



Sanitary Conditions for Construction Workers



Washington State Department of
Labor & Industries

Division of Occupational Safety and Health

The building industry is making strides at becoming more gender-inclusive. Washington state law now requires employers to provide construction workers with additional resources on the job such as safe and clean places to express breast milk, access to hand-washing stations and no-cost menstrual products. The Department of Labor & Industries is conducting rulemaking to implement the requirements.

At a minimum, employers in the construction industry must provide the following requirements.

Menstruation



Access to a minimum sized restroom that is accessible onsite and equivalent to the standard sized portable toilet.



The restroom must have an internal latch to prevent accidental entry.



Adequate time to accommodate multiple layers of clothing while using the restroom.



Adequate and convenient supply of menstrual products at no cost to workers. Products can either be stocked in all gender neutral restrooms and women's restrooms or provided as kits to workers.

Lactation



Breaks and flexible work schedules that provide time for expressing breast milk.



Convenient and sanitary location that must be:

- Private
- Not a restroom
- Lockable and free from intrusion
- Refrigeration or cooler/ice packs conveniently located for the prompt storage of milk.



A source of potable water must be privately available close by for workers to wash their hands and expressing equipment.

Guidance

When establishing a process, consider the unique nature of the work and the needs of the worker. For outdoor or mobile workers, creative options may be necessary.

Factors to consider include:

- Does the employee travel to multiple work locations?
- How to provide flexibility in scheduling to accommodate the worker. Employers have had success by scheduling “floater” staff to provide coverage.
- Determine the number of workers needing accommodations and space requirements.
- Items that are helpful to nursing mothers in lactation rooms include:
 - Lockers or hooks for belongings.
 - A chair for the worker to sit on and a flat surface to place pumping equipment.
 - Having electricity available is beneficial, but it is not a requirement.
 - A mirror
 - Cleaning supplies

Resources



L&I Rulemaking: lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/sanitation-in-construction



Office on Women's Health:
womenshealth.gov/supporting-nursing-moms-work/lactation-break-time-and-space-all-industries/outdoor-job-sites



Department of Labor: dol.gov/sites/dolgov/files/WHD/fab/2023-2.pdf

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