

**WISHA ADVISORY COMMITTEE**  
**Meeting Summary September 12, 2019**

Topic	Discussion
<b>Welcome and Introductions</b>	<p><b>Members Present:</b> Mark Gauger, Pamela Tabert, Ed Wood, Jr., Claude Golden, and Linda Williams</p> <p><b>Members Absent:</b> Tammie Hetrick , Samantha Grad, and Mark Riker</p> <p><b>L&amp;I Staff Present:</b> Anne Soiza, Craig Blackwood, Alan Lundeen, Dave Bonauto, Jenifer Jellison, John Geppert, Lou Flores, Jeff Killip, Ryan Allen, Yvonne Baptiste, and Diane Westmoreland (Recorder)</p> <p><b>Members of the Public Present:</b> Michael Sorenson, Vigilant; Dominique Damian, WA Farm Bureau; Rick Means, WA Retail; Scott Dilley, WA State Dairy Federation; Holly Markee, AMS; Kathy Petruzelli, WSLC; Marty Cohen, UW; Mandi Kime, AGC; and Robert Hallenbeck, Vigilant</p>
<b>Opening Remarks</b>	<p><b>Anne Soiza, L&amp;I Assistant Director, Division of Occupational Safety and Health,</b> <a href="mailto:SOIZ235@Lni.wa.gov">SOIZ235@Lni.wa.gov</a></p> <p>Anne welcomed everyone and around the room introductions were made.</p>
<b>Implementation Plans for Bills that Passed the Legislature in 2019 that have Key DOSH Impact</b>	<p><b>Alan Lundeen, Senior Manager for DOSH Standards, Technical and Laboratory Services</b> <a href="mailto:LUND235@Lni.wa.gov">LUND235@Lni.wa.gov</a></p> <p><b>ESHB 1817 – Ensuring for a skilled and trained workforce in high hazard facilities.</b> This is the biggest impact to DOSH as there are five refineries in Washington. We are working with the state apprenticeship program; California already has this training. We will honor reciprocity, e.g., training received in other states; will be similar to DOSH’s asbestos program; training/certification effective 1-1-2020, but will not enforce training requirements until 1-1-2021.</p> <p><b>EHB 1756 – Concerning the safety and security of adult entertainers.</b> Just started rulemaking.</p> <p><b>HB1673 – Exempting information relating to the regulation of explosives from public disclosure.</b> Vulnerability to locations where explosives are stored. By 12-1-2023, will review to see how this is working.</p> <p><b>HB 1931 – Concerning workplace violence in health care settings.</b> State hospitals are not included under this bill as they have other requirements for protection.</p> <p><b>SB 5175 – Concerning firefighter safety.</b> Not DOSH specific; is more about best practices. SHARP is heavily involved with the implementation.</p>

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	<p><b>SB 5550 – Implementing the recommendations of the pesticide application safety work group.</b> Establishes a committee; Anne designated as L&amp;I’s representative, which is the only impact to DOSH. This committee will be similar to PIRT (Pesticide Incident Review Team).</p> <p><b>SB 5258- Preventing the sexual harassment and sexual assault of certain isolated workers.</b> DOSH will create recommendations for panic buttons; what works/what does not.</p> <p>Comments and discussion were shared regarding issues and concerns about the safety and security of adult entertainers that hopefully will be addressed with the new legislation passed for EHB 1756</p>
<p><b>Rules Update</b></p>	<p><b>Alan Lundeen, Senior Manager for DOSH Standards, Technical and Laboratory Services</b> <a href="mailto:LUND235@lni.wa.gov">LUND235@lni.wa.gov</a></p> <p><b>Lead:</b> The last two stakeholder meetings will be held in September. Anne encouraged feedback even if people are not lead experts to be sure the rule is clearly written. If the rule is complicated, does not help worker safety. This is a complex rule, but if all goes well, the proposed rule should be completed by Spring 2020</p> <p><b>Recordkeeping and Reporting:</b> This has been a four year rulemaking project; will be effective 1-1-2020; in line with OSHA.</p> <p><b>Walking Working Surfaces:</b> After some clarification, we have not received any push back from stakeholders.</p> <p><b>Asbestos Removal and Encapsulation:</b> Stakeholder meetings planned for October, but if delayed, will push meeting dates out to after the holidays.</p> <p>Question from the audience: Will there be a place on the new website where the public can see a schedule of all the public hearings? Answer: Yes, if all goes well with the web redesign. No new information will be added or changed in October and November as the site will be locked down for implementation.</p> <p>Question from the Committee: Wondering why things got slowed down for the tunneling rule. Answer: Other rulemaking priorities took over. Currently DOSH has 33 rules we’re actively working on.</p>

