

SENATE BILL REPORT

EHB 2509

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, February 23, 2012

Title: An act relating to improving workplace safety and health by enacting the blueprint for safety program.

Brief Description: Promoting workplace safety and health by enacting the blueprint for safety program.

Sponsors: Representatives Chandler, Bailey and Pearson.

Brief History: Passed House: 2/09/12, 97-0.

Committee Activity: Labor, Commerce & Consumer Protection: 2/16/12, 2/23/12 [DPA].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: Do pass as amended.

Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry, Ranking Minority Member; King, Assistant Ranking Minority Member; Hewitt, Keiser and Kline.

Staff: Edith Rice (786-7444)

Background: The Department of Labor and Industries (Department) administers and enforces the Washington Industrial Safety and Health Act. The Department, through the Division of Occupational Safety and Health (DOSH), adopts safety and health standards, provides consultation and advice to employers, and conducts inspections and investigations.

Workers' compensation premiums paid by an employer are determined, in part, by the employer's experience rating, which is based on the costs of claims of the employer's workers.

The Department has created a Blueprint for Safety series within the DOSH to change the perspective of management and labor leaders in an organization and give them a vision of why their leadership in their safety and health program is an essential element for long-term success. About 12 employers currently participate in the series.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Amendments): The Blueprint for Safety program is enacted. The goal of the program is to improve safety for employees and lower employer costs by assisting employers for which the traditional safety and health model has not been effective. The Department must design the program to promote management and labor leadership in safety and health as essential for long-term success. Criteria for participation may include, but are not limited to:

- history with the Department indicating a less than optimal leadership commitment to safety and health;
- rising experience modification factor;
- recent catastrophic workplace injury;
- changes in the employer's safety management; and
- request by the employer to participate.

The Department must adopt rules to establish criteria for participation beginning in 2012.

The Department must offer the program statewide in a phased manner and must post information on its webpage to inform employers about the program. Participation in the program is voluntary and employers must be approved by the Department to participate. The program does not replace the Department's existing compliance or consultation programs.

The Blueprint for Safety program must be implemented without appropriation from the medical aid fund or the accident fund. It must be implemented within existing resources.

EFFECT OF CHANGES MADE BY LABOR, COMMERCE & CONSUMER PROTECTION COMMITTEE (Recommended Amendments): The Blueprint for Safety program must be implemented without appropriation from the medical aid fund or the accident fund. It must be implemented within existing resources.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony as Heard in Committee: PRO: This program was started to provide a new approach to a culture of safety in organizations. It is resource-intensive and requires at least a two-person team in each region. The program led to a new way of thinking about safety in an organization with a safety record that wasn't improving.

Persons Testifying: PRO: Representative Chandler, prime sponsor; Tamara Jones, L&I; Gary Thor, citizen.