



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

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STATE OF WASHINGTON
FILED

DATE: November 02, 2021

TIME: 8:11 AM

WSR 21-22-089

Agency: Department of Labor & Industries (L&I)

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The purpose of this rulemaking was to change the length of time that a citation and notice needs to be posted on an employee safety bulletin board; this includes any correspondence related to an employee complaint. L&I is adopting language to change the amount of time a citation and notice is posted from three working days to seven working days, and added language clarifying that weekends and holidays are not included in the posting time period. L&I also added language giving the employer the option to use electronic means to supplement the safety bulletin board for those employees that don't work where the physical board is located, such as those who telework. These changes were made to address employees who work non-standard shifts that may not have access to this information due to short amount of time the citation and notice is actually posted. L&I believes worker safety could be improved if all employees have access to corrective action information. Please see below for the adopted amendments.

Amended Sections

WAC 296-900-13015 Posting citation and notices

- In subsection (1), updated "three" to "seven" working days, as well as added "excluding weekends and holidays" after "seven working days" to clarify the length of time that the citation and notice should be posted to ensure being viewed by all employees.
- Added new sentence at the end of subsection (1) which gives the employer the option to use electronic means to supplement the safety bulletin board for employees that don't work in the office where the physical bulletin board is present, such as employees that telework.

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 296-900-13015
 Suspended:

Statutory authority for adoption: RCW 49.17.010, RCW 49.17.040, RCW 49.17.050, RCW 49.17.060 and RCW 49.17.120

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 21-14-077 on July 6, 2021 (date).
 Describe any changes other than editing from proposed to adopted version: No changes were made; the language is being adopted as proposed.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Tari Enos

Address: PO Box 44620 Olympia, WA 98504-4620
 Phone: 360-902-5541
 Fax: 360-902-5619
 TTY:
 Email: tari.enos@Lni.wa.gov
 Web site:
 Other:

**Note: If any category is left blank, it will be calculated as zero.
 No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
 A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: November 2, 2021

Name: Joel Sacks

Title: Director

Signature:

