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**RE:** OSHA Complaint Against Salem-Keizer Public School District – OAR 437-001-0285

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Mr. Haverkost:

I represent the Oregon Education Association (“the Association”), a labor union that represents two bargaining units of school employees working in the Salem-Keizer School District (“the District”). The Salem-Keizer Education Association (SKEA) is a bargaining unit of licensed school employees, including teachers who work throughout the District. The Association of Salem-Keizer Education Support Professionals (ASK-ESP) is a bargaining unit of roughly 2,500 classified school employees, including instructional assistants, custodial personnel, bus drivers, and more.

On behalf of my client, and pursuant to OAR 437-001-0285, I am filing this OSHA complaint against the Salem-Keizer Public School District 24J (“SKSD” or “the District”).

The District is the second largest public school district in Oregon, serving approximately 40,000 students across 65 schools throughout the Salem-Keizer area. The superintendent’s office is located at 2450 Lancaster Drive NE, Salem, OR, 97305. As described below, the complaint alleges many known and suspected violations of workplace-safety-related statutes, regulations, rules, and standards, occurring at schools and other workplace facilities throughout the District.

## GENERAL BACKGROUND

The Association has received many alarming reports from school employees across the District about unsafe and dangerous working conditions, most of which relate to workplace violence. Many of these reports relate to incidents of students injuring staff members. In a survey of over 1,200 employees, over 50% of respondents reported that a student has attempted to harm them or others in the previous 12 months. Employees have reported being frequently injured, with injuries ranging from broken bones to concussions to stab wounds from pencils. One employee reported being “punched in the face” twice by the same student without any follow-up investigation. Many employees reported students hitting and kicking them repeatedly, biting them and leaving lasting bite marks, scratching them to the point of drawing blood, pulling their hair out, and throwing dangerous objects (such as scissors) at them. An astonishing number of employees have reported being attacked and injured by students nearly every day.

Upon information and belief, the safety issues throughout the District have worsened considerably over the past five years. Employees report that their schools are chronically and increasingly understaffed and under-resourced. Employees have reported inadequate safety-related training, inadequate processes around reporting of injuries and safety risks, a lack of sufficient personal protective equipment, and a lack of remedial response when safety incidents occur. Perhaps most fundamentally, employees consistently report an increasingly cavalier attitude from District leadership toward staff safety. Essentially, the District has been signaling that staff injuries are just part of what staff “signed up for.”

The employee survey results led the Association to strongly suspect that, among other things, the District was deeply out of compliance with a wide range of workplace safety-related regulations. The Association requested and obtained information from the District relating to a wide array of regulatory safety requirements (including safety committee membership records, meeting notes, 300 logs, records relating to PPE, and staff injury reports). The Association is willing to provide some or all of that information to you upon request. Out of the 928 staff injury reports that have been filed during the 2022-2023 school year (across all 65 schools in the District), roughly 80 percent relate to student-caused injuries.

### **PREVIOUS OSHA INVESTIGATION AND CITATIONS AGAINST THE DISTRICT**

Some of the known or suspected violations are repeat violations from OSHA Inspection Number 317724247(91) that occurred at Mary Eyre Elementary School in 2019. That inspection was initiated due to a complaint involving workplace violence and resulted in OR-OSHA issuing a Citation and Notification of Penalty to SKSD on July 3, 2019. I understand, from speaking to you on the phone, that you are aware of this prior inspection and the resulting findings. Documents relating to that investigation are attached to this letter as “**Exhibit 1.**”

Specifically, that investigation concluded that the District had committed the following serious violations:

1. SKSD did not investigate or cause to be investigated every lost time injury that workers suffered in connection with their employment, in violation of OAR 437-001-0760(3)(a).
2. The safety committee at Mary Eyre Elementary had three members on the safety committee, although that school employed more than 20 employees, in violation of OAR 437-001-0765(2). There was also no teacher on the safety committee, and as such, the safety committee members did not represent the major activities of the business, in violation of OAR 437-001-0765(4).
3. SKSD failed to provide training to each employee who was required to use personal protective equipment, in violation of OAR 437-002-0134(3)(a).

In addition to those violations, OR-OSHA Health Enforcement Manager Penny Wolf-McCormick noted several concerning conditions discovered during the inspection which could cause work-related injuries to employees. The OR-OSHA Notice stated that, although it was not mandatory for the District to correct those conditions at that time, those conditions could be cited as violations during future inspections if not corrected. Among other things, OR-OSHA noted that employees were not encouraged to record or report “near misses,” or assaults of employees by students that did not result in significant injuries. Ms. Wolf-McCormick further noted that failing to record and report this information, regardless of severity or whether injury resulted, led to other staff operating without important information, in a way that made future injuries (including severe injuries) more likely.

### **CURRENT VIOLATIONS**

The Association knows of and/or suspects ongoing violations that generally fall into several categories: (1) violations of OAR 437-001-0765 relating to safety committees; (2) violations of OAR 437-001-0700 relating to recording of workplace injuries; (3) violations of OAR 437-002-0134 relating to personal protective equipment; (4) violations of OAR 471-002-0161 relating to first aid; and (5) “general duty” violations of OAR 437-001-7600.

#### **Safety Committee Violations – OAR 437-001-0765**

As you know, OAR 437-001-0765 requires employers to either form workplace safety committees or hold regular safety meetings. For any employer that elects to form a safety committee, any worksite that has 20 or fewer employees must form a committee with at least two members, and any worksite that has 20 or more employees must form a committee with at least four members. Those committee members must represent the major activities of the business.

There are many requirements for safety committees. Among other things, the committee members must appoint a chairperson by majority, members must have training in the principles of accident and incident investigations and hazard identifications, must take meeting minutes, and must represent the major activities of the business. The committee must also establish procedures for conducting workplace safety and health inspections and accident reporting and investigation procedures that will identify and correct hazards and create and maintain a system

that allows employees to report hazards and make safety-and-health-related suggestions. The employer must keep written records of safety committee meetings for at least three years, which include the names of attendees, the meeting dates, the safety and health issues discussed, recommendations for corrective action, and a reasonable date by which management agrees to respond.

The Association made an information request to the District for a list of the safety committees for each school within the District, as well as the names and job titles of the committee members and chairperson for each safety committee. In response to that request, the District provided the document attached as **Exhibit 2**. Every worksite in the District has 20 or more employees. However, as set forth in greater detail below, many safety committees within the District either do not have the required number of employees, do not have membership that represents the major business activities of the school, or both.

In addition, the Association suspects that many of the safety committees are not meeting with the required regularity, are not reviewing injury reports at their meetings, are not appropriately trained to investigate workplace injuries, and/or have failed to establish procedures for conducting workplace safety and health inspections and accident reporting and investigation procedures. The Association does not currently have access to all of the information necessary to verify each and every one of these suspected violations, but suspects that such violations are widespread throughout the District based on the employee responses to the Association’s survey.

The ongoing known or suspected OAR 437-001-0765 violations are as follows:

<b>WORKSITE/SCHOOL</b>	<b>DETAILS</b>
Bush Elementary School 410 14 <sup>th</sup> St. SE, Salem OR 97301	Bush elementary has, according to District records, only two members on its safety committee, but has 47 employees.
Candaleria Elementary School 935 Hansen Ave S. Salem, OR 97302	Candaleria Elementary, according to District records, has only three members on its safety committee, but has 36 employees. There are no teachers or other licensed employees on the safety committee – accordingly, the committee membership does not represent the major business activities of the school.
Chapman Hill Elementary School 1500 Doaks Ferry Rd NW, Salem, OR 97304	Chapman Hill elementary school, according to District records, has only three members on its safety committee, but has 48 employees. There are no teachers or other licensed employees on the safety committee – accordingly, the safety committee membership does not represent the major business activities of the school.
Chavez Elementary School 2400 Walker Road NE, Salem, OR 97305	At Chavez Elementary School, there are no teachers or other licensed employees on the school’s safety committee. The safety committee membership accordingly does not represent the major business activities of the school.

