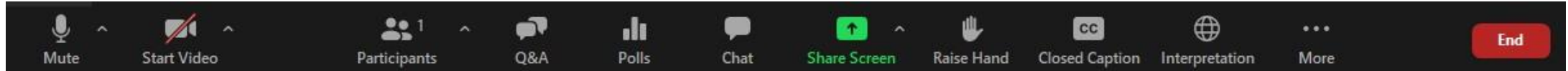


# Zoom Meeting Information



- **Online**
  - Controls at the bottom of the Zoom screen
  - Questions:
    - **Raise Hand Option:** For live questions-DOSH staff will call on attendees after presenting the new requirements and draft language. In addition, DOSH staff will call on attendees after presenting the supplemental information.
    - **Q&A Icon**-Enter questions for DOSH staff. DOSH staff may respond directly; or, will read questions to the technical specialist to answer.
    - **Chat**-Feature disabled.
- **Phone**
  - To raise/lower hand use \*9
  - To mute/unmute use \*6

# Agenda

- Welcome and Introductions
  - Zoom/Meeting information
- Process review
- Charter review
- Risk factors in ergonomics review
- Themes from feedback
- Rule framework
- Closing
  - Meeting cadence
  - Next steps

# Introductions

## Advisory Committee

Business representatives	Labor representatives
Lindsey Hueer – Association of Washington Business	Joe Kendo – Washington State Labor Council
Matthew Thomason – Alaska Airlines	Michael Mead – International Association of Machinists and Aerospace Workers, Local Lodge 2202
Tara Perez – Delta Airlines	Matt Haney – Service Employees International Union, Local 6
Cory Snyder – Airlines for America	Brenda Wiest – Teamsters, Local 117

## Department of Labor & Industries

# Where are we at in the process?

- Initial Step: Scoping conversations from January
  - Broad scoping questions: What components of ergonomic rules might be consistent across all industry-specific rules?
  - Ground Crew Operations scoping questions: What are the issues, concerns, and industry best practices L&I should consider when we start rule development?
- Next Step:
  - Broad conversations: Conduct second meeting with interested stakeholders to provide a rulemaking update and receive feedback on the rulemaking framework.
  - Ground Crew Operations: Continue discussions with advisory committee, develop draft proposed rules, and gather recommendations from the advisory committee.

# Ergonomics Rulemaking Charter Review

Committee purpose and objective:

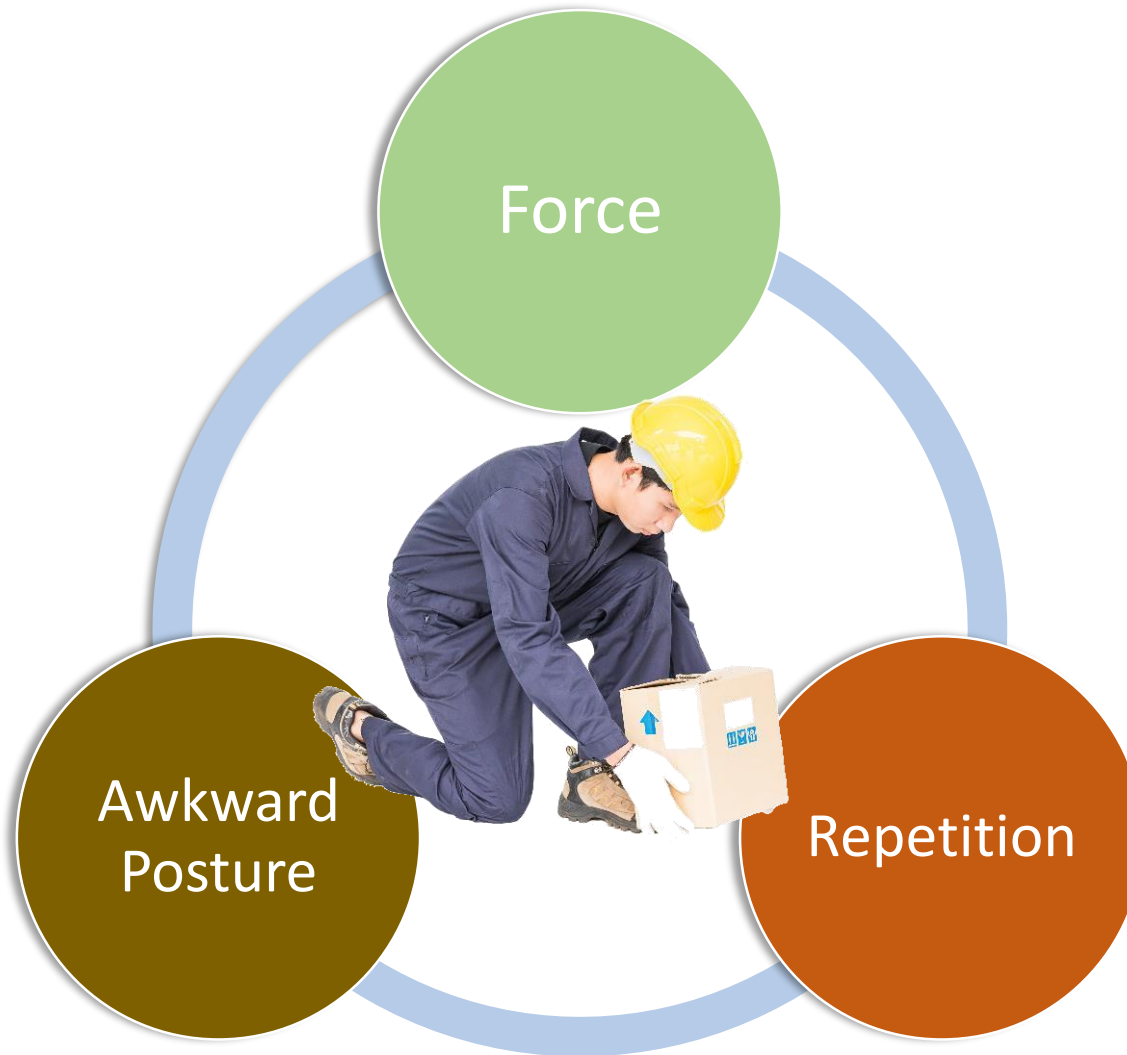
- The Committee will provide input, recommendations, and advice on the rule language.
- Committee members represent and serve as liaisons for employers and workers from the Scheduled Airlines - Ground Crew Risk Class 6802 that will be subject to the rules.
- Whenever possible, the goal of the Committee is to have consensus on recommendations. If consensus is not reached, L&I will consider all information provided in formulating the proposed and adopted rules.

# Ergonomics Rulemaking Charter Review

- Alternates
  - Members who are unable to attend a meeting are encouraged to send an alternate authorized to serve as a proxy.
- Interested parties and SMEs
  - Other interested parties and subject matter experts may be invited to attend the meeting and can participate as identified on the agenda, or as invited by the Committee or L&I.
- L&I support to the Committee

# Risk Factors for Work-related Musculoskeletal Disorders

# 3+ Risk Factors for Work-related Musculoskeletal Disorders (WMSD)



Additional risk factors:

- Vibration
- Contact Stress
- Static Postures

Contributing factors:

- Cold Temperature
- Psychosocial Factors



# 3+ Risk Factors for WMSDs

**Force** – Physical effort involving the whole body or hand and arms



Whole body efforts include:

- Lifting and lowering
- Carrying
- Pushing and pulling

Hand and arm efforts include:

- Gripping
- Pinching
- Pressing

## 3+ Risk Factors for WMSDs

**Repetition** – Repeating the same or similar motion



Repeating efforts include:

- Frequent lifting
- Assembly work
- Hand tool use
- Sorting and packing

## 3+ Risk Factors for WMSDs

**Awkward postures** – Work involving non-neutral body postures



Efforts involving:

- Bending at neck, back or wrist
- Twisting
- Reaching out or up
- Kneeling
- Squatting

# Additional Risk Factors for WMSDs

**Static Postures** – Holding a body position for a long period, whether an awkward posture, such as leaning over a work bench, or a neutral position, such as prolonged sitting or standing.

**Vibration** – Transfer of vibration from work processes, tools, or equipment to the hands and arms or whole body.

**Contact Stress** – Localized pressure exerted on the body when hard or sharp objects press into soft tissues of the body, such as tools, handles with rough edges pressing into hands, or a desk edge pressing into wrists.



