

WISHA ADVISORY COMMITTEE
Meeting Summary March 10, 2016

Topic	Discussion	Action/Informational Items
Welcome & Introductions	<p>Members Present: Mike Fallon, Claude Golden, Pamela Tabert, Ed Wood, Jr., and David Threedy</p> <p>Members Absent: Tammie Hetrick, Lee Newgent, and Joe Kendo</p> <p>L&I Staff Present: Anne Soiza, Craig Blackwood, Alan Lundeen, Bruce Christian, Bruce Zeller, Dave Bonauto, Lezlie Perrin, Jenifer Jellison, David Conley, Rebecca Levine, and Diane Westmoreland.</p> <p>Members of the Public Present: Sherry Baron, King County; Neil Hartman, Washington State Building and Construction Trades; Steve Cant, IBEW Local 77; Rick Means, Washington Retail Association; John Shervey, John W. Shervey and Associates; Viona Latschaw, Project Help, Washington State Labor Council; Steve Heist, Approach Management Services; Scott Dilley, Washington State Dairy Federation; Steve Harkin, Pacific Power/Pacificorp; Josh Swanson, I.U.O.E, Local 307; Corwyn Fischer, WA Farm Bureau; Jonathan Burr, K-Solutions Law; Travis Brock, Hermanson Company; Marty Cohen, University of Washington; and Mandi Kime, AGC.</p>	
Opening Remarks	<p>Anne welcomed everyone and then announced that she needed to leave the meeting early due to another obligation, so she was going to go ahead and provide the DOSH updates she'd planned to give later during the meeting.</p>	
DOSH Updates	<p>Anne reminded everyone that the National Safety Stand-Down to Prevent Falls in Construction is May 2-6, 2016. The purpose of the National Fall Prevention Stand-Down is to raise awareness of preventing fall hazards in construction. Fatalities caused by falls from elevation continue to be a leading cause of death and injury for construction workers. More information can be found on the OSHA website at: https://www.osha.gov/StopFallsStandDown/index.html</p> <p>It is also National Safety Week (May 2-6).</p> <p>OSHA is pushing forward to get the silica rule out soon. This rule will be impactful on all government, business,</p>	

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	<p>and labor. We will provide information on our ListServ once it's received.</p> <p>Anne has been representing Washington State on the National Committee on Occupational Safety and Health Subcommittee for Emergency Response and Preparedness. This rulemaking proposal is focused on how responders respond to emergencies and could have a large impact on fire departments, especially the volunteer fire departments, as the rule proposal does not come with any funding for the proposed requirements and implementation.</p> <p>Anne was asked to give an update on where we're at with the increase in penalties. Anne explained that the Congressional exemption of the federal government's ability to raise the statutory cap on penalties is now dependent on the inflation rates. Statutory cap changes are being discussed at the federal level. State Plans will not have to raise penalty maximums until OSHA does; we are still waiting for more information from OSHA on this. Washington State would need legislative approval because it's a statute change.</p>	<p>Anne suggested for those that are interested in the Emergency Response and Preparedness proposed rulemaking to read information found on the OSHA website at: https://www.OSHA.gov/</p> <p>Continue to provide updates on OSHA penalty maximums.</p> <p>Provide update on impact of Washington rule change penalty calculations.</p>
<p>DOSH Rules Update</p>	<p>Alan Lundeen, LUND235@Lni.wa.gov provided updates from the DOSH Rulemaking Summary handout. Rule timelines and details are included on the Rulemaking Summary handout.</p> <p>There are 14 active rulemaking activities in progress due to changes in the OSHA rules, or because of rule petitions.</p> <p>Fall Protection Rule (Chapter 296-155 WAC): CR-101 will be filed on 3/22/16. We will hold stakeholder meetings throughout the Spring and Summer; no dates set yet, but will be listed on the website.</p> <p>High Voltage/Helicopters (Chapter 296-45 WAC): All public hearings have been completed; great turnouts at each. We received good comments from both business and labor. Next steps: Will meet with subcommittee on 3/29/16.</p>	

