
HOUSE BILL 1567

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Prentice, Heavey, Cole, Belcher, R. King, Franklin, Jones, Wineberry, Wang, Dellwo, Jacobsen and Leonard.

Read first time February 1, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to protections for agricultural employees; and
2 adding new sections to chapter 49.17 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) An employer shall, at no cost to the
5 employees, furnish agricultural employees with any protective clothing
6 or protective device that is required by a pesticide label or by
7 department rule or is recommended by the pesticide's material safety
8 data sheet, and that is in addition to the standard long-sleeved shirt,
9 long pants, boots or shoes, and socks normally provided by the
10 employee.

11 (2) The department shall adopt rules to implement this section. In
12 adopting rules, the department shall:

13 (a) Consider acute, chronic, and subchronic effects of both active
14 and inert ingredients of pesticides;

1 (b) Consider and require appropriate measures to prevent risks to
2 agricultural employees presented by contamination, insufficient
3 maintenance, misuse, and nonuse of personal protective equipment;

4 (c) Require properly maintained mechanical controls, such as closed
5 systems for mixing and loading pesticides, where feasible;

6 (d) Require employers to provide facilities where agricultural
7 employees who regularly handle pesticides or who engage in activities
8 involving actual exposure to pesticides, including pesticide residues,
9 may change clothes and shower;

10 (e) Require employers to provide facilities for the separate
11 laundering of pesticide-contaminated clothing; and

12 (f) Prohibit employers from allowing or directing agricultural
13 employees to perform any task requiring the use of a chemical-resistant
14 suit if specified conditions such as temperature, humidity, and length
15 of time required to complete the task involve a risk of heat-induced
16 illness.

17 NEW SECTION. **Sec. 2.** (1) For all activities involving actual
18 or potential exposure of an agricultural employee to pesticides,
19 including pesticide residues, the employer shall make prior
20 arrangements for emergency medical care and shall post in a prominent
21 place at the work area, or on the application vehicle if there is no
22 appropriate designated work area, the name, address, and telephone
23 number of the physician, clinic, or hospital emergency room providing
24 care.

25 (2) When the employer has reasonable grounds to suspect that an
26 agricultural employee has a pesticide illness or when an exposure to a
27 pesticide has occurred that might reasonably be expected to lead to an
28 employee's illness, the employer shall take the employee to a physician
29 immediately.

1 NEW SECTION. **Sec. 3.** (1) In accordance with RCW 49.17.240(2),
2 the department shall establish rules providing for monitoring and
3 medical supervision of the exposure of agricultural employees to
4 pesticides. The rules shall define the categories of agricultural
5 employees to be monitored and supervised and the type and frequency of
6 medical examinations or other tests that shall be made available by the
7 employer or at the employer's expense.

8 (2) If medical supervision is required by department rule:

9 (a) The employer shall follow the recommendations of the medical
10 professional supervising the employees' health in all matters
11 concerning the employees' occupational health;

12 (b) The employer shall post the name, address, and telephone number
13 of the medical professional supervising the employees' health in a
14 prominent place at the work area, or on an application vehicle if there
15 is no appropriate designated work area; and

16 (c) The medical professional supervising the employees' health
17 shall be required to inform employees of any test results that indicate
18 adverse effects from pesticides.

19 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are
20 each added to chapter 49.17 RCW.