

HOUSE BILL ANALYSIS

ESB 5779

Brief Description: Requiring additional crime prevention training for employees of evening retail establishments.

Sponsors: Senators Kline and Winsley

Hearing: March 29, 1999

Brief Summary of Bill

The definition of late night retail establishments, which are required to protect against workplace violence, is expanded to cover businesses open between 8 pm and 7 am.

BACKGROUND:

Violence in the workplace is a significant contributor to occupational injuries and fatalities. The Bureau of Labor Statistics' data for 1992-1996 show violence as the fourth leading cause of workplace deaths in Washington state, resulting in an average of 11 fatalities per year. In 1997, the number of fatalities rose to 15. According to the Department of Labor and Industries, 25% of the claims related to assaults and violent acts resulted in four or more days of time loss from work. The average cost per claim during 1992-95 was \$3,535. However, during these same years the overall number of violence-related claims decreased by approximately 12%.

In Washington state, violence by strangers accounts for most of the workplace fatalities. Commonly, this violence occurs at late night retail establishments, in taxi cabs, and other workplaces where employees handle cash or work alone.

To address this type of workplace violence, the law requires late night retail establishments to implement safety measures. Late night retail establishments are defined as those making sales between 11 pm and 6 am not including restaurants, hotels, taverns or lodging facilities. These establishments must leave an unobstructed view of the cash register, post a conspicuous sign stating that employees do not have access to large amounts of cash, install

limited access safes, and light parking areas.

Several workplace violence provisions were vetoed from a 1989 bill that became law. The vetoed sections required employers to provide their employees with training materials developed or certified by the Department of Labor and Industries.

In response, the department adopted standards for workplace violence training for late night retail employees. The training must teach employees robbery and violence prevention policies and procedures, and provide the skills and knowledge necessary for employees to protect their safety. The department does not develop or certify the training materials employers must provide.

SUMMARY OF BILL:

The definition of late night retail establishments is expanded to cover establishments making sales between 8:00 p.m. and 7:00 a.m. Consequently, "late night retail establishment" is renamed evening retail establishment.–

The types of retail establishments required to provide crime prevention training are narrowed to those within the standard industrial classification codes 5411 and 5541, food and gasoline retailers.

RULES AUTHORITY: The bill does not contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.