Cummings Elementary School 613 Cummings Lane N, Keizer, OR 97303	Cummings Elementary School, according to District records, has only three members on its safety committee, but has 63 employees.
Grant Community School 725 Market St NE, Salem OR, 97301	Grant Community School, according to District records, has only three members of its safety committee, but has 76 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the safety committee membership therefore does not represent the major business activities of the school.
Hammond PTC Elementary 4900 Bayne St NE, Salem, OR, 97305	At Hammond PTC Elementary School, there are no teachers or other licensed employees on the school’s safety committee. The safety committee membership accordingly does not represent the major business activities of the school.
Harritt Elementary School 2112 Linwood St NW, Salem, OR, 97304	Harritt Elementary School, according to District records, has only two members on its safety committee, but has 59 employees.
Hayesville Elementary School 4545 Ward Dr NE, Salem OR, 97305	Hayesville Elementary School, according to District records, has only two members on its safety committee, but has 64 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Hoover Elementary School 1104 Savage Rd NE, Salem OR 97301	Hoover Elementary School, according to District records, has only two members on its safety committee, but has 66 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Houck Middle School 1155 Connecticut St SE, Salem, OR 97317	Houck Middle School, upon information and belief, has no classified employees on its safety committee. The committee membership accordingly does not represent the major business activities of the school.
Keizer Elementary School 5600 McClure St N, Keizer, OR, 97303	Keizer Elementary School, upon information and belief, has no classified employees on its safety committee. The committee membership accordingly does not represent the major business activities of the school.
Kennedy Elementary School 4912 Noren Ave NE, Keizer, OR 97303	Kennedy Elementary School, according to District records, has only three members on its safety committee, but has 74 employees.
Lake Labish Elementary School 7495 Portland Rd NE, Salem, OR 97305	Lake Labish Elementary School, according to District records, has only one member on its safety committee. Lake Labish does not appear to maintain a 300 log for the building, so it is unknown how many employees are employed at that building. However, even if there are fewer than 20 employees, the safety committee is required to have at least two employees and does not. Moreover, because the safety committee has only one

	member, it cannot possibly represent the major business activities of the school.
Lee Elementary School 5650 Venice Ave SE, Salem, OR 97306	Lee Elementary School, according to District records, has fewer than three members of its safety committee but has 62 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Liberty Elementary School 4871 Liberty Rd S, Salem, OR 97306	Liberty Elementary School, according to District records, has only three members of its safety committee, but has 62 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
McKinley Elementary School 466 McGilchrist St SE, Salem, OR, 97302	McKinley Elementary School, according to District records, has only three members of its safety committee, but has 46 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Morningside Elementary School 3515 12 <sup>th</sup> Street SE, Salem, OR 97302	The District records for Morningside Elementary School are not clear as to how many members are on the safety committee, or who those members are. However, there appear to be, at most, three members of the safety committee, although there are 51 employees at the school. Additionally, there appear to be no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Parrish Middle School 802 Capitol Street NE, Salem, OR 97301	Parrish Middle School, according to District records, has only three members of its safety committee, but has 85 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Pringle Elementary School 5500 Reed Ln. SE, Salem, OR 97306	Upon information and belief, Pringle Elementary’s safety committee has a chairperson but no committee members and has 56 employees.
Roberts High School 3620 State Street, Salem, OR 87301	Roberts High School, according to District records, has only three members on its safety committee, but has 106 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the committee membership therefore does not represent the major business activities of the school.
Swegle Elementary School 1751 Aguilas Ct, Salem, OR 97301	Swegle Elementary School, according to District records, has only three members on its safety committee, but has 72 employees. Additionally, there are no teachers or other licensed employees on the safety committee – the

	committee membership therefore does not represent the major business activities of the school.
Sprague High School 2373 Kuebler Blvd, Salem, OR, 97302	The safety committee meeting notes appear to indicate that the safety committee is not consistently receiving and reviewing staff injury reports, as required by OAR 437-001-0765(8). Specifically, the December 2022 safety committee meeting notes include, as a “good of the order” comment: <i>“Is our school getting injury reports? Who are they going to?”</i> (See attached <b>Exhibit 3</b> )
South Salem High School 1910 Church Street SE, Salem OR 97302	The safety committee meeting notes appear to indicate that the safety committee is not consistently receiving and reviewing staff injury reports. Specifically, the February 2023 safety committee notes indicate: <i>“Brian has not received staff injury reports for Dec./Jan. as of meeting.”</i> (See Attached Exhibit 4)
Behavioral Intervention Center 7496 Portland Street NE, Salem OR, 97305	Upon information and belief, the safety committee at the Behavioral Intervention Center (BIC) has not been receiving or reviewing all staff injury reports. Specifically, the safety committee has not been reviewing staff injury reports that relate to student-caused staff injuries.

These safety committee violations are not simply *de minimis*, given the backdrop of widespread workplace violence that is ongoing in all of these schools. For example, the fact that teachers are not represented on the safety committees in many of these schools is especially important given the frequency with which teachers are attacked and injured in their own classrooms.

The Association suspects that many (and perhaps most) of the safety committees across the District’s schools are not adequately trained, or have not established processes for adequately addressing safety issues and conducting workplace investigations when required.

**Failure to Adequately Record Workplace Injuries and Illnesses – 437-001-0700**

OAR 437-001-0700 requires employers to record work-related fatalities, injuries, and illnesses. All employers with more than ten (10) employees must keep Oregon OSHA injury and illness records (with some exceptions that do not apply to the schools at issue). Subject employers are required to maintain and complete (1) an OSHA 300 Log (a log of work-related injuries and illnesses), (2) An OSHA 300A (an annual summary of work-related injuries and illnesses), and (3) DCBS Form 801 (a Worker’s an Employer’s Report of Occupational Injury of Disease), or equivalent forms for recordable injuries and illnesses.

OAR 437-001-0700(21) requires employers to involve their employees and their representatives in the recordkeeping system. Among other things, employers (a) must establish a reasonable procedure for employees to report work-related injuries promptly and accurately (this regulation also specifies that reporting procedures are not reasonable if they deter or discourage employees from accurately reporting workplace injuries or illnesses); (b) must inform each employee of the reporting procedures and tell each employee how to report injuries or illnesses; (c) inform

employees that they have the right to report work-related injuries and illnesses and cannot be retaliated against or discriminated against for doing so.

The Association is concerned the District is widely out of compliance with these requirements. When the Association surveyed District employees, ***68 percent of the survey respondents stated that they had not received any training on the District's system to report safety and health related hazards.*** Other employees reported the training they did receive was buried in the “beginning of year” training. In other words, when the District does provide safety reporting training, it goes through the motions of doing so, but does not provide that training in a meaningful or effective way.

More concerning still, the Association has reason to believe that many schools within SKSD have a pattern and practice of discouraging injury recording. At many schools and classrooms where staff injuries are a daily occurrence, employees have been told to only selectively report and record their injuries in ways that are inconsistent with OAR 437-001-0700.

District employees have also reported that they are not given enough time and support to make reports promptly and accurately. For example, when Instructional Assistants (IAs) are injured, they typically cannot leave the classroom to complete an injury report because of understaffing issues (they cannot leave the students inadequately supervised and must maintain staffing ratios). The IAs are not given enough time at the end of the day, after students leave, to make a report because they have to prioritize end-of-day tasks (cleaning up the classroom and preparing for the next day). Several IA's report they were told by District administration that they have to complete an injury report on their own time, when they will not be compensated.

The Association's information request to the District included a request for all OSHA 300 logs and 300A summary reports. In response, the Association received 72 excel spreadsheets (again, the Association can provide these on request). Conspicuously absent, however, was a 300 log or 300A summary for Lake Labish Elementary School (7495 Portland Rd NE, Salem, OR 97305).

