

Agenda

December 17, 2024, 9:00 a.m. – 11:30 a.m.

Department of Labor & Industries

Virtual Only Meeting via Teams

(Details Below)

<u>Time</u>	<u>Topic/Presenter</u>	<u>Purpose/Topic</u>
9:00-9:10	Welcome and Opening Remarks/Committee Update Craig Blackwood, DOSH Assistant Director	Welcome/Informational
9:10-9:25	<p>SHIP Grant Update Jenifer Jellison, SHIP Program Manager</p> <ul style="list-style-type: none"> Two cycles completed in the last few months. Overall, five proposals were funded, two were provided feedback to and can resubmit for re-evaluation, and two proposals were not a good fit for SHIP funding. <p>SHIP has an open RFP focused on proposals that endeavor to reduce or eliminate workplace hazards that result from manual materials handling: lifting, pushing, pulling, carrying, sorting and stacking.</p> <p>Projects should:</p> <ul style="list-style-type: none"> Eliminate or reduce exposure to the physical tasks outlined above; Assure the prevention intervention does not create other risks to workers; Involve employees, with experience, competent on these tasks; and Assure that mitigation efforts do not reduce or eliminate jobs. <p>Other proposals to be accepted. All proposals are due January 31, 2025.</p> <p>The grant projects that were recently identified and asked to be “at the ready to present” to the WISHA Advisory, when the time is right, are:</p> <ul style="list-style-type: none"> Timber Products Manufacturing to give an update on their previously funded smartphone applications: Combustible Dust, Hazardous Communication and Chemical Safety, Striking Down Workplace Injuries (addressing struck by hazards/injuries) PNASH/UW/Washington Tree Fruit to update on their most recently funded outreach activities as well as the overall work that has been done to install and integrate the air quality monitors throughout the state with WSU UW/WRA: Automatic Ergonomic Evaluator – a smartphone app to increase awareness of workplace hazards related to repetitive motions involving awkward postures and/or movement of heavy loads. The update grant will include increased functionality to include potential risk mitigation strategies. 	Informational
9:25-9:45	<p>DOSH Rules Update Allison Drake, Policy & Stakeholder Engagement Advisor Adult Entertainment Safety Summary:</p>	Informational

- Implementing [ESSB 6105](#) (2024)
- Adds requirements around accessibility of panic buttons
- Adds requirements for presence and training of security personnel.
- Other provisions regarding labor standards handled by FPLS but the rulemaking will follow the same timeline.

Updates:

- Filed the CR-103 (last step in our rulemaking process) on 12/2/24.
- Rule will become effective 1/2/25.
- We will be having some focus groups with both business and labor to assist in implementation of the newer standards adopted under the rules.

AEDs/High Voltage

Summary:

- Implementing [HB1542](#) (2023)
- Requires an AED to be on job sites where high voltage work is taking place or in close proximity to.

Updates:

- Filed the CR-103 (last step in our rulemaking process) on 11/19/24.
- Rule will become effective 1/1/25.

Core Rules

Summary:

- OSHA alignment
- Updates being clarified around biological agents, alcohol/intoxicant free workplaces, safety meeting and committee requirements.
- Clarifying requirements around employee safety and PPE.
- Updating number of years can serve on a safety committee in response to a stakeholder petition. Increase to two years.

Updates:

- Filed a CR-101 (first step of our rulemaking process) on 7/23/24.
- Holding stakeholder meetings in January.

Cranes – currently underway and adding in some of the provisions from [2SHB2022](#) (2024)

Summary:

- OSHA alignment and state legislation implementation.

Updates:

- Working through developing a Cost Benefit Analysis (conducting a survey of the industry), and a Small Business Economic Impact Statement, both of these are required by state law prior to being able to move to public hearings on a rule. We are currently anticipating a February or March 2025 filing for our CR-102 that would announce those public hearings.
- We are tentatively aiming for a January 2025 filing of a CR-101 for other parts of the legislation that will set up our Tower Crane Permitting Program.

Ergonomics – Implementing [ESSB 5217](#)

Summary:

- First industry selected was Scheduled Airlines – Ground Crew Operations.

