
**Labor & Workplace Standards
Committee**

HB 2564

Brief Description: Requiring health and safety training for construction workers.

Sponsors: Representatives Orwall, Kilduff, Valdez, Pollet, Appleton and Leavitt.

Brief Summary of Bill

- Requires employers working in construction to ensure their workers have completed a training program called WISHA 10, for workers performing construction activity, and WISHA 30, for supervisors.

Hearing Date: 1/21/20

Staff: Trudes Tango (786-7384).

Background:

Washington is a "state-plan state" for purposes of the federal Occupational Safety and Health Administration (OSHA). As a state-plan state, Washington assumes responsibility for occupational safety and health in the state under the Washington Industrial Safety and Health Act (WISHA). To maintain its status, Washington's safety and health standards must be at least as effective as those standards adopted or recognized by the OSHA. The Department of Labor and Industries (Department), through the Division of Occupational Safety and Health (DOSH), administers the WISHA.

Employers are required to provide a safe workplace for its employees. Employers are required to provide site-specific training to employees to improve skill and competency around, for example, the use of equipment, handling of certain chemicals or other hazardous materials, prevention of falls, and other safety and health subject matters. The Department provides training materials and instructor's guides on numerous safety topics for which employers are required to offer training.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under OSHA, authorized trainers provide OSHA 10/30 training classes for specific types of work, including construction. The OSHA 10 training provides basic awareness training on the recognition, abatement, and prevention of workplace hazards. The OSHA 30 training provides more expanded training for supervisors. Students who complete OSHA 10/30 training are issued a course completion card.

Completing OSHA 10/30 is not mandatory to work in construction in Washington.

Summary of Bill:

Employers that work in construction must ensure that workers performing construction activity, as determined by the Department, have completed a training program called WISHA 10, for workers performing construction activity, and WISHA 30, for supervisors. Training must be provided at no cost to the employee.

WISHA 10/30 training is satisfied when the worker completes a federal OSHA 10/30 training course, plus a Washington-specific training module, and is issued a course completion card by the Department.

The Department must develop the Washington-specific training module, no later than December 1, 2021, which must include state safety rules that exceed the federal standard and must include respiratory standards and suicide prevention awareness. Only trainers authorized by the Department may provide the Washington-specific training module.

Workers already working in construction must be trained no later than two years after the Department makes the Washington-specific module accessible to employers, and new employees must be trained within 15 days of beginning any work in construction.

The Department must issue course completion cards to trainees that include, among other things, a unique identifying number associated with the trainee, the Department's telephone number to call to report health and safety concerns, and the telephone number of a suicide prevention hotline.

It is a violation for any employer to employ a person who has not completed training. It is also a violation for an employer, or person providing training or fraudulent course completion cards, to falsely assert that a person has completed training. Violators are subject to a \$1,000 fine for each violation. Civil penalties must be deposited in the supplemental pension fund.

Appropriation: None.

Fiscal Note: Requested on January 16, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.