

FINAL BILL REPORT

HB 1355

C 108 L 91
Synopsis As Enacted

Brief Description: Increasing civil penalties for industrial safety and health violations.

By Representatives R. King, Jones, Cole and Wang; by request of Department of Labor & Industries.

House Committee on Commerce & Labor
Senate Committee on Commerce & Labor

Background: Under the Washington Industrial Safety and Health Act, the Department of Labor and Industries may issue citations for various violations of the act, with the following penalties: (1) for willful violations, up to \$50,000; (2) for serious violations, up to \$5,000; (3) for nonserious violations, up to \$3,000; (4) for failure to correct a violation, up to \$5,000; (5) for posting violations related to employee rights, up to \$3,000; and (6) for posting violations related to educational materials, up to \$1,500.

Federal law requires WISHA to be at least as effective as the federal Occupational Safety and Health Act to maintain federal funding and approval. Congress has recently raised the maximum penalties under the OSH Act to \$70,000 for willful violations and \$7,000 for other violations. In addition, a minimum penalty of \$5,000 is required for willful violations of the OSH Act.

Summary: The maximum penalty for an employer who willfully or repeatedly violates the Washington Industrial Safety and Health Act is increased from \$50,000 to \$70,000 for each violation. The employer must be assessed a minimum penalty of \$5,000 for a willful violation.

The maximum penalties for other violations are increased as follows:

Serious violations are increased from \$5,000 to \$7,000.

Nonserious violations are increased from \$3,000 to \$7,000.

Failure to correct a violation is increased from \$5,000 to \$7,000 (for each day).

Posting violations related to notice of employee rights are increased from \$3,000 to \$7,000 and violations related to educational materials are increased from \$1,500 to \$7,000 .

Votes on Final Passage:

House	98	0
Senate	48	0

Effective: July 28, 1991