

WSR 21-16-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 3, 2021, 12:45 p.m.]

Subject of Possible Rule Making: Adding a new chapter to Title 296 WAC, Department of labor and industries (L&I), for small employer emergency grants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 253, Laws of 2021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In the 2021 legislative session, ESHB 1097 was passed and has been signed into law as chapter 253, Laws 2021. The bill provided for increased worker protections from hazards in the workplace. The bill also created a safety grant program for small employers during declared states of emergency. This law was motivated by recognition of the COVID-19 pandemic's impact on small businesses, especially those that had difficulty affording the cost of meeting required safety measures and providing personal protective equipment to workers. Those that were unable to meet emergency safety and health requirements had to close. L&I is directed to engage in rule making to establish the guidance for grants based on the type, scope, and time frame of a declared state of emergency, and criteria for how grants will be prioritized.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Parties interested in the development of these rules may contact the individual listed below. The public may participate through stakeholder meetings, commenting on proposed language, and by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tracy West, Agency Rules Coordinator, L&I, Government Affairs and Policy Division, P.O. Box 44001, Olympia, WA 98504-4001, phone 360-902-6954, fax 360-902-4202, email tracy.west@Lni.wa.gov, website <https://www.Lni.wa.gov/rulemaking-activity/>; or Celia Nightingale, phone 360-742-8438, fax 360-902-5420, email celia.nightingale@Lni.wa.gov.

August 3, 2021
Joel Sacks
Director