
HOUSE BILL 2074

State of Washington 57th Legislature 2001 Regular Session

By Representatives Clements, Conway, Alexander and Romero

Read first time 02/14/2001. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to industrial hygiene and safety; adding a new
2 chapter to Title 18 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** The purpose of this chapter is to provide
5 legal recognition to the professions of industrial hygiene and safety,
6 as well as to provide assurance to the public that individuals
7 representing themselves as being involved in the professions of
8 industrial hygiene and safety have met minimum qualifications, thereby
9 protecting the public from harm.

10 NEW SECTION. **Sec. 2.** The definitions in this section apply
11 throughout this chapter unless the context clearly requires otherwise.

12 (1) "Associate safety professional" means a person who has
13 received, and is currently authorized to use the designation of
14 associate safety professional from the board of certified safety
15 professionals, a national nonprofit corporation established to improve
16 the practice and educational standards of the profession of safety and
17 that certifies individuals who meet its education, experience,
18 examination, and maintenance requirements for practicing safety.

1 (2) "Certified industrial hygienist" means a person who has
2 received, and is currently authorized to use, the designation of
3 certified industrial hygienist from the American board of industrial
4 hygiene, a national nonprofit corporation established to improve the
5 practice and educational standards of the profession of industrial
6 hygiene and that certifies individuals who meet its education,
7 experience, examination, and maintenance requirements for practicing
8 industrial hygiene.

9 (3) "Certified safety professional" means a person who has
10 received, and is currently authorized to use, the designation of
11 certified safety professional from the board of certified safety
12 professionals, a national nonprofit corporation established to improve
13 the practice and educational standards of the profession of safety and
14 that certifies individuals who meet its education, experience,
15 examination, and maintenance requirements for practicing safety.

16 (4) "Industrial hygiene" means that science and art devoted to the
17 anticipation, recognition, evaluation, and control of those
18 environmental factors and stresses arising in or from the workplace
19 that may cause sickness, impaired health and well-being, or significant
20 discomfort among workers, and may also impact the general community.

21 (5) "Industrial hygienist" means a person who meets the educational
22 requirements and who demonstrates competence in practicing industrial
23 hygiene as determined under this chapter.

24 (6) "Industrial hygienist-in-training" means a person who has
25 received, and is currently authorized to use, the designation of
26 industrial hygienist-in-training from the American board of industrial
27 hygiene, a national nonprofit corporation established to improve the
28 practice and educational standards of the profession of industrial
29 hygiene and that certifies individuals who meet its education,
30 experience, examination, and maintenance requirements for practicing
31 industrial hygiene.

32 (7) "Safety" means that art and science devoted to the protection
33 of people, property, and the environment through anticipation,
34 identification, and evaluation of hazardous conditions and practices;
35 in order to develop hazard control designs, methods, procedures, and
36 programs; to implement, administer, and advise others of hazard control
37 programs; and to measure, audit, and evaluate the effectiveness of
38 hazard control programs.

1 NEW SECTION. **Sec. 3.** (1) No person may represent himself or
2 herself as an industrial hygienist without first:

3 (a) Completing a baccalaureate or graduate degree from an
4 accredited college or university using a curriculum in industrial
5 hygiene, biology, chemistry, engineering, physics, or a closely related
6 physical or biological science; and

7 (b) Demonstrating, through experience and training, the ability:

8 (i) To anticipate and recognize workplace environmental factors and
9 stresses such as chemical, physical, biological, or ergonomic, and to
10 understand their effects on people and their well-being;

11 (ii) To evaluate, through observation, sampling, and testing, the
12 magnitude of these factors and stresses; and

13 (iii) To prescribe methods to prevent, eliminate, control, or
14 reduce such factors and stresses and their effects; or

15 (c) Being certified by a national nonprofit corporation established
16 to improve the practice and educational standards of the profession of
17 industrial hygiene and that certifies individuals who meet its
18 education, experience, examination, and maintenance requirements.

19 (2) A person represents himself or herself as an industrial
20 hygienist when the person adopts or uses any title or description of
21 services that incorporates one or more of the following terms:
22 Industrial hygienist, industrial hygienist-in-training (IHIT), or
23 certified industrial hygienist (CIH).

24 (3) No person may represent himself or herself as a certified
25 industrial hygienist without first being certified by and currently
26 authorized to use the title by a national nonprofit corporation. The
27 national nonprofit corporation must be established to improve the
28 practice and educational standards of the profession of industrial
29 hygiene, and certify individuals as certified industrial hygienists
30 when they meet its education, experience, examination, and maintenance
31 requirements.

32 NEW SECTION. **Sec. 4.** (1) No person may represent himself or
33 herself as an associate safety professional unless they meet the
34 qualifications defined in section 2(1) of this act.

35 (2) No person may represent himself or herself as a certified
36 safety professional unless they meet the qualifications defined in
37 section 2(3) of this act.

1 NEW SECTION. **Sec. 5.** (1) A person meeting the requirements of
2 section 3 of this act or a nonprofit corporation established to improve
3 the practice and educational standards of the profession of industrial
4 hygiene through certifying individuals who meet its education,
5 experience, examination, and maintenance requirements may bring a
6 private cause of action in a court of competent jurisdiction to recover
7 actual damages or one thousand dollars, whichever is greater, against
8 any person who violates section 3 of this act.

9 (2) A person meeting the requirements of section 4 of this act or
10 a nonprofit corporation established to improve the practice and
11 educational standards of the profession of safety through certifying
12 individuals who meet its education, experience, examination, and
13 maintenance requirements may bring a private cause of action in a court
14 of competent jurisdiction to recover actual damages or one thousand
15 dollars, whichever is greater, against any person who violates section
16 4 of this act.

17 NEW SECTION. **Sec. 6.** Nothing in this chapter prohibits or
18 restricts:

19 (1) The practice of industrial hygiene by a person employed as an
20 apprentice under the supervision of an industrial hygienist;

21 (2) A student studying industrial hygiene engaging in supervised
22 activities related to industrial hygiene;

23 (3) A student studying safety engaging in supervised activities
24 related to safety;

25 (4) Any person legally regulated in this state under any other
26 licensing act or regulation from engaging in the activities permitted
27 under his or her license, provided he or she does not represent himself
28 or herself to the public as an industrial hygienist;

29 (5) Individuals practicing within the scope of the meaning of
30 industrial hygiene, so long as the individual does not use the title,
31 initials, or represent themselves to the public as an industrial
32 hygienist; or

33 (6) Individuals practicing within the scope of the meaning of
34 safety, so long as the individual does not use the title, initials, or
35 represent themselves to the public as an associate or certified safety
36 professional.

1 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
2 a new chapter in Title 18 RCW.

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