Updates:

- Filed a CR-101 10/29/24.
- Preparing for stakeholder meetings in January.

Fire Resistant Material Applicators – Implementing [SHB 1323](#) (2023)

Updates:

- Implementing [SHB 1323](#) (2023)
- Requires any worker applying spray on fireproofing material or installing firestop in certain buildings to receive training

	<p>and be certified by L&I.</p> <p>Haz Comm</p> <p>Updates:</p> <ul style="list-style-type: none"> • Planning to go OSHA identical, will be initiating this rulemaking in the New Year using standard rulemaking. <p>Improve tracking of workplace illness and injury</p> <p>Updates:</p> <ul style="list-style-type: none"> • Received an objection to expedited rulemaking, so we will be filing a CR-102 and holding a public hearing in the New Year to wrap this rulemaking up. <p>Longshore/Drayage Truck Driver Bathroom Access</p> <p>Summary:</p> <ul style="list-style-type: none"> • Rulemaking began in 2022 to update this rule chapter to align with OSHA updates to marine terminals, also implements state legislation on bathroom and lactation space access for drayage truck drivers at port terminals. <p>Updates:</p> <ul style="list-style-type: none"> • Will be having follow up stakeholder meeting in next week to get updated draft discussed, then we will finalize rulemaking packet and schedule for public hearings in Spring 2025. <p>Base Penalty/Appeals Update</p> <p>Summary:</p> <ul style="list-style-type: none"> • Updating the base penalty only at this time. Connected to Consumer Price Index for Urban areas like our maximum penalty and OSHA’s penalty amounts. • Adding the possibility of an additional 2% increase on top of inflation if L&I is not within 25% of the national penalty average, which is what OSHA uses to gauge being at least as effective as. • Housekeeping updates to address referring to DOSH and correct contact information <p>Updates:</p> <ul style="list-style-type: none"> • We will be filing the CR-103 (last step in our rulemaking process) by the end of December. • Rule will become effective 2/1/25. • We will be developing an internal process DOSH will use to announce the new penalty amounts annually. Similar to how L&I will announce minimum wage updates. We will file a policy statement with the Code Reviser by the end of January, and send an announcement via our GovDelivery lists. <p>Sanitary Conditions for Construction Workers</p> <p>Summary:</p> <ul style="list-style-type: none"> • Implementing EHB 2266 (2024) • Requires providing menstrual products for workers • Requires providing a dedicated space and accommodations for workers expressing milk. • Filed a 101 - September 2024. <p>Updates:</p> <ul style="list-style-type: none"> • Held stakeholder meetings in October. Making updates to the preliminary draft rule language based on stakeholder feedback. • Looking to file a CR-102 in February 2025. In addition, work toward an effective date of 7/1/25 when the underlying statute allows for penalties issued for violations of the law/rule. <p>Trenching Rescue & Excavation Plan</p> <p>Summary:</p> <ul style="list-style-type: none"> • Small workgroup met in May. • Reevaluating the draft to ensure focus on/emphasize prevention rather than rescue. • Will circle back with a larger stakeholder meeting or ask for written feedback sometime this fall. 	
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	<ul style="list-style-type: none"> • Would like to finalize rule by the end of the year. • This includes updating associated directives. <p>Updates:</p> <ul style="list-style-type: none"> • Will be getting this rule back on our agenda of active projects in early 25 once other legislative rules are more complete. <p>WFS – EPA AQI Alignment</p> <p>Summary:</p> <ul style="list-style-type: none"> • EPA updated their calculations for the Air Quality Index, and the original WFS rule needed updating to include correct AQI approximate equivalents. • Received an objection to using expedited rulemaking and asking to reopen the underlying rule. • After an objection – Administrative Procedure Act requires a CR-102. Anticipate filing a CR-102 on 10/17 for a hearing in the fall. <p>Updates:</p> <ul style="list-style-type: none"> • Held a public hearing this month, and are working toward filing the final rule update in Feb 25, with a March effective date. <p>Workplace Violence Prevention</p> <p>Summary:</p> <ul style="list-style-type: none"> • CR-105 is out; objection deadline is 12/2. • CR-103 is tentative for 12/17 <p>Updates:</p> <ul style="list-style-type: none"> • Received objections from a few stakeholders, we will be holding a virtual stakeholder meeting in the new year, to address some language adjustments and educating industry on the underlying laws. <p>Worker Walk around Representative Designation</p> <p>Updates:</p> <ul style="list-style-type: none"> • We will be filing the CR-101 for this rule 12/17. Holding a couple of stakeholder meetings in the new year, to help educate folks on what this change means, still plan to go identical to the OSHA language. 	
9:45-10:00	<p>Penalty Rule Update Craig Blackwood, DOSH Assistant Director</p> <ul style="list-style-type: none"> • Updating the base penalty only at this time. Connected to Consumer Price Index for Urban areas like our maximum penalty and OSHA’s penalty amounts. • Adding the possibility of an additional 2% increase on top of inflation if L&I is not within 25% of the national penalty average, which is what OSHA uses to gauge being at least as effective as. • Housekeeping updates to address referring to DOSH and correct contact information 	Informational
10:00-10:15	Break	All
10:15-10:30	<p>SHARP Update Todd Schoonover, Industrial Hygiene Research Manager FACE Fatality Narratives & Slideshows:</p> <ul style="list-style-type: none"> • Framer Struck by Beam after Falling from Scissor Lift (slideshow) Spanish • (slideshow) • Truck Mechanic Struck by Trailer Air Suspension Spring (slideshow) 	Informational

