

WISHA ADVISORY COMMITTEE
Meeting Summary December 6, 2018

Topic	Discussion
Welcome and Introductions	<p>Members Present: Claude Golden, Mark Gauger, Pamela Tabert, and Ed Wood, Jr.</p> <p>Members Absent: Eric Gonzales, Tammie Hetrick, Linda Williams, Samantha Grad, and Mark Riker</p> <p>L&I Staff Present: Anne Soiza, Craig Blackwood, Alan Lundeen, Tammy Fellin, Nancy Bell, Shawn Ruth, Lezlie Perrin, Dave Bonauto, Caprice Catalano, Jenifer Jellison, Yvonne Baptiste, Michael Foley, Carolyn Whitaker, Nicholas Reul, Ryan Allen and Diane Westmoreland (Recorder)</p> <p>Members of the Public Present: Holly Markee, Approach Management Services; Marty Cohen, University of Washington; Michael Sorenson, Vigilant; Dominique Damian, WA Farm Bureau; Brian Padgett, K Solutions Law; Lloyd Brooks, WA Self-Insurers Association; Nicole Errett, University of Washington; Karen Forner, K-Solutions Law; Scott Middleton, MCAWW; Andrew Scully, The Synergy Group; Nancy Bernard, WA State Department of Health; Julie Fox, WA State Department of Health; and Matthew Kadlec, WA State Department of Ecology</p>
Opening Remarks	<p>Anne Soiza, L&I Assistant Director, Division of Occupational Safety and Health, SOIZ235@lni.wa.gov</p> <p>Anne welcomed everyone and around the room introductions were made.</p>
Legislative Update	<p>Tammy Fellin, L&I Legislative Director, FELU235@lni.wa.gov</p> <p>Tammy shared that there is no word yet from the Governor’s Office whether or not L&I’s agency request bills have been approved or not. All eyes are on the budget; Governor’s proposed budget will be announced next week. L&I is proposing three, maybe 4, policy bills.</p> <p>Tammy provided a handout, <i>2019 Agency Request Bills</i>, and gave a brief description for each:</p> <ol style="list-style-type: none"> 1. (Two parts; 1a and 1b) <ol style="list-style-type: none"> 1a - Extending the temporary elevator mechanic license, expanding membership of the Elevator Safety Advisory Committee and relaxing requirements for homeowners – L&I is proposing to extend the length of time a temporary elevator mechanic license is valid from one month to one year. The Elevator Program currently issues temporary elevator mechanic licenses to individuals who have completed 75% of the education and training requirements in the category of license for the type of work performed and are certified as qualified and competent by licensed elevator contractors. This proposal would relieve the burden of more frequent renewal requests and provide sufficient time for an individual to accrue all remaining training hours needed to qualify to take the exam for the full license. It is intended to eliminate the need for renewal.

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	<p>1b – Adding members to the Elevator Safety Advisory Committee. This proposal would increase the number of Elevator Safety Advisory Committee (ESAC) members from seven to nine, and provide limited discretion to the department to appoint representatives from those groups that have more than one interested representative. Adding committee members is intended to increase stakeholder participation in the committee’s deliberations.</p> <p>2. Allowing homeowners to remove stair chair or platform lifts in their residence – This proposal would allow homeowners to remove stair chair lifts or platform lifts in their own residence without being subject to a misdemeanor. The proposal would not allow installation or alteration of these lifts, only removal. The law currently allows only licensed elevator mechanics to remove lifts in homes. Any unauthorized person doing the work could be charged with a misdemeanor. The department is currently aware of approximately 6,500 residential stair chairlifts and residential platform lifts. However, there is no way to know how accurate this figure is, as they are being removed without notification because of the potential misdemeanor charge.</p> <p>3. Creating an additional option for Factory Assembled Structures inspections – Within the department, the Factory Assembled Structures program (FAS) is responsible for approving plans and inspecting manufactured buildings. FAS staff review and approve plans before construction begins with inspections taking place at the factory to ensure all appropriate codes are met during construction. Examples of the types of structures built this way include portable classrooms, hazardous storage buildings, homes and offices. These structures must comply with the same rules and regulations as any structure built onsite. Increasingly, units are being fabricated by manufacturers located in different countries. L&I is seeking authority to delegate inspection duties through contract to a qualified entity, including private third parties. This would create another option so that L&I can make sure all of these buildings are properly inspected before being shipped into the state.</p> <p>4. Increasing consumer protections for residential homeowners who engage construction contractors – Every construction contractor wishing to do business in Washington must register with L&I. Registration includes: completing an application and submitting it to the department; purchasing a surety bond and liability insurance; and paying the registration fee of \$113.40 for two years. General contractors are required to purchase a \$12,000.00 bond. Specialty contractors must get a \$6,000.00 bond. Insurance requirements are either a \$50,000.00 property damage policy and \$200,000.00 public liability policy, or a \$250,000.00 combined single limit policy. This proposal uses existing authority to require up to three times the current bond amount if a registered contractor has a final judgement against their bond in the past five years. Current law requires three final judgements, but that criteria has never been met. The bill then establishes a workgroup to consider a series of topics to increase consumer protections, including whether: bond amounts are sufficient; additional criteria, such as training, licensing or other requirements, would provide a greater level of protection; and strategies to discourage the transfer of a business for the purpose of evading penalties or judgements under this chapter are needed.</p>