#### **Violations relating to Personal Protective Equipment (PPE) – OAR 437-002-0134**

OAR 437-002-0134 establishes various requirements relating to Personal Protective Equipment (PPE). Among other things, employers must assess their workplaces to determine if hazards are present and require the use of PPE or other protective equipment. If such hazards are determined to be present, the employer must verify that the required workplace hazard assessment has been performed and provide written certification thereof. The employer must also select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified and train employees to use the PPE.

The student violence problem throughout the District rises to the level of an ongoing workplace hazard. Out of the 928 injury reports from the current school year, nearly 80% relate to student-caused injuries. When considering these numbers, keep in mind that, because the District has a practice of discouraging reporting, there were likely many more injuries than reported.

One apparently widespread problem is that many of the schools are not performing workplace hazard assessments – or if they are, they are not identifying the student violence problems as a workplace hazard, despite the clear and obvious nature of the problem. The Association requested from the District all hazard assessments from the past school year and received only *four* hazard assessments (See attached **Exhibit 5**). In the Association’s view, that number of hazard assessments cannot possibly be adequate, given the sheer volume of staff injury reports (928 and counting for the current school year), and the fact that dozens of employees have been issued PPE (See attached **Exhibit 6**).

Another widespread problem is that throughout the District, schools are not providing their staff with adequate PPE to protect themselves from student violence. Some schools in the District provide personal protective equipment, such as blue blocking mats for staff to use to protect themselves from student violence. Employees have reported requesting PPE but not receiving it, while others have reported not being adequately trained on how to use the PPE the District does provide.<sup>1</sup>

For example, upon information and belief, a student at Hayesville Elementary School (located at 4545 Ward Drive NE, Salem, OR, 97305) frequently screams extremely loudly (in excess of 115 decibels). The school provided ear protection to some, but not all, of the staff that work closely with that student. At least one staff member reported having to buy their own ear protection because the District would not provide it.

#### **Violations Relating to First Aid – OAR 471-002-0161**

OAR 437-002-0161 requires employers to provide first aid supplies and make those first aid supplies available in close proximity to all employees. In the Association’s survey, the Association asked participants whether first aid supplies were available, unlocked, and in close proximity to where they worked. In response, 22.63 percent of survey respondents answered “no,” and another 26.17 percent of respondents answered “unknown.” One employee has reported to the Association that there were no first aid supplies in the building where they work, and they would have to travel to the next building over to obtain those supplies. Other employees reported not knowing if they have first aid in their building, first aid kits being a significant distance away, or first aid kits being inadequately stocked. At one point during this school year, employees at Crossler Middle School (115 Davis Rd S., Salem, OR 97306) were notified that the entire building was out of band-aids.

#### **Violation of General Duties – OAR 437-001-07600**

OAR 437-001-0760 imposes several general duties on all employers relating to all workplaces, including in relevant part the following:

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<sup>1</sup> Many of the survey results were provided anonymously, and other survey participants have not yet authorized the Association to disclose their names. If it would be helpful to the investigation, the Association can provide additional specific employee names upon request.

- Employers must take all reasonable means to require employees to work in a safe and a healthful manner. OAR 437-001-07600(1)(b)(A).
- Employers must take all reasonable means to require employees to conduct their work in compliance with all applicable safety and health rules. OAR 437-001-07600(1)(b)(B).
- Every employer is responsible for providing the health hazard control measures necessary to protect the employees' health from harmful or hazardous conditions and for maintaining such control measures in good working order and in use. OAR 437-001-07600(1)(c).
- Every employer must inform the employees regarding the known health hazards to which they are exposed, the measures which have been taken for the prevention and control of such hazards, and the proper methods for utilizing such control measures. OAR 437-001-07600(1)(d).
- Every employer must investigate or cause to be investigated every lost time injury that workers suffer in connection with their employment, to determine the means that should be taken to prevent recurrence. OAR 437-001-07600(3).

The District is violating these general duties on a widespread and ongoing basis. As a general matter, the District leadership takes a cavalier attitude toward workplace violence – taking the position that being injured by students is simply part of what the District's employees “signed up for” or that employees are responsible when they are injured by a student. District leadership simply does not consider it their responsibility to prevent or mitigate workplace violence.

As a result of that cavalier attitude, the District has failed to provide adequate resources that are reasonably calculated to reduce and eliminate workplace hazards. In large part, this relates to proper resources for students with behavioral issues. Many students have an increased propensity to attack staff because they are not given the behavioral support they need, and/or because those students are placed by the District in learning environments that are not adequately supportive of the needs of that student. For example, many teachers and IAs have reported that special education classrooms across the District are chronically understaffed. Many students in those classrooms have Individualized Education Plans (IEPs) that call for the student to have 1:1 supervision (meaning that an IA is directly focusing on supporting that student, and only that student, at all times). Students that are supposed to have 1:1 support are routinely not being given that support due to understaffing. Indeed, the understaffing problem is often made worse because so many IAs are out on medical leave due to work-related injuries at any given moment.

For example, an employee reported to the Association that in one classroom with 25 students, more than 10 of those students are supposed to have 1:1 supervision according to their IEPs, yet only four employees (one teacher and three IAs) are assigned to supervise that entire class.

Oftentimes, at least one of the IAs in that class will be absent due to an injury caused by a student. These students often do not engage in the same types of aggressive behaviors when they are receiving an appropriate level of individualized support. In other words, in classrooms with appropriate staffing ratios, fewer behavioral incidents occur, which results in fewer incidents of injury to staff. When behavioral incidents do occur in classrooms with appropriate staffing ratios, the staff are much less likely to be injured when they provide interventions around the student behaviors. As such, there is a direct causal link between understaffing and the frequency and severity of injurious events. By failing to provide adequate staffing required to address student needs, the District is failing to take reasonable steps to create a safe work environment.

In the past, the District contracted with several behavioral health and support partners in the community. Those partners used to provide therapeutic alternative learning environments and other forms of support to students with behavioral needs. Upon information and belief, the District has eliminated many of its contracts with those community partners, and has thereby eliminated or reduced resources that contributed to a safe working environment. Among other things, students that used to learn in therapeutic, off-campus learning environments have been placed in the general student population, even though those students have behavioral needs and considerations that make such a placement inappropriate. The District has also applied “one size fits all” policies to integrating students with individualized needs into the general student population, which also contributes to the frequency and severity of student behavioral incidents that result in injuries.

The District also routinely fails to inform employees regarding the known health hazards to which they are exposed, and what is being done about them. Part of this, again, ties back to the District’s practice of discouraging full and accurate reporting of workplace violence. When a workplace violence incident involving a student goes unreported, the other staff that work with that student are not put on notice of the student’s propensity for attack and injury. Another part of this problem relates, again, to the inappropriate placement of high-needs students in the general student population – this has occurred with students that have long histories of attacking staff and other students. In other words, the District knows that certain students have behaviors that make them inappropriate candidates for the general student population, and place those students in the general population anyway, which has also increased the frequency and severity of staff injuries.

Finally, the District fails to adequately investigate when lost time injuries occur and fails to inform employees about what remedial steps have been taken following such incidents. Many, many employees reported that when they have been injured by students (including severe injuries), the District engages in virtually no follow-up investigation or remedial action. This is particularly concerning because in addition to OR-OSHA regulations, the District has an independent duty under OAR 581-015-2181(2)(a) to conduct behavioral assessments and develop, review, and revise behavioral intervention plans following incidents in which students cause significant injuries to others.

