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SENATE BILL 5147

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State of Washington

54th Legislature

1995 Regular Session

By Senators Morton, Rasmussen, Hochstatter and Bauer

Read first time 01/12/95. Referred to Committee on Agriculture & Agricultural Trade & Development.

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.

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