

Agenda

March 20, 2024, 9:00 am - 12:00 pm

Department of Labor & Industries HQ (Tumwater) - Room S117 or Virtual Meeting via Teams (Details Below)

<u>Time</u>	<u>Topic/Presenter</u>	<u>Purpose/Topic</u>
9:00-9:10	Welcome and Opening Remarks/Committee Update Craig Blackwood, DOSH Assistant Director	Welcome/Informational
9:10-10:30	Ergonomics Update Craig Blackwood, DOSH Assistant Director Beth Covert, Ergonomics Implementation Manager Please review attached PowerPoint to review topics of discussion Background: RCW 49.17.520 authorizes L&I to adopt rules for work-related musculoskeletal disorder (WMSD) hazards, with constraints: <ul style="list-style-type: none"> ▪ Only one rule for an industry or a risk class in a 12-month period ▪ Industry or risk class must have a compensable WMSD claim rate greater than two times the overall state rate, including all subdivisions ▪ May not adopt emergency rules ▪ May not adopt rules for employee home offices Requires L&I to annually publish: <ul style="list-style-type: none"> ▪ Industries and risk classes eligible for rule making ▪ “Low priority” industries or risk classes based on decreasing statistical trend ▪ “High priority” industries or risk classes most likely to be selected for future rule making ▪ Review of compensable WMSD claims ▪ Are the leading type of occupational injury in WA– 1/3 of all compensable claims ▪ Affect the muscles, nerves, tendons, joints, cartilage, spinal disks and other components of the musculoskeletal system ▪ Are caused by overexertion; repetition; bodily reaction from bending, climbing, crawling, reaching, twisting, sitting, or standing; being jarred by vibration ▪ Are <i>not</i> injuries resulting from impact such as falls, struck by/against events, cuts or motor vehicle crashes Tables discussed are viewable in attached PowerPoint. Next Steps: <ul style="list-style-type: none"> ▪ One industry or risk classification from “high priority” list will be selected for rulemaking in spring 2024 <ul style="list-style-type: none"> – File CR-101 – Assemble advisory committee to develop proposed rule language – Seek input from stakeholders ▪ DOSH consultation services will be available for technical assistance 	Informational

	<ul style="list-style-type: none"> ▪ Continue to review data and publish annual lists of those “eligible for rule-making” and “high priority” <p>Recommendation discussion:</p> <ul style="list-style-type: none"> ▪ Advisory Committee input for L&I as we make the decision to pick the NAICS or Risk Class for the first rulemaking. <p>To provide feedback or questions please contact: ergonomics@lni.wa.gov</p>	
10:30-10:45	Break	Informational
10:45-11:15	<p>DOSH Rules Update Ryan Allen, Standards and Technical Services Program Manager</p> <ul style="list-style-type: none"> • Fire Fighters <ul style="list-style-type: none"> ○ Anticipated adoption date of 4/16/24 with an effective date of 5/17/24 ○ Updated WAC 296-305-03002 Hazardous Materials. NFPA and NIOSH have updated information around protective ensembles and SCBA’s. Rule updates are bringing our codes around selection of protective ensembles up to date with current technological advancements. ○ Updated WAC 296-305-04001 Respiratory Protection. Updated reference for ANSI/CGA G6-1 • Wildfire Smoke <ul style="list-style-type: none"> ○ Update AQI levels (Adopting EPA changes in AQI) ○ PM 2.5 levels did not change, our respiratory protection decisions were based on PM 2.5 exposure. The AQI overall did adjust as the AQI has multiple different components within its calculation. ○ We adopted AQI reference points because it is an easier source of information to access, via phone, news, radio, etc. ○ We intend to file a CR105 in April. ○ Federal Register • Penalties <ul style="list-style-type: none"> ○ CR101 to be filed on 3/26 ○ Partly in response to OSHA’s SAMM report where our penalties are falling below the national average (previous rulemaking adjusted max penalties) ○ Updating appeal language to allow for more efficient and practical communication with the department when filing an appeal. Such as adding email as a method to submit. 	All



