

HOUSE BILL REPORT

HB 2477

As Reported by House Committee On:
Labor & Workforce Development

Title: An act relating to commercial janitorial services.

Brief Description: Concerning commercial janitorial services.

Sponsors: Representatives Reykdal, Sells, Fitzgibbon, Goodman, Pollet and Moscoso.

Brief History:

Committee Activity:

Labor & Workforce Development: 1/31/14, 2/5/14 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Labor and Industries to report to the Legislature by December 1, 2014, any recommendations for legislation or rulemaking addressing workload and safety standards for employees of commercial janitorial services.

HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green, G. Hunt, Moeller and Ormsby.

Minority Report: Do not pass. Signed by 1 member: Representative Christian.

Staff: Trudes Tango (786-7384).

Background:

Under the Washington Industrial Health and Safety Act, the Department of Labor and Industries (Department) has authority to adopt safety and health standards governing the conditions of employment in all workplaces. There are general standards that apply to most industries, as well as specific standards that apply only to specific industries. The Division

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of Occupational Safety and Health, which is part of the Department, develops safety and health rules, provides training and on-site consultations to employers, inspects worksites, and enforces the safety and health rules.

Summary of Substitute Bill:

By December 1, 2014, the Department must report to the appropriate committees of the Legislature any recommendations for legislation or rulemaking addressing workload and safety standards for employees of commercial janitorial services. In developing recommendations, the Department must consult with representatives of the business and labor communities. The recommendations may not supersede local collective bargaining agreements.

Substitute Bill Compared to Original Bill:

The original bill required the Department to establish workload standards that include a provision limiting the square footage per one full-time employee's shift. The original bill also required the Department to develop health and safety training and made the retail sales tax exemption for commercial janitorial service businesses conditioned on the business meeting certain requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Over the last 10 years, the workload has doubled for janitors. Janitors used to clean about 30,000 square feet per shift. Since the recession, the janitor workforce has been cut but the same amount of space needs cleaning. This means janitors clean about 60,000 square feet a night, which is equal to about 42 houses every night. Janitors face greater stress and have more long-term injuries. The University of Washington School of Public Health did a study of about 300 janitors to examine the issue. The policy in the bill is tied to the tax exemption in order to promote good work-load standards. Creating a safe and fair work place for janitors will take pressure off the industrial insurance system.

(Opposed) The bill sets an arbitrary limit of 30,000 square feet. In commercial cleaning, the contracts are not based on square footage. There are a number of factors that go into a bid, such as scope of work, what the customer is requesting, and the type of building. Cleaning rates depend on the tasks and frequency, not the square footage. The employees are the company's best asset and there is an incentive to make sure they are safe. There is already a

process in place for addressing workload grievances with the unions. Companies will do test runs to see if the workload is reasonable. The cleaning business has changed over time and new technology allows workers to clean a much greater area. This one-size-fits-all approach does not work in this industry. The bill could increase the cost of these services.

Persons Testifying: (In support) Matt Haney, Birnesh Teferi, Paul Runge, and Jesus Garcia, Service Employees International Union 6.

(Opposed) Ed Marcil, ABM Janitorial Services; and Rod Kauffman, Building Owners and Managers Association.

Persons Signed In To Testify But Not Testifying: None.