

WISHA ADVISORY COMMITTEE
Meeting Summary June 6, 2019

| Topic | Discussion |
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| Welcome and Introductions | <p>Members Present: Mark Gauger (by phone), Ed Wood, Jr., Linda Williams, and Tammie Hetrick (by phone).</p> <p>Members Absent: Claude Golden, Pamela Tabert, Samantha Grad, and Mark Riker</p> <p>L&I Staff Present: Anne Soiza, Craig Blackwood, Alan Lundeen, Nancy Bell, Dave Bonauto, Jenifer Jellison, John Geppert, Lou Flores, Ron Langley, and Diane Westmoreland (Recorder)</p> <p>Members of the Public Present: Michael Sorenson, Vigilant; Dominique Damian, WA Farm Bureau; Nancy Simcox, University of Washington DEOHS; Tony Incrocci, Associated Builders and Contractors of Western WA; Rick Means, WA Retail; Chris Swanson, BIIA; Scott Dilley, WA State Dairy Federation; and Joe Kendo, WA State Labor Council</p> |
| Opening Remarks | <p>Anne Soiza, L&I Assistant Director, Division of Occupational Safety and Health, SOIZ235@lni.wa.gov</p> <p>Anne welcomed everyone and around the room introductions were made.</p> |
| Customer Experience Survey Results for DOSH Compliance and L&I Website Redesign Update | <p>Ron Langley, L&I Customer Relationships Manager, LANX235@lni.wa.gov</p> <p>Customer Experience Survey Results (Employer/worker feedback after a DOSH inspection has taken place at their workplace)</p> <p>The survey was conducted by an outside firm, Pacific Market Research, November 2018 through January 2019. As in past years, the purpose of the survey is to gather information from employers about their overall experience during a DOSH inspection and to ask if they believe the inspection made their workplace safer. The sample group of employers that were surveyed were randomly picked from employers that had their workplaces inspected in 2018. 410 employers were interviewed, along with 165 workers. In summary, the survey showed that employers' overall experience remains strongly positive; most employers/workers believe the inspection made their workplace safer; and inspectors are the key to success. To request a copy of the detailed PowerPoint presentation Ron shared with the group, contact Diane Westmoreland at WESM235@lni.wa.gov</p> <p>Ron answered questions from the Committee and audience.</p> <p>The next survey is planned for November-December 2019.</p> |

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| | <p>L&I Website Redesign Update Outside contractors from CapTech and several L&I staff have been diligently working on a major overhaul of the entire L&I website. The redesign effort will result in a new, modern look and feel that will work well on mobile phones and tablets; will have improved content and content organization; and improved search capabilities. Plans to launch the redesigned site is set for November 2019.</p> |
| <p>SHARP Update</p> | <p>Dave Bonauto, SHARP Research Director, BONE235@Lni.wa.gov Dave summarized the contents of the packet of handouts (6 months' worth, as there was no WISHA Advisory Committee meeting in March). For a complete list of the publications brought to today's meeting, contact Diane Westmoreland at WESM235@Lni.wa.gov</p> |
| <p>SHIP Update</p> | <p>Jenifer Jellison, SHIP Program Manager, JEU235@Lni.wa.gov Jenifer provided three handouts: 2017-2019 Summary of Grants - Safety and Health; 2017-2019 Summary of Grants – Return to Work; and a one page information sheet titled, <i>Resources for non-English speaking customers</i>.</p> <p>This past grant cycle, all Return to Work funds were given out. Conversations with many groups are still ongoing to help folks come up with grant ideas. Jenifer and staff will give a presentation at the Governor's Industrial Safety and Health Conference in September. The next grant cycle will open in October 2019. Ed Wood stated that he is a member on both the Safety and Health and Return to Work committees and it is very rewarding and gratifying. Anne talked about how proud we should be for all of the good things that have come out of the SHIP grants and thankful that the Legislature has continued to support SHIP. Jenifer added that we're making a positive impact nationwide and beyond, including Canada and Mexico, because the completed grant projects become public domain and are shared widely. Also, another positive sign of progress is that groups we've not heard of before are asking and/or applying for grants.</p> |
| <p>2019 Legislative Session Update and Rules Update</p> | <p>Alan Lundeen, Senior Manager for DOSH Standards, Technical and Laboratory Services LUND235@Lni.wa.gov</p> <p>2019 Legislative Session Update: Alan commented that this was a busy legislative session for L&I. Fifty-four draft bills were assigned to DOSH for analysis; the most we've done in seven years. Out of the 54 bills assigned, four had a DOSH impact:</p> <ol style="list-style-type: none"> 1. HB 1756 – Safety and security of adult entertainers. This bill passed and requires the department to convene an advisory committee to help develop training for adult entertainers and requires the entertainers to complete training before being licensed locally. It also requires the department to enforce panic buttons installation and blacklist requirements. |