	<ul style="list-style-type: none"> ○ There are also considerations in adjusting: <ul style="list-style-type: none"> ▪ Quick Fix ▪ Good Faith ▪ Penalty multipliers for fatalities and hospitalizations ● Core Rules <ul style="list-style-type: none"> ○ Definitions ○ Biological hazards – Safe Place ○ Safety committees/meetings ○ Biological agents ○ APP ○ First-aid training ○ PPE ○ Job Safety and Health Law Poster ○ Safe workplace (floors) ● VPPE <ul style="list-style-type: none"> ○ Public Hearings <ul style="list-style-type: none"> ▪ 4/23 – Spokane ▪ 4/30 – Tukwila ▪ 5/2 – Virtual ○ Comment deadline: 5/17/2024 ● FRMA <ul style="list-style-type: none"> ○ Stakeholder meeting 4/22/24 (Tukwila) ○ Creating a curriculum for Fire Proofing installation and building a certification program to certify workers. ● Cranes <ul style="list-style-type: none"> ○ Stakeholder meetings: <ul style="list-style-type: none"> ▪ 4/2 - Tukwila ▪ 4/3 - Spokane ● Warehouse <ul style="list-style-type: none"> ○ Public Hearings: <ul style="list-style-type: none"> ▪ 4/9 – Spokane ▪ 4/11 – Virtual ▪ 4/15 – Tukwila ○ Comment deadline: 4/22/2024 ○ Rule in place by 7/1/2024 ● Workplace Violence in Healthcare <ul style="list-style-type: none"> ○ Merging RCW 49.19, 49.95, and 72.23.400-420 ○ Rule language will mostly mirror the already passed legislation 	
<p>11:15-11:30</p>	<p>SHARP Update Todd Schoonover, Industrial Hygiene Research Manager Please review attached SHARP document to review topics of discussion</p> <p>Technical Reports</p> <ul style="list-style-type: none"> ● DOSH Compliance Effectiveness in Washington State, 	<p>Informational</p>

	<p style="text-align: center;">2021-2022</p> <ul style="list-style-type: none"> • Washington State’s occupational respiratory disease surveillance system, 2017 – 2022: Surveillance methods and evaluation • Employment Data in Washington’s Rapid Health Information Network (RHINO) <p>Legislative Reports</p> <ul style="list-style-type: none"> • Washington State Janitorial Workload Study: Progress report to the Legislature, December 2023 <p>Prevention Resources</p> <ul style="list-style-type: none"> • Agriculture Hazard Alerts: <ul style="list-style-type: none"> ○ Preventing Farm Worker ATV Crash Deaths Spanish ○ Foreman’s Leg Crushed in Power Takeoff Shaft Spanish • FACE Fatality/Injury Narratives & Slideshows: <ul style="list-style-type: none"> ○ Truck Driver Crushed by Freight Pushed Off Flatbed Trailer (slideshow) ○ Heavy Equipment Mechanic Dies Repairing Excavator (slideshow) ○ Clerk Shot in Robbery of Family Gas Station (slideshow) Punjabi (slideshow) <p>Research and Data Summaries</p> <ul style="list-style-type: none"> • Annual Washington Accepted State Fund Heat-Related Illness Workers’ Compensation Claims (in English and Spanish): 2022 2021 <p>About the SHARP Program SHARP (Safety & Health Assessment & Research for Prevention) is a workplace safety and health research and prevention program within L&I.</p> <p>Our research brings together information from available data, site visits at participating employers, interviews with workers and safety professionals, and the scientific literature. Our aim is to prevent workplace injuries and illnesses by developing practical solutions that benefit workers and employers.</p> <p>For more information about SHARP’s ongoing projects, publications, and to sign up for our newsletter, visit: https://lni.wa.gov/safety-health/safety-research/about-sharp</p>	
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WISHA ADVISORY COMMITTEE

11:30-11:45	Open Forum <ul style="list-style-type: none">• Pacific Northwest Safety Symposium• Maritime and Construction Safety Day – information and registration	All
11:45-12:00	Review of Action Items and Future Agenda Topics – All	Planning for Next Meeting

Microsoft Teams Meeting

[Click here to join the meeting](#)

Meeting ID: 293 094 867 616

Passcode: 43QCBT

Or call in (audio only)

[+1 253-372-2181,,384431985#](#) United States, Tacoma

Phone Conference ID: 384 431 985#

Ergonomic Initiative Project and Rulemaking (RCW 49.17.520)