The following incidents, all of which have been reported to the Association, provide some examples of these known or suspected general duty violations:

- In October of 2022, at Waldo Middle School, a student reportedly brought a loaded nine-millimeter handgun into the building on two consecutive days. On the second day, a report was made about the handgun, and the school called the District's safety department for guidance. The District instructed the school administration to *not initiate* a lockdown, and instead directed the school security guards (who were not armed) to attempt to take the gun from the student. When the guards did so, an altercation with the student resulted. One of the guards was injured by the student, but the gun thankfully stayed in the student's backpack and the guards ultimately removed the backpack from the student and retrieved the gun. Following this incident, the District failed to inform employees at the school whether the student who brought the gun would be allowed back on campus and would not confirm whether any other remedial steps had been taken to prevent a follow-up incident.
- On or about September 23, 2022 at McKay high school (2440 Lancaster Dr NE, Salem, OR 97305), a student who had a long history of physical altercations with staff had an episode where she was placed in a cleared classroom by several staff members. That student then attacked those staff members, one after the other, in a sustained fashion for about three hours straight – doing things like kicking, hitting, charging and body-slamming, and throwing objects (such as shoes). The student's attacks appeared intentional and strategic (the student, among other things, focused on one staff member at a time, and strategically directed attacks at vulnerable body parts such as the head, joints, private areas, and the like). Several of the attacked staff members sustained fairly significant injuries. It is unclear why the school administration let this incident continue for three hours without any additional response (after three hours, the police were finally called, and escorted the student away).
- A student at McKay High School (2440 Lancaster Dr NE, Salem, OR 97305) regularly strikes staff members with astonishing frequency. Staff have taken to using hand-clickers to track the number of hits they receive in a given day. On "light days" the student will strike staff about 75 times and on "heavy days" the student has stricken staff members upwards of 300 times. The staff that work with this student have repeatedly attempted to have that student moved to a classroom or learning environment that has more appropriate resources and support for that student's individual needs, but the District has repeatedly declined to support those requests.
- At the District's Behavioral Intervention Center (BIC) (7496 Portland Street NE, Salem OR, 97305), an incident occurred in or around May of 2022 in which a

student put a staff member in a headlock, obstructing the staff member's breathing to the point where the staff member was unable to scream for help. Staff had put into place a safety plan regarding this particular student, which provided that in such incidents, the police should be called. In accordance with that plan, another staff member at the BIC called the police. However, when staff called student services at the District to let management know of the ongoing incident, the District unilaterally contacted the police to call them off.

- At Richmond Elementary School (466 Richmond Ave SE, Salem, OR 97301) several staff members have been injured by a single student dozens of times. Staff that work with this student frequently sustain bruises and scratches from the student's kicking, hitting, and biting. The staff estimate having filled out dozens, if not hundreds, of student behavioral reports. However, when staff have asked administration about filling out staff injury reports, the staff have reportedly been instructed to not fill out staff injury reports unless the injuries are "really serious," without being given any definition or criteria for determining whether an injury is sufficiently serious to warrant a staff injury report. The staff have gone to the administration in the school about having this student placed in a more appropriately resourced learning environment, and have reportedly been told that the school cannot make that decision without authorization at the District level. The District has in turn reportedly indicated that it will not do anything without at least six months of documentation.
- At Faye Wright Elementary School (4060 Lone Oak Rd SE, Salem, OR, 97302), a student who was assigned to a general education classroom has been consistently attacking school staff. In an attempt to get the student placed in a self-contained classroom, staff began documenting the student's behaviors. In a sixty-five day period, the staff recorded 47 instances in which the student hit at least one staff member, three instances in which the student kicked at least one staff member, 3 instances of throwing items (including scissors, a sharp pencil, and a lunch box that struck a staff member in the face), 38 screaming incidents that stopped classroom instruction and/or required staff to clear the other students from the room, and 12 instances of fleeing the classroom. Upon information and belief, not all staff members that closely interact with this student have received appropriate training for addressing these violent behaviors. In January of 2023, a District team of behavioral specialists and staff assessed the student and recommended that the student be placed in a self-contained classroom where the student's needs could be more appropriately met. The student's parents joined in this request. The District's Office of Student Services, however, denied this request, indicating that there needs to be "more evidence of failure" before it would place the student in a self-contained classroom.

These are just a few examples. District leadership is failing to address these problems because leadership does not even *agree* that these *are* problems. Rather, the District leadership, by many

accounts, expects the employees to simply “put up” with workplace violence, even when it happens on a daily basis. The Association can provide evidence needed to support all of the above incidents and contact information for witnesses who will attest to these incidents.

### **Confidentiality**

Pursuant to OAR 437-001-0285, an OSHA complaint should specify whether the complainant desires the complainant’s name and address to be kept confidential. The Association does not desire its identity, as an organizational complainant, to be kept confidential. However, the Association does request that the names of any individual employees who provide information during this investigation be kept confidential.

### **Additional Information**

The Association has requested and obtained a substantial amount of information from the District and employees. Please do not hesitate to let our office know if additional information would be helpful to you during your investigation.

### **Updates**

Pursuant to OAR 437-001-0290, complainants shall receive written notice of the Division’s action if the complainant’s address is provided. The Association requests to be updated on any action that results from this Complaint. If the District or any schools provide written responses to the complaint, or to any investigation resulting from the complaint, the Association requests copies of such responses. Please direct all updates and responses to the Tedesco Law Group at: 1316 NE Broadway, Unit A, Portland OR 97232. You may also email updates and responses to the following email addresses: [haley@tlglabor.com](mailto:haley@tlglabor.com), [luke@tlglabor.com](mailto:luke@tlglabor.com), [sarah@tlglabor.com](mailto:sarah@tlglabor.com).

### **Conclusion**

The information above does not fully capture the extent of the OR-OSHA violations throughout the Salem-Keizer School District. The Association is deeply concerned about the ongoing, significant injuries to employees in the workplace and believes the District’s failure to comply with OR-OSHA regulations contributes to those injuries.

Please let me know if any additional information or discussion would be helpful.

Respectfully,

*/s/ Luke Kuzava*

Luke Kuzava  
Attorney for the Oregon Education Association

Oregon

Department of Consumer  
and Business Services  
Oregon OSHA  
350 Winter Street NE Room 430  
PO Box 14480  
Salem, OR 97309-0405

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JUL 17 2019

Salem Keizer Education Association  
SKEA-Salem OEA  
2540 Coral Ave NE  
Salem, OR 97305

FLB-ASB 97305





## Citation and Notification of Penalty

**To:**

Christy Perry, Superintendent  
Salem-Keizer SD 24J  
PO Box 12024  
Salem, OR 97309

**Inspection Number:** 317724247(91)  
**Inspection Date(s):** 05/15/2019-06/10/2019  
**Issuance Date:** 07/03/2019  
**Optional Rpt Num:** A2637-024-19  
**Employer ID No:** 5551189-023

**Inspection Site:**

4868 Buffalo Dr SE  
Salem, OR 97317

*The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated.*

In the interest of assuring a safe and healthy workplace, the Oregon Occupational Safety and Health Division (Oregon OSHA) conducted an inspection at a workplace under your control. During this inspection, violations of the Oregon Safe Employment Act and occupational health and/or safety rules were found.

This citation lists the violations and a date by which they must be corrected. If you are not able to correct the violations by the correction date, you must apply for an extension of the correction date by following the instructions outlined later in this citation. Oregon laws require that under certain conditions violations of occupational safety and health rules carry a civil penalty. If penalties have been assessed on this citation, they have been computed in conformity with Oregon Administrative Rules, Chapter 437, Division 1. If you want to appeal this citation, file your request for hearing within 30 calendar days as outlined on the next page. If you choose not to appeal this citation, it becomes a final order 30 calendar days after receiving it. You must abate the violations referred to in this Citation by the dates listed, and pay the proposed penalties.

An effective Safety and Health program not only assures the correction of cited violations, it also requires actions to prevent violations from recurring. Through continued cooperation of employers, employees and Oregon OSHA, a safe and healthful workplace for all Oregon employees can be achieved.

Michael D. Wood, Administrator  
Oregon OSHA

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited has (have) been abated, or for 3 working days (excluding weekends and holidays), whichever is longer.

**Penalty PAYMENT** - Penalties are due 20 days after the citation becomes final order (which is 30 days after receipt of this citation, unless appealed). Either make your check or money order payable to "Department of Consumer & Business Services (DCBS)", and mail to **DCBS, Fiscal Services Section, PO Box 14610, Salem OR 97309-0445**, or pay online at <http://osha.oregon.gov/rules/enf/Pages/citations.aspx#req>. Please include the Inspection Number on the remittance and return a copy of the invoice with payment. Oregon OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if they do not exist.