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	<p>Hazardous Drugs (Chapter 296-62 WAC): No one attended the public hearings that were scheduled; moving forward. The Hazardous Drugs Advisory Committee is looking at changing its structure.</p> <p>DOSH eRules Project is ongoing. eRules for Chapter 155 are almost done.</p> <p>Telecommunications (Chapter 296-32 WAC): There has been a lot of interest from both business and labor, mostly in the cell tower area, as this is not included in the current rule. Stakeholder meetings have been scheduled for March 15th and 16th at the Tukwila L&I office; meetings are open to all.</p> <p>Lead Rule (General Industry and Construction): Planning to file a CR-101 to start rulemaking 4/19/16; staff have been looking at comments to see what rule changes may be needed. A stakeholder meeting is scheduled for 6/10/16 at the Tukwila L&I office.</p> <p>Trolley Lines (Chapter 296-155 WAC): A rule petition has been filed. This type of work has primarily been in the Seattle area and has increased over time and has required variances to do this work, which has been very time consuming. Future trolley line work is also being planned for the Vancouver, Spokane, and Tacoma areas. We are planning to file a CR-101 on 3/22/16, and the first stakeholder meeting is scheduled for 4/13/16 at the Tukwila L&I office.</p> <p>Rule information can be found at: http://www.lni.wa.gov/Safety/Rules/WhatsNew/Calendar.asp</p>	
Legislative Update	<p>The Right-To-Know statute change under Chapter 296-63 WAC replacing the Standard Industrial Code (SIC) with the North American Industrial Classification System (NAICS) passed both Houses (House Bill 2444). We will have to do rulemaking, but it will be minimal.</p>	



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Committee Updates	<p>Committee Updates:</p> <p>Process Safety Management (PSM) Advisory Committee: Committee meetings have gone well; still not talking about rulemaking, as that is not the focus. The next meeting is scheduled for 4/12/16 at the Tukwila L&I office. One of the committee members is providing a workshop at the Tukwila Community Center on 4/29/16; information will be sent out on the PSM ListServ.</p> <p>Workplace Violence Prevention in Health Care Workgroup: This is a new workgroup being formed. L&I DOSH will invite stakeholders to participate in this workgroup and will host a series of meetings to develop best practices resources that employers can use to reduce and eliminate workplace violence in the healthcare setting. More information and meeting schedules can be found at: http://www.lni.wa.gov/safety/GrantsPartnerships/Committees/WPV/default.asp</p>	
SHARP Updates	<p>Dave Bonauto, bone235@Lni.wa.gov Dave provided the following handouts at today's meeting:</p> <ul style="list-style-type: none"> • Washington State Fatality Assessment & Control Evaluation (FACE) Work-Related Fatalities Report 2015 (SHARP Publication No. 93-01-2016) • Research findings on: Isocyanate exposure from paint applied with brush or roller; and Establishment Characteristics in Injury Underreporting <p>More information provided by the SHARP Program can be found at: http://www.lni.wa.gov/Safety/Research/?F=SHPN</p>	
Recordkeeping and Reporting Video	<p>Bruce Zeller, zell235@Lni.wa.gov, showed the new Recordkeeping and Reporting video. This video is part of the <i>Eye On Safety</i> learning modules and was developed to help answer questions about the OSHA 300 form and recordkeeping and reporting requirements. The video is available online at: http://www.lni.wa.gov/safety/topics/atoz/eyeonsafety/</p>	

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SHIP Updates	<p>Jenifer Jellison, jelj235@lni.wa.gov reported that seven of ten grants have been funded. The safety and health grant cycle is open until 4/22/16 and the Return to Work grant cycle is open until further notice. Jenifer is preparing another summary that has more information. This will be sent to Committee members once it's completed. Note: Summary sent to Committee members via email on 3/21/16.</p> <p>For more information about the SHIP Program, please visit the website at: www.safetygrants.lni.wa.gov</p>	
Review of action items and future agenda topics	<ul style="list-style-type: none"> • Continue to provide penalty updates at future meetings • Request to have a SHARP staff member speak about workplace violence research and findings in the health care industry • Provide which NAICS for Right to Know billings will be affected with the legislative change • Send out link for 2015 FACE Work-Related Fatalities Report • Provide data for a five-year trend for fatalities • Provide SHIP summary document that includes additional information 	
Next WAC Meetings	<p style="text-align: center;"><u>2016 WAC Meeting Schedule:</u></p> <p style="text-align: center;">Thursday, June 9, 2016, 9:00-Noon, L&I – S117 Thursday, September 8, 2016, 9:00-Noon, L&I – S117 Thursday, December 8, 2016, 9:00-Noon, L&I – S117</p>	