
HOUSE BILL 1425

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Morris, Brumsickle, Sheldon, Springer, Ogden, Riley and Rayburn

Read first time 01/27/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to health and safety standards for residential
2 construction; amending RCW 49.17.050; and adding a new section to
3 chapter 49.17 RCW.

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

5 **Sec. 1.** RCW 49.17.050 and 1973 c 80 s 5 are each amended to read
6 as follows:

7 In the adoption of rules (~~and regulations~~) under the authority of
8 this chapter, the director shall:

9 (1) Provide for the preparation, adoption, amendment, or repeal of
10 rules (~~and regulations~~) of safety and health standards governing the
11 conditions of employment of general and special application in all work
12 places;

13 (2) Provide for the adoption of occupational health and safety
14 standards which are at least as effective as those adopted or
15 recognized by the United States secretary of labor under the authority
16 of the Occupational Safety and Health Act of 1970 (Public Law 91-596;
17 84 Stat. 1590);

18 (3) Provide a method of encouraging employers and employees in
19 their efforts to reduce the number of safety and health hazards at

1 their work places and to stimulate employers and employees to institute
2 new and to perfect existing programs for providing safe and healthful
3 working conditions;

4 (4) Provide for the (~~promulgation~~) adoption of health and safety
5 standards and the control of conditions in all work places concerning
6 gases, vapors, dust, or other airborne particles, toxic materials, or
7 harmful physical agents which shall set a standard which most
8 adequately assures, to the extent feasible, on the basis of the best
9 available evidence, that no employee will suffer material impairment of
10 health or functional capacity even if such employee has regular
11 exposure to the hazard dealt with by such standard for the period of
12 his or her working life; any such standards shall require where
13 appropriate the use of protective devices or equipment and for
14 monitoring or measuring any such gases, vapors, dust, or other airborne
15 particles, toxic materials, or harmful physical agents;

16 (5) Provide for appropriate reporting procedures by employers with
17 respect to such information relating to conditions of employment which
18 will assist in achieving the objectives of this chapter;

19 (6) Provide for the frequency, method, and manner of the making of
20 inspections of work places without advance notice; (~~and,~~)

21 (7) Provide for the publication and dissemination to employers,
22 employees, and labor organizations and the posting where appropriate by
23 employers of informational, education, or training materials calculated
24 to aid and assist in achieving the objectives of this chapter;

25 (8) Provide for the establishment of new and the perfection and
26 expansion of existing programs for occupational safety and health
27 education for employers and employees, and, in addition institute
28 methods and procedures for the establishment of a program for voluntary
29 compliance solely through the use of advice and consultation with
30 employers and employees with recommendations including recommendations
31 of methods to abate violations relating to the requirements of this
32 chapter and all applicable safety and health standards and rules (~~and~~
33 ~~regulations promulgated pursuant to the authority of~~) adopted under
34 this chapter;

35 (9) Provide for the adoption of safety and health standards
36 requiring the use of safeguards in trenches and excavations and around
37 openings of hoistways, hatchways, elevators, stairways, and similar
38 openings;

1 (10) Provide for the (~~promulgation~~) adoption of health and safety
2 standards requiring the use of safeguards for all vats, pans, trimmers,
3 cut off, gang edger, and other saws, planers, presses, formers, cogs,
4 gearing, belting, shafting, coupling, set screws, live rollers,
5 conveyors, mangles in laundries, and machinery of similar description,
6 which can be effectively guarded with due regard to the ordinary use of
7 such machinery and appliances and the danger to employees therefrom,
8 and with which the employees of any such work place may come in contact
9 while in the performance of their duties and prescribe methods,
10 practices, or processes to be followed by employers which will enhance
11 the health and safety of employees in the performance of their duties
12 when in proximity to machinery or appliances mentioned in this
13 subsection;

14 (11) Provide for the adoption of health and safety standards for
15 residential construction with due regard for the practical application
16 of the standards to the residential construction industry. For the
17 purposes of this subsection, "residential construction" means the
18 construction of a building intended for use as a separate single-family
19 dwelling.

20 NEW SECTION. Sec. 2. A new section is added to chapter 49.17 RCW
21 to read as follows:

22 In adopting the standards required under RCW 49.17.050(11), the
23 department shall consult with an advisory committee established by the
24 department on residential construction safety and health standards.
25 The advisory committee shall consist of no more than nine members: One
26 member shall represent the department; at least four members shall
27 represent the residential construction industry; and at least three
28 members shall represent the building and construction trades, with at
29 least two members representing workers from organized labor and at
30 least one member representing workers not from organized labor. The
31 department shall adopt initial rules no later than July 1, 1994.
32 Thereafter, the department may review and revise the rules under its
33 authority under RCW 49.17.040. The advisory committee shall expire on
34 adoption of the initial rules, unless the committee is continued by the
35 department.

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