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The people of the state of Washington approved Initiative 841 on November 4, 2003. Initiative 841 directs that the state ergonomics regulations, filed on May 26, 2000, by the director of the department of labor and industries, and codified as WAC 296-62-05101 through 296-62-05176 are repealed as shown below.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-05101	What is the purpose of this rule?
WAC 296-62-05103	Which employers are covered by this rule?
WAC 296-62-05105	What is a "caution zone job"?
WAC 296-62-05110	When do employers' existing ergonomics activities comply with this rule?
WAC 296-62-05120	Which employees must receive ergonomics awareness education and when?
WAC 296-62-05122	What must be included in ergonomics awareness education?
WAC 296-62-05130	What options do employers have for analyzing and reducing WMSD hazards?
WAC 296-62-05140	How must employees be kept involved and informed?
WAC 296-62-05150	How are terms and phrases used in this rule?
WAC 296-62-05160	When must employers comply with this rule?
WAC 296-62-05172	Appendix A: Illustrations of physical risk factors.
WAC 296-62-05174	Appendix B: Criteria for analyzing and reducing WMSD hazards for employers who choose the specific performance approach.
WAC 296-62-05176	Appendix C: Standard industry classification (SIC) codes.



Date: 12-4-03

Dennis W. Cooper
Code Reviser

INITIATIVE 841

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 841 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to repealing state ergonomics regulations unless a
2 uniform federal standard is required; adding new sections to chapter
3 49.17 RCW; and creating a new section.

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.17 RCW
6 to read as follows:

7 Washington must aid businesses in creating new jobs. Governor
8 Locke's competitiveness council has identified repealing the state
9 ergonomics regulations as a top priority for improving the business
10 climate and creating jobs in Washington state. A broad coalition of
11 democrats and republicans have introduced bills repeatedly to bring
12 legislative oversight to this issue. This measure will repeal an
13 expensive, unproven rule. This measure will aid in creating jobs and
14 employing the people of Washington.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW
16 to read as follows:

17 For the purposes of this section, "state ergonomics regulations"
18 are defined as the rules addressing musculoskeletal disorders, adopted

1 on May 26, 2000, by the director of the department of labor and
2 industries, and codified as WAC 296-62-05101 through 296-62-05176. The
3 state ergonomics regulations, filed on May 26, 2000, by the director
4 and codified as WAC 296-62-05101 through 296-62-05176 are repealed.
5 The director shall not have the authority to adopt any new or amended
6 rules dealing with musculoskeletal disorders, or that deal with the
7 same or similar activities as these rules being repealed, until and to
8 the extent required by congress or the federal occupational safety and
9 health administration.

10 NEW SECTION. **Sec. 3.** The provisions of this act are to be
11 liberally construed to effectuate the intent, policies, and purposes of
12 this act.

13 NEW SECTION. **Sec. 4.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

--- END ---

GARY LOCKE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 753-6780 • TTY/TDD (360) 753-6466

A PROCLAMATION BY THE GOVERNOR:

WHEREAS, under the provisions of Section 1 and 1 (a) of Article II of the Constitution of the State of Washington, there was submitted to the electorate of the State of Washington for their approval or rejection at the state general election held on the 4th day of November, 2003, an initiative to the people, identified as Initiative to the People 841 and entitled:

"Initiative Measure No. 841 concerns the repeal and future limitation of ergonomics regulations. This measure would repeal existing state ergonomics regulations and would direct the department of labor and industries not to adopt new ergonomics regulations unless a uniform federal standard is required."

WHEREAS, Sam Reed, as Secretary of State, has on the 4th day of December, 2003, canvassed the votes cast on this measure at that state general election and certified that 656,737 votes were cast in favor of Initiative to the People 841 and 570,980 votes were cast against Initiative to the People 841; and

WHEREAS, as appears from this certification, a majority of the votes cast on this proposition at the state general election were in favor of its adoption;

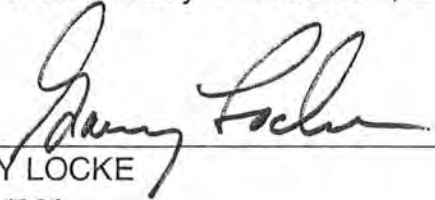
STATE OF WASHINGTON
SECRETARY OF STATE

DEC 4 2003

TIME 1205
WSR 04-01-012 (PW)

NOW, THEREFORE, I Gary Locke, Governor of the State of Washington, do hereby proclaim that the proposed law as set forth in Initiative to the People 841 was approved by the voters of the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed this 4th day of December, 2003.



GARY LOCKE
Governor

ATTEST:



SAM REED
Secretary of State

Chapter 296-62 WAC

GENERAL OCCUPATIONAL HEALTH STANDARDS¹

Last Update: 10/1/03

WAC

PART A--GENERAL

- 296-62-005 Occupational health and environmental control--Foreword.
- 296-62-010 Purpose and scope.
- 296-62-020 Definitions applicable to all sections of this chapter.
- 296-62-040 Unconstitutionality clause.
- 296-62-050 Application for waiver or variances.
- 296-62-051 Ergonomics.

PART 1

- 296-62-05101 What is the purpose of this rule?
- 296-62-05103 Which employers are covered by this rule?
- 296-62-05105 What is a "caution zone job"?

PART 2

- 296-62-05110 When do employers' existing ergonomics activities comply with this rule?
- 296-62-05120 Which employees must receive ergonomics awareness education and when?
- 296-62-05122 What must be included in ergonomics awareness education?
- 296-62-05130 What options do employers have for analyzing and reducing WMSD hazards?
- 296-62-05140 How must employees be kept involved and informed?
- 296-62-05150 How are terms and phrases used in this rule?

PART 3

- 296-62-05160 When must employers comply with this rule?
- 296-62-05172 Appendix A: Illustrations of physical risk factors.
- 296-62-05174 Appendix B: Criteria for analyzing and reducing WMSD hazards for employers who choose the specific performance approach.
- 296-62-05176 Appendix C: Standard industry classification (SIC) codes.

PART B--ACCESS TO RECORDS

- 296-62-052 Access to employee exposure and medical records.
- 296-62-05201 Purpose.
- 296-62-05203 Scope and application.
- 296-62-05205 Definitions.
- 296-62-05207 Preservation of records.
- 296-62-05209 Access to records.
- 296-62-05213 Employee information.
- 296-62-05215 Transfer of records.
- 296-62-05217 Appendices.
- 296-62-05219 Effective date.
- 296-62-05221 Appendix A--Sample authorization letter for the release of employee medical record information to a designated representative.
- 296-62-05223 Appendix B--Availability of NIOSH Registry of Toxic Effects of Chemical Substances (RTECS).

PART B-1 TRADE SECRETS

- 296-62-05301 Definitions.
- 296-62-05305 Meet certain conditions if you withhold trade secret information.
- 296-62-05310 Reveal trade secret information when it is needed in order to treat a medical or first-aid emergency.

REPEALER

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