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**SENATE BILL 6122**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Keiser, Kuderer, and Wilson, C.

AN ACT Relating to protecting temporary workers; adding a new section to chapter 49.17 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 49.17 RCW to read as follows:

(1) Before the assignment of an employee to a worksite employer, a staffing agency must:

(a) Visit the worksite employer's actual workplace where the employer will be working to review the safety and health practices and hazards of the worksite employer;

(b) Provide training to the employee for industry specific hazards the employee may encounter at the worksite employer. Industry specific training must be completed annually, in the preferred language of the worker, and must occur during paid work hours and at no expense to the employee. The training date and training content must be maintained by the staffing agency and provided to the employee; and

(c) Transmit training documentation to the worksite employer.

(2) A worksite employer must allow a staffing agency to visit any worksite where the staffing agency's employees are or will be working to observe and confirm the information related to the worksite's safety and health practices and hazards.

(3) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Staffing agency" means an individual, company, corporation, or partnership, that procures or provides temporary employment to a person who then works under the supervision or direction of a worksite employer. "Staffing agency" does not include a "farm labor contractor" as defined in RCW 19.30.010.

(b) "Worksite employer" means an individual, company, corporation, or partnership with which a staffing agency contracts or otherwise agrees to furnish persons for temporary employment.

NEW SECTION. **Sec.**  (1) The department of labor and industries must review industrial injury claims related to staffing agencies' employees made during the three years prior to the effective date of this section. By December 1, 2020, the department of labor and industries must provide a report to the appropriate committees of the legislature with its findings regarding the claims and a recommendation for a shared industrial insurance premium between staffing agencies and worksite employers so that worksite employers also have some experience rating impact from claims on their worksites by staffing agencies' employees.

(2) For the purposes of this section, the definitions in section 1(3) of this act apply unless the context clearly requires otherwise.

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