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| | <p>2. HB 1817 – This bill had the biggest impact to DOSH. This bill requires owners and operators at oil refineries to use a “skilled and trained workforce” and defines that term to include safety training and a percentage of workers who graduate from an apprentice program. We will do rulemaking for the training requirements; the bill also establishes an advisory committee. Other states already have this training; in our analysis we stated if a worker has training in another state, we would accept that in Washington.</p> <p>3. HB 1931 – Concerns workplace violence in hospitals and other health care settings. This bill will not require significant rule changes; no additional or new enforcement activities for DOSH.</p> <p>4. HB 1673 – Exempts information relating to the regulation of explosives from public disclosure. Protects against the release of addresses where magazines are stored. The bill does not block any government agency from obtaining records, but members of the public wishing to obtain information would have to present a reason they need the information and that they are allowed to have it, or provide a court order to obtain the information.</p> <p>Someone asked about the bill regarding breaks. SHB 1155 – Concerning meal and rest breaks and mandatory overtime for certain health care employees. This is not a DOSH bill, but will be addressed by L&I’s Employment Standards Wage and Hour Program.</p> <p>Rule Updates:</p> <p>Lead: We have been working on this a while; doing a review of the draft that includes stakeholder comments. The next draft will be out soon then more stakeholder meetings will be held.</p> <p>Worker Protection Safety (WPS): This is the rule that we worked on with WA State Department of Agriculture (WSDA), so it addresses two different audiences: For WSDA, it focused on applicators, which are independent operators and DOSH’s focus is on workers, so there was conflicting information in the rule language. Things are finally coming together to get this rule filed so it can be effective by the growing season in 2020.</p> <p>Recordkeeping and Reporting: Proposed rule was recently filed and a public hearing took place June 4th. Our rule will be in line with OSHA’s. The biggest issue has been with employers asking about electronic reporting. This is a federal requirement and we do not receive that information; it’s not shared. We rely on our own L&I claims information vs. BLS; the BLS data is not as accurate.</p> <p>Process Safety Management (PSM): This is our other big rule besides lead. Currently working towards filing the CR-102 and the cost benefit analysis, which is complex. We’ve had a lot of groups participating in the rulemaking that are not familiar with our process, e.g., environmental groups.</p> <p>Walking Working Surfaces: We will adopt to at least as effective with OSHA. We are finishing up with stakeholder meetings on the draft and we’ve received some good recommendations from stakeholders. More stakeholder meetings are planned.</p> |

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| | <p><u>Unified Fall Protection:</u> We've been working on this since 2014. We've had a lot of conversations and meetings with the construction industry to address issues, concerns and provide clarifications. We're looking to file the CR-102 by the end of the year and still need to talk with other industries as well.</p> <p><u>Reinforcing Steel and Post-Tensioning Activities (Rebar):</u> We will include ANSI language in the rule; have been waiting for the ANSI update. There has not been any significant issues brought up from stakeholders.</p> <p><u>Asbestos Removal and Encapsulation:</u> We are wanting to change the number of hours for workers to get certified; currently the number of hours is too low; but cannot be changed as it is stated in statute. We may ask for a change in statute through the agency's legislative request proposal process. The asbestos removal industry has the most willful and criminal violations.</p> <p><u>Demolitions Standards:</u> Current language in the rule requires employers to have a demolition plan but there are no requirements that require them to follow it. We will update the rule to include requirements that employers must have a plan <u>and</u> must follow it.</p> <p>Question from a Committee member: Regarding the hyperbaric rule, is it still an impact now that the Bertha work is done? Alan said, yes because of tunneling technology being used for plumbing, etc.</p> <p>Question from the audience: For Right to Know, what is involved? Alan said it was the change from SIC to NAICS; no new requirements.</p> |
| <p>2019-2021 State Budget Update</p> | <p>Anne Soiza, L&I Assistant Director for DOSH SOI2235@lni.wa.gov</p> <p>Anne reminded everyone that DOSH was given 16 FTEs in the 2017-2019 biennium; all of the FTEs went to fill field positions. In the 2019-2021 biennium, DOSH was given 29 new FTEs and the vast majority will be used to fill field positions. Anne said she is holding a few positions for support positions (reserving a few positions because with the increase in field positions, we will need support positions).</p> <p>We received approval and funds to build the DOSH Lab and Training Center and the property to build on has been selected, adjacent to the Tumwater L&I building. Once built, the SHIP staff will move to Headquarters.</p> <p>State employees received raises; 3% on 7-1-2019 and 3% on 7-1-20. Also a 5% geographical pay raise for employees working in King County. .</p> |

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| Action Items and Future Agenda Topics | Anne stated that we need WISHA Advisory Committee members, as well as others, to help with wildfire issues. |
| Future Meeting Dates | <p><u>2019 WISHA Advisory Committee Meeting Schedule</u></p> <p>Thursday, September 12th, 9:00 a.m. to Noon, L&I Tumwater Building, Room S117</p> <p>Thursday, December 12th, 9:00 a.m. to Noon, L&I Tumwater Building, Room S117</p> |