

WAC 137-80-090 Work crew costs and responsibilities. (1) Nothing in this chapter shall be construed as limiting the regulatory authority of the department of labor and industries in determining health and safety compliance and employer status for purposes of DOSH and Title 51 RCW, the issuance or review of citations or corrective actions related to health and safety compliance in the workplace provided the offender crew, or in determining responsibility for payment of fees due under Title 51 RCW.

It is understood that the responsible divisions within the department of labor and industries shall act independently in any review of claims or citations. Public agencies and public benefit nonprofit corporations that contract with the department for offender services will be responsible for safety and health conditions at the worksite, will have the responsibility and the authority for ensuring that any hazardous condition is corrected, and as applicable, pay the cost of offender industrial insurance coverage. For standard Class IV services only, public agencies and public benefit nonprofit corporations, will be responsible for paying offender gratuities.

(2) The department will provide security and custody supervision of offenders to fulfill its mission to improve public safety and to maintain custody as required by state law.

(3) Any specific offender personal protective equipment that is required will be detailed in the work project description (WPD) for each distinct Class IV or Class V work crew project as well as in the project agreement for any Class IV good-will project. The party(ies) responsible for providing such PPE will also be designated in the WPD.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-090, filed 9/24/15, effective 1/1/16.]