*Beth Covert, Ergonomics Initiative Implementation Manager
Division of Occupational Safety and Health*



Background: RCW 49.17.520¹

Authorizes L&I to adopt rules for work-related musculoskeletal disorder (WMSD) hazards, with constraints:

- Only one rule for an industry or a risk class in a 12-month period
- Industry or risk class must have a compensable WMSD claim rate greater than two times the overall state rate, including all subdivisions
- May not adopt emergency rules
- May not adopt rules for employee home offices

¹ [RCW 49.17.520: Rules related to preventing musculoskeletal injuries. \(wa.gov\)](https://www.wa.gov/rcw/default.aspx?title=49&chapter=17§ion=520)

Background: RCW 49.17.520¹

Requires L&I to annually publish:

- Industries and risk classes eligible for rule making
- “Low priority” industries or risk classes based on decreasing statistical trend
- “High priority” industries or risk classes most likely to be selected for future rule making
- Review of compensable WMSD claims

¹ [RCW 49.17.520: Rules related to preventing musculoskeletal injuries. \(wa.gov\)](https://www.wa.gov/legislation/RCW/49/49.17/49.17.520)

Background: Work-related musculoskeletal disorders (WMSDs)

- Are the leading type of occupational injury in WA– 1/3 of all compensable claims
- Affect the muscles, nerves, tendons, joints, cartilage, spinal disks and other components of the musculoskeletal system
- Are caused by overexertion; repetition; bodily reaction from bending, climbing, crawling, reaching, twisting, sitting, or standing; being jarred by vibration
- Are *not* injuries resulting from impact such as falls, struck by/against events, cuts or motor vehicle crashes

Project progress to date

Date	Task
August 2023	Project kickoff and charter signed
November 2023	Website launched
November 2023	'Industries and Risk Classifications Eligible for Ergonomic Rulemaking' report published
January through March 2024	Gather preliminary input and pare down priority list

High priority list, NAICS:

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE	Predicted rate ratio <2 2024	Number of workers' compensation accounts	Average number of compensable WMSD claims per year	Average number of FTE per year
23814	Masonry Contractors	2.9	12.9	N	588	22.8	1,762.8
31171	Seafood Product Preparation and Packaging	2.3	10.3	N	67	36.2	3,501.4
31181	Bread and Bakery Product Manufacturing	2.3	10.4	N	630	54.4	5,246.5
31211	Soft Drink and Ice Manufacturing	2.5	10.9	N	49	27.2	2,494.9
42441	General Line Grocery Merchant Wholesalers	3.3	14.8	N	179	137.0	9,253.0
42481	Beer and Ale Merchant Wholesalers	2.7	11.8	N	101	36.80	3,126
44413	Hardware Stores	2.4	10.9	N	327	96.60	8,901
44511	Supermarkets and Other Grocery (except Convenience) Stores	2.5	11.2	N	898	424.60	38,062
45291	Warehouse Clubs and Supercenters	2.9	12.8	N	12	364.60	28,452
48111	Scheduled Air Transportation	4.7	21.0	N	49	226.60	10,789
48412	General Freight Trucking, Long-Distance	2.5	10.9	N	1,373	107.40	9,848
48421	Used Household and Office Goods Moving	3.9	17.3	N	399	31.80	1,836
492	Couriers and Messengers	4.2	18.8	N	664	278.4	14,839.3
562*	Waste Management and Remediation Services	2.5	11.0	N	705	105.0	9,584.5
62191	Ambulance Services	4.7	21.0	N	58	49.40	2,354
62321	Residential Intellectual and Developmental Disability Facilities	3.4	15.1	N	22	41.20	2,729
92216	Fire Protection	3.3	14.8	N	281	83.80	5,681

*Excludes NAICS 5629

High priority list, risk class:

Risk class (4-digit) code	Risk class (4-digit) description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE	Predicted rate ratio <2 2024	Number of workers' compensation accounts	Average number of compensable WMSD claims per year	Average number of FTE per year
0302	Masonry Construction	3.9	17.3	N	1,025	24.4	1,407.3
0507	Roof Work – Construction and Repair	3.2	14.3	N	3,479	55.4	3,872.2
2002	Freight Handling Services	3.2	14.1	N	408	68.6	4,852.0
2103	Fulfillment Centers	10.5	46.5	N	6	306.2	6,580.0
3403	Aircraft Manufacturing	2.3	10.2	N	31	523.0	51,256.3
3906	Bakeries, Cracker, Pasta, Confection-Manufacturing/Wholesale, NOC	2.9	12.9	N	299	59.8	4,619.5
6105	Hospitals, NOC	2.3	10.0	N	81	858.2	85,789.4
6108	Nursing and Convalescent Homes	2.2	9.6	N	355	173.2	18,126.4
6402	Supermarkets	2.6	11.5	N	475	436.2	37,998.1
6407	Wholesale Stores, NOC incl. wholesale/retail combination	2.8	12.5	N	1,851	252.0	20,145.1
6801	Scheduled Airlines - Flight Crew	3.0	13.3	N	22	60.6	4,545.2
6802	Scheduled Airlines - Ground Crew	10.6	47.0	N	37	167.4	3,558.5
6904	County and City Fire fighters - Salaried	4.9	21.8	N	247	206.4	9,456.3
7201	State Patient and Health Care Personnel, NOC	4.5	19.9	N	44	69.6	3,495.1

Narrowed Down List *In order by risk class/NAICS

Risk class (4-digit) code	Risk class (4-digit) description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE	Predicted rate ratio <2 2024	Number of workers' compensation accounts	Average number of compensable WMSD claims per year	Average number of FTE per year
2103	Fulfillment Centers	10.5	46.5	N	6	306.2	6,580.0
6108	Nursing and Convalescent Homes	2.2	9.6	N	355	173.2	18,126.4
6407	Wholesale Stores, NOC including wholesale/retail combination	2.8	12.5	N	1,851	252.2	20,15.1
6802	Scheduled Airlines – Ground Crew	10.6	47.0	N	37	167.4	3,558.5

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE	Predicted rate ratio <2 2024	Number of workers' compensation accounts	Average number of compensable WMSD claims per year	Average number of FTE per year
42441	General Line Grocery Merchant Wholesalers	3.3	14.8	N	179	137.0	9,253.0

Industry Summary

Businesses in risk class 2103* offer merchandise in an online marketplace, operate warehouses that store, select, pack and ship customer orders for their own merchandise and third-party seller merchandise and use automated vehicles and robotics. Common tasks include unloading trailers, unpacking cases, stowing items, picking and packing orders, loading trailers, and sorting items for final delivery.



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Work-related Musculoskeletal Disorders (WMSDs)

Fulfillment Centers have a compensable** WMSD rate that is more than ten times the statewide average for all industries.

WMSD Compensable Claim Rate per 1,000 FTEs

Statewide Average 4.4

Fulfillment Centers 46.5

Common causes of WMSDs	Injury description examples
Repetitive placing, grasping, or moving objects	"Gripping 500 packages an hour"
Lifting boxes, crates, cartons	"Unloading 40+ pound boxes from truck"
Bending, climbing, crawling, reaching or twisting	"Squatting to pull items out of lower bin"
Pushing or pulling cart, dolly, hand truck	"Pulling overweight pallets"

Top three occupations reporting WMSDs

1. Stock clerks and order fillers
2. Manual freight, stock, and material movers
3. Manual packers and packagers

Workers with more serious WMSDs received time loss benefits. Most of these workers needed 56+ days to recover before returning to work.

Ideas for preventing WMSDs

- Use ergonomics analysis tools to set a reasonable pace of work.
- Use height adjustable pallet lifts and carts to allow lifting at waist level.
- Use vacuum lifts for lifting cases when unloading and loading trailers, and when palletizing.
- Use powered pallet jacks to move heavy pallets.

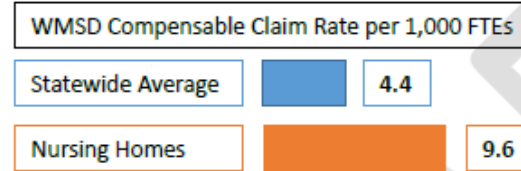
Industry Summary

Employers in risk class 6108* operate skilled nursing facilities, including nursing homes, rehabilitation centers, and similar facilities. Common tasks include assisting residents with activities of daily living, transferring residents and repositioning them in bed, providing rehabilitative therapies, dispensing medications, doing laundry, preparing and serving meals, and housekeeping.



