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**SUBSTITUTE HOUSE BILL 1567**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Prentice, Heavey, Cole, Belcher, R. King, Franklin, Jones, Wineberry, Wang, Dellwo, Jacobsen and Leonard).

Read first time March 1, 1991.

1            AN ACT Relating to protections for agricultural employees; adding  
2 new sections to chapter 49.17 RCW; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.**            (1) An employer shall, at no cost to the  
5 employees, furnish agricultural employees with any protective clothing  
6 or protective device that is required by a pesticide label or by  
7 department rule, and that is in addition to the standard long-sleeved  
8 shirt, long pants, boots or shoes, and socks normally provided by the  
9 employee.

10            (2) The department shall adopt rules to implement this section. In  
11 adopting rules, the department shall:

12            (a) Consider the protective clothing or protective devices  
13 recommended by the pesticide's material safety data sheet, and the  
14 acute, chronic, and subchronic effects of both active and inert  
15 ingredients of pesticides;

1 (b) Consider and require appropriate measures to prevent risks to  
2 agricultural employees presented by contamination, insufficient  
3 maintenance, misuse, and nonuse of personal protective equipment;

4 (c) Require properly maintained mechanical controls, such as closed  
5 systems for mixing and loading pesticides, where feasible; and

6 (d) Prohibit employers from allowing or directing agricultural  
7 employees to perform any task requiring the use of a chemical-resistant  
8 suit if specified conditions such as temperature, humidity, and length  
9 of time required to complete the task involve a risk of heat-induced  
10 illness.

11 (3) Under the circumstances required by department rules, an  
12 employer shall provide facilities for agricultural employees to change  
13 clothes and shower and to separately launder pesticide-contaminated  
14 clothing.

15 NEW SECTION. **Sec. 2.** (1) For all activities involving actual  
16 or potential exposure of an agricultural employee to pesticides,  
17 including pesticide residues, the employer shall make prior  
18 arrangements for emergency medical care and shall post in a prominent  
19 place at the work area, or on the application vehicle if there is no  
20 appropriate designated work area, the name, address, and telephone  
21 number of the physician, clinic, or hospital emergency room providing  
22 care.

23 (2) When the employer has reasonable grounds to suspect that an  
24 agricultural employee has a pesticide illness or when an exposure to a  
25 pesticide has occurred that might reasonably be expected to lead to an  
26 employee's illness, the employer shall ensure that the employee is  
27 taken to a physician immediately.

1        NEW SECTION.    **Sec. 3.**        (1) An employer shall provide monitoring  
2 and medical supervision for the categories of agricultural employees to  
3 be specified by department rules as requiring medical supervision. The  
4 rules shall state the circumstances under which agricultural employees  
5 are to be monitored and supervised and the type and frequency of  
6 medical examinations or other tests that shall be made available by the  
7 employer or at the employer's expense.

8        (2) If medical supervision is required by department rule:

9        (a) The employer shall follow the recommendations of the medical  
10 professional supervising the employees' health in all matters  
11 concerning the employees' occupational health;

12        (b) The employer shall post the name, address, and telephone number  
13 of the medical professional supervising the employees' health in a  
14 prominent place at the work area, or on an application vehicle if there  
15 is no appropriate designated work area; and

16        (c) The medical professional supervising the employees' health  
17 shall be required to inform employees of any test results that indicate  
18 adverse effects from pesticides.

19        NEW SECTION.    **Sec. 4.**        The department of labor and industries  
20 shall adopt rules necessary to implement this act. The rules shall  
21 take effect no later than July 1, 1992.

22        NEW SECTION.    **Sec. 5.**        Sections 1 through 3 of this act are  
23 each added to chapter 49.17 RCW.