

**FINAL BILL REPORT**

**SSB 6282**

**C 61 L 94**

**SYNOPSIS AS ENACTED**

**Brief Description:** Regulating time limits for industrial safety and health appeals.

**SPONSORS:** Senate Committee on Labor & Commerce (originally sponsored by Senators Wojahn and Winsley; by request of Department of Labor & Industries)

**SENATE COMMITTEE ON LABOR & COMMERCE**

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**BACKGROUND:**

When an employer is cited for a violation of the Washington Industrial Safety and Health Act, the employer has 15 days to notify the director of an intent to appeal either the citation or the assessment of penalty. If an employer notifies the director that the employer intends to appeal the citation or penalty, the director may reassume jurisdiction over the entire matter or any portion involving the issue being appealed. If the director does reassume jurisdiction, any redetermination of the penalty, citation or revision of periods of abatement must be completed within a period of 30 working days. If these matters are not completed, the employer may then proceed directly to the board with the appeal.

A recent judicial determination requires jurisdiction to pass to the board at the end of the 30-day reassumption period even if a settlement has been reached but the necessary paperwork not completed.

**SUMMARY:**

When an employer indicates an intent to appeal a department order under the Washington Industrial Safety and Health Act, the department may reassume jurisdiction. The time limit for this reassumption of jurisdiction is extended from 30 working days to 45 working days, provided all parties to the appeal agree to the extension.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	97	0

**EFFECTIVE:** June 9, 1994