Work-related Musculoskeletal Disorders (WMSDs)

Nursing Homes and Skilled Nursing Centers have a compensable** WMSD rate that is more than twice the statewide average for all industries.



Common causes of WMSDs	Injury description examples
Lifting during resident care activities	"Transferring resident from wheelchair to bed"
Holding or turning residents	"Boosting resident to head of bed"
Pushing or pulling objects	"Pulling a hooyer lift when transferring a resident"
Bending, climbing, crawling, reaching or twisting	"Knelt down to put shoes on a resident"

Top three occupations reporting WMSDs

1. Nursing aides, orderlies, and attendants
2. Personal and home care aides
3. Registered nurses

Workers with more serious WMSDs received time loss benefits. Most of these workers needed 28+ days to recover before returning to work.

Ideas for preventing WMSDs

- Develop a safe resident handling and mobility plan and train caregivers, with competency testing, on use of equipment and procedures.
- Use sit-stand lifts and total body lifts in place of stand pivot transfers with a gait belt.
- Use lift assist devices for bringing residents up from the floor when they have fallen.
- Use friction-reducing slider sheets when boosting residents in bed.

Industry Summary

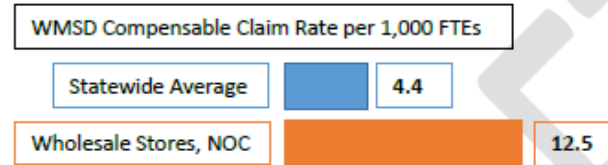
Businesses in risk class 6407* sell wholesale merchandise, or have combined wholesale and retail sales of merchandise not covered by another risk classification (Not Otherwise Classified). Common tasks include receiving, warehousing, order selecting, packing and shipping of goods, either to other businesses or direct to customers.



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Work-related Musculoskeletal Disorders (WMSDs)

Wholesale Stores, NOC have a compensable** WMSD rate that is almost three times the statewide average for all industries.



Common causes of WMSDs	Injury description examples
Repetitive placing, grasping or moving objects	"Continuous packing for long hours"
Lifting boxes, crates, or cartons	"Lifting boxes unloading a truck"
Pushing or pulling carts, dollies or hand trucks	"Pulling a pallet jack into a trailer"
Bending, climbing, crawling, reaching or twisting	"Wrapping a pallet low to the ground"

Top three occupations reporting WMSDs

1. Retail salespersons
2. Manual freight, stock, and material movers
3. Cashiers

Workers with more serious WMSDs received time loss benefits. Most of these workers needed 17+ days to recover before returning to work.

Ideas for preventing WMSDs

- Arrange for incoming shipments on pallets or slip sheets instead of floor-loaded loose freight.
- Use height-adjustable packing tables.
- Use powered pallet jacks to move heavier goods.
- Wrap pallets with a long-handled tool to avoid awkward postures.

Industry Summary

Employers in risk class 6802* operate scheduled airlines. Ground crews include baggage handlers and aircraft maintenance workers. Common tasks include checking in passenger baggage, loading baggage into containers and carts, and transferring bags to conveyors for stacking in the cargo hold of aircraft.



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Work-related Musculoskeletal Disorders (WMSDs)

Airline Ground Crews have a compensable** WMSD rate that is more than ten times the statewide average for all industries.

WMSD Compensable Claim Rate per 1,000 FTEs

Statewide Average

4.4

Air Transportation
Ground Crew

47.0

Common causes of WMSDs	Injury description examples
Lifting and throwing luggage and cargo	"Lifting heavy bags in the bin of an airplane"
Repetitive placing, grasping or moving objects	"Loading and unloading bags and freight"
Bending, climbing, crawling, reaching or twisting	"On my knees throwing heavy objects"
Pushing or pulling carts or wheelchairs	"Pulling a cart and pushing a tug at the same time"

Top three occupations reporting WMSDs

1. Transportation workers, all other
2. Customer service representatives
3. Manual freight, stock, and material movers

Workers with more serious WMSDs received time loss benefits. Most of these workers needed 24+ days to recover before returning to work.

