



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: May 17, 2022

TIME: 8:50 AM

WSR 22-11-070

**Agency:** Department of Labor and Industries (L&I)

**Subject of possible rule making:** The department is conducting rulemaking 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 L&I that DOSH needed to amend our fall protection rule in chapter 296-880 WAC in order to be at least as effective as those administered by OSHA. This rulemaking 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.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None


**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) 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:**

	(If necessary)
Name: Carmyn Shute, Administrative Regulations Analyst	Name:
Address: Department of Labor and Industries Division of Occupational Safety and Health PO Box 44620 Olympia, WA 98504-4620	Address:
Phone: 360-902-6081	Phone:
Fax: 360-902-5619	Fax:
TTY:	TTY:
Email: <a href="mailto:Carmyn.Shute@Lni.wa.gov">Carmyn.Shute@Lni.wa.gov</a>	Email:
Web site: <a href="http://www.Lni.wa.gov">www.Lni.wa.gov</a>	Web site:
Other:	Other:

Additional comments:

<b>Date:</b> May 17, 2022	<b>Signature:</b>  
<b>Name:</b> Joel Sacks	
<b>Title:</b> Director	