

ESSB 5744 - H COMM AMD

By Committee on Labor & Workforce Development

ADOPTED 04/16/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that many Washington
4 workers involved in manual logging in the logging industry suffer
5 industrial injuries with greater frequency and severity than workers in
6 other industries. The legislature further finds that the incidence and
7 severity of injury is particularly high among young workers during the
8 early periods of employment in manual logging. The legislature
9 recognizes the importance of improving safety performance in the
10 logging industry to reduce industrial injuries for workers and
11 resulting workers' compensation premium rates for employers. The
12 legislature acknowledges that industry participants, including private
13 land owners, timber industry employers, the department of natural
14 resources, and the department of labor and industries, have formed a
15 logger safety task force to develop and implement a logger safety
16 initiative. The goal of the initiative is to reduce the frequency and
17 severity of injuries in the logging industry. The task force will
18 create a program that will establish sector-wide standards for worker
19 training and supervision; establish a certification process for
20 individual company safety programs; and review the progress of logging
21 operations through mandatory performance-based audits. The legislature
22 further recognizes that as the safety culture in the logging industry
23 evolves, the frequency and severity of injuries will decrease, which
24 will drive down industrial insurance costs for logging industry
25 employers. While the industrial insurance costs will decline over time
26 as safety improves, the legislature acknowledges that an immediate
27 reduction in industrial insurance rates for the 2014 rate year for
28 participating logging employers provides an additional incentive for
29 these employers to commit to the logger safety initiative. Therefore,

1 the legislature intends to monitor development and implementation of
2 the logger safety initiative.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 51.04 RCW
4 to read as follows:

5 (1) The department shall include one or more representatives of
6 logging industry workers on the logger safety task force. In addition,
7 the department shall reach out to all employers in the logging
8 industry, including those having one or more on the job fatalities in
9 the last five years, and invite them to participate in the logger
10 safety initiative. All participants must comply with the requirements
11 of the logger safety initiative.

12 (2) By December 31, 2013, the department shall report back to the
13 appropriate committees of the legislature on the development and
14 implementation of the logger safety initiative. The report shall
15 provide a status update on implementation of the initiative and
16 participation in the safety program, including a description and
17 summary of the worker training and supervision standards and the
18 certification process for individual companies. The report shall also
19 contain a description and summary of any industrial insurance rate
20 reduction or other incentive for rate year 2014 that will be applied to
21 employers participating in the initiative. The report may provide
22 recommendations for legislative consideration to further the goals of
23 the initiative."

24 Correct the title.

EFFECT: The striking amendment makes the following changes to the
Engrossed Substitute Senate Bill:

(1) Requires the Department of Labor and Industries (Department) to
include one or more representatives of logging industry workers on the
Task Force.

(2) Requires the Department to reach out to all employers in the
logging industry, not limited to those with fatalities, and invite them
to participate in the initiative.

(3) Requires all participants to comply with the requirements of
the initiative.

(4) Removes the requirement that the report provide options that

would significantly reduce rates, including an Accident Fund rate buy-down or socialization for high-risk logging rate classes, if the initiative does not significantly reduce 2014 manual logging rates.

(5) Reorganizes for clarity.

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