

---

HOUSE BILL 1553

---

State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Buri, Linville, Armstrong, Grant, Condotta, Orcutt, Quall, Kretz, Wallace, Haigh, Crouse and Morrell

Read first time 01/27/2005. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to voluntary compliance with safety standards by  
2 small agricultural employers; and adding a new section to chapter 49.17  
3 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.17 RCW  
6 to read as follows:

7            (1) Any initial visit by the director, or an authorized  
8 representative, to the workplace of an agricultural employer with ten  
9 or fewer full-time equivalent employees shall be regarded as a visit  
10 for the purposes of providing occupational safety and health education  
11 for employers and employees, and offering consultation and advice. An  
12 initial visit may not be regarded as an inspection or investigation  
13 under the authority of this chapter.

14            (2) The director, or an authorized representative, may make  
15 recommendations regarding the elimination of any hazards disclosed  
16 during the visit, and shall provide an employer with a reasonable  
17 opportunity to abate any such hazards. The director, or an authorized  
18 representative, may not issue notices and citations, or assess civil

1 penalties related to an initial visit. The director, or an authorized  
2 representative, shall offer assistance in correcting any hazards  
3 disclosed.

4 (3) The director, or an authorized representative, may require the  
5 owner to correct any hazards disclosed during the initial visit, and  
6 may require the owner to send a statement that the hazards have been  
7 abated. Alternatively, the director, or an authorized representative,  
8 may schedule a subsequent visit to ascertain whether the hazards have  
9 been abated. Any subsequent visit shall relate solely to the hazards  
10 disclosed at the initial visit.

11 (4) For the purposes of this section:

12 (a) An agricultural employer is to be interpreted broadly, based on  
13 the definition of "agriculture" in RCW 49.17.020; and

14 (b) A full-time equivalent employee is an employee who works at  
15 least two thousand eighty hours a year.

--- END ---