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SHARP Update	<p><b>Dave Bonauto, SHARP Research Director, <a href="mailto:BONE235@lni.wa.gov">BONE235@lni.wa.gov</a></b></p> <p>Dave talked about the firefighter legislation (SB 5175) and provided some history and background dealing with occupational exposures and diseases affecting firefighters. After 911, more things were recognized as contributing to health issues for firefighters/other workers, e.g., carcinogen causing factors they were exposed to. There is a SHIP grant product that was completed that developed a best practices manual to raise awareness and help reduce the number of cancer deaths in the fire service, titled <i>Healthy In Healthy Out</i>. The manual also addresses the safety and health of workers in structures and includes information about lifting persons out of fires. This new legislation includes a reduced industrial insurance rate incentive for a premium discount (for professional fire departments, but not volunteer fire departments).</p> <p>Dave summarized the contents of the packet of handouts and provided highlights on the following:</p> <ul style="list-style-type: none"> <li>• A publication providing information on how someone’s health impacts their work; worker health profiles</li> <li>• The SHARP program supports a lot of safety initiatives, e.g. hazard bulletins for the logging industry</li> <li>• <i>Washington State Work-Related Fatalities Report 2018</i> (included in the handout packet and available on the SHARP website at: <a href="https://lni.wa.gov/safety-health/safety-research/about-sharp">https://lni.wa.gov/safety-health/safety-research/about-sharp</a>)</li> <li>• One page summaries on a variety of topics</li> <li>• The janitorial information has been translated into six other languages</li> <li>• SHARP staff have been out visiting the janitorial industry to learn more; diverse cultural industry, many non-English speaking workers and are afraid to talk to government entities</li> <li>• Results from the <i>Washington Firefighter Survey 2018</i> led by Jennifer Marcum. From the data that was collected, they got a sense of firefighters’ overall health, including their mental emotional health, as well as their injuries and illnesses from exposures.</li> </ul> <p>For a complete list of the publications brought to today’s meeting, contact Diane Westmoreland at <a href="mailto:WESM235@lni.wa.gov">WESM235@lni.wa.gov</a></p> <p>A Committee member asked Dave to refresh everyone’s memory about how SHARP came about, what it is, and funding. Dave responded that the idea for the SHARP program (Safety and Health Assessment and Research for Prevention) came from L&amp;I’s Dr. Gary Franklin and Steve Cant in the early 1990s. Once the program was implemented, Barbara Silverstein became the Research Director for the program. SHARP is a workplace safety and health research program within L&amp;I, guided by the belief that workplace injuries and illnesses are preventable; that there is no such thing as a ‘workplace accident,’ but rather a series of preventable exposures that lead to injury and illness. SHARP receives approximately 25% of their funding from federal grants.</p>

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SHIP Update	<p><b>Jenifer Jellison, SHIP Program Manager, <a href="mailto:JELJ235@Lni.wa.gov">JELJ235@Lni.wa.gov</a></b> Jenifer provided three handouts:</p> <ol style="list-style-type: none"> <li>1. <i>SHIP Grants Closed Out: 7/1/17 – 6/30/19</i>: This document listed all of the grants that were approved for this two year period. Information included the grant title, awardee, dollar amount of the grant, description, and product produced.</li> <li>2. <i>Safety and Health Investment Projects 2017-2019</i>: This document listed the name of the applicant, title of proposal, dollar amount requested, and whether or not the proposal was approved/not approved for funding.</li> <li>3. Draft document titled <i>Safety and Health Investment Projects (SHIP) Request for Proposals (RFP)</i>.</li> </ol> <p>SHIP staff have been encouraging grantees to have their products available electronically to make it easier for anyone to access. SHIP staff are also encouraging grantees to work in partnership with other groups to develop grant proposals; work broader and more collaboratively.</p> <p>The SHIP application is being updated; rewording some of the questions and format changes.</p> <p>Mark Gauger has recently joined the SHIP Advisory Committee as a member.</p> <p>Anne shared with everyone that when the SHIP program undergoes a state audit, results are always positive and they use our SHIP program as a model for other state agencies.</p> <p>A Committee member asked a question: Do we have a way to show how proposals are evaluated – those not successful? Answer: SHIP staff work with entities to help when appropriate; SHIP program requires grantees to complete milestones prior to payment; SHIP staff have had to suspend payments, etc., due to groups not following what they are funded for.</p>
Wildfire Smoke	<p><b>Ryan Allen, DOSH Industrial Hygiene &amp; Lab Technical Program Manager, <a href="mailto:ALRY235@Lni.wa.gov">ALRY235@Lni.wa.gov</a></b> Ryan shared the following updates with the group:</p> <p>Ryan participated as a member of a group on wildfires; this group consisted of internal L&amp;I staff, but had a lot of discussion about how to work with other outside groups and other state agencies.</p> <p>The group identified the importance of having consistent information and having it readily available to share.</p> <p>A lot of discussion in this group centered on our DOSH regulatory authority; shared what our gaps are and the mechanisms lacking to enforce, e.g., if we wanted to change the permissible levels for exposure (PEL), we would have to go through the rulemaking process.</p> <p>Some of the goals this group identified were:</p> <ul style="list-style-type: none"> <li>• Get information out prior to the wildfire season</li> <li>• Information should be useful/helpful for guidance, e.g., Fact Sheet</li> </ul>

