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**HOUSE BILL 2266**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Stonier, Berry, Leavitt, Davis, Alvarado, Ramel, Peterson, Doglio, Ormsby, Fosse, Morgan, Simmons, and Macri

AN ACT Relating to addressing sanitary conditions for construction workers who menstruate or express milk; adding a new section to chapter 49.17 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  In addition to the primary safety and health hazards faced by all construction workers, there are safety and health issues specific to construction workers who menstruate and/or express milk. As an ongoing effort to address labor shortages in the construction industry, as well as to continue recruiting and retaining underrepresented workers in the construction trades, the legislature intends to address some of the basic barriers faced by these construction workers.

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

(1) The director shall adopt rules, pursuant to this section, to address safety and health issues specific to workers in the construction industry who menstruate or express milk, or both. The rules must be included in the rules governing construction safety standards.

(2) The rules adopted pursuant to this section must require employers in the construction industry to provide reasonable accommodations for workers who menstruate. Reasonable accommodations means providing:

(a) Bathrooms designated specifically for workers who menstruate to be accessible on job sites. Bathroom stalls must have an internal latch to be secured from inadvertent entry. If there is more than one individual bathroom stall within a larger room, the larger room must be lockable to secure the entire room from inadvertent entry;

(b) Adequate space and time to accommodate for multiple layers of clothing while using the bathroom; and

(c) Menstrual hygiene products available at no cost to the workers. Menstrual hygiene products must either be located in all gender-neutral bathrooms and bathrooms designated for workers who menstruate, or provided in kits for each worker who need such products.

(3) The rules adopted pursuant to this section must require employers in the construction industry to provide reasonable accommodations for workers to express milk. Reasonable accommodations means providing:

(a) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for the expression of milk;

(b) A location, other than a bathroom, that is convenient and sanitary for the worker to express milk. The location must be private, free from intrusion, and lockable;

(c) A convenient hygienic refrigerator on the worksite for the storage of milk; and

(d) A convenient water source for the worker to clean and wash hands and milk expression equipment. The water source must be in a private location near the location where milk is expressed.

(4) On multi-employer worksites, each employer is responsible for ensuring that facilities for their own workers are provided.

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