
HOUSE BILL 1065

State of Washington

54th Legislature

1995 Regular Session

By Representatives Chandler, Lisk, Mastin, Schoesler, McMorris, Robertson, Chappell, Delvin, Honeyford, Koster, Clements, Boldt, Foreman and Kremen

Read first time 01/10/95. Referred to Committee on Agriculture and Ecology.

1 AN ACT Relating to safety standards for agriculture; amending RCW
2 49.17.050; and declaring an emergency.

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

4 **Sec. 1.** RCW 49.17.050 and 1973 c 80 s 5 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in this chapter, in the adoption
7 of rules ((and regulations)) under the authority of this chapter, the
8 director shall:

9 ((+1)) (a) Provide for the preparation, adoption, amendment, or
10 repeal of rules ((and regulations)) of safety and health standards
11 governing the conditions of employment of general and special
12 application in all work places;

13 ((+2)) (b) Provide for the adoption of occupational health and
14 safety standards which are at least as effective as those adopted or
15 recognized by the United States secretary of labor under the authority
16 of the occupational safety and health act of 1970 (Public Law 91-596;
17 84 Stat. 1590);

18 ((+3)) (c) Provide a method of encouraging employers and employees
19 in their efforts to reduce the number of safety and health hazards at

1 their work places and to stimulate employers and employees to institute
2 new and to perfect existing programs for providing safe and healthful
3 working conditions;

4 ~~((+4))~~ (d) Provide for the ~~((promulgation))~~ adoption of health and
5 safety standards and the control of conditions in all work places
6 concerning gases, vapors, dust, or other airborne particles, toxic
7 materials, or harmful physical agents which shall set a standard which
8 most adequately assures, to the extent feasible, on the basis of the
9 best available evidence, that no employee will suffer material
10 impairment of health or functional capacity even if such employee has
11 regular exposure to the hazard dealt with by such standard for the
12 period of his working life; any such standards shall require where
13 appropriate the use of protective devices or equipment and for
14 monitoring or measuring any such gases, vapors, dust, or other airborne
15 particles, toxic materials, or harmful physical agents;

16 ~~((+5))~~ (e) Provide for appropriate reporting procedures by
17 employers with respect to such information relating to conditions of
18 employment which will assist in achieving the objectives of this
19 chapter;

20 ~~((+6))~~ (f) Provide for the frequency, method, and manner of the
21 making of inspections of work places without advance notice; ~~((and,~~

22 ~~+7))~~ (g) Provide for the publication and dissemination to
23 employers, employees, and labor organizations and the posting where
24 appropriate by employers of informational, education, or training
25 materials calculated to aid and assist in achieving the objectives of
26 this chapter;

27 ~~((+8))~~ (h) Provide for the establishment of new and the perfection
28 and expansion of existing programs for occupational safety and health
29 education for employers and employees, and, in addition institute
30 methods and procedures for the establishment of a program for voluntary
31 compliance solely through the use of advice and consultation with
32 employers and employees with recommendations including recommendations
33 of methods to abate violations relating to the requirements of this
34 chapter and all applicable safety and health standards and rules ~~((and~~
35 ~~regulations promulgated pursuant to the authority of))~~ adopted under
36 this chapter;

37 ~~((+9))~~ (i) Provide for the adoption of safety and health standards
38 requiring the use of safeguards in trenches and excavations and around

1 openings of hoistways, hatchways, elevators, stairways, and similar
2 openings; and

3 ~~((10))~~ (j) Provide for the ~~((promulgation))~~ adoption of health
4 and safety standards requiring the use of safeguards for all vats,
5 pans, trimmers, cut off, gang edger, and other saws, planers, presses,
6 formers, cogs, gearing, belting, shafting, coupling, set screws, live
7 rollers, conveyors, mangles in laundries, and machinery of similar
8 description, which can be effectively guarded with due regard to the
9 ordinary use of such machinery and appliances and the danger to
10 employees therefrom, and with which the employees of any such work
11 place may come in contact while in the performance of their duties and
12 prescribe methods, practices, or processes to be followed by employers
13 which will enhance the health and safety of employees in the
14 performance of their duties when in proximity to machinery or
15 appliances mentioned in this subsection.

16 (2) The safety and health standards that apply under this chapter
17 for the agricultural industry shall be the safety standards for
18 agriculture, including the exemptions for the agricultural industry
19 from other safety and health standards under this chapter, that were in
20 effect as of January 1, 1993, except that the director may adopt
21 amendments to the safety standards for agriculture that are no more
22 than the minimum necessary for those standards to be as effective as
23 the standards adopted or recognized by the United States secretary of
24 labor under the authority of the occupational safety and health act of
25 1970 (Public Law 91-596; 84 Stat. 1590).

26 NEW SECTION. Sec. 2. This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and shall take
29 effect immediately.

--- END ---