	<ul style="list-style-type: none"> • Welder Fell 32 Feet from Storage Tank Roof (slideshow) • Driver Dragged and Pinned By Rollaway Dump Truck (slideshow) <p>SHARP Stats:</p> <ul style="list-style-type: none"> • Toxic Inhalation to Illicit Drugs - 2024 Update • Toxic Inhalation of Ammonia - 2024 Update • Janitors' Discomfort <p>Cleaners' Occupational Injury Reduction Emphasis - CORE (Janitorial Workload Study)</p> <ul style="list-style-type: none"> • 2024 Washington State Janitorial Workload Study: Progress Report to the Legislature • Newsletter: Fall 2024 • Spanish Vietnamese Russian Bosnian Amharic Somali Chinese Tagalog • Tip Sheet: Safer Vacuuming • Spanish Vietnamese Russian Bosnian Amharic Somali Chinese Tagalog 	
10:30-10:45	<p>National Recognition for Safety & Health Videos Matt Ross, Labor and Industries Public Affairs Manager</p> <ul style="list-style-type: none"> • Please see PowerPoint presentation attached. 	Informational
10:45-11:00	<p>Ergonomic Rule Process Beth Covert, DOSH Ergonomics Implementation Manager</p> <ul style="list-style-type: none"> • Over the summer and early Fall the project team worked on selecting an industry to write rules and preparing to announce that industry • On October 29th, L&I announced the Scheduled Airlines - Ground Crews Operations risk classification will be the initial industry we'll write ergonomic rules for. At that time of announcement, we also filed the CR101 to initiate the rule making process. This rulemaking has its own website which holds details and resources about this rulemaking • Ergonomics, Scheduled Airlines Ground Crew Operations Rulemaking • On November 21st, we published our second report of industries and risk classification eligible for rulemaking report. That report is on our website and available for review. Along with the publishing of the report, we announced that the second industry we will write rules for is Fulfillment Centers. We do not anticipate filing a CR101 to start rules writing for this industry until late in 2025. • https://www.lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/Ergo_docs/EligibilityReport2024.pdf <p>High-level overview of the approach for our initial stakeholder meetings and rulemaking process:</p> <ul style="list-style-type: none"> • The first stakeholder meetings planned to occur in early 2025. They will include broad conversations about what components of ergonomic rules might be consistent across all industry specific rules. • We will then hold a conversation specific to Scheduled Airlines - Ground Crew Operations to include issues, concerns and industry best practices L&I should consider when we start developing the rule. • We will then develop the draft proposed rules, get recommendations from interested parties and an advisory committee, and analyze the cost of the proposed rule. • For more details on this process, you can visit our website and review our Roadmap document → Ergonomic Rule Development Roadmap: Scheduled Airlines – Ground Crew 	Informational

