

**WAC 296-800-100 Introduction. The safety and health core rules: Your foundation for a safe and healthful workplace.** This book contains basic safety and health rules that affect all employers and should cover almost everything small, nonmanufacturing employers need for a safe and healthful workplace. These core rules include requirements for your accident prevention program, personal protective equipment, first aid, and basic electrical rules.

Note: You may need to comply with other safety and health rules. For a complete list of these rules go to <http://www.lni.wa.gov/Safety/Rules/Find/RuleName/>.

#### **What are L&I, WISHA and DOSH?**

The department of labor and industries (L&I) is a state agency that provides many different services:

- The division of occupational safety and health (DOSH) is responsible for workplace safety and health, including inspections and enforcement, consultation, technical assistance, training, education and grants.
- Workers' compensation (or industrial insurance), including claims management, rate setting, medical payments, and research.
- Specialty compliance services, including contractor registration, electrical inspections, boiler and elevator inspections, apprenticeship programs and employment standards.

Many of these services are available from L&I's regional offices. Go to this website for the most current list. <http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations/>.

In 1973, the legislature passed the Washington Industrial Safety and Health Act (WISHA) see Revised Code of Washington (chapter 49.17 RCW). WISHA requires employers to provide safe and healthful workplaces for all employees. It gives L&I/DOSH the responsibility to establish and enforce workplace safety and health rules. These rules are the Washington Administrative Code (WAC).

#### **How does DOSH work?**

The Washington Industrial Safety and Health Act (WISHA) covers nearly all employers and employees in Washington, including employees who work for the state, counties, and cities. L&I inspectors within DOSH enforce safety and health rules by inspecting workplaces without advance notice including investigations of work-related deaths, injuries, and employees' complaints. When DOSH inspectors find a violation in a workplace, they issue a citation to the employer and a penalty may be attached. If you have questions about whether you are covered by WISHA, call 1-800-4BE SAFE (1-800-423-7233) or a local office of L&I. <http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations/>.

#### **What is OSHA and its relationship to DOSH?**

The U.S. Congress created the Occupational Safety and Health Administration (OSHA) in 1971 to develop and enforce workplace safety and health rules throughout the country. States may choose to run their own safety and health programs as long as they are at least as effective as OSHA. Washington state has chosen to run its own program and most employers in the state, therefore, are subject to enforcement by L&I and not by federal OSHA.

In Washington state, OSHA covers workplaces with federal employees, nonfederal employees working on federal reservations and military bases, employees working on floating worksites (floating dry docks, fishing boats, construction barges), and employees working for tribal employers on tribal lands.

#### **Does WISHA apply to you?**

WISHA applies to almost every employer and employee in Washington. WISHA applies to you if:

- You hire someone to work for you as an employee, including workers from a temporary agency.
- You are hired to work for someone as their employee.
- You own your own business or you are a corporate officer and have elected industrial insurance coverage for yourself.
- You have a contract with someone else that primarily involves personal labor, even though you are not required to pay industrial insurance or unemployment insurance premiums.
- You volunteer your personal labor, or you have volunteers working for you who receive any benefit or compensation.

If you have any questions about your particular situation, call **1-800-4BE SAFE (1-800-423-7233)** or contact your local office of L&I for help. <http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations/>.

**Are there other safety and health rules I need to know about?**

In addition to the rules in the *DOSH Safety and Health Core Rules* book, there are other general safety and health rules that may apply to employers, depending upon the industry and workplace activities. See this website for a complete list of safety and health rules administered by L&I. <http://www.lni.wa.gov/Safety/Rules/Find/RuleName/>. If you have questions about these rules call 1-800-4BE SAFE (1-800-423-7233) or your local office of L&I.

**How do the safety and health rules relate to fire, building and electrical codes?**

Fire codes: Safety and health rules contain basic requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical hazards for the protection of employees in your workplace. The rules contained in this book are the most basic requirements to make sure that as an employer you provide a safe and healthy work environment. However, these are not the only rules regarding the requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical equipment. The fire marshal and local fire authorities enforce the Uniform Fire Code (UFC). DOSH and UFC differ in some areas, for example UFC requires exit sign lettering to be 6" or more and WISHA only states that the letters have to be clearly visible. Fire codes have more detailed and extensive requirements for the protection of the public than DOSH. Some codes overlap with DOSH requirements.

Building and electrical codes: WISHA rules are minimum requirements regardless of when the building was built or remodeled. Buildings must also comply with building and electrical codes at the time of construction. If you remodel, you must comply with the building and electrical codes applicable at that time. Building authorities and electrical inspection authorities enforce rules from the Uniform Building Code (UBC), and the National Electrical Code (NEC).

You are encouraged to call your local fire, building or electrical authority. For more information on the requirements in your area look in the government section of your phone book. Copies of these codes are available at your local library.

**How can DOSH help employers and employees?**

Employers can ask DOSH safety and health consultation staff for free, confidential consulting services in your workplace. DOSH safety and health professionals can examine your workplace and make recommendations about how to comply with the safety and health rules. If the consultant finds hazards, the employer will be given a reasonable period of time to correct the hazard without citation or penalty.

Sometimes you might have to wait for an appointment because of the demand for these services. You still must provide a safe workplace while you wait for a consultation.

DOSH offers a wide variety of free services. See the website below for web access to the following information:

- Safety and health workshops held in locations throughout the state.
  - A comprehensive safety and health video lending library.
  - Safety and health publications geared for both employer and employee.
  - Website with online publications and learning opportunities.
- <http://www.lni.wa.gov/Safety/TrainingPrevention/>.

**Note:** By law, DOSH consultants do not have any enforcement authority.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 18-22-116, § 296-800-100, filed 11/6/18, effective 12/7/18. Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 01-23-060, § 296-800-100, filed 11/20/01, effective 12/1/01; WSR 01-11-038, § 296-800-100, filed 5/9/01, effective 9/1/01.]