

March 24, 1997

**BILL ANALYSIS**

TO: Members, Committee on Trade and Economic Development

FROM: Kenny Pittman, Research Analyst (786-7392)

RE: **SSB 5668 - Allowing the department of health to adopt a temporary worker housing code.**

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**BACKGROUND:**

The construction of buildings or structures in Washington are governed by the requirements of the State Building Code. The State Building Code Council, within the Department of Community, Trade, and Economic Development, is responsible for the development and revision of the State Building Code. The State Building Code consists of technical performance documents covering structural, mechanical, fire safety, and energy conservation standards. The state, through the Department of labor and Industries adopts a separate electrical code. These standards guide the construction, alteration, or repair of residential and non-residential buildings or structures. It has been argued that these performance standards were designed for buildings or structures that are occupied on a permanent and not on a temporary basis.

In 1995, the Legislature directed several state agencies to work together to develop a temporary worker housing code. The new code would provide standards for the construction, alteration, or repair of housing that is occupied on a temporary basis and still meet basic health and safety requirements.

The State Building Code Council was directed to develop a temporary worker housing code by December 1, 1996. The temporary worker housing code must comply with the requirements of the Washington Industrial Safety and Health Act (WISHA) and rules adopted by the state Board of Health. The temporary worker housing code has been developed and delivered to the Legislature.

The Department of Health has general licensing authority for the

operation of farmworker labor camps. The Department of Labor and Industries has the responsibility for enforcing the requirements of the WISHA as it relates to agricultural work places. The two departments worked together in the regulation of farmworker labor camps.

**SUMMARY:**

The Department of Health is directed to adopt a temporary worker building code by administrative rule. The temporary worker building code governs the construction, alteration, or repair of temporary worker housing. The guidelines used to develop the temporary worker housing code must be used by the Department of Health to develop the initial temporary worker building code. The Department of Health's initial temporary worker building code must be substantially equivalent to the temporary worker housing code developed by the State Building Code Council.

The Department of Health is responsible for the enforcement responsibilities of the temporary worker housing code. A provision is added to the State Building Code to clarify that the construction, alteration, or repair of temporary worker housing is not subject to the provisions of the State Building Code, but is governed by the provisions of the temporary worker building code. The Department of Health is authorized to establish a building permit fee schedule for temporary worker housing. The fee covers the costs of necessary plan reviews and on-site construction inspection to ensure compliance with the temporary worker building code.

Temporary worker housing- means a shelter, place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees for temporary seasonal occupancy at the employees' work site, and includes labor camps.

Appropriation: None.

Fiscal Note: Available.

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