# January Meeting Feedback Themes

## **Broad Scoping Questions Feedback**

- Be mindful of costs, time, resources, and working environment that could impact industries when developing the rule.
- One size fit's all rule may not be successful - tailor rule to each industry.
- Draft rules that will improve injury prevention without being unnecessarily burdensome, complicated, or less efficient.
- Consider what each industry has already implemented, their SMEs/ergonomists, or their best practices when developing a rule or training materials.

# January Meeting Feedback Themes

## **Broad Scoping Questions cont.**

- Each industry is unique and will have different ergonomic factors to address.
- Consulting businesses is important when discussing injuries, making decisions on hazards, and best practices. They have the most up-to-date information and may know how job duties may shift into the future.
- Use L&I data about injuries and hazards when making decisions.
- Be aware of outside rules/regulations/policy the industry must also comply with.

## **Scheduled Airline Ground Crew Operation Feedback**

- See handouts

# Ergonomic Rulemaking Framework

# Ergonomic Rulemaking Framework

- Outlines the approach for rulemaking across industries and risk classes.
- Consists of principles for ergonomic rule development, preliminary scoping assessment, and ergonomic rule elements.
- L&I will use this framework to inform and guide each rule development process going forward, with a review of the framework following the adoption of the initial two rules to determine if changes are needed.



# Ergonomic Principles

## **Rule development is collaborative**

- Rule development should include input from all relevant parties in order to understand the complexity of industry operations to avoid conflict or barriers to compliance.
- Industry/risk class advisory committees will be convened to advise on rule development.

**Rules will be tailored to the specific industry/risk class where possible and appropriate, balancing where consistency increases effectiveness or reduces burdens for employers who might be covered by more than one rule.**

- Where identifiable, the rule should target the known causes of WSMDs in the specific industry or the risk class.
- Where possible and appropriate, the rules should include requirements for known hazards in an industry or risk class, rather than generic requirements for WMSD risk identification, assessment, and control.
- Consideration for how similar work is performed to work performed in other industries/risk classes, as well as whether the industry/risk class is a subset of a larger industry sector.

**The rules should be clear and easy to understand so that employers will know what compliance looks like and employees will know what their protections are.**

# Ergonomic Principles

**The specific industry/risk class rules should be “right-sized” to the degree of risk in the workplace.**

- The rules should not cover workplaces, jobs, or tasks that pose very small risk.
- In workplaces with minor WMSD risks, employers should not have to do as much as workplaces that have significant risk.

**The rules should be based on sound science and ensure worker protection to the extent feasible. Where WMSD assessment tools are used, they should be supported by evidence, be readily available, and easy to apply.**

**Rules should acknowledge that some potential solutions may take time to implement and should only require those solutions that are economically or technologically feasible.**

**Rule implementation timelines should be based on specific industry/risk class requirements and consider factors such as resource concerns for small businesses.**

**During rule development L&I must consider including options for an employer to demonstrate alternative control methods where: the alternative methods are at least as effective as the rule requirements; affected employees are trained and monitored for compliance; and the employer has documented all efforts.**

# Preliminary Scoping Assessment

*At the start of each rulemaking for a specific industry/risk class, the following preliminary scoping assessment will be conducted to help understand how the rules can be tailored to the specific industry/risk class.*

## **What is known about the scope of who and what is covered under the industry or risk class?**

- What is the definition of the North American Industry Classification System, NAICS (industry) or the risk class (chapter 296-17A WAC)?
  - What employers does it cover?
  - What work performed by those employers does it cover?
- Are there any subsets of NAICS or risk class that must be excluded under the claim rate threshold to be eligible for the rule per RCW 49.17.520(3)(b) through (d)?

# Preliminary Scoping Assessment (cont.)

## **What is known about the (WMSD) injuries, risk factors, and controls, including:**

- What does the injury and illness data for the industry/risk class show?
  - Does it help to identify high-risk jobs or activities?
  - Does it help to identify low or no priority risks that could be excluded?
- Are there published studies for WMSD hazards in the industry/risk class?
  - Do they help to identify high-risk jobs or activities?
  - Do they identify solutions to risk factors? How successful are those solutions?
  - What is the strength of the evidence?
- Are there any industry-specific best practices or standards in other jurisdictions?
  - What risk factors and job activities do these identify?
  - Do they identify solutions to risk factors? How successful are those solutions?
- What does the compliance inspection and consultation data show?

