

HOUSE BILL REPORT

HB 1959

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to the issuance of citations under the Washington industrial safety and health act.

Brief Description: Modifying the issuance of citations under the Washington industrial safety and health act.

Sponsors: Representatives Heavey and Springer.

Brief History:

Reported by House Committee on:
Commerce & Labor, March 3, 1993, DPS.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Conway; Horn; King; Springer; and Veloria.

Staff: Chris Cordes (786-7117).

Background: The Department of Labor and Industries establishes workplace safety and health standards under the Washington Industrial Safety and Health Act. The department conducts safety and health inspections and issues citations to enforce the standards. The department is required to issue citations within six months after a compliance inspection or investigation revealing the violation.

Under the federal Occupational Safety and Health Act, federal compliance officers must issue citations within six months after the violation occurred.

Summary of Substitute Bill: The time period for issuing citations under the Washington Industrial Safety and Health Act is amended. The requirement is deleted that a citation must be issued within six months after a compliance inspection or investigation revealing the violation. Instead, the citation must be issued within six months after the occurrence of the violation or within 12 months after

the start of an inspection or investigation that began within six months of the violation.

Substitute Bill Compared to Original Bill: The substitute bill changes the time in which the Department of Labor and Industries may issue a citation for violations of safety and health standards after the department has begun an investigation. The department must issue the citation within 12 months after starting the investigation instead of within six months.

Fiscal Note: Requested March 1, 1993.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The time lines for filing safety and health citations are not clear. This bill would provide understandable standards for issuing citations. However, the time period allowed under the bill for completing an investigation may be too short for complex investigations. A time period of one year would be more reasonable.

Testimony Against: None.

Witnesses: Steven Cant, Department of Labor and Industries.