

WAC 296-800-18015 Provide access to exposure records. (1) You must provide access, whenever requested by an employee or their designated representative, to a relevant exposure record:

(a) In a reasonable time, place, and manner.

(b) Within fifteen working days. If the employer cannot meet this requirement, they must inform the requesting party of the reason for the delay and the earliest date the record will be made available.

Note:

- Employee means any current, former or transferred worker.
- A relevant exposure record is an SDS or its alternative or analysis using SDSs or their alternative.

(2) You must make sure labor and industries has prompt access to any exposure records and related analysis. This must be done without violation of any rights under the Constitution or the Washington Industrial Safety and Health Act that the employer chooses to exercise.

Note: Nothing in this rule is meant to prevent employees and collective bargaining agents from getting access to information beyond that is required by this rule.

(3) You must make sure that whenever an employee or designated representative requests an initial copy of an exposure record, related analysis or new information added to the record:

(a) A copy of the record is provided without cost to the employee or their representative; or

(b) The facilities are made available for copying without cost to the employee or their representative; or

(c) The record is loaned to the employee or their representative for a reasonable time to enable a copy to be made.

Note: Whenever a record has been previously provided without cost to an employee or designated representative, and they request additional copies, the employer may charge reasonable, nondiscriminatory administrative costs (e.g., search and copying expenses, but no overhead expenses).

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 18-22-116, § 296-800-18015, filed 11/6/18, effective 12/7/18; WSR 17-02-066, § 296-800-18015, filed 1/3/17, effective 2/3/17. Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 02-16-047, § 296-800-18015, filed 8/1/02, effective 10/1/02; WSR 01-23-060, § 296-800-18015, filed 11/20/01, effective 12/1/01; WSR 01-11-038, § 296-800-18015, filed 5/9/01, effective 9/1/01.]