# Preliminary Scoping Assessment (cont.)

**What is known about employers in the industry/risk class – in general and in relation to information on WSMD injuries and risk factors, including:**

- What is known about the size of employers in the industry/risk class?
- What is known about the workforce and the workforce demographics?
- To what degree are there similarities in the way work is performed across employers?
- To what degree are there similarities in the way the work places are set up?
- What is known about where the work is performed?
- What is known about current WMSD prevention activities for Washington employers in the industry or risk class and how they resource these efforts?
- What is known about duration and pattern of work activities, and the degree of similarities across employers?
- What is known about common barriers to implementing controls?

# Ergonomic Rule Elements

Identified standard elements for ergonomic rules and the purpose of the elements

- Consistent with other L&I safety and health rules.
- Cover key components needed for any rule intended to prevent injuries by identifying and reducing work exposure to hazard.

Examples of how the standard elements could be tailored for a specific industry/risk class.

# Standard Rule Elements

Rule Element	Purpose
Scope	Define who and what are covered by the rule.
Risk Identification	Screening step to identify WMSD risks in the employer's workplace needing further analysis.
Risk Assessment	Evaluation of identified WMSDs risks in the employer's workplace to determine degree of risk, need for risk reduction, and prioritization of risk reduction efforts.
Risk Reduction	<p>Identification and implementation of required actions an employer must take to reduce WMSD risks in their workplaces. Use the hierarchy of controls to implement the most effective controls to eliminate or reduce the WMSD risk.</p> <ul style="list-style-type: none"><li>• Effectiveness of controls are supported by evidence.</li><li>• Consideration is given to economic and technological feasibility of controls, as well as overall prioritization of WMSD risk.</li></ul>

# Standard Rule Elements

Rule Element	Purpose
Evaluation of Effectiveness	Assess if risk reduction measures are effective in eliminating or reducing WMSD risks, adjust as appropriate and feasible. If not, ensure that the measures don't create other unanticipated hazards.
Involving Employees	Identify the ways employees are involved in the rule requirements so that they can help identify hazards and offer potential solutions.
Training	Identify training requirements, including how employees and supervisors are made aware of WMSD hazards in their workplaces, how to identify them, what WMSD hazard controls are in place, and how to recognize signs and symptoms of WMSDs..
Recordkeeping	Documentation of activities required under the rule.



# Tailoring of Rule Elements Examples

Rule Element	Examples of tailoring to a specific industry/risk class
Scope	<p>Are there any subsets of NAICS or risk class that must be excluded as under the claim rate threshold to be eligible for rule per RCW 49.17.520(3)(b) through (d)?</p> <p>If known, can the scope, in whole or in part, focus on specific WMSD risk factors or activities that are causing injuries?</p>
Risk Identification	<p>Risk identification may not be needed for known WMSD risks, such as patient handling in healthcare.</p>
Risk Assessment	<p>Risk assessment may not be needed or may be streamlined for known WMSD risks, such as patient handling in healthcare.</p>

# Tailoring of Rule Elements Examples

Rule Element	Examples of tailoring to a specific industry/risk class
Risk Reduction	Where there are known controls for high-risk hazards in the industry or risk class, such as engineering controls.
Evaluation of Effectiveness	May be specific to other tailored provisions in the rule.
Involving Employees	May be specific to other tailored provisions in the rule.
Training	Method, time dedicated, and resources used could be industry dependent.  May be specific to other tailored provisions in the rule.
Recordkeeping	May be specific to other tailored provisions in the rule.

# Preliminary Scoping Questions

## Scheduled Airlines – Ground Crew Operations

**What is known about the scope of who and what is covered under the industry or risk class?**

- Rule will apply to ground crews employed by businesses operating scheduled airlines under risk class 6802-00
  - Scheduled airlines have published fares and definite dates, routes, and time for departure and arrivals.
  - Ground crews include baggage handlers, ticket sellers who handle baggage, and aircraft maintenance crew.
  - Workers in subclass 6802-01 (hot air balloon – ground crew operations) are excluded.

# Preliminary Scoping Questions

## Scheduled Airlines – Ground Crew Operations

**What is known about the WMSD injuries, risk factors, and controls?**

- Ground crew operations injury and illness data.

# Meeting Cadence

- What level of involvement will this group have?
- What should we focus on with this group next?
- How often do we need to meet to achieve next step?

# Next Steps

- Follow up broad stakeholder meeting
- Continue preliminary rule scoping assessment
- Develop preliminary draft rule language
  - Discuss and develop approaches for each rule element