County

- J Bacon Farms LLC – McMinnville – did not follow the requirement of the temporary emergency rule in agriculture to provide field sanitation information for workers (other than serious).
 - October 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)
- Jacinto Espinoza Labor LLC – McMinnville – did not follow the requirement of the temporary emergency rule in agriculture to provide field sanitation information for workers.
 - September 2020
 - Total penalty: \$0 (*citation was not appealed and has become a final order*)