

SENATE BILL REPORT

EHB 1837

As of February 21, 2022

Title: An act relating to restoring the state's ability to address work-related musculoskeletal injuries.

Brief Description: Restoring the state's ability to address work-related musculoskeletal injuries.

Sponsors: Representatives Bronoske, Ortiz-Self, Berry and Pollet.

Brief History: Passed House: 2/14/22, 50-48.

Committee Activity: Labor, Commerce & Tribal Affairs: 2/23/22.

Brief Summary of Bill

- Removes the restriction on the regulation of work-related musculoskeletal disorders and ergonomics, except for home offices.

SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

Staff: Susan Jones (786-7404)

Background: In 2000, the Department of Labor and Industries (L&I) adopted specific workplace ergonomics regulations requiring employers to reduce worker exposure to specific workplace hazards that cause or contribute to work-related musculoskeletal disorders.

Initiative 841, passed by the voters in 2003, repealed the existing ergonomics regulations. The initiative also prohibited L&I from adopting similar regulations or otherwise regulating working practices to prevent musculoskeletal disorders, until and to the extent required by the federal government.

L&I retains general authority to enforce against ergonomic-related workplace hazards under the general duty clause of the Washington Industrial Safety and Health Act (WISHA),

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which requires employers to furnish employees with a place of employment free from recognized hazards that are causing or likely to cause serious injury or death to the employees.

Summary of Bill: The restrictions on the adoption of new or amended rules dealing with musculoskeletal disorders, or that deal with the same or similar activities as the repealed state ergonomics regulations under WISHA are removed, except that the restriction remains for employee home offices until and to the extent required by the federal government.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.