

HOUSE BILL REPORT

HB 2369

As Reported By House Committee On:

Commerce & Labor

Title: An act relating to occupational safety and health impact grants.

Brief Description: Addressing occupational safety and health impact grants.

Sponsors: Representatives Conway and Clements.

Brief History:

Committee Activity:

Commerce & Labor: 1/19/00, 2/2/00 [DP].

<h3>Brief Summary of Bill</h3>

- Reenacting the occupational safety and health impact grant program.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 6 members: Representatives Clements, Republican Co-Chair; Conway, Democratic Co-Chair; B. Chandler, Republican Vice Chair; Wood, Democratic Vice Chair; Hurst and McIntire.

Minority Report: Do not pass. Signed by 2 members: Representatives Lisk and McMorris.

Staff: Chris Cordes (786-7103).

Background:

In 1999, Engrossed House Bill 2232 passed the Legislature and was signed by the Governor. The bill established a grant program, administered by the Department of Labor and Industries, to fund projects addressing workplace safety and health issues. The bill, however, was conditioned on being referenced by bill number in the biennial budget. Although the budget provided funding for the grant program from the medical aid fund, the bill number was not specifically referenced, rendering the bill null and void.

During 1999, the department began administering a safety and health grant program consistent with the language of EHB 2232. As would have been required under the bill, a Safety and Health Impact Grant Review Committee was formed and has met approximately twice a month since August 1999. The committee is establishing the application procedure and forms for the grant program.

Summary of Bill:

The occupational safety and health impact grant program, as originally passed the Legislature in 1999, is enacted. The program is administered by the Department of Labor and Industries and will provide safety and health grants until July 2005, to be funded from the medical aid fund.

Purpose of grants. The purpose of the grants is to prevent injuries and illnesses, protect lives, and provide workplace safety education to employers and employees, especially those in small businesses.

Scope of grants. Applicants for grants may be trade associations, business associations, employers, employees, employee organizations, and labor unions or groups of employees. Applicants may join with educational institutions or other organizations, or with self-insured employers. Grants may be awarded for education and training, technical innovation, application of hazard controls, and innovative programs to address statewide safety and health priorities established by the Washington Industrial Safety and Health Act (WISHA) Advisory Committee. Grants may not be used to support specific legislative or regulatory initiatives.

Procedures for awarding grants. A nine member Safety and Health Impact Grant Review Committee is created to prepare requests for proposals, develop application procedures and approval criteria, and review and process grant applications. The membership is appointed by the director and includes four employee representatives, four employer representatives, and one non-voting department representative.

The department must award grants using a competitive process. The director may approve only those grants recommended by a two-thirds vote of the committee. The director must approve a recommended application unless he or she has a compelling and substantive reason to reject the application. If the director rejects a recommended application, the director must provide a written explanation to the grant review committee who may advise the director to reconsider. The director may reject the advice for compelling and substantive reasons. The grant review committee may then refer the application to the WISHA Advisory Committee which may also advise the director to reconsider.

Compliance with the grant program. The director may suspend or revoke a grant because the recipient is not complying with grant criteria or procedures if either the grant review committee recommends such action by a two-thirds vote, or the director has compelling and substantive reasons. If the director suspends a grant without advice of the grant review committee, the suspension recommendation must be presented to the committee for consideration.

Other provisions. Material developed using grant money is in the public domain and must be provided to the department at no charge. Information contained in applications may not be used for health and safety inspections or as a basis for citations.

Reports to the Legislature. The department and the grant review committee must annually report on the grant program to the WISHA and workers' compensation advisory committees, with the report being made available to the Legislature. The Workers' Compensation Advisory Committee will make a biennial program budget recommendation to the director based on a recommendation by the WISHA Advisory Committee. The director and the WISHA Advisory Committee will perform a comprehensive review and report on the program to the Legislature by December 31, 2004.

Sunset. The grant program terminates July 1, 2005.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill was voided because of a mistake in the budget that failed to mention the bill by bill number. However, the process of providing for safety grants has continued and applications are being taken. Up to 20 applications are expected in the first round, and another round of grants is anticipated later in the year.

Testimony Against: None.

Testified: Rick Slunaker, Associated General Contractors of Washington.