

SENATE BILL REPORT

ESB 5779

As Passed Senate, March 17, 1999

Title: An act relating to crime prevention employee training in businesses operating during evening hours.

Brief Description: Requiring additional crime prevention training for employees of evening retail establishments.

Sponsors: Senators Kline, Winsley, Fairley, Costa and Oke.

Brief History:

Committee Activity: Labor & Workforce Development: 2/23/99, 3/2/99 [DP, DNP].
Passed Senate, 3/17/99, 35-12.

SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Franklin, Vice Chair; Kline and Wojahn.

Minority Report: Do not pass.

Signed by Senator Hochstatter.

Staff: David Pringle (786-7448)

Background: Workers in the retail sector face an above-average risk of workplace violence, a risk that may be elevated during night and early morning hours.

Some safety measures must be implemented by late night retail employers, defined as those making sales between 11 p.m. and 6 a.m. not including restaurants, taverns, or lodging. These establishments must post signs, maintain the visibility of cash registers from the street, install limited access safes, and light parking areas.

Several workplace violence provisions were vetoed from the 1989 bill that is current law. These required employers to provide employees with training materials developed or certified by the Department of Labor and Industries.

The department requires workplace violence training for late night retail employees by rule, but does not develop or certify the training materials employers must provide.

Summary of Bill: References to "late night retail establishments" are changed to "evening retail establishments." The hours are extended to include those businesses making sales between 8 p.m. and 7 a.m.

Crime prevention training provided to employees must include training manuals and videos developed or certified by the department.

The types of retail establishments required to provide crime prevention training are narrowed to those within standard industrial classification codes 5411 or 5541, food and gasoline retailers, or those same retailers under any succeeding classification.

The department must review and update existing rules to reflect this act.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Evening hours should be covered, as it can be dark as early as 7 p.m. in the winter months. Though some companies have good training programs, training should be provided to more people. People that do not know how to react can place both themselves and others at unnecessary risk. There are many vulnerable workers who would benefit from training.

Testimony Against: This circumvents negotiations that retail business and unions are currently involved in. This is a one-size fits all approach that is not appropriate to many employers in low crime communities. Department certification may be a good idea; however, it will give employers certainty that their programs are good. Concern exists whether all retail should be within the scope of this bill. This seems to needlessly require more state involvement. We do not know if there is sufficient substance to claims that the additional retailers that would be affected by this have problems.

Testified: PRO: Joe Daniels, United Food and Commercial Workers; Steve Whipple, United Food and Commercial Workers; Michael Wood, Department of Labor and Industries; Robby Stern, Washington State Labor Council; CON: Amber Balch, Association of Washington Business; Donna Neighbors, Washington Food Industry; Pam Eaton, Washington Retail Association.