

SENATE BILL REPORT

EHB 1352

AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, APRIL 5, 1991

Brief Description: Making confidential certain information acquired by the department of labor and industries.

SPONSORS: Representatives Jones, Vance, Cole, Wynne, Moyer, Miller, Paris, Ballard, May, Basich, Forner and Silver; by request of Department of Labor & Industries.

HOUSE COMMITTEE ON COMMERCE & LABOR

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McCaslin, McDonald, McMullen, Moore, and Skratek.

Staff: Dave Cheal (786-7576)

Hearing Dates: April 4, 1991; April 5, 1991

BACKGROUND:

The Department of Labor and Industries administers the Washington Industrial Safety and Health Act (WISHA). WISHA programs include a voluntary compliance program that offers consultation and training for employers on workplace safety and health issues. The consultant is authorized to recommend the elimination of hazards found on the worksite during consultation. The department is also authorized to conduct research on safety and health issues.

The statute does not specify that information obtained from employers during the course of a consultation or while conducting research will be kept confidential. If hazards found during consultation at a work site are not eliminated, the employer may be subject to penalties under the department's enforcement branch.

SUMMARY:

Information obtained by the Department of Labor and Industries through consultation or training services offered to an employer at the employer's request is confidential and not open to public inspection. However, employers are required to make voluntary service reports available to employees or their representatives for review.

Employer identity, employee identity, and personal identifiers of voluntary participants in research conducted by the department is confidential and not open to public inspection.

For the purpose of industrial insurance, information obtained from the research is not medical information that must be released to the parties.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The Department of Labor and Industries needs to be able to assure employers and employees that certain information obtained during research or in consultation with employers will be held confidential. The department can get more voluntary participation in safety consultation programs if consultation reports are kept confidential.

TESTIMONY AGAINST: None

TESTIFIED: Nick Kirchoff, Department of Labor and Industries (pro); Clif Finch, AWB (pro)