

HOUSE BILL REPORT

HB 2917

As Reported by House Committee On:
Labor & Workplace Standards
Appropriations

Title: An act relating to studying the causes of workplace injuries suffered by commercial janitors.

Brief Description: Studying the causes of workplace injuries suffered by commercial janitors.

Sponsors: Representatives Gregerson, Sells, Reykdal, Hudgins, Walkinshaw, Kilduff, Ormsby, Orwall, Robinson, Ortiz-Self, Ryu and Pollet.

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/2/16, 2/4/16 [DP];

Appropriations: 2/8/16, 2/9/16 [DP].

Brief Summary of Bill

- Requires the Department of Labor and Industries to conduct a study on commercial janitorial safety.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 4 members: Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

Minority Report: Do not pass. Signed by 2 members: Representatives Manweller, Ranking Minority Member; McCabe.

Staff: Trudes Tango (786-7384) and Kelly Holler (786-7290).

Background:

Janitorial Workload, Health, and Safety Work Group.

In 2014 the Department of Labor and Industries (Department) formed a work group with representatives from the business and labor sectors as well as Department staff to examine

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safety and workload standards for janitorial services workers and make recommendations for improvement of these standards. The work group studied:

- workplace safety and health regulations and policies;
- wage laws and employment standards;
- workers' compensation data on injuries and illnesses among janitorial services workers compared to other industries; and
- a 2013 study of janitorial workload, health and safety conducted by the University of Washington for Service Employees International Union Local 6.

The work group found that janitorial services workers were at greater risk of injury than workers in other service industries. The work group also found that female janitors, janitors in the profession for less than a year, and janitors who prefer a language other than English file more compensable claims than individuals outside these demographics.

The work group issued a report in December 2014 that contained recommendations, including measures to increase access to safety information, improve training, and implement reporting systems to better identify, investigate, and improve safety issues in high-risk environments.

Safety and Health Assessment and Research for Prevention.

The Department employs research investigators under the Safety and Health Assessment and Research for Prevention (SHARP) program, responsible for conducting research to promote safe work environments and prevent workplace injuries. In addition to research projects initiated by the Department, the SHARP conducts research in response to requests by employers, workers, business associations, industry groups, and government.

Summary of Bill:

Research Study.

The Department must conduct and complete a study on commercial janitorial safety by December 31, 2020. The study must measure workers' safety and health risks associated with their work tasks, taking into consideration their work environment, workload, and the tools and equipment they use. To the extent possible, the Department must employ research methods that will allow data to be extrapolated to other comparable industries with the purpose of developing improved safety and injury prevention practices across industries.

Reporting.

Beginning December 31, 2016, and until the completion of the study, the Department must report its progress and findings annually to the Labor Committees of the Legislature.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Janitorial work results in high rates of injury, and the janitorial industry is consistently in the top 10 for rates of workers' compensation. Janitorial workload is immense, with many janitors cleaning 60,000 square feet per night, and the increase in workload in recent years has resulted in more injuries. This bill provides a science-based process for identifying problems and implementing procedures and standards to reduce the number of injuries.

A study conducted by the University of Washington in 2014 found that work intensity experienced by janitors is strongly correlated with injury, pain, self-determined health status, and stress. While providing useful information, the study had limitations, and further research is necessary to quantify workload and develop an objective survey to control for what is causing the high injury rate and the increase in injury rates over time.

This study is an investment. The state funds allocated to this study would help reduce industrial insurance for employers, the amount of workers' compensation paid by the state, and the frequency of time and money lost for workers' time off due to injuries.

(Opposed) The work group conducted during 2014 to examine janitorial workload and injuries did not find that a new study was necessary to address workplace injury rates for janitorial workers. The report made a number of recommendations related to improving reporting of safety hazards and reporting of injuries. In addition, the Department already is available to come assess a specific work site, evaluate its safety, and recommend changes for worker safety. These existing mechanisms should be used to improve janitorial safety.

For janitors to seek relief, they can engage in negotiations over time. If there is a shift of workers not producing because the group is understaffed or injured, parties can evaluate the situation on a case-by-case basis and restructure so all the work gets done and janitors have resources they need.

(Other) The Health Impact Review for this bill found that high rates of injury are common among janitorial workers, janitorial workers often experience time pressure, and time pressure is a significant risk factor for injury. However, ways to reduce injury rates have not been well-researched. This bill would help fill a gap in the scientific literature and make it possible to form an evidence-based decision about reducing injury rates.

Persons Testifying: (In support) Representative Gregerson, prime sponsor; Charles Pannell and Matt Haney, Service Employees Industrial Union Local 6; and Noah Seixas, University of Washington.

(Opposed) Robert Battles, Association of Washington Business; and Mark Gjurasic, Building Owners and Managers Association.

(Other) Sierra Rotakhina, Washington State Board of Health; and David Bonauto, Department of Labor and Industries.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 17 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Cody, Fitzgibbon, Hansen, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, Pettigrew, Robinson, Sawyer, Senn, Springer, Sullivan and Tharinger.

Minority Report: Do not pass. Signed by 14 members: Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Condotta, Dent, Haler, Harris, MacEwen, Magendanz, Schmick, Stokesbary, Taylor and Van Werven.

Staff: James Mackison (786-7104).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Labor & Workplace Standards:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.