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	<p>Some of the wildfire smoke group members met with other organizations and attended conferences with the goal of getting consistent information for all to share; shared and exchanged documents to make sure all were providing consistent information; gained knowledge and information on challenges others were facing;; shared best practices and identified audiences,, e.g., Department of Health’s audience is much different than L&amp;I’s.</p> <p>OSHA also provided wildfire smoke information and CAL-OSHA released an emergency rule.</p> <p>Products/information created from the L&amp;I group:</p> <ul style="list-style-type: none"> <li>• Information for small business owners to help them address wildfire smoke issues</li> <li>• Created a page on our website that includes a PDF Fact Sheet</li> <li>• A document was created with the one L&amp;I perspective, which included information of all areas L&amp;I has authority over to cover exposure to wildfire smoke</li> <li>• Information provided to help people understand the risks to wildfire smoke</li> <li>• Provided information on best practices for protection for indoor and outdoor workers</li> <li>• Explanations for the differences/variations for air quality measurements from one entity to another, e.g., Department of Ecology vs. other entity’s measurements</li> <li>• Information describing when it is considered a claim when a worker gets sick at work from wildfire smoke exposure</li> <li>• Worker and employer rights and responsibilities</li> </ul> <p>Note: the above information is not meant for wildland fire fighting</p> <p>There has been a lot of discussion in the group about discrimination issues for workers with asthma (or other respiratory conditions) who may or may not want to share that they have a condition with their employer.</p> <p>The group is closely watching the California rulemaking.</p> <p>Anne talked about the need for advice from the WISHA Advisory Committee regarding public health vs. occupational health regarding wildfire smoke. Ideas and suggestions welcome; should there be rulemaking? Anne believes we need to address the health effects, but need more evidence to know how harmful the smoke exposure is before changing the content of rules to address, per evidence collected. Discussion followed with comments/suggestions:</p> <ul style="list-style-type: none"> <li>• Wildfire smoke issues are both a labor and management issue; non-negotiable issue that affects many different industries and exposure to workers. How do you make it fair for both sides? Would be a long term undertaking to find solutions.</li> <li>• Some of the discussions surrounding the emergency rulemaking in California have been interesting and unique circumstances have been discussed, e.g., wildfires start out quickly out of nowhere in various places, including in downtown areas; can’t send people out to enforce or assist because of the risks. Many other challenges also have come up that they have had to resolve on a case by case basis, e.g. respirators – when are they needed? What are the employer’s responsibilities? Employers can’t control the</li> </ul>

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	<p>smoke; don't have respirators on site or a program to use them under normal conditions. The need to protect workers and provide good information to employers has been challenging for them.</p> <ul style="list-style-type: none"> <li>• Advice is needed; people need to weigh in on what and how to deal with smoke issues to move forward.</li> <li>• Discussions need to continue</li> </ul>
<p><b>Updates</b></p>	<p><b>Anne Soiza, L&amp;I Assistant Director, Division of Occupational Safety and Health,</b> <a href="mailto:SOIZ235@Lni.wa.gov">SOIZ235@Lni.wa.gov</a></p> <p>Anne shared with the group that she has been reappointed to another two-year term as the Chair of NACOSH. DOSH also has staff appointed as members to national committees, e.g., maritime, and discrimination/whistleblower committee participation. DOSH also has active participation at the national level for the cell tower industry, explosives safety, and crane safety.</p> <p>Anne reminded everyone that the Governor's Industrial Safety and Health Conference will be held September 24-26, 2019, at the Tacoma Convention Center.</p> <p>Mandi Kime, AGC, shared that a few events are coming up that they are partnering with others on: a trenching training event in Puyallup in October and a Women in Trades event. She also reminded everyone that they have suicide prevention information and resources available on their website.</p>
<p><b>Action Items and Future Agenda Topics</b></p>	<p>Successful SHIP grant products: What are the products, where and how has the product been distributed?</p>
<p><b>Future Meeting Dates</b></p>	<p><b><u>2019 WISHA Advisory Committee Meeting Schedule</u></b> Thursday, December 12<sup>th</sup>, 9:00 a.m. to Noon, L&amp;I Tumwater Building, Room S117</p>