**Employer APPEAL Rights** - To appeal a citation, you must clearly state in writing that you are requesting a hearing on the citation and specify the alleged violation(s) contested and the grounds upon which you consider the citation, proposed penalty(ies), or correction period to be unlawful. The request for an appeal must be filed within **30** calendar days of receipt of the citation. You can file an appeal in writing or on-line at <http://osha.oregon.gov/rules/enf/Pages/citations.aspx#req>. An appeal is considered filed on the date of the postmark, if mailed, or on the date of receipt if transmitted by other means. If mailed, the appeal letter should be sent to: **Oregon OSHA, PO Box 14480, Salem OR 97309-0405.**

A request for an informal conference alone is not an appeal of a citation, and any unresolved issues discussed at an informal conference will not be forwarded for appeal unless there is a timely request for hearing filed. **If you do not request a hearing within the required time frame, this citation will become a final order that is not subject to review by any agency or court.**

**IMPORTANT NOTE:** Appealing a serious violation or the reasonableness of the correction date does not automatically extend the correction date. You may apply for an extension of the correction date through Oregon OSHA or request an expedited hearing on the issue of the correction date with the Workers' Compensation Board Hearings Division (Oregon Revised Statute 654.078(6)).

**Letter of Corrective Action** - You are required to complete and mail the enclosed Letter of Corrective Action to the appropriate field office on or before the latest correction date on the citation. Please provide a detailed explanation and supporting documentation (if necessary), such as drawings or photographs of corrected violations, purchase or work orders, air sampling results, etc.

**EXTENSION of Correction Date** - To apply for an extension for correcting a violation, go online to submit a written request to <http://osha.oregon.gov/rules/enf/Pages/citations.aspx#req>, or submit a written request to the office listed on the "Letter of Corrective Action" and include:

- (1) Employer name and address.
- (2) The location of the place of employment.
- (3) The inspection number and optional report number.
- (4) The violation number for which the extension is sought.
- (5) The reason for the request.
- (6) All available interim steps being taken to safeguard employees against the cited hazard during the requested extended correction period.
- (7) The date by which you propose to complete the correction.
- (8) A statement that a copy of the request for extension has been posted as required by OAR 437-001-0275(2)(d) and (j) or for at least 10 days, whichever is longer; and, if appropriate, provided to the authorized representative of affected employees; and, certification of the date upon which the posting or service was made.

Your request must be postmarked or received by the Department no later than the correction date of the violation for which the extension is sought.

**Employer Discrimination Unlawful** - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint with the Bureau of Labor & Industries (BOLI) no later than 90 days after the discrimination occurred.

**Notice to Employees** - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date is unreasonable. The objection letter must be mailed to Oregon OSHA and postmarked within 30 calendar days of the receipt by the employer of this Citation and Notification of Penalty.

**Adopting Federal Rules by Reference** - Whenever federal rules have been adopted by reference, the federal rule number has been noted in the citation. If information is needed regarding the Oregon standard, contact the Oregon OSHA field office addressed at the top of the first page of this citation.

**Posting on the Internet** - Federal OSHA publishes information on all inspections and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

If you would like to discuss this citation, call the Oregon OSHA office in your area:

Portland 503-229-5910

Salem 503-378-3274

Medford 541-776-6030

Eugene 541-686-7562

Bend 541-388-6066

**Oregon OSHA**

Oregon Department of Consumer and Business Services

**Inspection Number:** 317724247(91)

**Inspection Date(s):** 05/15/2019-06/10/2019

**Issuance Date:** 07/03/2019



**Citation and Notification of Penalty**

**Optional Rpt Num:** A2637-024-19

**Company Name:** Salem-Keizer SD 24J

**Inspection Site:** 4868 Buffalo Dr SE Salem, OR 97317

**Citation 1 Item 1** Type of Violation: **Serious**

OAR 437-001-0760(3)(a): The employer did not investigate or cause to be investigated every lost time injury that workers suffered in connection with their employment, to determine the means that should be taken to prevent recurrence:

- a) Lost time injuries were not investigated to prevent recurrence. There were three lost time injuries in 2018 and two lost time injuries in 2019.
- i) Two employer investigations were conducted. The other three lost time injuries were not investigated.
- ii) An employee suffered an injury on November 13, 2018 with one day lost. No investigation was conducted.
- iii) An employee suffered an injury on February 2, 2018 with 17 days lost. An occupational injury report was conducted.
- iv) An employee suffered an injury on January 30, 2018 with 7 days lost. An occupational injury report was conducted.
- v) An employee suffered an injury on January 30, 2019 with 92 days lost. No investigation or report was conducted.
- vi) An employee suffered an injury on May 6, 2019 with 2 days lost. No investigation or report was conducted.
- vii) The three injuries that were not investigated occurred in the Emotional Growth Center and dealt with behaviors.
- viii) The principal admitted to being behind in completing investigations.

Date by Which Violation Must be Abated:	08/03/2019
Proposed Penalty:	\$700.00

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury.

**COPY**

**Oregon OSHA**

Oregon Department of Consumer and Business Services

**Inspection Number:** 317724247(91)

**Inspection Date(s):** 05/15/2019-06/10/2019

**Issuance Date:** 07/03/2019



**Citation and Notification of Penalty**

**Optional Rpt Num:** A2637-024-19

**Company Name:** Salem-Keizer SD 24J

**Inspection Site:** 4868 Buffalo Dr SE Salem, OR 97317

**Citation 1 Item 2a** Type of Violation: **Serious**

OAR 437-001-0765(2): An employer of more than 20 employees did not have at least 4 safety committee members:

- a) The safety committee at Mary Eyre Elementary had three members on the committee and attending meetings. For employers with 20 or more employees there should be at least 4 members.

Date by Which Violation Must be Abated:	08/03/2019
Proposed Penalty:	\$700.00

**Citation 1 Item 2b** Type of Violation: **Serious**

OAR 437-001-0765(4): Safety committee members did not represent major activities of the business:

- a) There was not a teacher on the safety committee at Mary Eyre Elementary. The major function of the school is teaching. The safety committee was made up of the office manager, custodian, and an instructional assistant.

Date by Which Violation Must be Abated:	08/03/2019
Proposed Penalty:	\$0.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

**Oregon OSHA**

Oregon Department of Consumer and Business Services

**Inspection Number:** 317724247(91)

**Inspection Date(s):** 05/15/2019-06/10/2019

**Issuance Date:** 07/03/2019



**Citation and Notification of Penalty**

**Optional Rpt Num:** A2637-024-19

**Company Name:** Salem-Keizer SD 24J

**Inspection Site:** 4868 Buffalo Dr SE Salem, OR 97317

**Citation 1 Item 3** Type of Violation: **Serious**

OAR 437-002-0134(3)(a): The employer did not provide training to each employee who was required by this section to use personal protective equipment (PPE):

a) Employees in the Emotional Growth Class (EGC) were provided a variety of personal protective equipment when dealing with behaviors. However, employees were not provided training or direction on when to use the equipment, what equipment to use, or how to put on the equipment. Employee interviews revealed there was no time to put on the equipment once a student was having a behavior, some employees stated the equipment could be used as a weapon, and others stated the equipment was not the correct size for them to wear.

Date by Which Violation Must be Abated:	08/03/2019
Proposed Penalty:	\$300.00

<b>Total Proposed Penalty:</b>	<b>\$1,700.00</b>
--------------------------------	-------------------

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

**COPY**



# Oregon

Kate Brown, Governor

## Department of Consumer and Business Services

Oregon Occupational Safety & Health Division (OR-OSHA)

350 Winter Street NE, Room 430

PO Box 14480

Salem, OR 97309-0405

Phone: 503-378-3272

Toll Free: 1-800-922-2689

Fax: 503-947-7461

[www.orosha.org](http://www.orosha.org)

Salem-Keizer SD 24J

PO Box 12024

Salem, OR 97309

**Inspection Number:** 317724247(91)  
**Optional Report Number:** A2637-024-19  
**Employer Number:** 5551189-023  
**Inspection Date(s):** 05/15/2019-06/10/2019

The Oregon Occupational Safety and Health Division (OR-OSHA) conducted an inspection of your workplace located at 4868 Buffalo Dr. SE, Salem, OR 97317. The inspection was to determine if safety or health hazards were present which could cause injury or illness to your employees. Violations of safety and/or health rules were found during this inspection and the citation is enclosed.