Ideas for preventing WMSDs

- Install conveyors inside the terminal where passengers can place their own checked bags.
- Use lifting devices to transfer bags between conveyors and carts.
- Use extendable conveyors inside the cargo hold of narrow body aircraft.

Industry Summary

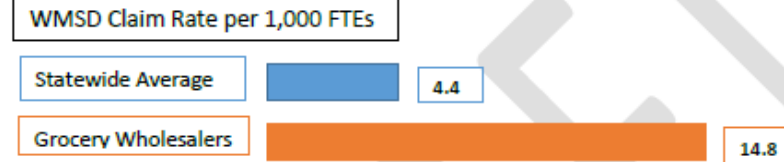
Employers in the North American Industry Classification System (NAICS) code 42441* distribute a general line (wide range) of grocery products. Common tasks include receiving freight, selecting customer orders in warehouses, and delivering orders to grocery stores, restaurants, health care facilities, and other customers.



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Work-related Musculoskeletal Disorders (WMSDs)

General Line Grocery Wholesalers have a compensable** WMSD rate that is more than three times the Washington statewide average for all industries.



Common causes of WMSDs	Injury description examples
Lifting boxes, bags, sacks and totes	"Carrying 60 pounds and bending under a rack."
Repetitive grasping or moving objects	"Picking up 2,500 cases per day."
Bending, climbing, crawling, reaching or twisting	"Bent over to pick up a box of cheese."
Pushing or pulling carts, dollies and hand trucks	"Pushing a dolly with 300 pounds of product."

Top three occupations reporting WMSDs

1. Retail salespeople
2. Stock clerks and order fillers
3. Truck drivers

Workers with more serious WMSDs received time loss benefits. Most of these workers needed 20+ days to recover before returning to work.

Ideas for preventing WMSDs

- Place heavy or frequently picked items where they can be handled without bending, twisting or reaching.
- Use a carton clamp or layer picker to break down pallets of product to reduce lifting above shoulder level.
- Use lifting analysis tools to set reasonable pick rates.
- Raise low-stacked items with an additional rack, empty pallets, or a pallet lift in order to bring the items to waist height.

Next steps

- One industry or risk classification from “high priority” list will be selected for rulemaking in spring 2024
 - File CR-101
 - Assemble advisory committee to develop proposed rule language
 - Seek input from stakeholders
- DOSH consultation services will be available for technical assistance
- Continue to review data and publish annual lists of those “eligible for rule-making” and “high priority”

Recommendation Discussion

- Advisory Committee input for L&I as we make the decision to pick the NAICS or Risk Class for the first rulemaking.



Technical Reports

- [DOSH Compliance Effectiveness in Washington State, 2021-2022](#)
- [Washington State's occupational respiratory disease surveillance system, 2017 – 2022: Surveillance methods and evaluation](#)
- [Employment Data in Washington's Rapid Health Information Network \(RHINO\)](#)

Legislative Reports

- [Washington State Janitorial Workload Study: Progress report to the Legislature, December 2023](#)

Prevention Resources

- Agriculture Hazard Alerts:
 - [Preventing Farm Worker ATV Crash Deaths | Spanish](#)
 - [Foreman's Leg Crushed in Power Takeoff Shaft | Spanish](#)
- FACE Fatality/Injury Narratives & Slideshows:
 - [Truck Driver Crushed by Freight Pushed Off Flatbed Trailer \(slideshow\)](#)
 - [Heavy Equipment Mechanic Dies Repairing Excavator \(slideshow\)](#)
 - [Clerk Shot in Robbery of Family Gas Station \(slideshow\) | Punjabi \(slideshow\)](#)

Research and Data Summaries

- Annual Washington Accepted State Fund Heat-Related Illness Workers' Compensation Claims (in English and Spanish): [2022](#) | [2021](#)

About the SHARP Program

SHARP (Safety & Health Assessment & Research for Prevention) is a workplace safety and health research and prevention program within L&I.

Our research brings together information from available data, site visits at participating employers, interviews with workers and safety professionals, and the scientific literature. Our aim is to prevent workplace injuries and illnesses by developing practical solutions that benefit workers and employers.

For more information about SHARP's ongoing projects, publications, and to sign up for our newsletter, visit: <https://lni.wa.gov/safety-health/safety-research/about-sharp>