

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 1992

55th Legislature
1998 Regular Session

Passed by the House February 11, 1998
Yeas 95 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 6, 1998
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1992** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1992

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives McMorris, Honeyford, Clements and Thompson)

Read first time 03/05/97.

1 AN ACT Relating to workplace safety rule implementation; and
2 amending RCW 49.17.050.

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

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

6 In the adoption of rules and regulations under the authority of
7 this chapter, the director shall:

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

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

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

1 new and to perfect existing programs for providing safe and healthful
2 working conditions;

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

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

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

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

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

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

37 (10) Provide for the promulgation of health and safety standards
38 requiring the use of safeguards for all vats, pans, trimmers, cut off,
39 gang edger, and other saws, planers, presses, formers, cogs, gearing,

1 belting, shafting, coupling, set screws, live rollers, conveyors,
2 mangles in laundries, and machinery of similar description, which can
3 be effectively guarded with due regard to the ordinary use of such
4 machinery and appliances and the danger to employees therefrom, and
5 with which the employees of any such work place may come in contact
6 while in the performance of their duties and prescribe methods,
7 practices, or processes to be followed by employers which will enhance
8 the health and safety of employees in the performance of their duties
9 when in proximity to machinery or appliances mentioned in this
10 subsection;

11 (11) Certify that no later than twenty business days prior to the
12 effective date of any significant legislative rule, as defined by RCW
13 34.05.328, a meeting of impacted parties is convened to: (a) Identify
14 ambiguities and problem areas in the rule; (b) coordinate education and
15 public relations efforts by all parties; (c) provide comments regarding
16 internal department training and enforcement plans; and (d) provide
17 comments regarding appropriate evaluation mechanisms to determine the
18 effectiveness of the new rule. The meeting shall include a balanced
19 representation of both business and labor from impacted industries,
20 department personnel responsible for the above subject areas, and other
21 agencies or key stakeholder groups as determined by the department. An
22 existing advisory committee may be utilized if appropriate.

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