
**Labor & Workforce Development
Committee**

ESSB 5744

Brief Description: Monitoring the progress of the logger safety initiative.

Sponsors: Senate Committee on Commerce & Labor (originally sponsored by Senators Hargrove, Hatfield and Conway).

Brief Summary of Engrossed Substitute Bill

- Requires the Department of Labor and Industries to report to the Legislature on the development and implementation of the logger safety initiative.

Hearing Date: 3/20/13

Staff: Joan Elgee (786-7106).

Background:

Under the state's industrial insurance laws, workers who are injured or disabled from an occupational disease in the course of employment are entitled to benefits. Employers must insure through the State Fund administered by the Department of Labor and Industries (L&I) or may self-insure if qualified.

Employers insured with the State Fund pay premiums into three primary funds. The Accident Fund is used for temporary time loss and permanent disability awards, most vocational costs, and survivor benefits. The Medical Aid Fund is used for medical costs and some vocational services, and the Supplemental Pension Fund is used for cost-of-living expenses. To set premium rates, the L&I classifies industries according to the degree of hazard, and fixes basic premium rates for each risk classification. The Accident and Medical Aid Fund rates are modified for each individual employer by an experience factor.

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.

Risk classifications for logging include mechanized logging and non-mechanized (manual) logging. Participants in the logging industry have formed a Logger Safety Task Force to develop and implement a logger safety initiative with the goal of reducing the frequency and severity of injuries in the logging industry.

Summary of Bill:

Findings are made that workers in manual logging suffer more frequent and severe injuries than other workers, and that the frequency and severity of injuries is particularly high among young workers. The Legislature recognizes the importance of improving safety performance to reduce worker injuries and employer rates. Further, the Legislature acknowledges that industry participants, including private land owners, timber industry employers, the Department of Natural Resources, and the L&I, have formed a Logger Safety Task Force (Task Force) to develop and implement a logger safety initiative, with the goal of reducing the frequency and severity of injuries. The Task Force will create a program to: (1) establish sector-wide standards for worker training and supervision; (2) establish a certification process for individual company safety programs; and (3) review the progress of logging operations through mandatory performance-based audits. The Legislature recognizes that while costs will decline as safety improves, an immediate reduction in industrial insurance rates for 2014 for participating logging employers provides an additional incentive for these employers to commit to the logger safety initiative.

The L&I must report to the Legislature by December 31, 2013 on the development and implementation of the logger safety initiative. The report must provide a status update on the implementation of the initiative and participation in the safety program, including a description and summary of the worker training and supervision standards and the certification process for individual companies. The report must also contain a description of any rate reduction or other incentive for rate year 2014 for participating employers. Recommendations for legislative consideration may be provided. If the initiative does not significantly reduce the rates for manual loggers, the report must provide options that would significantly reduce rates, including an Accident Fund rate buy-down or socialization for high-risk logging rate classes. The L&I must reach out to employers in the logging industry having one or more on the job fatalities in the last five years and invite them to participate in the logger safety initiative.

Appropriation: None.

Fiscal Note: Available.

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