

# HOUSE BILL ANALYSIS

## HB 3037

**Brief Description:** Providing technical assistance for workplace safety standards by the department of labor and industries.

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**Sponsors:** Representatives Mielke and Boldt.

Hearing: February 2, 1998

### BACKGROUND:

*The Washington Industrial Safety and Health Act (WISHA) applies to most private and public work places, and is administered and enforced by the Department of Labor and Industries. Washington is a state plan state— under the federal Occupational Safety and Health Act (OSHA), and as such, is authorized to assume responsibility for occupational safety and health standards in the state. The safety and health standards must be at least as effective as the standards adopted under OSHA.*

*A covered employer may be cited, and penalties assessed if the employer violates WISHA, the rules adopted under WISHA, an order granting a variance, or a standard published by the National Fire Protection Association.*

*An eight member firefighting technical review committee provides advisory technical assistance to the department if an inspection or investigation of an emergency response situation reveals a violation of WISHA, the rules adopted under WISHA, an order granting a variance, or an industry consensus standard. After the department issues a citation based on events in an emergency situation, the department has a duty to consult with the committee before issuing a citation that includes a penalty. The committee's recommendations do not limit the department's authority to cite and assess a penalty for violations of WISHA, its collateral rules, an order granting a variance, or an industry consensus standard.*

Emergency response situation— means, without limitation, situations in which employees of a fire department or fire district or law enforcement agency are involved in a fire combat scene, a hazardous materials response situation, a rescue, or a response involving emergency medical services.

### SUMMARY OF BILL:

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*Adds four law enforcement officers to the firefighting technical review committee and renames the committee to the Law Enforcement and Firefighting Technical Advisory Committee. Adds "a violent crime scene" to the definition of emergency response situation.*

**RULES AUTHORITY:** The bill does not contain provisions addressing the rule making powers of an agency.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.