In addition, the OR-OSHA representative noted certain conditions which are listed in the following page, which could cause injuries and/or illnesses. Although it is not mandatory to correct them at this time, if the work process, operation, exposure, etc., changes, these conditions could be cited as violations during future inspections. By initiating corrective measures, you could reduce the high cost of human suffering associated with work-related injuries and illnesses.

There may be other hazards present which were not apparent at the time of the inspection. If you need assistance in identifying and/or eliminating health or safety hazards consultative and training services are available to you at no cost through OR-OSHA by calling (503) 378-3272.

Your continuing effort to identify and eliminate work-related hazards is appreciated.

Penny Wolf-McCormick

Health Enforcement Manager

OR-OSHA Portland Field Office

16760 SW Upper Boones Ferry Rd, Suite 200

Tigard, OR 97224

503-229-5910

[PENNY.L.WOLF-MCCORMICK@oregon.gov](mailto:PENNY.L.WOLF-MCCORMICK@oregon.gov)

## NOTICE

**Employer Name:** Salem-Keizer SD 24J  
**Employer ID No:** 5551189-023  
**Inspection Number:** 317724247(91)  
**Optional Rpt. Num:** A2637-024-19

THE FOLLOWING IS A LIST OF CONDITIONS WHICH COULD CAUSE WORK-RELATED INJURIES OR ILLNESSES TO EMPLOYEES. ALTHOUGH NOT MANDATORY AT THIS TIME THE OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION ENCOURAGES YOU TO INITIATE CORRECTIVE MEASURES FOR THESE PROBLEM AREAS IN THE INTEREST OF REDUCING THE HIGH COST AND HUMAN SUFFERING ASSOCIATED WITH WORK-RELATED INJURIES AND ILLNESSES.

Item: 01 -1

The Oregon Occupational Safety and Health Division (OR-OSHA) recently conducted an inspection at Salem-Keizer SD 24J DBA: Mary Eyre Elementary. The inspection was initiated due to a complaint involving workplace violence. Oregon OSHA regards workplace violence as a serious safety and health hazard. The purpose of this letter is to bring your attention to this hazard and to encourage you to address it in your facility.

A booklet entitled Workplace Violence: Can it happen where you work? was provided during the closing conference. More importantly, various references on workplace violence from OR-OSHA, OSHA, NIOSH, et al were emailed to most attending the closing conference. Information included the definition of workplace violence, information on evaluating each workplace, developing a written policy, establishing workplace procedures, training employees, and reviewing the policy.

Remind employees of when to report injuries as it may be a recordable. Ensure that employees are trained to report injuries, trained to access/complete the reports, involved in the process, and communicated any changes.

Encourage employees to report all injuries sustained at work. Document all incidents, not just required recordable injuries. During the inspection you provided a list of "human caused" injuries most involving employees in the Emotional Growth Class. These incidents did not involve medical treatment. It is important that you keep a record of all employee attacks from students regardless of their severity. Track and trend these injuries to determine if behavior support plans need updating or students need more support than can be provided at this level. (Example: if student A kicks employee #1 (does not report

it), later that day, student A punches employee #2 (who does not report it), and again student A bites employee #3 (does not report the injury). No one will know student A is having a bad day. This lack of information does not help the staff or the student in this situation. Employee who report incidents of workplace violence (regardless of how serious they are perceived) should not feel punished, reprimanded, or diminished in any way.

OR-OSHA recommends that your company take the necessary steps to eliminate or materially reduce your employees' exposure to the risk factors stated above. Employee involvement is highly recommended.

Feasible methods to protect employees from workplace violence may be obtained from publications provided. Listed below are some of those methods:

- (1) Assess the risks to your employees in the workplace. Conduct a hazard assessment including inspection of the worksite and employee survey;
- (2) Determine the required level of personal protective equipment. Train employees on what to wear, when to wear it, how it is to be worn;
- (3) Establish a written violence prevention program for your employees;
- (4) Establish workplace procedures for employees to follow in an instance of workplace violence. Provide clear instructions for employees when there is a behavior. Each employee should know their role;
- (5) Ensure that employees working in the EGC are provided Mandt training prior to working in the classroom. Continue working with employees regarding specific training available for employees. Increase the type and efficiency of the training provided to employees. Employee interviews revealed that additional training in the physical restraints would be helpful.
- (6) Provide self-care for employees after an injury/incident, high intensity restraint/hold, or extensive behavior issue. Allow employees who have suffered injuries a resource for coping with assaults that may include a "time-out" in which employees are separated from the environment and allowed a cool down period. Having been injured or involved in a difficult or long restraint may increase adrenalin that can increase heart rate and blood pressure. A cool down period allows the employee a chance to check themselves for injuries, allow the heart rate to return to normal, gather their thoughts or complete necessary paperwork. Ensure that employees have an opportunity to decrease their adrenaline, calm down, and recover from the escalation cycle;
- (7) Make sure classroom workers know what is in the BSP for all students in the room. Revise, update, or add information to the student's BSP and/or functional behavior assessment (FBA). Allow input from all employees at risk of bodily injury, inform employees of any changes to these plans, ensure that employees are aware of the risks,

and ensure that someone is responsible to follow up incidents or near misses by the student.

(8) Inspect EGC classrooms and ensure that there is a minimum of loose material that can be weaponized. This includes bolting desks and chairs to the floor. It was determined that the classroom was de-cluttered from the beginning of the school year.

(9) Record near misses and assaults of employees even those that do not result in recordable injuries. Record this information separate from an OSHA 300 log. The focus is to reduce or eliminate employee injuries, not concentrate on the student action. Review this log periodically in order to correct issues or take necessary steps to protect employees from physical harm or injuries. Follow up with recommendations from the incident reports. Train employees on when to report incidents and when to complete this log.

(10) Communicate with staff. Especially with the numerous changes faced without a teacher. Ensure that all employees are aware of their responsibilities when full and short staffed. Specifically if those responsibilities change.

The aforementioned list is just a preliminary list of recommendations. Various additional ideas from employees were discussed during the closing conference. In the event that during future inspections it is determined that the facility did not evaluate and implement any of the above recommendations and preventative actions were not taken to decrease the amount of physical harm to the employees, citations may be issued to address the deficiencies within the facility's safety and health management system. Under Oregon OSHA's current inspection procedures, we may return to your work site in approximately one year to further examine the conditions noted above.

In the event that you are in need of any assistance evaluating the item discussed in this letter, your workers' compensation carrier or the Oregon OSHA consultative services are valuable resources. The Oregon OSHA consultative service can be reached at (503) 373-7819.

**Sprague High School  
Safety Committee Meeting**

**12/13/22**

**Members in Attendance:**

Jim Miller  
Kristi Klosterman  
Heather Guzman  
Amber Reeves  
Jason Hartl  
Chris Allen  
Robyn Morgan

**Safety issues noted by staff:**

- Open ceiling section in hallway by 156 and 153.
  - ◆ Amber emailed Chris and Tony to close the gap
  
- There are some long metal bars/posts laying on the ground up next to the building. Located near the tennis courts on the east side of the gym wall.
  - ◆ Amber emailed Chris and Tony to discard these.
  
