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**SENATE BILL 6107**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Cleveland, Keiser, Dhingra, Frame, Hasegawa, Kuderer, Liias, Nguyen, Saldaña, Valdez, Van De Wege, and C. Wilson

Read first time 01/10/24. Referred to Committee on Labor & Commerce.

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

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

5 NEW SECTION. **Sec. 1.** In addition to the primary safety and  
6 health hazards faced by all construction workers, there are safety  
7 and health issues specific to construction workers who menstruate  
8 and/or express milk. As an ongoing effort to address labor shortages  
9 in the construction industry, as well as to continue recruiting and  
10 retaining underrepresented workers in the construction trades, the  
11 legislature intends to address some of the basic barriers faced by  
12 these construction workers.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17  
14 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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