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	<p>5. Not yet listed; just recently heard about it – bill regarding reduction of prevailing wage fees for affidavits.</p> <p>Tammy mentioned that the Collective Bargaining Agreement (CBA) will cost approximately \$1 billion; the McCleary decision needs additional money added for healthcare for school employees; the Governor’s focus includes mental health, clean/green and orcas. Also included in L&I’s budget request, we asked for additional DOSH staff, over two biennia, in addition to what we’ve already got due to the increase of employers and workers in Washington State over the last 20 years.</p>
<p>Panel Discussion: Wildfire Smoke Issues</p>	<p>Panel Members: Julie Fox, ambient air environmental epidemiologist at the WA State Department of Health, Office of Environmental Public Health Sciences; Matt Kadlec, Senior Toxicologist at the WA State Department of Ecology, Air Quality Program; and Ryan Allen, Industrial Hygiene Technical Policy and Lab Program Manager in the Division of Occupational Safety and Health at the WA State Department of Labor and Industries.</p> <p>Wildfire smoke issues in Washington State have become more of a concern for all citizens in recent years as we have had some of the worst statewide smoke issues for longer periods than what has been experienced in the past.</p> <p>Each panel member gave a separate presentation. Julie’s presentation focused on evidence of health impacts from smoke exposures and what the Department of Health is doing to address this. Matt’s presentation focused on The Washington Air Quality Advisory (WAQA), the Department of Ecology’s system for information to the public about day-to-day health risks of monitored air pollutants and corresponding suggestions for people to protect themselves from impaired air quality. And Ryan’s presentation focused on Permissible Exposure Levels. The permissible exposure limit (PEL or OSHA PEL) is a legal limit in the United States for exposure of an employee to a chemical substance or physical agent such as loud noise.</p> <p>After the three presentations, the panel answered questions from the Committee Members and the audience.</p> <p>Long and ongoing conversations will need to be done over time to work together to see what government and other entities can do to address wildfire smoke issues for the prevention of and to reduce exposure risks.</p> <p>Note: Copies of all three presentations are available upon request. Contact Diane Westmoreland at wesm235@Lni.wa.gov, or 360-902-5494</p>
<p>Review of action items and future agenda topics</p>	<p>Anne asked the Committee Members: What can we do regarding hazardous ratings vs. what our limitations are for PELs? Need committee advice; not necessarily rulemaking. (DOSH has large gaps of what is considered unhealthy or hazardous ratings of exposure vs. our PELs for air quality issues/total particulates)</p>

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Next WAC Meeting	<p style="text-align: center;"><u>2019 WISHA Advisory Committee Meeting Schedule</u></p> <ul style="list-style-type: none"> • Thursday, March 7th, 9:00 a.m. to Noon, L&I Tumwater Building, Room S117 • Thursday, June 6th, 9:00 a.m. to Noon, L&I Tumwater Building, Room S117 • Thursday, September 12th, 9:00 a.m. to Noon, L&I Tumwater Building, Room S117 • Thursday, December 12th, 9:00 a.m. to Noon, L&I Tumwater Building, Room S117