- Steps leading down to the teacher parking lot at the north end of the building. The one located closest to the Room 118 door. Tree roots are cracking the stairs and creating wider angles (more than 90 degrees for the bottom step) on the stairs making them slope downward. They are awkward and a slipping/tripping hazard, especially in bad weather. Would a metal cover to but over stairs work, like they did for some of the other stairs?
  - ◆ Work Order #225989
  
- Requesting to have the external door by room 118 unlocked until 8:05 instead of 8:00 each day.
  - ◆ It was determined this is not a safety related concern. Most staff shifts begin by 8:00 am. Staff can enter through the north end entrance, or at any badge reader, if they arrive after 8:00.
  
- DHH Interpreters experiencing a safety concern in the hallway between rooms 111 and 129, where their offices are located. The DLC student who uses 111 as a safe room sometimes wanders down the hallway and the staff cannot exit their offices, or access their offices during that time.
  - ◆ Work Order #221812 (to have a door installed between 111 and the hallway)
  - ◆ Offered 157 as an option for staff to use in the meantime

### **Follow-up items from previous meetings:**

- New space for the isolation room. Proposed to use the office next to Hugh's office. We would clear the space when the room is needed, put the sign up and follow protocol for sanitizing after use. Shirley will be able to help monitor when in use.
  - ◆ This was approved by Chad. Shirley is aware as well.
  
- Test intercom system outdoors - December 9th
  - ◆ This was completed on 12/9. The intercom works at the south end of the building by the tennis courts, and also at the northeast corner of the building.
  - ◆ The announcement could not be heard in the following areas:
    - Front of the building near the roundabout.
    - Back of the building near the loading dock
    - North end of the building by the North end badge reader.
  - ◆ Amber submitted a TIS Service Ticket #95021.
  
- Add an Advisory lesson on lockdown and building safety procedures (see minutes from last month)
  - ◆ Plan to focus on this in February.

### **Building wide safety inspection:**

- Make a plan for who will inspect each area by January 15, 2023.
- Link to [inspection](#) form
- Breakdown of assignments:
  - Utility, Outbuildings, Parking Lot - Chris Allen
  - General Areas - Amber Reeves
  - Offices - Kristi Klosterman
  - Hallways, Auditorium, Stage, Gymnasium, Lunch Room, Kitchen/Cafeteria, Rooms with Machinery - Roby Morgan and Jason Hartl
  - Classrooms and Libraries, - Jim Miller and Jesse Clayton
  - Classrooms containing hazardous substances - Heather Guzman
  - Restrooms - Emily Kenney

### **Good of the Order:**

- Is our school getting injury reports? Who are they going to?

### **Next Meeting - Tuesday, January 17th**

**SOUTH SALEM HS  
SAFETY COMMITTEE MEETING**

**February 15, 2023**

**PRESENT:**

<b>Brian Armstrong</b>	<b>AD</b>
<b>Tim Gregory</b>	<b>Head Custodial</b>
<b>Michael Desjarlais</b>	<b>Security</b>
<b>Donna Bosco</b>	<b>AD Secretary</b>

**OLD BUSINESS**

**Air quality issues in the offices – on going – Risk Management and others continue to test the areas for cause.**

**Waiting to find out from security – film for windows – they are looking for vendors.**

**Restroom partitions – no news from the district what is available.**

**CTE – district safety still checking on areas in the building**

**NEW BUSINESS**

**Lockdown – TIS is working on communication in commons, make sure speakers in the Lower commons are working and putting in speakers in the Upper commons, IP Clock – right above the student store wall.**

**Staff to make sure commons areas remain locked and new keys were issued to areas that had been left unlocked.**

**NEW Stryker chairs – 4 total to be in the building- Wrestling room – stairwell; Main stairwell; Grand stairwell or NEW stairs by art rooms top floor; corner by Rm 293 exit by Rose Auditorium.**

**Possibly additional AED units – Auxiliary gym is one area. Risk was here and replaced battery in main gym area and portable used by trainer.**

**Need to put an IP clock in receiving room – used by DLC – it has a speaker but no clock for emergency sound.**

**Brian had not received staff injury reports for Dec/Jan. as of meeting.**

He plans to have security help him with a thorough building inspection next grading day off.

Tim reported – Fire Marshall is wanting to schedule a walk through possibly this Friday @ 10:30am?

Weather issues – security is trying to make sure that the outside doors are latching. Some have issues with warmer weather on the South end.

Safety committee talked about the old elevator – can not fit a gurney in case of emergency needing to transport from upstairs – only the new elevator is big enough by the Rose Audit. Half the time the old elevator does not work, parts always seem to be a big issue, it's so old they can't find parts.

In front of the main gym entrance along Rural Street – the sidewalk is not ADA compliant. Not sure if that is the district or City of Salem. Was supposed to be repaired in the new construction project. Brian will put in a work order!

Are we in adequate compliance with ADA for wheelchairs to get out of the building in the vestibule. Since they moved the ADA door equipment, there is no exit from building in the Main hall or Rose Lobby, or Auxiliary gym.



## PERSONAL PROTECTIVE EQUIPMENT Assessment and Certification Worksheet RSK-F023

This survey applies to whole head, face, eye, ear, hand, foot, skin, and whole body protection. To protect Salem-Keizer School District employees from the hazards associated with the job responsibilities, personal protective equipment (PPE) is identified by task and must be worn at all times while performing the listed duties. This assessment and RSK-W014 are designed to comply with OAR 437-002-0120 and is to be completed for each unique position and/or specialized task.

Assessment conducted by: <u>Jacarra Lewallen</u>		Date: <u>9/20/21</u>
Department: <u>Special Education</u>	Physical Location (School or Shop Name) <u>Leslie EGC Program</u>	Job Title/Task: <u>Program Associate</u>
This job task include use of or exposure to the following:		
<input type="checkbox"/> Machinery <input type="checkbox"/> Chemicals <input checked="" type="checkbox"/> Bodily fluids <input type="checkbox"/> Sharp objects <input type="checkbox"/> Confined spaces <input type="checkbox"/> Parts in Motion <input type="checkbox"/> High temperature <input checked="" type="checkbox"/> Falling/Flying objects <input type="checkbox"/> Harmful atmospheres <input checked="" type="checkbox"/> Rolling, pinching, crushing objects <input checked="" type="checkbox"/> Student physical interaction considerations required		

Based on items checked above, complete the sections below.  
Refer to the "Required PPE" document to assist in the completion of this section.

HAZARD	POTENTIAL INJURY TYPE	Protections by Elimination, Substitution, Engineering, and Administrative	MINIMUM REQUIRED PPE
<del>Struck by flying particles</del>	<del>Eye injury, impalement</del>	<del>Ensure all guards in place, no other people or at risk property nearby</del>	<del>Leather gloves, leg guards (pants), arm protection (long-sleeve shirts) and ANSI-rated eyewear</del>
<u>Spitting, scratches, staff/student injury (ie hair pulling)</u>	<u>-body fluids, saliva - head injury, eye injury</u>		<u>4x6 x 8 inch thick Mat</u>

I certify that I have conducted a workplace survey on the above task to assess the need for PPE. The PPE noted above will be required while performing this task.

Department Supervisor Signature <u>ZACH WILSON</u>	Date <u>09.23.21</u>
Certification reviewed by Department Manager	Date



## PERSONAL PROTECTIVE EQUIPMENT Student Caused Injuries Assessment and Certification Worksheet

This survey applies to whole head, face, eye, ear, hand, foot, skin, and whole body protection. To protect Salem-Keizer School District employees from the hazards associated with the job responsibilities, personal protective equipment (PPE) is identified by task and must be worn at all times while performing the listed duties. This assessment and RSK-W014 are designed to comply with OAR 437-002-0120 and is to be completed for each unique position and/or specialized task.

