

FINAL BILL REPORT

I 841

C 1 L 04 *Synopsis as Enacted*

Brief Description: Ergonomics regulations.

Sponsors: *By People of the State of Washington.*

Background: Ergonomics is the study of designing jobs, selecting tools, and modifying work methods to better fit workers' capabilities and prevent injuries. It is particularly concerned with work-related musculoskeletal disorders (WMSD), such as carpal tunnel, tendinitis, and back injuries.

The Department of Labor and Industries (L&I) began developing rules relating to ergonomics in October 1998 and released final rules in May 2000. The rules focus on "caution zone jobs" that involve awkward positions, high hand force, repeated impact or repetitive motions, and require employers to find and fix ergonomic hazards in the workplace.

These rules apply to all industries and were originally to be phased-in over five years, starting in July 2002 with larger employers (those with 50 or more FTEs) in industries deemed to have the highest risk of WMSD. In March 2002, Governor Locke directed L&I to delay imposition of citations and penalties for two years, pushing back the start of implementation of the rules to July 2004.

At the federal level, the Occupational Safety and Health Administration (OSHA) published a final ergonomics rule in November 2000. In March 2001, Congress invoked the Congressional Review of Agency Rulemaking Act to rescind the rule and prohibit OSHA from imposing "substantially the same" requirements.

Summary: State ergonomics regulations are defined as the rules addressing musculoskeletal disorders adopted May 26, 2000 by the director of L&I. These rules are repealed. The L&I director shall not adopt any new or amended rules dealing with musculoskeletal disorders, or that deal with the same or similar activities as the rules being repealed, until and to the extent required by Congress or the federal Occupational Safety and Health Administration.

Effective: December 4, 2003