

**WSR 22-11-070**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed May 17, 2022, 8:50 a.m.]

Subject of Possible Rule Making: The department is conducting rule making related to chapter 296-880 WAC, Unified safety standards for fall protection.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In August 2021, the division of occupational safety and health (DOSH) received notification from the Federal Occupational Safety and Health Administration (OSHA) relating to DOSH's fall protection standard. The notification advised the department of labor and industries (L&I) that DOSH needed to amend the fall protection rule in chapter 296-880 WAC in order to be at-least-as-effective-as those administered by OSHA. This rule making will consider changes to sections of the current fall protection rule that address roofing activities, including leading edge work; work performed on a flat pitch roof; and ski area facility and operations to make them at-least-as-effective-as OSHA, as required by the Washington state plan.

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed 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 Carmyn Shute, Administrative Regulations Analyst, L&I, DOSH, P.O. Box 44620, Olympia, WA 98504-4620, phone 360-902-6081, fax 360-902-5619, email Carmyn.Shute@Lni.wa.gov, website www.Lni.wa.gov.

May 17, 2022  
Joel Sacks  
Director