

# Panic Buttons: Guidance for Employers of Isolated Employees



RCW 49.60.515 and Chapter 296-137 WAC protects isolated workers employed by hotel, motel, retail, security guard, and property services contractor employers from sexual harassment and assault. The law requires affected employers to “provide a panic button to each isolated employee” covered by RCW 49.60.515 (1) (d).

## Employers and Employees

### Who is required to provide panic buttons?

RCW 49.60.515 (1) (d) requires hotel, motel, retail and security guard entity employers with at least one isolated employee to provide panic buttons.

Property service contractors (i.e., commercial janitorial services) with at least one employee are also subject to this requirement.

### Are franchisers or franchisees responsible for providing panic buttons?

The franchisee, or their contractors, are responsible for providing panic buttons (not franchisers or corporate entities).

### Are day labor staffing agencies required to provide the protections for their isolated workers?

The employer directly supervising the work of employees is obligated to provide safety measures for employees; however, the supervising employer may choose to work with other employers including staffing/contractor or staffing/subcontractor to provide these safety measures. The staffing agency is still responsible to ensure adequate safety measures are in place to protect their workers.

### Are employers responsible for issuing panic buttons to contractors and subcontractors?

The employer directly supervising the work of employees is obligated to provide safety measures for employees; however, the supervising employer may choose to work with other employers including a contractor or subcontractor to provide these safety measures. The employer providing the employee is still responsible to ensure adequate safety measures are in place to protect their workers.

### Which employees are covered?

The panic button provision covers workers employed as janitors, some security guards<sup>1</sup>, hotel and motel housekeepers, and room service attendants who:

- Perform work in an area where two or more coworkers, supervisors, or a combination thereof are unable to immediately respond to an emergency without being summoned by the employee.
- Or
- Spend at least 50% of their working hours without a supervisor or another coworker present.

### Are temporary employees covered?

Yes.

---

<sup>1</sup> Contracted security guard companies licensed under RCW 18.170 (<https://app.leg.wa.gov/RCW/default.aspx?cite=18.170>) are exempt from the panic button provision.

## **What does “present” mean? A closed partition? No line of sight?**

“Present” means within the direct line-of-sight of coworkers or other personnel of the company they work for. Examples of not being “present” include, but are not limited to, separate rooms, buildings, etc.

## **Would a team of two housekeepers working in hotel rooms next to or across the hallway from each other require personal panic buttons?**

Yes. These coworkers would not be considered “present” for each other and the law requires a panic button for each employee covered.

## **When does an employee need to carry a panic button?**

An isolated employee needs to carry a panic button at each work site where they:

- Perform work in an area where two or more coworkers, supervisors, or a combination thereof are unable to immediately respond to an emergency without being summoned by the employee.
- Or
- Spend more than 50% of their daily working hours alone or without a supervisor or another coworker present.

## **When would an employee use a panic button?**

An employee may use the panic button if they have been harmed, reasonably believes there is a risk of harm, or there is another emergency in the employee’s presence.

## **Panic Buttons**

### **What is a panic button?**

A panic button is an emergency contact device carried by an isolated employee by which the isolated employee may summon immediate on-scene assistance from another worker, a security guard, or a representative of the employer.

### **Do audible alarms comply with the panic button requirements?**

Yes, if there are coworkers close enough to hear and recognize the auditory alarm above other environmental noises at the work site (vacuum cleaner, factory noises etc.). Also, responders should be able to identify the isolated employee’s specific location.

## **What types of panic buttons are acceptable?**

The following effectiveness criteria can help you select an acceptable panic button device (and system) for your workplace:

- Designed to be carried by the user (e.g., lanyards, clip-ons, etc.)
- Simple to activate (e.g., a single action like a push, pull, or tap provides a sustained signal) without delays caused by entering passwords, clicking through multiple screens or applications, or waiting for the system to turn on.
- When activated, the signal is effective for the circumstances (e.g., designated personnel will be able to detect it regardless of their location and distinguish it from other audible or visual alarms and noise from vacuum cleaners and other sources.), without physical or electronic barriers such as poor cellular service or WiFi signals.
- Able to summon immediate assistance and allows responders to accurately identify the user’s specific location.
- The device reliably works in all locations on all shifts and the activation of one device won’t obscure the activation of others.
- The device should also minimize inadvertent activation and resist possible disabling by attackers.

## **Response and Assistance**

### **What is “immediate”?**

Immediate on-scene assistance means that the assistance is provided within a reasonable amount of time to confirm:

- An emergency is taking place.
- An equipment failure did not occur, and
- To summon emergency services.

### **Who can respond to the use of a panic button?**

Responders may include properly trained representatives of the employer, including managers or supervisors, security guards, and in some cases, other workers with proper training, experience, and education that qualifies them to respond to emergency incidents.

## **Do emergency services count as immediate assistance from a “representative of the employer”?**

In rare circumstances. In order to use emergency services (such as police, fire, or emergency medical services) as the immediate response team, the employer must contact local emergency services and receive approval that those agencies would be available to provide those services.

## **Does the person assigned to respond to the panic button alarm need to be on site?**

The person assigned does not need to be on-site, but employers should keep in mind that compliance panic buttons must summon immediate on-scene assistance.

## **How specific must the panic button be in providing the user’s location (i.e. building, floor, room, in car en route to other work sites)?**

The location needs to be as specific as the work location necessitates to allow assistance to be provided when an alarm is triggered. Employers may use different methods in order to pinpoint an employee’s location, such as:

- A schedule of where the employee would be at a certain time.
- An auditory alarm that also produces a signal to a responder.
- An employee providing status updates of their location as it changes.
- An employee working with a partner when there is a poor signal (parking garage, no WiFi available, etc.)

## **Is it best practice to use individuals who are on their meal or rest break as assigned responders?**

No. Employees should be relieved of their work duties while taking their meal or rest breaks. An assigned responder should be on duty and available to respond to the usage of a panic button.

## **What about signaling devices like horns, strobes, or buzzers?**

These typically do not meet the effectiveness criteria (e.g., if they require the user to hold down a button to sustain a signal then they wouldn’t be considered “simple to activate”).

## **Can we use communication devices like radios, cellphones, or pagers?**

Many off-the-shelf or consumer-grade devices may not meet the effectiveness criteria for simple activation and reliability. For example, verify all operational mechanisms of wireless systems (e.g., Bluetooth, cellular data, wireless internet, etc.) are in place and functional.

## **What else helps ensure effectiveness?**

Maintenance is important to ensure panic buttons (and systems) continue to work. Periodic system checks can help you identify and correct problems, as well as maintain and replace devices as needed.

## **Who pays for panic buttons, batteries, maintenance, etc.?**

Employers are responsible to provide and pay for panic buttons; this would include batteries and other consumables, and all service and maintenance related to devices and systems.

## **Are employers required to inform employees, managers, and supervisors on how to use panic buttons?**

Yes. Employers must inform isolated employees on how to use panic buttons and inform managers and supervisors on the responsibility to respond to the use of panic buttons before an isolated employee works in isolation and at least annually. Additional training must be provided in advance of the effective date of any changes made to the technology or procedures related to panic buttons or their use. Employers should make employees aware of any device limitations.

Employers must keep a record of the training provided and document completion of the training.

## **Are employers required to keep records of the purchase and use of panic buttons?**

Yes. An employer must maintain a record of the purchase and utilization of panic buttons provided to its isolated employees. Records must be provided to the department upon request.