

HOUSE BILL REPORT

HB 1992

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to workplace safety rule implementation.

Brief Description: Implementing workplace safety rules.

Sponsors: Representatives McMorris, Honeyford, Clements and Thompson.

Brief History:

Committee Activity:

Commerce & Labor: 2/26/97, 3/5/97 [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 McMorris, Chairman; Honeyford, Vice Chairman; Conway, Ranking Minority Member; Wood, Assistant Ranking Minority Member; Boldt; Clements; Cole; Hatfield and Lisk.

Staff: Selwyn Walters (786-7117).

Background: The Washington Industrial Safety and Health Act (WISHA) is administered and enforced by the Department of Labor and Industries, and applies to most private and public workplaces in Washington. Under the federal Occupational Safety and Health Act (OSHA), the state is authorized to assume responsibility for occupational safety and health standards (the state plan state-concept), which must be at least as effective as those adopted under the OSHA. The department adopts rules governing safety and health standards for workplaces covered under the act.

When adopting a rule, the department must provide for (1) employment safety and health standards of general and specific application in all workplaces; (2) occupational health and safety standards which are as effective as those adopted under the OSHA; (3) methods to encourage employers and employees to institute accident prevention programs; (4) employer reporting procedures relating to safe conditions of employment; (5) inspections of workplaces; and (6) publication and distribution of information to help employers and employees achieve a safe work place. Under the Administrative Procedure Act, the department must make specific determinations when adopting a significant legislative rule.

Summary of Substitute Bill: The director of the Department of Labor and Industries must convene a meeting of persons impacted by the department's adoption of significant legislative rules no later than twenty business days before the rules take effect. The meeting is to address problem areas and ambiguities in the rule, education, public relations, training, enforcement, and appropriate mechanisms for evaluating the rule's effectiveness.

Substitute Bill Compared to Original Bill: The substitute bill changes the time frame in which the director of the Department of Labor and Industries must convene a meeting of persons impacted by the department's rules. The meeting must occur 20 days before the effective date of the rules, instead of within 10 days of the adoption of the rules.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The committee will help the Department of Labor and Industries to achieve the legislative goals of the WISHA. The committee will offer the department and businesses an opportunity to discuss the working of the department's rules and their impact on businesses. The relationship between businesses and the department with regard to the WISHA rules will result in a safe work place for all employees.

Testimony Against: None.

Testified: (In support) Clif Finch, Association of Washington Business; Amber Balch, Association of Washington Business; and Matthew P. Bernard, Primex Aerospace Company. (Concerns) Robby Stern, Washington State Labor Council.