

**WAC 296-307-14830 Provide medical removal protection benefits.**

(1) The employer must provide medical removal protection benefits for a maximum of three months on each occasion:

(a) An employee is temporarily removed from work due to depressed cholinesterase levels;

**OR**

(b) Assigned to other duties due to depressed cholinesterase levels.

(2) The employer must provide medical removal protection benefits that include maintenance of the same pay, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to organophosphate or N-methyl-carbamate pesticides or otherwise limited.

**Note:** The following are examples of how a worker's pay could be maintained while medically removed from exposure to cholinesterase-inhibiting pesticides:

1. A removed worker is assigned to work eight hours a day but the employer's pesticide handlers are working ten hours a day. The removed worker would be paid for ten hours at the handler's pay rate.
2. The farmer pays workers two dollars more per hour when they are handling organophosphate or N-methyl-carbamate pesticides. The removed worker will be paid this premium when the pesticides are being handled on the farm; however, the worker will be paid at their usual pay rate when the pesticides are not being handled on the farm.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 20-21-091, § 296-307-14830, filed 10/20/20, effective 11/20/20; WSR 06-01-074, § 296-307-14830, filed 12/20/05, effective 2/1/06; WSR 03-24-105, § 296-307-14830, filed 12/3/03, effective 2/1/04.]