	<p>Operations</p> <ul style="list-style-type: none"> • Next, we'll file the CR102, goal to have first draft rule ready to file a CR102 by January 2025 • Finally, we'll adopt the rule by filing the CR103, with adoption no earlier than July 1, 2026 • Communications and information about registering for initial stakeholder meetings for the Scheduled Airlines Ground Crews rule will be sent out soon via GovDelivery 	
11:00	Adjourn	All

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 295 877 736 028

Passcode: QrLvSB

Or call in (audio only)

[+1 253-372-2181,,690732747#](#) United States, Tacoma

Phone Conference ID: 690 732 747#



SHARP Publications September–December, 2024

Work-Related Fatalities and Hospitalizations

- FACE Fatality Narratives & Slideshows:
 - [Framer Struck by Beam after Falling from Scissor Lift \(slideshow\)](#) | [Spanish \(slideshow\)](#)
 - [Truck Mechanic Struck by Trailer Air Suspension Spring \(slideshow\)](#)
 - [Welder Fell 32 Feet from Storage Tank Roof \(slideshow\)](#)
 - [Driver Dragged and Pinned By Rollaway Dump Truck \(slideshow\)](#)

SHARP Stats:

- [Toxic Inhalation to Illicit Drugs - 2024 Update](#)
- [Toxic Inhalation of Ammonia - 2024 Update](#)
- [Janitors' Discomfort](#)

Cleaners' Occupational Injury Reduction Emphasis - CORE (Janitorial Workload Study)

- [2024 Washington State Janitorial Workload Study: Progress Report to the Legislature](#)
- Newsletter: [Fall 2024](#)
[Spanish](#) [Vietnamese](#) [Russian](#) [Bosnian](#) [Amharic](#) [Somali](#) [Chinese](#) [Tagalog](#)
- Tip Sheet: [Safer Vacuuming](#)
[Spanish](#) [Vietnamese](#) [Russian](#) [Bosnian](#) [Amharic](#) [Somali](#) [Chinese](#) [Tagalog](#)

About the SHARP Program

SHARP (Safety & Health Assessment & Research for Prevention) is a workplace safety and health research and prevention program within L&I.

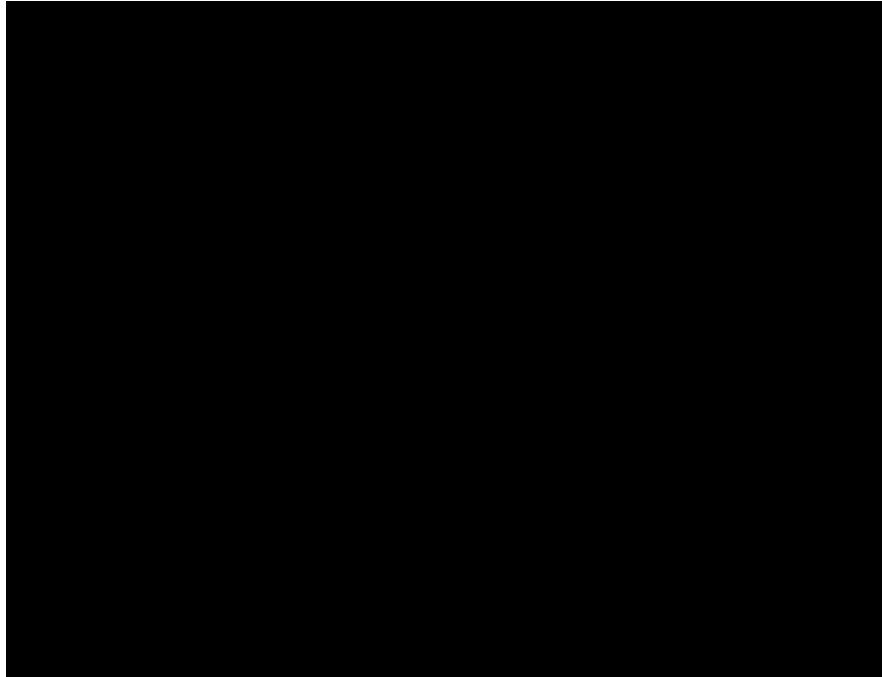
Our research brings together information from available data, site visits at participating employers, interviews with workers and safety professionals, and the scientific literature. Our aim is to prevent workplace injuries and illnesses by developing practical solutions that benefit workers and employers.

