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HOUSE BILL 1949

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State of Washington

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1999 Regular Session

By Representatives Conway, Keiser, Cooper, McIntire, Voloria, Kastama, Gombosky, Wood, Rockefeller, Reardon, Santos and Constantine

Read first time 02/11/1999. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to occupation safety and health actions; adding new  
2 sections to chapter 49.17 RCW; creating a new section; and making an  
3 appropriation.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) The construction industry accounts for approximately six  
7 percent of the state's work force, but accounts for over fifteen  
8 percent of all workers' compensation claims;

9 (2) Musculoskeletal injuries among construction workers are by far  
10 the most significant source of workers' compensation claims, accounting  
11 for more than fifty percent of workers' compensation claims in some  
12 trades;

13 (3) Injuries from using wallboard, also known as sheetrock,  
14 accounts for the majority of workers' compensation claims in some  
15 trades, such as carpentry;

16 (4) There is substantial evidence that chronic injuries arising  
17 from manual handling of wallboard are greatly underreported to the  
18 department of labor and industries;

1 (5) The most significant risk factors for musculoskeletal injuries  
2 arising from work with wallboard are their size and weight;

3 (6) Wallboard size and weight have been increasing steadily, to  
4 where it is beyond human capacity to manually handle these boards on  
5 construction jobs; and

6 (7) The forces of the free market do not incorporate the human  
7 costs to workers and their families from injuries arising due to the  
8 material handling of wallboard in construction work. Therefore, it is  
9 necessary to address the inequities caused by the market through  
10 legislation and subsequent regulatory action.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW  
12 to read as follows:

13 (1) The department shall adopt occupational safety and health  
14 standards that are necessary to address the costs to workers and their  
15 families from injuries arising from the material handling of wallboard  
16 in construction work. The department shall also, within thirty days of  
17 the effective date of this act, establish a working group on wallboard  
18 improvement.

19 (2) The director shall appoint as members of the working group on  
20 wallboard improvement:

21 (a) A chair who has substantial technical experience in the  
22 construction industry as an employee in a wallboard trade;

23 (b) Four representatives of construction employers and four  
24 representatives of construction employees in trades involving  
25 substantial wallboard handling;

26 (c) One representative of manufacturers of wallboard products; and

27 (d) Any ex officio members as are determined to be of use to the  
28 working group on wallboard improvement.

29 (3) Within sixty days of appointment to the working group on  
30 wallboard improvement, the members shall issue recommendations to the  
31 department for size and weight limits on wallboard, and work procedures  
32 and technologies for the manual handling of wallboards on construction  
33 sites. The maximum size and weight requirements governing manual  
34 handling of wallboard may not exceed the following:

35 (a) A single employee may not be required to manually handle  
36 wallboard in excess of three feet in width and nine feet in length, or  
37 any wallboard weighing more than fifty pounds;

1 (b) Any wallboard exceeding four feet in width, nine feet in  
2 length, or seventy-five pounds in weight shall be transported and  
3 installed using mechanical devices;

4 (c) Any installation of wallboard at heights above five feet, or  
5 any installations on ceilings or elevated horizontal surfaces shall be  
6 put in place using mechanical lifting devices.

7 (4) The working group on wallboard improvement shall hold a minimum  
8 of one public hearing each in western Washington, central Washington,  
9 and eastern Washington, where industry representatives will have the  
10 opportunity to present opinions.

11 (5) Members of the working group on wallboard improvement shall be  
12 reimbursed for travel expenses and mileage in accordance with RCW  
13 43.03.050 and 43.03.060.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.17 RCW  
15 to read as follows:

16 (1) Within one hundred eighty days of the effective date of this  
17 act, a temporary emergency safety and health standard governing the  
18 manual handling of wallboard shall be issued by the department. This  
19 standard shall remain in effect until a permanent standard is issued  
20 under normal administrative procedures.

21 (2) An information and training program for employers and employees  
22 in construction addressing the hazards of manual handling of wallboard  
23 and work procedures and technologies to prevent such hazards shall be  
24 developed and made available to the industry within one hundred eighty  
25 days of the effective date of this act.

26 (3) A permanent safety and health standard governing the manual  
27 material handling of wallboard shall be issued as soon as it is  
28 technically and administratively feasible, but may not be issued any  
29 later than seven hundred thirty days after the effective date of this  
30 act.

31 NEW SECTION. **Sec. 4.** The sum of twenty thousand dollars, or as  
32 much thereof as may be necessary, is appropriated for the fiscal year  
33 ending June 30, 2000, from the general fund to the department of labor  
34 and industries for the purposes of obtaining the expert services of one  
35 or more highly experienced safety and health consultants with extensive

- 1 knowledge of the construction industry to assist the working group on
- 2 wallboard improvement in its activities.

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