<b>Assessment conducted by:</b> Judith McQuade-Higgins		<b>Date:</b> 2/3/2022
<b>School or Program Name</b> Chapman Hill	<b>Classroom classification (LRC, DLC, etc) lrc</b>	<b>Job Title/position</b> Behavior Intervention Trainer
<b>Types of tasks done with student</b>		
<input checked="" type="checkbox"/> Instructional <input type="checkbox"/> Medical Support <b>Check the plan where staff PPE is recorded</b> <input checked="" type="checkbox"/> Recess <input checked="" type="checkbox"/> Hallway/Movement Support <input checked="" type="checkbox"/> BIP <input checked="" type="checkbox"/> IEP <input type="checkbox"/> Bathroom Support <input type="checkbox"/> Bus Transportation Support <input checked="" type="checkbox"/> Safety Plan		

KNOWN STUDENT BEHAVIORS	POTENTIAL BODY INJURY FROM BEHAVIOR	KNOWN TRIGGERS FOR THIS BEHAVIOR	MINIMUM REQUIRED PPE
<i>Agression, biting, kicking, hitting</i>	<i>Bruise, falling, being bitten</i>	<i>Work refusal, peers</i>	Amazon.com: Z ATHLETIC Gymnastics, Tumbling Folding Mats : Everything Else  5ft x 10ftx2inch
<i>biting, hitting</i>	<i>Bite</i>	<i>work refusal, basic needs, non-preferred</i>	<a href="https://www.amazon.com/ProForce-Forearm-Guard-Small-Black/dp/B00WVFIAIQ/ref=sr_1_15?crd=3AA5MRHHVL7ZH&amp;keywords=arm+guards&amp;qid=1643923809&amp;prefix=arm+guards%2Caps%2C245&amp;sr=8-15">Amazon.com/ProForce-Forearm-Guard-Small-Black/dp/B00WVFIAIQ/ref=sr_1_15?crd=3AA5MRHHVL7ZH&amp;keywords=arm+guards&amp;qid=1643923809&amp;prefix=arm+guards%2Caps%2C245&amp;sr=8-15</a>

In addition to the PPE recommendations above, please read and follow general safety guidelines below.

**Dress for safety:** Wear loose or baggy clothing that you can easily slip out of if it grabbed or pulled, long sleeves and long pants whenever possible to protect from bites and scratches. Knit hat or ball caps to prevent hair pulling. Wear sturdy, comfortable, well-fitted, closed-toe/closed-back shoes with non-slip soles.

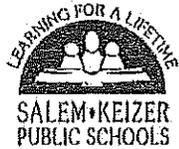
**Avoid wearing** necklaces and ties, use break away lanyards, rings with protruding stones (turn stones inward to avoid scratching or getting caught)

**Avoid wearing** dangling or hoop earrings, consider eliminating all earrings, even studs, as they can cause injuries if pulled.

**Know the Student Plan:** Ensure all staff are familiar with students plan, follow the plan and reporting any changes to the plan, to keep the plan up to date. Note specific ways to create and support positive behaviors.

*I certify that I have conducted a workplace survey on the above task to assess the need for PPE. The PPE noted above will be required while performing this task.*

Department Supervisor Signature Judith McQuade-Higgins	Date 2/3/2022
Certification reviewed by Department Manager	Date



## PERSONAL PROTECTIVE EQUIPMENT Assessment and Certification Worksheet RSK-F023

This survey applies to whole head, face, eye, ear, hand, foot, skin, and whole body protection. To protect Salem-Kelzer School District employees from the hazards associated with the job responsibilities, personal protective equipment (PPE) is identified by task and must be worn at all times while performing the listed duties. This assessment and RSK-W014 are designed to comply with OAR 437-002-0120 and is to be completed for each unique position and/or specialized task.

Assessment conducted by: <u>Jacarra Lewallen</u>		Date: <u>9/20/21</u>
Department: <u>Special Education</u>	Physical Location (School or Shop Name): <u>Leslie EGC Program</u>	Job Title/Task: <u>Program Associate</u>
This job task include use of or exposure to the following:		
<input type="checkbox"/> Machinery <input type="checkbox"/> Chemicals <input checked="" type="checkbox"/> Bodily fluids <input type="checkbox"/> Sharp objects <input type="checkbox"/> Confined spaces <input type="checkbox"/> Parts in Motion <input type="checkbox"/> High temperature <input checked="" type="checkbox"/> Falling/Flying objects <input type="checkbox"/> Harmful atmospheres <input checked="" type="checkbox"/> Rolling, pinching, crushing objects <input checked="" type="checkbox"/> Student physical interaction considerations required		

Based on items checked above, complete the sections below.  
Refer to the "Required PPE" document to assist in the completion of this section.

HAZARD	POTENTIAL INJURY TYPE	Protections by Elimination, Substitution, Engineering, and Administrative	MINIMUM REQUIRED PPE
<del>Struck by flying particles</del>	<del>Eye injury, impalement</del>	<del>Ensure all guards in place, no other people or at risk property nearby</del>	<del>Leather gloves, leg guards (pants), arm protection (long-sleeve shirts) and ANSI-rated eyewear</del>
<u>Spitting, scratches, Staff/Student injury like hair pulling</u>	<u>-bodily fluids, saliva - head injury, eye injury</u>		<u>4x6 X 8 inch thick Mat</u>

I certify that I have conducted a workplace survey on the above task to assess the need for PPE. The PPE noted above will be required while performing this task.

Department Supervisor Signature <u>ZACH WILSON</u>	Date <u>09.23.21</u>
Certification reviewed by Department Manager	Date





## PERSONAL PROTECTIVE EQUIPMENT Student Caused Injuries Assessment and Certification Worksheet

This survey applies to whole head, face, eye, ear, hand, foot, skin, and whole body protection. To protect Salem-Keizer School District employees from the hazards associated with the job responsibilities, personal protective equipment (PPE) is identified by task and must be worn at all times while performing the listed duties. This assessment and RSK-W014 are designed to comply with OAR 437-002-0120 and is to be completed for each unique position and/or specialized task.

Assessment conducted by: <i>Bryon Mack / Lyle Neu</i>		Date: <i>1-18-2023</i>
School or Program Name <i>RIVERFRONT CTP</i>	Classroom classification (LRC, DLC, etc) <i>Community Transition Program</i>	Job Title/position <i>Behavior Intervention Trainer / Cadre</i>
Types of tasks done with student		
<input checked="" type="checkbox"/> Instructional	<input type="checkbox"/> Medical Support	Check the plan where staff PPE is recorded
<input type="checkbox"/> Recess	<input checked="" type="checkbox"/> Hallway/Movement Support	
<input checked="" type="checkbox"/> Bathroom Support	<input checked="" type="checkbox"/> Bus Transportation Support	
		<input type="checkbox"/> BIP <input type="checkbox"/> IEP
		<input checked="" type="checkbox"/> Safety Plan

KNOWN STUDENT BEHAVIORS	POTENTIAL BODY INJURY FROM BEHAVIOR	KNOWN TRIGGERS FOR THIS BEHAVIOR	MINIMUM REQUIRED PPE
<i>HEAD BUTT</i>	<i>HEAD/FACE INJURY</i>	<i>Transitions from preferred</i>	<i>HOCKEY HELMET</i>

In addition to the PPE recommendations above, please read and follow general safety guidelines below.

**Dress for safety:** Wear loose or baggy clothing that you can easily slip out of if it grabbed or pulled, long sleeves and long pants whenever possible to protect from bites and scratches. Knit hat or ball caps to prevent hair pulling. Wear sturdy, comfortable, well-fitted, closed-toe/closed-back shoes with non-slip soles.

**Avoid wearing** necklaces and ties, use break away lanyards, rings with protruding stones (tum stones inward to avoid scratching or getting caught)

**Avoid wearing** dangling or hoop earrings, consider eliminating all earrings, even studs, as they can cause injuries if pulled.

**Know the Student Plan:** Ensure all staff are familiar with students plan, follow the plan and reporting any changes to the plan, to keep the plan up to date. Note specific ways to create and support positive behaviors.

I certify that I have conducted a workplace survey on the above task to assess the need for PPE. The PPE noted above will be required while performing this task.

Department Supervisor Signature <i>Bryan Mark</i>	Date <i>1-18-2023</i>
Certification reviewed by Department Manager	Date