For more information about SHARP's ongoing projects, publications, and to sign up for our newsletter, visit: <https://lni.wa.gov/safety-health/safety-research/about-sharp>



2024 Communication Awards

Washington State Dept. of Labor & Industries



Paralegic Worker Talks Fall Protection

- It's difficult to get people to pay attention to workplace safety messages.
- Messages more real coming directly from workers and their families—people our audience identifies with.
- We are proud this video could save workers lives and inspire them to think twice about using fall protection.

Washington State Dept. of Labor & Industries



View the full video: lni.wa.gov/StopFalls

Context and Results

- Ran during national “Stand-down to prevent falls in construction week.”
- More than 28,000 total plays from a reach of more than 27,000 people.
- Exceptional numbers compared to L&I’s average posts.

Internal Team

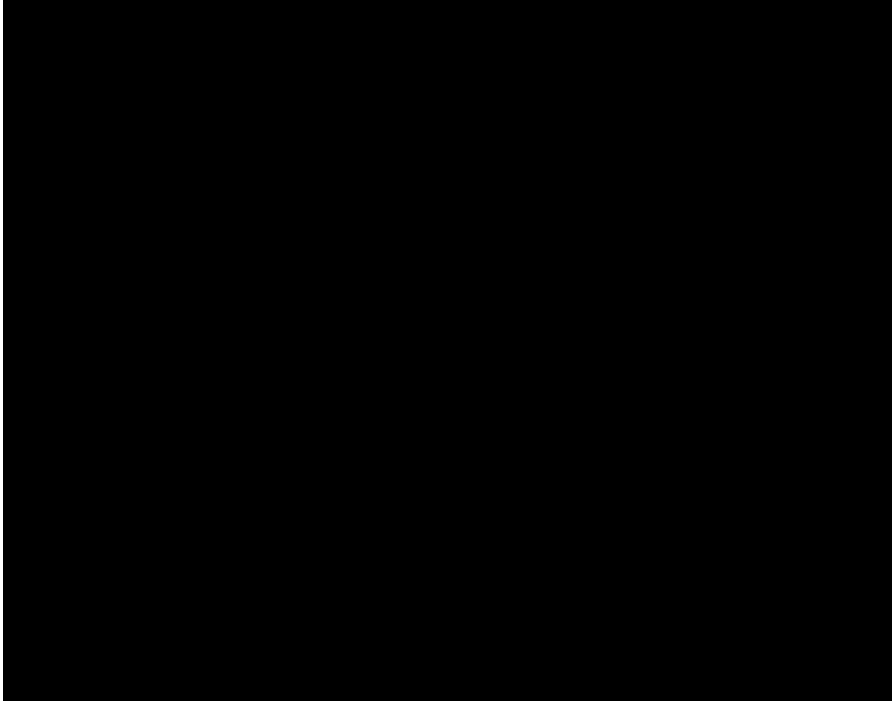
- Dina Lorraine wrote, produced, and interviewed. Steven Jones, Alex Mikel shot the video. Vince Ynzunza edited.

WA Department of Labor & Industries



Context and Goal

- To build advance audience for annual Worker Memorial Day event, we published worker profiles on social media.
- Campaign put faces to the names of fallen workers, reflecting the women and men who work across Washington.



Amplifying Family Voices

We interviewed children of a fallen worker at the event, highlighting memories of their father, how he died, and how it has impacted the family.

Results and Impact

- Profiles on Facebook and Instagram, with almost 75,000 total impressions, and more than 10,800 engagements.
- The video has been played 4,500 times on Instagram and YouTube.